

FORTY-NINTH DAY

St. Paul, Minnesota, Tuesday, May 1, 1973.

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Patton and Pillsbury were excused from the Session of today, Mr. Lord was excused from the Session of today until 12:00 o'clock noon.

INTRODUCTION OF BILLS

Mr. Keefe, S. introduced—

S. F. No. 2408: A bill for an act relating to zoning; authorizing board of appeals to permit variances for use of one family dwellings; amending Minnesota Statutes 1971, Section 462.357, Subdivision 6.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Tennessee, Gearty and Stokowski, introduced—

S. F. No. 2409: A bill for an act relating to cities of the first class; providing for the transfer of liquor licenses in certain cases; amending Minnesota Statutes 1971, Section 340.57.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius, Hughes and Moe introduced—

S. F. No. 2410: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, G. introduced—

S. F. No. 2411: A bill for an act relating to elections; providing an "alley system" of election for local government officials.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Josefson introduced—

S. F. No. 2412: A bill for an act relating to the claim of Arland Bebenze; arising from loss of two cows following test for Bang disease administered by state veterinarian; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Kirchner introduced—

S. F. No. 2413: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Fort Snelling state park.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Gearty introduced—

S. F. No. 2414: A bill for an act relating to the athletic commission; increasing the annual appropriation therefor; amending Minnesota Statutes 1971, Section 341.06.

Which was read the first time and referred to the Committee on Finance.

Messrs. Lord; Hansen, Mel and North introduced—

S. F. No. 2415: A bill for an act relating to accountants; defining public practice of accountancy for purposes of registration requirements; amending Minnesota Statutes 1971, Section 326.20, Subdivision 3.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Lord, Purfeerst and Larson introduced—

S. F. No. 2416: A bill for an act relating to the capitol complex; appropriating money to study recycling of paper used in the capitol complex.

Which was read the first time and referred to the Committee on Finance.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 454, 531, 1027, 1287, 1354 and 1695.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned April 30, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 149, 662, 977, 1110, 1190, 1425, 1949, 2239, 1853, 938, 1620, 1772, 2029, 2105, 2144, 2246, 1752, 2002, 2052, 2097, 2205, 2206 and 2238.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted April 30, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1550, 1968, 2160, 2240 and 2241.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted April 30, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 1752: A bill for an act relating to the town of Rice Lake in St. Louis county; conferring exclusive authority on said town to regulate speed limits on roads, streets and highways, other than trunk highways and state-aid roads, within the town.

H. F. No. 2002: A bill for an act relating to bonds; public officers; requiring that bonds of public officers be filed in the office of the register of deeds; amending Minnesota Statutes 1971, Sections 375.03; 382.10; 382.12; 386.01; 386.18; 388.01; 389.011, Subdivision 3; 390.01; 485.01; 488.10, Subdivision 2; 508.31; 525.04; 525.-

09; 525.10; 574.20; and repealing Minnesota Statutes 1971, Sections 382.09 and 382.11.

H. F. No. 2052: A bill for an act relating to St. Louis county providing funds for the maintenance and support of county extension work in St. Louis county; amending Laws 1971, Chapter 370, Section 1.

H. F. No. 2097: A bill for an act relating to Ramsey county; tax equalization procedure; repealing Special Laws 1876, Chapter 212, as amended.

H. F. No. 2205: A bill for an act relating to drainage; providing that certain surpluses in ditch funds may be transferred to the general revenue fund by the county board; amending Minnesota Statutes 1971, Section 106.451, by adding a subdivision.

H. F. No. 2206: A bill for an act relating to Mille Lacs county; permitting the county attorney to also act as village, city and school attorney.

H. F. No. 2238: A bill for an act relating to Dakota county; soil and water conservation; expenditures from general revenue fund.

H. F. No. 938: A bill for an act relating to employment agencies; providing reimbursement to a referred job applicant where there is no job opening; providing a penalty; amending Minnesota Statutes 1971, Sections 184.21, by adding a subdivision; 184.38, Subdivisions 6 and 8, and by adding a subdivision, and Section 184.33.

H. F. No. 1620: A bill for an act relating to common trust funds; permitting participation therein by affiliated banks and trust companies; amending Minnesota Statutes 1971, Section 290.281, Subdivision 1.

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

H. F. No. 2029: A bill for an act relating to mining; strengthening certain provisions relating to mineland reclamation; providing penalties; amending Minnesota Statutes 1971, Sections 93.46, Subdivision 3; 93.47, Subdivisions 2, 3, and 5; 93.49; 93.51; and Chapter 93, by adding a section; repealing Minnesota Statutes 1971, Section 93.46, Subdivision 4.

H. F. No. 2105: A resolution memorializing the President of the United States to provide for the establishment of protective cover crops on all lands diverted from agricultural production under federal land diversion programs.

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. 2246: A bill for an act relating to the city of Little Falls; authorizing the issuance of an additional on-sale license for the sale of intoxicating liquor.

H. F. No. 1853: A bill for an act relating to Morrison county; providing for increased compensation for county welfare board; amending Laws 1967, Chapter 818, Section 1.

H. F. No. 149: A bill for an act relating to snowmobiles; authorizing the operation of snowmobiles on bridges under certain conditions; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1.

H. F. No. 662: A bill for an act relating to food; providing for the regulation and licensing of food handlers; amending Minnesota Statutes 1971, Sections 28A.05; 28A.15, Subdivisions 6, 7, and 8; 28A.16; 32.59; and 34.05; repealing Minnesota Statutes 1971, Section 31.495, Subdivision 3.

H. F. No. 977: A bill for an act relating to the state junior college board; increasing membership of the state junior college board from five to seven members; amending Minnesota Statutes 1971, Section 136.61, Subdivisions 1 and 2.

H. F. No. 1110: A bill for an act relating to commerce; providing for the registration and regulation of franchises by the commissioner of securities; requiring certain disclosures; defining and prohibiting unfair practices; providing penalties.

H. F. No. 1190: A bill for an act relating to municipal industrial development; amending Minnesota Statutes 1971, Sections 474.02, Subdivision 1; 474.03; 474.04; 474.06; and 474.09.

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, Subdivision 7.

H. F. No. 1949: A bill for an act relating to Ramsey county; authorization of the county to appropriate and expend moneys in the improvements of lakes and acquiring land in the vicinity of such lakes for recreational grounds; repealing annual expenditure limitation; amending Laws 1927, Chapter 209, Section 1, as amended.

H. F. No. 2239: A bill for an act relating to Dakota county; housing and redevelopment authority; jurisdiction; amending Laws 1971, Chapter 333, Section 2.

H. F. No. 1550: A bill for an act relating to personnel in government; their rights, privileges and benefits; creating a department of personnel; defining its powers and duties; amending Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.101; 15A.12; 43.01, Subdivisions 6, 7, 8, and 9, and by adding subdivisions; 43.02; 43.03; 43.05; 43.06; 43.07; 43.08; 43.09; 43.111; 43.122; 43.128; 43.13; 43.15; 43.17, Subdivision 2; 43.18, Subdivision 1; 43.19; 43.21; 43.23; 43.24; 43.32; 43.48; 43.43; and Chapter 43, by adding sections; repealing Minnesota Statutes 1971, Sections 15A.14; 16.02, Subdivisions 20 and 22; 43.01, Subdivision 5; 43.041; 43.10; 43.18, Subdivision 3; 43.30 and 43.34.

H. F. No. 1968: A bill for an act relating to the city of Saint Paul, authorizing the issuance of bonds and the appropriation of

revenues and taxes to finance the acquisition, betterment, and operation of swimming pools for the municipal program of public recreation and playgrounds.

H. F. No. 2160: A bill for an act relating to state colleges; authorizing student governing associations to expend money assigned to them from the college student activity fund for funding a legal counseling and service program for students.

H. F. No. 2240: A bill for an act relating to Dakota county; plats and surveys contiguous with any existing or proposed county road in Dakota county; providing for approval thereof by the Dakota county board of commissioners.

H. F. No. 2241: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for the acquisition and betterment of parklands; authorizing a levy, within existing park levy limits, and limited to specific purposes, without a referendum.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

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

S. F. No. 1397: A bill for an act relating to state employees; prohibiting the receipt of gratuities or other advantages by state employees or their families because of state business; providing a penalty.

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

Section 1. Subdivision 1. [FINANCIAL INTEREST OF AGENTS.] No employee of the state or of the university of Minnesota in direct contact with suppliers or potential suppliers to the state or the university, or who may directly or indirectly influence a purchasing decision or contract by establishing specification, testing purchased products, evaluating contracted services, or otherwise has official involvement in the purchasing or contracting process may:

(1) Have any financial interest or have any personal beneficial interest directly or indirectly in contracts or purchase orders for goods or services used by, or purchased for resale or furnished to a department or agency of the state or the university; or

(2) Accept directly or indirectly from a person, firm, or corporation to which a contract or purchase order has been or may be awarded, a rebate, gift, money, or anything of value other than advertising novelties having side distribution and of nominal value.

No such employee may further accept any promise, obligation or contract for future reward.

Subd. 2. [TEXTBOOKS EXEMPTED.] Textbooks authored by an employee of the state's education systems or of the university of Minnesota may be used as required course material upon receipt of written approval from the head of the department. Instructors in state institutions and at the university may accept free samples of textbooks and related teaching materials.

Subd. 3. [OTHER EXEMPTIONS.] The commissioners of public welfare and corrections, and the chancellors of the state college and state junior college systems may by rule prescribe procedure for the acceptance of gifts from any person or organization, provided that such gifts are accepted by the commissioner or chancellor or his designated representative, and that such gifts are used solely for the direct benefit of patients, inmates or students under the jurisdiction of the accepting state officer.

Subd. 4. [PENALTIES.] A violation of this section is a misdemeanor.

Sec. 2. Minnesota Statutes 1971, Sections 16.11, 241.12, and 246.20 are repealed.

Amend the title as follows:

Page 1, line 6, before the period insert “; repealing Minnesota Statutes 1971, Sections 16.11, 241.12 and 246.20”

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 810: A bill for an act relating to commerce; providing for the registration and regulation of franchises by the commissioner of securities; requiring certain disclosures; defining and prohibiting unfair practices; providing penalties.

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

Page 1, line 20, after “written,” insert “for a definite or indefinite period,”

Page 1, line 21, strike “by which”

Page 1, line 22, after “(a)” insert “By which”

Page 1, line 23, strike “, selling”

Page 1, line 24, after “services” strike balance of line

Page 1, strike line 25 and insert “using the franchisor's trade name, trademark, service mark, logotype, advertising, or other commercial symbol or related characteristics;”

Page 1, line 26, after "(b)" strike balance of line

Page 1, strike lines 27, 28 and 29

Page 1, line 30, strike "designating the franchisor or its affiliate" and insert "In which the franchisor and franchisee have a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise"

Page 1, line 31, after "(c)" insert "For which"

Page 2, after line 1, insert a new paragraph as follows:

" "Franchise" does not include any business which is operated under a lease on the premises of the lessor as long as such business is incidental to the business conducted by the lessor on such premises, including, without limitation, leased departments and concessions. Notwithstanding anything herein to the contrary, 'franchise' shall include a contract, lease or other agreement whereby the franchisee is granted the right to market motor vehicle fuel."

Page 4, line 13, strike "the"

Page 4, line 14, strike "franchise is registered under sections 1 to 22" and insert "there is an effective registration statement on file in accordance with the provisions of this act"

Page 5, line 11, strike "accompanied by a fee of \$250, shall be"

Page 5, line 12, strike "filed" and insert "made by filing"

Page 5, line 12, after "commissioner" strike ", and" and insert "a proposed public offering statement accompanied by a fee of \$250. The public offering statement"

Page 6, line 1, strike "application for registration" and insert "public offering statement"

Page 6, line 2, after "Has" insert "during the ten year period immediately preceding the date of the public offering statement"

Page 7, line 22, after "filed" insert ", and may waive the requirement of audited financial statements"

Page 8, line 23, after "practice" insert "of the franchisor"

Page 9, line 9, after "based" strike the comma and insert a period; strike balance of line

Page 9, strike lines 10 through 13

Page 11, line 17, after "Subdivision 1." strike balance of line

Page 11, strike lines 18 through 24 and insert "Except as required by this act, no portion of the public offering statement shall be underscored, italicized, printed in larger or bolder type than the balance of the statement unless the commissioner requires or permits it. The public offering statement shall recite in bold-faced type of not less than ten-point type that registration of this franchise does not constitute approval or recommendation of the franchise by the commissioner."

Page 11, after line 24 insert

"Subd. 2. In addition to the information required by section 4 to be included in the public offering statement, the commissioner may by rule or order require that specified portions of the public offering statement be emphasized by italics, bold-faced type or other means, that earnings or sales projections or estimations be qualified by appropriate legend and by the filing with the commissioner of such information or documents as are necessary or appropriate in the public interest or for the protection of prospective franchisees or subfranchisors and may require that such additional information or documents be furnished to prospective franchisees or subfranchisors as part of the public offering statement.

Subd. 3. The commissioner may by rule or order provide that any information required by section 4 to be included in the public offering statement need not be included in respect of any class of franchisees if he finds that such information is inappropriate to such class and that disclosure adequate for the protection of prospective franchisees or subfranchisors is otherwise included within the public offering statement.

Subd. 4. The commissioner may by rule or order deem to be in full or partial compliance with this section or section 4, any public offering or similar statement which complies with the requirements of any federal law or administrative rule or with the law of any other state requiring substantially the same disclosure of information as is required under this act."

Page 11, line 25, renumber "Subd. 2." as "Subd. 5."

Page 11, line 28, strike "48 hours" and insert "seven days"

Page 12, line 2, strike "48 hours" and insert "seven days"

Page 12, line 18, renumber "Subd. 3." as "Subd. 6."

Page 15, line 25, strike "an application for"

Page 15, line 26, strike "registration" and insert "a public offering statement"

Page 16, after line 10, insert

"(g) that the method of sale or proposed method of sale of franchises or the operation of the business of the franchisor or any term or condition of the franchise agreement or any practice of the franchisor is or would be unfair or inequitable to franchisees."

Page 18, line 18, strike "of the following acts" and insert "unfair"

Page 18, line 18, after "or" insert "inequitable"

Page 18, line 18, strike "practices:" and insert "practice in contravention of such rules as the commissioner may adopt defining as to franchises the words "unfair and inequitable". Any violation of this section is enjoined by a court of competent jurisdiction."

Page 18, strike lines 19 through 28.

Page 19, strike lines 1 through 28

Page 20, strike lines 1 through 28

Page 21, strike lines 1 through 7

Page 23, line 18, after "who" insert "wilfully"

Page 24, line 5, after "to" insert "13 and 15 to"

Page 24, line 24, after "fees" insert a period and strike balance of line

Page 24, strike lines 25 and 26

Page 25, line 7, before "The" insert "Subdivision 1."

Page 25, after line 20, insert

"Subd. 2. The commissioner may, upon request and upon payment of a fee of \$25.00, honor requests for interpretive opinions relating to this act."

Page 27, after line 14, insert a new paragraph as follows:

"When any person, including any non-resident of this state and any foreign corporation, engages in conduct prohibited or made actionable by this act, whether or not he has filed a consent to service of process, and personal jurisdiction over him cannot otherwise be obtained in this state, that conduct shall be considered equivalent to his appointment of the commissioner and his successors in office to be his agent to receive service of any lawful process in any suit against him or his successor, executor or administrator which grows out of that conduct and which is brought under this act, with the same force and validity as if served on him personally. Service may be made by leaving a copy of the process in the office of the commissioner but it is not effective unless the plaintiff, who may be the commissioner in an action instituted by him, forthwith sends notice of the service and a copy of the process by certified mail to the defendant or respondent at his last known address on file with the commissioner and the plaintiff's affidavit of compliance with this section is filed with the court at the time of the filing of the complaint."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 857: A bill for an act relating to retirement; the Minnesota unclassified employees retirement program; amending Minnesota Statutes 1971, Chapter 352D, by adding sections; Sections 352D.01, 352D.02, 352D.03, 352D.04, 352D.05, 352D.06, and 352D.09; repealing Minnesota Statutes 1971, Sections 352D.07, and 352D.08.

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

Page 2, line 27, after "governor," insert "*lieutenant governor,*"

Page 3, line 21, after "new" insert "*or present*"

Page 3, line 23, after "employment" insert "*or the effective date of this act*"

Page 3, line 24, after "employee" strike "*in the classified service*" and insert "*with coverage in the regular fund*"

Page 4, line 25, put a period after "program" and delete remainder of sentence in line 25, 26 and 27

Page 7, line 23, delete the last word "the"

Page 7, line 24, delete "employee" and insert in lieu thereof "*his total*"

Page 7, strike line 26, after the period and strike lines 27 and 28

Page 8, line 2, strike "*regular fund.*"

Page 8, line 6, delete the last word "the"

Page 8, line 7, delete the word "employee" and insert in lieu thereof "*his total*"

Page 14, after line 17 insert the following:

"Subd. 7. One-tenth of one percent of salary shall be deducted from the employee contributions authorized by section 352.04, subdivision 2, and one-tenth of one percent of salary from the employer contributions authorized by section 352.04, subdivision 3 (1) to pay the administrative expenses of the unclassified program."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1655: A bill for an act relating to highway traffic regulation; prescribing weight limitations of a compactor collection vehicle transporting solid waste; amending Minnesota Statutes 1971, Section 169.831.

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

Page 1, line 24, strike the new language and reinstate the old language.

Line 27, reinstate the old language. In the reinstated language strike "1973" and insert "1975"

After line 27, insert:

"Sec. 2. The commissioner of highways and the executive director of the Minnesota pollution control agency are jointly directed to develop a committee to study and develop plans to enable solid waste to be collected and transported as necessary in the state of Minnesota in conformance with the laws of the state of Minnesota without special exceptions or exemptions. In developing and evalu-

ating alternative plans, the committee will consider, among other things, the environmental impact; and the total short term and long term cost to the public; including refuse collection and transportation costs, and roadway maintenance and construction costs.

The committee shall be composed of, but not limited to, the following governmental agencies, political subdivisions and organizations: Minnesota department of highways, Minnesota pollution control agency, league of Minnesota municipalities, association of Minnesota counties, and the solid waste disposal industry.

If it is determined that the planning should be developed on a regional basis, then for the Twin Cities metropolitan area, the metropolitan council, the metropolitan inter-county council, and the metropolitan area league of municipalities shall be included in the study committees. For other regions, the appropriate regional authorities shall be included.

The committee shall report to the legislature by November 1, 1974."

Renumber the remaining section.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2358: A bill for an act relating to transportation; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation; authorizing the issuance of state bonds for the purposes of the trunk highway fund and the transportation fund; and appropriating money in connection therewith.

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

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

"Section 1. [PURPOSE.] It is determined that there is a critical need to preserve and improve transportation facilities throughout the state which cannot be met by local effort without state financial assistance. The rate of completion of the interstate portion and upgrading of the remainder of the state's highway system has fallen behind the rate of traffic growth, resulting in serious traffic hazards and delays that affect the personal safety, quality of life, and economic welfare of citizens. The highway traffic problem is accentuated by the deficiency in the quality and quantity of public transportation available in urban areas, large and small. This deficiency is itself largely caused by the inability of public transportation to compete economically with private automobiles, without financial support comparable to that given highway construction. Its most serious effect is to limit severely the life and

liberty of many persons who because of age, physical or mental characteristics, or economic circumstances are unable to use automobiles. For many more it compels the use of automobiles, often more than one per family, for daily attendance at work and school and for transportation in emergencies, notwithstanding cost that may reduce remaining living resources below poverty levels, and notwithstanding unacceptable safety hazards often resulting from physical handicaps or inexperience. And for many high cost makes it impossible to acquire and maintain vehicles that can operate at acceptable safety and pollution control levels, thus aggravating the traffic and pollution hazards created by sheer numbers of vehicles. Capital and maintenance cost of the principal arterial highways of this state cannot be adequately met from existing sources of funds. Similar costs of adequate public transportation in urban areas cannot be met by user fees without subsidy, or even with subsidy to the extent this is possible from property taxes or other resources available to local units of government. It is determined that state financial assistance in meeting the capital cost of public transportation in urban areas and constructing and reconstructing the state's principal arterial highways is a proper function of state government and is necessary to protect the safety and the personal and economic welfare of the citizens of the state at large.

Sec. 2. [PRINCIPAL ARTERIAL HIGHWAY BOND AUTHORIZATION AND APPROPRIATION.] Subdivision 1. The state auditor is authorized and directed, upon request of the commissioner of transportation, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 4 of this act and Article IX, Section 6 of the Constitution, in an aggregate principal amount not to exceed \$120,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of such bonds to the commissioner of transportation for grants to counties and municipalities for use in constructing and reconstructing the principal arterial highways of this state. This appropriation shall not lapse or cancel until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of transportation.

Subd. 2. The department of transportation shall promulgate regulations, standards, and priorities for the administration of grants authorized in accordance with subdivision 1.

Subd. 3. Applications by counties and municipalities for grants for the funds provided for by subdivision 1 shall be made through regional planning agencies to the department of transportation on forms requiring information prescribed by the regulations of the department of transportation. The regional agency shall certify to the department of transportation those applications which appear to meet the standards and criteria set forth by the department of transportation and the regulations prom-

ulgated hereunder, and the department of transportation shall direct grants to be disbursed on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the counties and municipalities sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the projects have complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 3. [PRINCIPAL ARTERIAL BONDS.] Subdivision 1. For the purpose of providing money appropriated to the counties and municipalities of the state from the principal arterial highway funds authorized by section 2 for constructing and reconstructing the state's principal arterial highways, in accordance with section 2, when authorized by law and requested by the commissioner of transportation, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state principal arterial bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent.

The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state principal arterial funds, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state principal arterial bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state principal arterial bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state principal arterial bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state principal arterial bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state principal arterial bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all

such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state principal arterial bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 4. [MINNESOTA STATE TRANSPORTATION FUND.]

Subdivision 1. A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and disbursements from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long-range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the department of transportation pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city, village, or borough outside the area of operation of such a public body.

Subd. 2. It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all urban areas within the state by providing state funding for public transportation capital improvements. The department of transportation and regional planning agencies are directed to prepare and revise annually a program of capital grants to subdivisions for specific projects which will implement this plan and policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The department of transportation shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the department shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the department of transportation on forms requiring information prescribed by the regulations of the department of transportation. The regional agency shall certify to the department of transportation those applications which appear to meet the standards and criteria set forth by the department of transportation and the regulations promulgated hereunder, and the department of transportation shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 5. [MINNESOTA STATE TRANSPORTATION BONDS.]
Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 4, when authorized by law and requested by the commissioner of transportation, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and

attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds.

This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 6. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] The state auditor is authorized and directed, upon request of the commissioner of transportation, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 4 of this act and of the Constitution, Article IX, Section 6, in an aggregate principal amount not to exceed \$80,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 4, and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 4. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of transportation.

Sec. 7. [TRANSFER OF POWERS.] Should this legislature fail by July 1, 1973, to enact a law authorizing the creation of a department of transportation, the powers and duties of sections 2 and 3 of this act shall be assumed by the department of highways, and the powers and duties of sections 4 through 6 of this act shall be assumed by the state planning agency.

Sec. 8. [SEVERABILITY.] The invalidity of any provision of this act shall not affect the validity of the remainder of the act.

Sec. 9. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

Further amend the title on Page 1, strike lines 2 through 12 and insert in lieu thereof:

"relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing

the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2090: A bill for an act relating to the sales and use tax; defining sale and purchase; amending Minnesota Statutes 1971, Section 297A.01, Subdivision 3.

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1375: A bill for an act relating to the University of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1971, Chapter 137, by adding a section.

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

Page 1, line 15, strike "1973" and insert "1975"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2259: A bill for an act relating to Mankato state college; authorizing Mankato state student association to expend money assigned to it from the college activity fund of Mankato state college for funding a legal counseling and service program for students.

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

Page 1, line 11, after the comma add "Section 8.06 and"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1530: A bill for an act relating to education; prohibiting fees for public educations.

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

Strike everything after the enacting clause and insert the following:

"Section 1. No school board may lawfully require payment of pupil fees for participating in instructional programs which are a regular part of the school day except as specifically permitted by law.

Sec. 2. All school districts shall furnish free to pupils all workbooks and supplementary materials or supplies which are required for use in a particular grade or class. Fees for supplies or materials which are in excess of minimum requirements for the successful completion of a class or course may be charged but the inability of a student to pay such fees shall not preclude his participation in the class or course.

Sec. 3. The charging of reasonable admission fees for extra curricular activities conducted outside of the regular school day are not precluded by this act.

Sec. 4. Rental fees for school lockers or other equipment provided by the district shall not be charged but a deposit may be required for the return of locks or keys furnished by the district.

Sec. 5. A pupil's grades, periodic grade reports and diplomas may not be withheld for non-payment of fees except those fees which are specifically permitted by law."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2317: A bill for an act relating to Independent School District No. 709, St. Louis county; the payment of the net salary or wages of the employees; authorizing the "direct deposit" of said sums in a bank account in the name of the individual employee of the school district.

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

Page 1, line 23, strike "and"

Page 1, line 23, strike "on or prior to the"

Page 1, strike lines 24 through 31 and on page 2, strike lines 1 through 9 and insert the following:

"Any deposit made, or warrants issued, by the school district for the purpose of depositing in an employee's account, the net salary or wages owing to the employee shall not be used by the bank or banks as payment for any sum owing by the school district to the bank or banks, or as a set-off to any claim owing by the school district to said bank or banks.

Sec. 2. Employees within any bargaining unit of the school district who are paid on a bi-weekly or monthly basis shall not be required to have their salary and wages deposited pursuant to the provisions of section 1 of this act unless and until agreed upon between the exclusive representative of the bargaining unit and the school district. All other employees shall be subject to the provisions of section 1 of this act.

Sec. 3. This act is effective September 1, 1973."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1305: A bill for an act relating to taxation; distribution of property tax revenues by county treasurer; amending Minnesota Statutes 1971, Section 276.11.

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

Page 2, line 4, strike "shall"

Page 2, line 4, strike "accrue at the rate of"

Page 2, line 5, strike "percent"

Page 2, line 5, delete the new language and insert "*earned on such funds shall be paid to units of government entitled to such funds*"

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2021: A bill for an act relating to education; private trade schools; providing penalties; amending Minnesota Statutes 1971, Sections 141.21, Subdivisions 4 and 7; 141.25, Subdivisions 3, 4, 7, 8, 9, 10, and by adding a subdivision; 141.26, Subdivisions 2 and 5; 141.28, Subdivision 3, and by adding subdivisions; 141.-29, Subdivision 1, and by adding a subdivision; 141.30; 141.32; 141.35; and Chapter 141, by adding a section; repealing Minnesota Statutes 1971, Section 141.27.

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

Page 2, line 26, strike "agreements" and insert "agreement forms"

Page 2, line 27, strike "contracts" where it appears at the beginning of the line and insert "contract forms"; strike "agreements" and insert "agreement forms"; following "and" and before "used" strike "contracts" and insert "contract forms".

Page 13, line 4, after the first comma insert "but before completion of 75 percent of the course of instruction,"

Page 13, after line 9, insert a new sentence which reads, "After completion of 75 percent of the course of instruction, no refunds are required."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2371: A bill for an act relating to veterans, Vietnam era; providing for the tuition-free attendance of dependents at the university of Minnesota; amending Minnesota Statutes 1971, Section 197.09.

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

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

"Section 1. Minnesota Statutes 1971, Section 197.75 is amended by adding a subdivision to read:

Subd. 6. Any child or spouse of any person who was a resident of Minnesota at the time of entering active duty in the armed forces of the United States and who

(a) was killed while on active duty at any time during the period of August 5, 1964 until January 23, 1973; or

(b) has been declared a person missing in action during the period of August 5, 1964 until January 23, 1973 by the secretary of defense; or

(c) was a prisoner of war at any time during the period of August 5, 1964 until January 23, 1973;

shall, upon being accepted and upon continued academic eligibility, be entitled to attend those public educational institutions enumerated in subdivision 1. Any such public educational institution, upon enrolling a person entitled to free attendance under this subdivision, shall request the Department of Veterans Affairs to be reimbursed for appropriate tuition and charges for such student. Upon such request the Commissioner of Veterans Affairs shall reimburse the requesting public educational institution from the biennial appropriation referred to in Subdivision 1. "

Further, amend the title as follows:

Line 2, strike "veterans, Vietnam era" and insert in lieu thereof "education"

Line 3, strike "the"

Line 4, strike the entire line and insert in lieu thereof "education for certain persons"

Line 5, strike "University of Minnesota"

Line 6, strike "197.09" and insert in lieu thereof "197.75, by adding a subdivision"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1514: A bill for an act relating to elections; providing for certain certificates of election; amending Minnesota Statutes 1969, Section 203.53, Subdivision 11.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1806: A bill for an act relating to the operation of the state government; providing for the purchase of electronic data processing equipment where bids are unsatisfactory; amending Minnesota Statutes 1971, Section 16.07, Subdivision 14.

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

Page 1, line 17, after the stricken language, insert:

“by reason of failure to fully comply with the specifications, terms and conditions of the call for bids. The contract shall be awarded to the vendor offering the lowest price to the state, taking into consideration the specifications, terms and conditions agreed upon pursuant to such negotiation”

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2230: A bill for an act relating to the application of the state mobile homes building code; amending Minnesota Statutes 1971, Section 327.31, Subdivision 6.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1682: A bill for an act relating to motor vehicles; eliminating the requirement of special markings on motor vehicles owned by the state and operated by a commissioner or head of a state department or agency; amending Minnesota Statutes 1971, Section 168.012, by adding a subdivision.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2140: A bill for an act relating to the city of Winona; placing newly hired police and firemen under the public employees police and fire fund.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1942: A bill for an act relating to the city of Redwood Falls; authorizing payment of lump sum retirement benefits to firemen.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 871: A bill for an act relating to the state building code; directing certain amendments concerning lighting and heat loss; amending Minnesota Statutes 1971, Section 16.82, by adding a subdivision.

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

Page 1, line 8, after "Section" delete "16.82" and insert in lieu thereof "16.86"

Further, amend the title in line 5 by deleting "16.82" and inserting in lieu thereof "16.86"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1574: A bill for an act relating to retirement; firemen's service pensions in the village of Sauk Rapids.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2139: A bill for an act relating to the city of St. Cloud; payment of retirement benefits in certain instance by firemen's relief association.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1679: A bill for an act relating to the city of St. Cloud; contributions to the firemen's pension fund.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2275: A bill for an act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Subdivision 3.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 875: A bill for an act relating to the organization and operation of state government; the powers and duties of the commissioner of iron range resources and rehabilitation; creation, powers and duties of advisory commission; appropriation of funds; amending Minnesota Statutes 1971, Sections 298.22 and 298.221.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 964: A bill for an act relating to the city of Thief River Falls; payment of firemen's service pensions.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Local Government. Report adopted.

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

H. F. No. 1023: A bill for an act relating to home rule charters and charter commissions; amending Minnesota Statutes 1971, Sections 410.05 by adding a subdivision; 410.12, by adding subdivisions; and 410.30; repealing Minnesota Statutes 1971, Sections 410.17; 410.22; 410.27; and 410.31.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Local Government. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1844, 2154, 1578, 1829, 358, 1689, 1692, 2234, 659, 1042, 1720, 1978, 2244, 149, 1110, 1425 and 1949 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 2234 to the Committee on Education.

H. F. Nos. 1042, 1978 to the Committee on Finance.

H. F. Nos. 1844, 1578, 358 to the Committee on Governmental Operations.

H. F. No. 1425 to the Committee on Judiciary.

H. F. Nos. 1689, 1692, 2244, 1110 to the Committee on Labor and Commerce.

H. F. No. 659, to the Committee on Local Government.

H. F. Nos. 2154, 1949 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 1720, 149 to the Committee on Natural Resources and Agriculture.

H. F. No. 1829 to the Committee on Transportation and General Legislation.

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

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

H. F. Nos. 1772, 2029, 2105, 2144, 2246, 1752, 2002, 2052, 2097 and 2238 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1772 to the Committee on Finance.

H. F. No. 2246 to the Committee on Labor and Commerce.

H. F. Nos. 1752, 2002, 2052 to the Committee on Local Government.

H. F. Nos. 2097, 2238 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2029, 2105, 2144 to the Committee on Natural Resources and Agriculture.

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

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

H. F. Nos. 1550 and 2160 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 2160 to the Committee on Education.

H. F. No. 1550 to the Committee on Governmental Operations.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2399, 1305 and 2090 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 964 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that S. F. No. 810 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Hansen, Baldy moved that H. F. No. 1110 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Laufenburger moved that S. F. No. 2306, No. 246 on General Orders be stricken and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Hansen, Baldy moved that the first sentence of Rule 77 be suspended for the remainder of the Session.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Larson	Olson, H. D.	Tennessee
Bang	Frederick	Laufenburger	O'Neill	Thorup
Berg	Gerty	Lewis	Perpich, A. J.	Ueland
Borden	Hansen, Baldy	Milton	Perpich, G.	Willet
Chmielewski	Hanson, R.	Moe	Renneke	
Coleman	Josefson	Nelson	Schrom	
Davies	Keefe, S.	Novak	Solon	
Doty	Kleinbaum	Olson, A. G.	Stassen	

Those who voted in the negative were:

Anderson	Fitzsimons	Keefe, J.	Ogdahl	Sillers
Arnold	Hansen, Mel	Knutson	Olhoff	Spear
Bernhagen	Hughes	Kowalczyk	Olson, J. L.	Stokowski
Brown	Humphrey	Krieger	Purfeerst	Wegener
Conzemius	Jensen	North	Schaaf	

Which motion did not prevail. So the rule was not suspended.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 746: A bill for an act relating to securities; repealing Minnesota Statutes 1971, Chapter 80.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 351: A bill for an act relating to mineral lands; requiring all leases and extensions of leases by the state of mineral lands or rights to be approved by the legislature before such leases and lease extensions become effective; amending Minnesota Statutes 1971, Chapter 93, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Novak	Schrom
Arnold	Gearty	Knutson	Ogdahl	Solon
Berg	Hansen, Baldy	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, R.	Larson	Olson, A. G.	Stassen
Brown	Hughes	Laufenburger	Olson, H. D.	Stokowski
Chmielewski	Humphrey	Lewis	O'Neill	Tennessee
Coleman	Jensen	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Purfeerst	Wegener
Doty	Keefe, S.	Nelson	Renneke	Willet
Dunn	Kirchner	North	Schaaf	

Those who voted in the negative were:

Ashbach	Borden	Hansen, Mel	Olson, J. L.	Sillers
Bang	Fitzsimons	Krieger		

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 7: A bill for an act providing compensation to those members of the armed forces who served during the Vietnam conflict; providing for a bond issue to finance; appropriating money; and providing a penalty.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 694: A bill for an act relating to the state zoological board; regulating the powers and duties of the state zoological board; appropriating money from the Minnesota zoological garden account in the general fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; authorizing the issuance

and sale of bonds for this purpose under the provisions of Article IX, Section 6 of the Constitution, and appropriating money in connection therewith; creating a state zoological garden bond account in the Minnesota state bond fund; amending Minnesota Statutes 1971, Sections 85A.02, Subdivisions 2 and 5; 85A.03, by adding a subdivision; and 85A.04; Chapter 85A, by adding a section; and repealing Minnesota Statutes 1971, Section 85A.02, Subdivision 8.

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

CALL OF THE SENATE

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

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

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

The question being taken on the passage of H. F. No. 694,

Mr. Conzemius moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 52 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	North	Solon
Arnold	Fitzsimons	Knutson	Novak	Spear
Ashbach	Frederick	Kowalczyk	Ogdahl	Stassen
Bang	Gearty	Krieger	Olhoff	Stokowski
Blatz	Hansen, Mel	Larson	Olson, A. G.	Tennessee
Brown	Hughes	Laufenburger	Olson, H. D.	Thorup
Chenoweth	Humphrey	Lewis	Olson, J. L.	Ueland
Chmielewski	Jensen	McCutcheon	O'Neill	Wegener
Coleman	Keefe, J.	Milton	Perpich, A. J.	
Conzemius	Keefe, S.	Moe	Purfeerst	
Davies	Kirchner	Nelson	Schaaf	

Those who voted in the negative were:

Berg	Dunn	Josefson	Renneke	Sillers
Bernhagen	Hansen, Baldy	Perpich, G.	Schrom	Willet
Borden	Hanson, R.			

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders as Special Orders at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

S. F. No. 1232: A bill for an act relating to education; defining gifted pupil; permitting school districts to provide services for gifted pupils.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Olson, A. G.	Solon
Arnold	Fitzsimons	Krieger	Olson, H. D.	Stassen
Ashbach	Gearty	Larson	Olson, J. L.	Stokowski
Bang	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Berg	Hanson, R.	Lewis	Patton	Thorup
Bernhagen	Hughes	McCutcheon	Perpich, A. J.	Ueland
Blatz	Humphrey	Milton	Perpich, G.	Wegener
Chenoweth	Jensen	Moe	Purfeerst	Willet
Chmielewski	Keefe, J.	North	Renneke	
Coleman	Keefe, S.	Novak	Schaaf	
Davies	Kirchner	Ogdahl	Schrom	
Doty	Knutson	Olhoff	Sillers	

Messrs. Brown; Hansen, Baldy; Nelson and Spear voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Fitzsimons	Josefson	Lewis
Arnold	Chenoweth	Gearty	Keefe, J.	McCutcheon
Ashbach	Chmielewski	Hansen, Baldy	Keefe, S.	Milton
Bang	Coleman	Hansen, Mel	Kirchner	Moe
Berg	Conzemiun	Hanson, R.	Kleinbaum	Nelson
Bernhagen	Davies	Hughes	Knutson	North
Blatz	Doty	Humphrey	Krieger	Novak
Borden	Dunn	Jensen	Laufenburger	Ogdahl

Olhoft	Patton	Schaaf	Stokowski	Willet
Olson, A. G.	Perpich, A. J.	Schrom	Tennessee	
Olson, H. D.	Perpich, G.	Sillers	Thorup	
Olson, J. L.	Purfeerst	Spear	Ueland	
O'Neill	Renneke	Stassen	Wegener	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 775: A bill for an act relating to crimes and criminals; making uniform the penalties for various misdemeanors and other similar type offenses; amending Minnesota Statutes 1971, Sections 12.34, Subdivision 3; 12.45; 17.23, Subdivision 3; 21.122; 21.58, Subdivision 1; 24.077; 24.181; 29.091, Subdivision 7; 29.28; 31.185, Subdivision 13; 31.403; 31.58; 31.611; 32.101; 32.205; 32.534; 32.645, Subdivision 2; 33.091; 33.171; 34.113; 35.70, Subdivision 1; 54.28; 64A.46, Subdivision 2; 65B.13; 69.58; 71A.08, Subdivision 1; 79.23; 85.20, Subdivisions 3 and 5; 88.11, Subdivision 2; 88.13, Subdivision 3; 88.14, Subdivision 2; 88.19; 97.55, Subdivisions 1, 2, 3, and 4; 127.17, Subdivision 4; 127.19; 127.20; 145.24, Subdivision 3; 145.35, Subdivision 2; 153.15; 154.19; 157.08; 168.013, Subdivision 3; 168.275; 168.36, Subdivision 2; 169.121, Subdivisions 3 and 4; 175.34; 177.19; 180.10; 181.20; 181.21; 181.30; 182.19; 182.28; 182.49; 183.61, Subdivision 6; 197.59; 211.15, Subdivision 1; 218.071, Subdivision 2; 219.383, Subdivision 5; 219.57; 219.97, Subdivisions 1, 6, 8, 9, and 16; 222.06; 223.08, Subdivision 1; 229.19; 229.20; 232.06, Subdivision 7; 233.35; 235.04; 239.23; 239.24; 239.44; 239.45; 239.511, Subdivision 3; 248.06, Subdivision 3; 297.25, Subdivision 1; 299G.10; 299H.28; 299I.22; 325.245, Subdivision 7; 325.48; 325.77, Subdivision 6; 325.83, Subdivision 2; 325.84, Subdivision 5; 326.337; 327.07; 329.17, Subdivision 2; 333.13; 333.135; 340.78; 340.81; 340.90; 346.23; 346.26; 346.28; 346.29; 373.26, Subdivision 5; 395.22; 426.10; 481.05; 488A.06, Subdivision 4; 509.02; 509.03; 514.66; 609.17, Subdivision 4; 617.23; 624.03; 624.65, Subdivision 3; 624.701; 631.04; and 641.10; repealing Minnesota Statutes 1971, Sections 31.405; 35.70, Subdivision 2; and 340.83.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hanson, R.	Krieger	Olhoft
Arnold	Coleman	Hughes	Larson	Olson, A. G.
Ashbach	Conzemius	Humphrey	Lewis	Olson, H. D.
Bang	Davies	Jensen	McCutcheon	Olson, J. L.
Berg	Doty	Josefson	Milton	O'Neill
Bernhagen	Dunn	Keefe, J.	Moe	Patton
Blatz	Fitzsimons	Keefe, S.	Nelson	Perpich, A. J.
Borden	Gearty	Kirchner	North	Perpich, G.
Brown	Hansen, Baldy	Kleinbaum	Novak	Purfeerst
Chenoweth	Hansen, Mel	Kowalczyk	Ogdahl	Renneke

Schaaf	Solon	Stokowski	Thorup	Wegener
Schrom	Spear	Tennessee	Ueland	Willet
Sillers	Stassen			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2014: A bill for an act relating to natural resources; enlarging certain trail acquisition authority; amending Minnesota Statutes 1971, Section 84.029, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Bernhagen, Renneke and Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2008: A bill for an act relating to evidence; prescribing use of taped verbatim records of legislative proceedings as evidence of legislative intent or contemporaneous history.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

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

Messrs. Chenoweth; Hansen, Mel; Humphrey; Jensen and North voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1943: A bill for an act relating to unemployment compensation; limiting the contribution required of any employing unit or units controlled by the same interests as to any employee; amending Minnesota Statutes 1971, Section 268.04, Subdivision 10.

Mr. O'Neill moved to amend S. F. No. 1943, as follows:

Page 3, line 23, strike “, *except that*”

Page 4, strike lines 1 and 2 and strike line 3 to the semicolon and insert in lieu thereof:

“or the experience ratio which the Commissioner determines is applicable to the employee, multiplied by the aggregate wages paid to each such employee by said controlled employing units, as if a single employer”

Which motion prevailed. So the amendment was adopted.

S. F. No. 1943 was read the third time, as amended and placed on its final passage.

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

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S. F. No. 1847: A bill for an act changing the name of the department of taxation to the department of revenue; amending Minnesota Statutes 1971, Section 270.02.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 30 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Josefson	Nelson	Schrom
Borden	Fitzsimons	Keefe, J.	North	Solon
Brown	Gearty	Keefe, S.	Olson, H. D.	Spear
Chmielewski	Hansen, Mel	Kirchner	O'Neill	Stokowski
Coleman	Hughes	Kleinbaum	Perpich, A. J.	Wegener
Conzemius	Humphrey	Laufenburger	Schaaf	Willet

Those who voted in the negative were:

Anderson	Davies	Krieger	Olhoft	Sillers
Ashbach	Dunn	Larson	Olson, A. G.	Tennessee
Bang	Hansen, Baldy	Lewis	Olson, J. L.	Ueland
Berg	Hansen, R.	McCutcheon	Patton	
Bernhagen	Jensen	Moe	Perpich, G.	
Blatz	Knutson	Novak	Purfeerst	
Chenoweth	Kowalczyk	Ogdahl	Renneke	

So the bill failed to pass.

SPECIAL ORDER

S. F. No. 1374: A bill for an act relating to elections; nomination, affidavits and election of county court judges; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 202.04, Subdivisions 1 and 3; 203.41; 487.03, Subdivision 2; and repealing Minnesota Statutes 1971, Section 487.03, Subdivision 3.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 325: A bill for an act relating to the claim of Carlton county; arising from agreement of highway department to partici-

pate in costs of improvement of county road 6; appropriating money for the payment thereof.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 430: A bill for an act relating to education; school districts; permitting increased annual compensation and extended transportation reimbursement to local school board members; amending Minnesota Statutes 1971, Section 123.33, Subdivision 12.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1125: A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1971, Section 626.851.

Mr. Olhoft moved to amend S. F. No. 1125, as follows:

Page 1, line 13, after "*student*" insert "*successfully*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1125 was then progressed as amended.

SPECIAL ORDER

S. F. No. 1460: A bill for an act relating to the state; regulating the unclassified service for state officers or employees: amending Minnesota Statutes 1971, Section 43.09, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1174: A bill for an act relating to corrections; study and diagnosis of children and youth committed to the youth conservation commission; amending Minnesota Statutes 1971, Sections 242.18; 242.385, Subdivision 1; 260.151, Subdivision 1; and 260.175; repealing Minnesota Statutes 1971, Sections 242.385, Subdivision 2; and 242.386.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Gearty	Josefson
Arnold	Borden	Davies	Hansen, Baldy	Keefe, J.
Ashbach	Brown	Doty	Hansen, Mel	Keefe, S.
Bang	Chenoweth	Dunn	Hughes	Kirchner
Berg	Chmielewski	Fitzsimons	Humphrey	Kleinbaum
Bernhagen	Coleman	Frederick	Jensen	Knutson

Kowalczyk	North	O'Neill	Schrom	Thorup
Krieger	Novak	Patton	Sillers	Ueland
Larson	Ogdahl	Perpich, A. J.	Solon	Wegener
Laufenburger	Olhofs	Perpich, G.	Spear	Willet
McCutcheon	Olson, A. G.	Purfeerst	Stassen	
Milton	Olson, H. D.	Renneke	Stokowski	
Moe	Olson, J. L.	Schaaf	Tennessee	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1167: A bill for an act relating to workmen's compensation, medical treatment; specifically including doctors of osteopathy and their services within certain definitions; amending Minnesota Statutes 1971, Section 176.135, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2125: A bill for an act relating to transportation; motor vehicle carriers; defining exempt carrier; amending Minnesota Statutes 1971, Section 221.011, Subdivision 22.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Doty	Hanson, R.	Knutson
Arnold	Brown	Dunn	Hughes	Kowalczyk
Ashbach	Chenoweth	Fitzsimons	Humphrey	Krieger
Bang	Chmielewski	Frederick	Jensen	Larson
Berg	Coleman	Gearty	Keefe, J.	Laufenburger
Bernhagen	Conzemius	Hansen, Baldy	Keefe, S.	Lewis
Blatz	Davies	Hansen, Mel	Kleinbaum	McCutcheon

Milton	Olhoft	Perpich, A. J.	Sillers	Thorup
Moe	Olson, A. G.	Perpich, G.	Solon	Ueland
Nelson	Olson, H. D.	Purfeerst	Spear	Wegener
North	Olson, J. L.	Renneke	Stassen	Willet
Novak	O'Neill	Schaaf	Stokowski	
Ogdahl	Patton	Schrom	Tennessee	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1936: A bill for an act relating to Independent School District No. 709, St. Louis county; inclusion of other certificated employees in any teachers' retirement fund and association created pursuant to certain provisions of law.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1377: A bill for an act relating to motor vehicle carriers; regulating the issuance of permits to local cartage carriers; authorizing the transfer of such permits under certain conditions; amending Minnesota Statutes 1971, Section 221.296, Subdivision 4, and by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Doty	Hanson, R.	Kowalczyk
Arnold	Brown	Dunn	Hughes	Krieger
Ashbach	Chenoweth	Fitzsimons	Humphrey	Larson
Bang	Chmielewski	Frederick	Jensen	Laufenburger
Berg	Coleman	Gearty	Keefe, S.	Lewis
Bernhagen	Conzemius	Hansen, Baldy	Kirchner	McCutcheon
Blatz	Davies	Hansen, Mel	Kleinbaum	Milton

Moe	Olhoft	Patton	Schrom	Stokowski
Nelson	Olson, A. G.	Perpich, A. J.	Sillers	Thorup
North	Olson, H. D.	Purfeerst	Solon	Ueland
Novak	Olson, J. L.	Renneke	Spear	Wegener
Ogdahl	O'Neill	Schaaf	Stassen	Willet

Messrs. Keefe, J.; Knutson; Perpich, G. and Tennessen, voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1559: A bill for an act relating to the metropolitan sewer board and the federal water pollution control act amendments of 1972; amending Minnesota Statutes 1971, Chapter 473C, by adding a section; and Section 473C.15, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Ashbach voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Introduction of Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

INTRODUCTION OF BILLS

Mr. Novak, for the Committee on Finance, introduced—

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds

available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Was read the first time, and under the Rules of the Senate, laid over one day.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that H. F. No. 976 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1344 now on General Orders. Which motion prevailed.

Mr. Conzemius moved that H. F. No. 1230 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1268 now on General Orders. Which motion prevailed.

Mr. Hansen, Baldy moved that H. F. No. 491 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Chenoweth moved that H. F. No. 1873 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2194 now on the Calendar of Ordinary Matters. Which motion prevailed.

RECESS

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

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

MEMBERS EXCUSED

Mr. Frederick was excused from the Session of today at 2:30 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Conzemius	Humphrey	Olson, A. G.	Solon
Arnold	Davies	Josefson	Olson, H. D.	Spear
Bang	Doty	Keefe, J.	Olson, J. L.	Stokowski
Berg	Frederick	Keefe, S.	O'Neill	Tennessee
Bernhagen	Gearty	Kirchner	Patton	Thorup
Borden	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Wegener
Chmielewski	Hanson, R.	Laufenburger	Perpich, G.	Willet
Coleman	Hughes	Lord	Purfeerst	

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders as Special Orders at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

S. F. No. 1109: A bill for an act relating to villages, boroughs, and cities of the fourth class; permitting a tax levy for certain purposes without requesting a referendum of the electorate; amending Minnesota Statutes 1971, Section 465.56.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 34 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Keefe, J.	McCutcheon	Perpich, G.
Arnold	Gearty	Kirchner	Moe	Purfeerst
Bang	Hansen, Mel	Knutson	Nelson	Stassen
Chmielewski	Hanson, R.	Kowalczyk	Novak	Tennessee
Coleman	Hughes	Larson	Olson, A. G.	Thorup
Dunn	Jensen	Laufenburger	O'Neill	Wegener
Fitzsimons	Josefson	Lord	Perpich, A. J.	

Those who voted in the negative were:

Ashbach	Conzemius	Humphrey	Olson, J. L.	Schrom
Berg	Davies	Keefe, S.	Patton	Spear
Bernhagen	Doty	Olhoft	Renneke	Willet
Borden	Hansen, Baldy	Olson, H. D.		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 813: A bill for an act relating to elections; providing for the administration of absentee ballots by the municipalities in certain instances; amending Minnesota Statutes 1971, Sections 207.03; 207.04; 207.05, Subdivisions 1 and 3; 207.06; 207.07; 207.08; 207.09; 207.10; 207.13; 207.19; 207.20, Subdivisions 1 and 2; 207.22; 207.221; 207.24; and 207.28.

Mr. Nelson moved to amend S. F. No. 813 as follows:

Page 1, line 18, after "resident" insert "*if he resides outside a municipality,*"

Page 1, line 19, strike "*of 20,000 or more population*"

Page 12, line 13, after the comma insert "*if his place of residence is outside a municipality,*"

Page 12, line 15, strike "*of 20,000 or more population*"

Page 13, line 8, strike "20" and insert in lieu thereof "30"

Page 14, line 26, after the comma insert "*if his place of residence is outside a municipality,*"

Page 14, line 27, strike "*of 20,000 or more population*"

Page 15, line 7, strike "*of a municipality of 20,000 or more population*"

Page 19, after line 2, add new sections to read:

"Sec. 18. Minnesota Statutes 1971, Section 207.30, Subdivision 1, is amended to read:

207.30 [ABSENTEE BALLOT PRECINCT.] Subdivision 1. [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that some municipalities in the state have the cumbersome burden of handling absentee ballots. It is the purpose of this section to provide a means through the local option of a municipality to determine whether or not it would be more convenient and more efficient to establish an absentee ballot precinct within the municipality which will handle all absentee ballots *of the electorate of the municipality* received during ~~an~~ any election ; ~~either primary or general, within the municipality .~~

Sec. 19. Minnesota Statutes 1971, Section 207.30, Subdivision 3, is amended to read:

Subd. 3. [BOARD, DUTIES.] An absentee ballot precinct shall be a board set up by the designated election official of a municipality whose duties shall be as follows:

(a) Receive all absentee ballots *of the electorate of the municipality* for a ~~primary or general~~ any election held ~~within the municipality .~~

(b) Check the registration of each absentee ballot ~~against the permanent voter registration file .~~

(c) Determine the precinct of each absentee ballot voter and report the results of such election to each precinct with such results to be tabulated with that precinct.

(d) Prepare a list for submission to each precinct within the municipality prior to the close of the election day for the precinct officials to check against the voter registration file to ascertain if any absentee ballot voter voted by person.

(e) Reject any absentee ballots of persons who had voted at a precinct making a notation on the envelope of the absentee ballot as to the reason for rejection.

(f) After the polls have closed in the municipality the board shall count the absentee ballots by opening them and tabulating the vote of each absentee ballot voter in a manner which will indicate each vote of the absentee voter and designate that the vote was received by absentee ballot.

Sec. 20. *Minnesota Statutes 1971, Section 207.15, is repealed.*"

Further, amend the title in line 10 by striking "and" and inserting in lieu thereof a semicolon and in line 10 after "207.28" but before the period by inserting "; 207.30, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Section 207.15"

Which motion prevailed. So the amendment was adopted.

S. F. No. 813: A bill for an act relating to elections; providing for the administration of absentee ballots by the municipalities in certain instances; amending Minnesota Statutes 1971, Sections 207.03; 207.04; 207.05, Subdivisions 1 and 3; 207.06; 207.07; 207.08; 207.09; 207.10; 207.13; 207.19; 207.20, Subdivisions 1 and 2; 207.22; 207.221; 207.24; 207.28; 207.30, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Section 207.15.

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

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

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Novak	Schrom
Ashbach	Frederick	Knutson	Olhoff	Spear
Bang	Gearty	Kowalczyk	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessen
Borden	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Wegener
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Willet
Conzemius	Jensen	Milton	Perpich, G.	
Davies	Josefson	Moe	Purfeerst	
Doty	Keefe, J.	Nelson	Renneke	
Dunn	Keefe, S.	North	Schaaf	

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

SPECIAL ORDER

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Milton	Purfeerst
Arnold	Davies	Keefe, J.	Moe	Schaaf
Ashbach	Doty	Keefe, S.	Nelson	Schrom
Bang	Fitzsimons	Knutson	North	Spear
Berg	Gearty	Kowalczyk	Olhoff	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Stokowski
Borden	Hanson, R.	Larson	Olson, H. D.	Tennessen
Brown	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Coleman	Jensen	McCutcheon	Perpich, G.	Willet

Those who voted in the negative were:

Dunn	Hansen, Mel	Laufenburger	Olson, J. L.	Renneke
Frederick	Kirchner	Novak	Patton	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1961: A bill for an act relating to taxes on and measured by net income; definition of gross income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 509: A bill for an act relating to taxation; excise tax on gasoline; certain unrefunded taxes; providing for the distribution and use of unrefunded taxes used for snowmobile purposes; appropriating money; amending Minnesota Statutes 1971, Sections 296.16, Subdivision 1; and 296.421, by adding subdivisions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Ashbach; Hansen, Mel; Keefe, J. and Lewis voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1791: A bill for an act relating to motor vehicles; prohibiting tampering with odometers and the altering of mileage measurements thereof; prescribing penalties.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1678: A bill for an act relating to education; authorizing school districts to become members of certain nonprofit corporations; amending Minnesota Statutes 1971, Section 123.33, by adding subdivisions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Doty and Stassen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 152: A bill for an act relating to highway traffic regulations; providing for the adoption of motor vehicle safety standards; providing penalties.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 7, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Novak	Spear
Bang	Fitzsimons	Kleinbaum	Ogdahl	Stassen
Berg	Gearty	Kowalczyk	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, H. D.	Thorup
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Ueland
Brown	Hughes	Lewis	O'Neill	Wegener
Chenoweth	Humphrey	Lord	Perpich, A. J.	Willet
Chmielewski	Jensen	Milton	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Sillers	
Doty	Keefe, S.	North	Solon	

Those who voted in the negative were:

Anderson	Knutson	Renneke	Schaaf	Schrom
Davies	McCutcheon			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1654: A bill for an act relating to motor vehicles; permissible length; amending Minnesota Statutes 1971, Section 169.81, Subdivisions 2 and 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chmielewski	Humphrey	Lewis	Perpich, G.	Wegener
Conzemius	Josefson	McCutcheon	Purfeerst	Willet

Those who voted in the negative were:

Ashbach	Hansen, Mel	Lord	Novak	Schaaf
Chenoweth	Hughes	Milton	Ogdahl	Spear
Coleman	Jensen	North	Perpich, A. J.	Ueland
Davies	Knutson			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chapter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

Mr. Borden moved to amend S. F. No. 1964, as follows:

Page 5, line 20, after "by" insert "unanimous"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1964 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 41 and nays 23, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Larson	Ogdahl	Spear
Bang	Hansen, Baldy	Laufenburger	Olhoff	Stokowski
Borden	Hansen, Mel	Lewis	Olson, A. G.	Tennessee
Chenoweth	Hanson, R.	Lord	Olson, J. L.	Thorup
Coleman	Hughes	McCutcheon	Perpich, A. J.	Willet
Conzemius	Humphrey	Milton	Perpich, G.	
Davies	Josefson	Moe	Schaaf	
Doty	Keefe, S.	North	Schrom	
Fitzsimons	Kleinbaum	Novak	Solon	

Those who voted in the negative were:

Anderson	Brown	Keefe, J.	Nelson	Renneke
Ashbach	Chmielewski	Kirchner	Olson, H. D.	Sillers
Berg	Dunn	Knutson	O'Neill	Wegener
Bernhagen	Frederick	Kowalczyk	Patton	
Blatz	Jensen	Krieger	Purfeerst	

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

SPECIAL ORDER

S. F. No. 2157: A bill for an act relating to the county state-aid highway system; payment of contract price; amending Minnesota Statutes 1971, Section 162.04.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olhoff	Sillers
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Solon
Bang	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stokowski
Blatz	Humphrey	Lewis	Patton	Tennessee
Brown	Jensen	Lord	Perpich, A. J.	Thorup
Chenoweth	Josefson	McCutcheon	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Nelson	Purfeerst	Wegener
Doty	Keefe, S.	North	Renneke	Willet
Dunn	Kirchner	Novak	Schaaf	
Fitzsimons	Kleinbaum	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 590: A bill for an act relating to senior citizens; establishing a senior citizens information bureau under the control and supervision of the governor's council on aging.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Chenoweth	Dunn	Hansen, Baldy
Arnold	Bernhagen	Chmielewski	Fitzsimons	Hansen, Mel
Ashbach	Blatz	Conzemius	Frederick	Hanson, R.
Bang	Brown	Doty	Gearty	Hughes

Humphrey	Larson	North	Patton	Solon
Jensen	Laufenburger	Novak	Perpich, A. J.	Spear
Josefson	Lewis	Ogdahl	Perpich, G.	Stassen
Keefe, J.	Lord	Olhoff	Purfeerst	Thorup
Kirchner	McCutcheon	Olson, A. G.	Renneke	Ueland
Kleinbaum	Milton	Olson, H. D.	Schaaf	
Kowalczyk	Moe	Olson, J. L.	Schrom	
Krieger	Nelson	O'Neill	Sillers	

Messrs. Keefe, S. and Wegener voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 181: A bill for an act relating to insurance; group hospital and medical coverage; requiring inclusion of chiropractic services under group accident and health policies and subscriber contracts.

Mr. Willet moved to amend S. F. No. 181, as follows:

Page 1, line 22, before the period insert "as an optional rider or endorsement"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 17 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Olhoff	Perpich, G.	Ueland
Arnold	Josefson	Olson, J. L.	Schrom	Wegener
Dunn	Kleinbaum	Patton	Sillers	Willet
Hansen, Baldy	Nelson			

Those who voted in the negative were:

Bang	Coleman	Humphrey	Milton	Purfeerst
Berg	Conzemius	Keefe, S.	North	Renneke
Bernhagen	Davies	Knutson	Novak	Schaaf
Blatz	Doty	Kowalczyk	Ogdahl	Solon
Borden	Fitzsimons	Krieger	Olson, A. G.	Spear
Brown	Gearty	Larson	Olson, H. D.	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Perpich, A. J.	Thorup

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

S. F. No. 181 was read the third time, and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Gearty	Kleinbaum	Moe
Arnold	Chmielewski	Hansen, Baldy	Kowalczyk	North
Berg	Coleman	Hansen, Mel	Krieger	Novak
Bernhagen	Conzemius	Hanson, R.	Larson	Ogdahl
Blatz	Davies	Hughes	Lord	Olson, A. G.
Borden	Doty	Humphrey	McCutcheon	Olson, H. D.
Brown	Fitzsimons	Josefson	Milton	O'Neill

Perpich, A. J.	Schaaf	Spear	Tennessee	Willet
Purfeerst	Sillers	Stassen	Thorup	
Renneke	Solon	Stokowski	Wegener	

Those who voted in the negative were:

Bang	Keefe, S.	Nelson	Olson, J. L.	Perpich, G.
Dunn	Knutson	Olhoff	Patton	Ueland
Jensen	Lewis			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 462: A bill for an act relating to commerce; limiting the disclaimer of implied warranties; providing for the honoring of express warranties; providing remedies; amending Minnesota Statutes 1971, Chapter 325, by adding sections.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Schrom
Bang	Fitzsimons	Kowalczyk	Olhoff	Solon
Berg	Gearty	Larson	Olson, A. G.	Spear
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Lewis	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lord	Patton	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Purfeerst	Wegener
Davies	Keefe, S.	Nelson	Renneke	Willet
Doty	Kirchner	North	Schaaf	

Messrs. Arnold; Bernhagen; Hanson, R.; O'Neill and Sillers voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 672, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 672: A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classification of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

H. F. No. 672 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 30, 1973.

Mr. Borden moved that H. F. No. 672 be laid on the table and the Conference Committee report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 672

A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classifications of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

April 27, 1973

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. 672, 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. 672, the printed bill, be amended as follows:

Page 2, line 21, after "105.485" and before ";" insert " , except that the distance limitations contained in section 105.485 do not apply to standards and criteria for wild, scenic, and recreational rivers"

Page 2, line 29, after "recreational," and before "historical" insert "natural,"

Page 2, line 32, strike "land" and insert "plan"

Page 2, line 33, after "any" and before "statewide" insert "such"

Page 2, line 36, after "criteria" and before "to" insert "adopted pursuant to section 4 of this act"

Page 3, line 8, after "river" and before "and" strike " ,"

Page 3, line 28, after "means" strike " , and he may acquire also by eminent domain the scenic easements inter- "

Page 3, strike line 29

Page 3, line 30, strike the first "scenic"

Page 4, line 16, after "system." strike "The commissioner is hereby empowered to"

Page 4, strike lines 17, 18, and 19

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (signed) Harry A. Sieben, Jr.; Henry J. Savelkoul and Joseph P. Graba

Senate Conferees: (signed) Winston W. Borden, Robert G. Dunn and Roger D. Moe

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 917, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 917: A bill for an act relating to the city of North Mankato; authorizing the common council of the city of North Mankato to annually levy money as a contingent fund for use by the common council for incidental and promotional expenses.

H. F. No. 917 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted April 30, 1973

Mr. Ueland moved that H. F. No. 917 be laid on the table and the Conference Committee report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 917

A bill for an act relating to the city of North Mankato; authorizing the common council of the city of North Mankato to annually levy money as a contingent fund for use by the common council for incidental and promotional expenses.

April 27, 1973

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

That the House accede to the Senate amendments to H. F. No. 917, the printed bill, and that the bill be further amended as follows:

Page 1, line 4, in the title of the typewritten bill, strike "annually levy"

Page 1, line 5, in the title of the typewritten bill, strike "money as" and insert in lieu thereof "establish"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (signed) David R. Cummiskey and Carl M. Johnson

Senate Conferees: (signed) Arnulf Ueland, Jr., James F. Lord and Wayne Olhoff

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the name of Mr. Hanson, R. be shown as chief author and the name of Mr. Arnold be shown as second-author to S. F. No. 392. Which motion prevailed.

Mr. Coleman moved that the bills not considered today under the Special Orders Calendar be returned to the General Orders Calendar. Which motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 8:00 o'clock a.m., Wednesday, May 2, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTIETH DAY

St. Paul, Minnesota, Wednesday, May 2, 1973.

The Senate met at 8:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dunn	Keefe, S.	North	Purfeerst
Arnold	Fitzsimons	Kirchner	Novak	Schrom
Berg	Frederick	Kowalczyk	Olhoft	Spear
Bernhagen	Gearty	Laufenburger	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Lewis	Olson, J. L.	Thorup
Coleman	Hanson, R.	Lord	Perpich, A. J.	Ueland
Conzemius	Hughes	McCutcheon	Perpich, G.	Wegener
Doty	Humphrey	Moe	Pillsbury	Willet

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Patton was excused from the Session of today. Mr. O'Neill was excused from the Session of this evening.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 30, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 1827, An act relating to the operation of state government for the fiscal year ending June 30, 1973; appropriating money therefor.

Sincerely,
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	127	Chapter 125	April 27, 1973	April 27, 1973
	420	Chapter 126	April 27, 1973	April 27, 1973
	492	Chapter 127	April 27, 1973	April 27, 1973
	527	Chapter 128	April 27, 1973	April 27, 1973
	540	Chapter 129	April 27, 1973	April 27, 1973
	946	Chapter 130	April 27, 1973	April 27, 1973
	1185	Chapter 131	April 27, 1973	April 27, 1973
	1187	Chapter 132	April 27, 1973	April 27, 1973
	1218	Chapter 133	April 27, 1973	April 27, 1973
	1258	Chapter 134	April 27, 1973	April 27, 1973
994		Chapter 135	April 27, 1973	April 27, 1973
908		Chapter 136	April 27, 1973	April 27, 1973
839		Chapter 137	April 27, 1973	April 27, 1973
831		Chapter 138	April 27, 1973	April 27, 1973
566		Chapter 139	April 27, 1973	April 27, 1973
285		Chapter 140	April 27, 1973	April 27, 1973
188		Chapter 141	April 27, 1973	April 27, 1973
150		Chapter 142	April 27, 1973	April 27, 1973

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Laufenburger, Borden and Olhoft introduced—

S. F. No. 2418: 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.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Hughes introduced—

S. F. No. 2419: A bill for an act relating to courts; setting the salary of the judge of municipal court in North St. Paul; amending Minnesota Statutes 1971, Section 488.21, Subdivision 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Hughes introduced—

S. F. No. 2420: A bill for an act relating to the village of North St. Paul; authorizing the construction and financing of certain awnings in the village pursuant to Minnesota Statutes, Chapter 429.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Hughes, Ashbach and Humphrey introduced—

S. F. No. 2421: A bill for an act relating to education; establishing a grant-in-aid and loan program for participants in early childhood programs; appropriating money annually.

Which was read the first time and referred to the Committee on Education.

Mr. Brown introduced—

S. F. No. 2422: A bill for an act relating to municipalities; requiring municipalities to adopt and enforce ordinances requiring payment of a school building and facilities fee prior to issuance of certain building permits under certain conditions; providing a penalty for violation.

Which was read the first time and referred to the Committee on Education.

Mr. Perpich, G. introduced—

S. F. No. 2423: A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the

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

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Humphrey, Hughes, and Keefe, J. introduced—

S. F. No. 2424: A bill for an act relating to education; early childhood; creating an office of early childhood development in the department of education, to promote, plan and coordinate; providing for an annual report to the legislature; appropriating money.

Which was read the first time and referred to the Committee on Education.

Messrs. Lord, Dunn and North introduced—

S. F. No. 2425: A bill for an act relating to vehicles; regulating the use, renting of, and insurance on off-road vehicles; providing for registration thereof; providing penalties.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Josefson introduced—

S. F. No. 2426: A bill for an act authorizing conveyance of certain state lands in Lyon county to the Southwest Minnesota College Foundation.

Which was read the first time and referred to the Committee on Finance.

Messrs. Coleman, Ogdahl and Milton introduced—

S. F. No. 2427: A bill for an act relating to commerce and consumer affairs; creating and defining duties and powers of the department of commerce and consumer affairs; transferring certain functions, powers and duties among departments.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Conzemius introduced—

S. F. No. 2428: A bill for an act relating to courts; providing for an additional judge of district court in the first judicial district; amending Minnesota Statutes 1971, Section 2.722.

Which was read the first time and referred to the Committee on Judiciary.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1584 and 1627.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1973.

Mr. President:

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

S. F. No. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

S. F. No. 910 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1973.

Mr. Tennessen moved that the Senate do not concur in the amendments by the House to S. F. No. 910 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

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

S. F. No. 1080: A bill for an act relating to historic sites; providing for acquisition, administration, and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1971, Section 138.025, by adding subdivisions.

Senate File No. 1080 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 1, 1973.

CONCURRENCE AND REPASSAGE

Mr. Kirchner moved that the Senate do now concur in the amendments by the House to S. F. No. 1080 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1080 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Spear
Arnold	Fitzsimons	Kowalczyk	Olhoft	Stassen
Ashbach	Frederick	Larson	Olson, A. G.	Stokowski
Bang	Gearty	Laufenburger	Olson, J. L.	Tennessee
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Thorup
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Ueland
Chmielewski	Hughes	McCutcheon	Pillsbury	Wegener
Coleman	Humphrey	Milton	Purfeerst	Willet
Conzemius	Josefson	Mce	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

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

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 140, 1295, 1681, 1825, 1939, 1940, 2127, 889, 1382 and 1383.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 1, 1973.

FIRST READING OF HOUSE BILLS

H. F. No. 140: A bill for an act relating to accident and health insurance; policies to provide for reimbursement for services of osteopath, optometrist or chiropractor; amending Minnesota Statutes 1971, Section 62A.03, Subdivision 1.

H. F. No. 1295: A bill for an act relating to public education; providing a minute of classroom silence.

H. F. No. 1681: A bill for an act relating to the municipal housing and redevelopment act, providing for the construction of market rate housing in cities of the first class; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.591, by adding a subdivision; 462.611; 462.621, by adding a subdivision; 462.631; 462.645, Subdivision 6; 462.691; and 462.695, Subdivisions 1 and 2.

H. F. No. 1825: A bill for an act relating to insurance; the merger and consolidation of insurance companies; permitting the issuance of securities of a corporation which is not a merging or consolidating corporation or the payment of cash; amending Minnesota Statutes 1971, Section 60A.16, Subdivision 2.

H. F. No. 1939: A bill for an act relating to the uniform commercial code; the holding and transferring of investment

securities; amending Minnesota Statutes 1971, Sections 336.8-102; 336.8-320; and Chapter 520, by adding a section.

H. F. No. 1940: A bill for an act relating to insurance; automobile insurance plan governing committee; revising the membership of said committee; amending Minnesota Statutes 1971, Section 65B.03.

H. F. No. 2127: A bill for an act relating to courts; setting the salary of the judge of municipal court in North St. Paul; amending Minnesota Statutes 1971, Section 488.21, Subdivision 2.

H. F. No. 889: A bill for an act relating to health; payment of medical and hospital benefits to governmental institutions in certain instances.

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.

H. F. No. 1383: A bill for an act relating to insurance; regulating fees for certain licenses; amending Minnesota Statutes 1971, Sections 60A.14, Subdivision 1; 70A.14, Subdivision 4.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1088: A bill for an act relating to municipalities; providing local government aid to certain municipalities; amending Minnesota Statutes 1971, Section 477A.01, Subdivisions 11 and 14.

Reports the same back with the recommendation that the bill be re-referred without recommendation to the Committee on Taxes and Tax Laws. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2269: A bill for an act relating to the city of Hopkins; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 134: A bill for an act relating to the legislature; establishing the civil service and unclassified personnel study commission as a permanent commission; appropriating money therefor; amending Laws 1971, Chapter 806, Section 4, Subdivisions 1 and 3; repealing Laws 1971, Chapter 806, Section 4, Subdivision 6.

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

Page 1, line 17, after the comma, strike "and"

Page 1, line 19, before the period, insert "*, and to meet and consult with the state labor negotiating team*"

Page 1, after line 19, insert:

"Sec. 2. Laws 1971, Chapter 806, Section 4, Subdivision 2, is amended to read:

Subd. 2. The commission shall ~~consist of six members; three members of the house of representatives appointed by the speaker and three members of the senate appointed by the senate committee~~ *on committees be comprised of the following individuals or their designated representatives, provided that the latter are legislators: the majority leader of the house of representatives; the minority leader of the house of representatives; the majority leader of the senate; the minority leader of the senate; the chairman of the senate finance committee; and the chairman of the house appropriations committee.* Any vacancy shall be filled by the appointing power.

Renumber the sections in sequence

Further amend the title in line 7, after "1" insert ", 2"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1941: A bill for an act relating to sales and use taxes imposed by the city of Duluth; restricting the applicability of certain laws in relation thereto.

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

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

S. F. No. 1960: A bill for an act relating to taxation; providing for assessment and valuation of cooperative associations; amending Minnesota Statutes 1971, Section 273.133.

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

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

S. F. No. 962: A bill for an act relating to taxation; real estate taxes upon state owned residential property.

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

Page 1, line 15, strike "1973" and insert "1975"

Page 1, line 15, strike "1974" and insert "1976"

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

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

S. F. No. 2016: A bill for an act relating to regional development commissions; authorizing the issuance of certificates of indebtedness; clarifying sales tax exemptions; amending Minnesota Statutes 1971, Sections 462.39, Subdivision 1; and 462.396, Subdivision 1; and Chapter 462, by adding a section.

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

Page 3, line 11, strike "*metropolitan area*" and insert "*region*"

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

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

H. F. No. 588: A bill for an act relating to trade regulations; hazardous toys and other articles; restricting the manufacture, sale, and other traffic of such articles in this state; granting regulatory, investigatory, and enforcement powers to the director of the consumer services section of the department of commerce; providing for the testing of such articles; providing penalties.

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

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

H. F. No. 1625: A bill for an act relating to workmen's compen-

sation, suicide; amending Minnesota Statutes 1971, Section 176.021, Subdivision 1.

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

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

H. F. No. 1045: A bill for an act relating to automobile insurance; cancellation; right to complain; amending Minnesota Statutes 1971, Sections 65B.19, and 65B.21.

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

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

H. F. No. 1103: A bill for an act relating to the city of Mankato; authorizing the issuance of three additional on-sale liquor licenses.

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

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

H. F. Nos. 140, 1295, 1825, 1940, 2127, 889 and 1382 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective committees as follows:

H. F. No. 1295 to the Committee on Education.

H. F. No. 889 to the Committee on Finance.

H. F. No. 2127 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 140, 1825, 1940 and 1382 to the Committee on Labor and Commerce.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred. H. F. Nos. 1198, 1767, 1214, 1691, 1620, 1959, 2205, 977, 662, 1932, 1727, 1671, 1510, 1579, 748, 2239, 2206, 1580, 1319, 1853, 959, 813, 1711, 1190, 285, 2275, 938, 1960 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1198	1691	1214	1258		
1767	966	1727	1110		
1691	671	1671	1139		
1620	1449	1510	1384		
1959	1938	1579	1563		
2205	2235	748	718		
977	1308	2239	2032		
662	1468	2206	2156		
1932	1701	1580	1562		
		1319	1210		
		1960	1939		

And that the above Senate Files be indefinitely postponed.

House Files found not identical with companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
959	1367	1853	1867	1190	1573
813	267				
1711	1904				
285	724				
2275	2305				
938	888				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1853 be amended as follows:

Page 1, line 12, delete "*, except any*"

Page 1, line 13, delete "*members who are also county commissioners,*"

Page 1, line 14, restore the stricken language and delete the under-scored language

Page 1, line 17, after "source" and before the period, insert "*, provided that members of the board who are not county commissioners may receive \$20 for each day*"

And when so amended, H. F. No. 1853 will be identical to S. F. No. 1867 and further recommends that H. F. No. 1853 be given its second reading and substituted for S. F. No. 1867 and S. F. No. 1867 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 959 be amended as follows:

Page 1, line 10, delete "Section" and insert in lieu thereof "Sections"

And when so amended, H. F. No. 959 will be identical to S. F. No. 1367 and further recommends that H. F. No. 959 be given its second reading and substituted for S. F. No. 1367 and S. F. No. 1367 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 813 be amended as follows:

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

“Section 1. Minnesota Statutes 1971, Section 85.05, is amended to read:

85.05 [STATE PARK CAMP SITES.] Subdivision 1. [RULES, FEES.] The commissioner is hereby authorized to make rules and regulations for the use of state parks and charge appropriate fees for such uses, as hereinafter specified;

(1) Provide special parking space for automobile or other motor-driven vehicle in any state park or state recreation area;

(2) Provide special parking spurs and camp grounds for automobiles and sites for tent-camping and special auto trailer coach parking spaces for the use of the individual charged for such space according to the daily rates which shall be determined and fixed by the commissioner of natural resources consistent with the type of facility provided for the accommodation of guests in any particular park and with similar facilities offered for tourist camping in the area;

(3) Improve and maintain golf courses already established in state parks, and charge reasonable fees for the use thereof;

(4) May charge a fee for entrance to any pageant grounds which may be created in any state park for the purpose of having historical or other pageants conducted by the commissioner of any other authorized agency.

When deemed necessary by the commissioner, for the purpose of better carrying out any such state park pageants, he may stage such pageants in any municipal park or other lands near or adjoining any state park, and all receipts from such pageants shall be used in the same manner as though the pageants were carried on in a state park;

(5) Provide water, sewer, and electric service to trailer or tent camp sites and charge a reasonable fee therefor.

Any individual age 65 or over who furnishes satisfactory proof of age shall pay on Monday through Thursday one half of the fees set pursuant to paragraphs 1 through 4 of this subdivision.

Subd. 2. [PERMITS FOR MOTOR VEHICLES.] (a) Except as provided in clauses (b) and , (c) and (d) of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of natural resources shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state monument, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such permits in each category shall be numbered consecutively for each year of issue. A fee of \$3 shall be charged for each permit issued, except that permits of appropriate special design may be sold individually at \$1 covering the use of state parks, state monuments, state recreation areas or state waysides under such conditions as the commissioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park development account in the state treasury. Such permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's permit on his motor vehicle in the same manner as state park stickers are displayed. A motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause (b).

(c) *The commissioner shall issue without charge a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age. Such permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.*

(e) (d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park open house day for the purpose of acquainting the public with state parks, monuments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

Subd. 3. [APPLICATION OF PERMIT FEE CHANGES.] ~~The provisions of subdivision 2 as amended by Laws 1969, Chapter 917, Section 1, relating to changes in permit fees applies to annual or two day permits issued for the calendar year 1970 and for each year thereafter.~~

Sec. 2. *This act is effective January 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 state parks and recreation areas; requiring free admission and reduced user fees for senior citizens; amending Minnesota Statutes 1971, Section 85.05.”

And when so amended, H. F. No. 813 will be identical to S. F. No. 267 and further recommends that H. F. No. 813 be given its second reading and substituted for S. F. No. 267 and S. F. No. 267 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1711 be amended as follows:

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

“Section 1. All of the bonded indebtedness of former independent school district No. 98 is assumed by independent school district No. 94 and shall be paid by a uniform tax levy spread upon the property in independent school district No. 94.

Sec. 2. Section 1 is effective upon its approval by the governing body of independent school district No. 94 and upon its approval by a majority of the voters of independent school district No. 94, and upon compliance with Minnesota Statutes, Section 645.021.”

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

“A bill for an act relating to independent school district No. 94; assumption of bonded indebtedness of former independent school district No. 98 by independent school district No. 94.”

And when so amended, H. F. No. 1711 will be identical to S. F. No. 1904 and further recommends that H. F. No. 1711 be given its second reading and substituted for S. F. No. 1904 and S. F. No. 1904 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1190 be amended as follows:

Page 2, line 3, reinstate the stricken language

Page 2, line 4, reinstate "or used exclusively on" and at the end of the line insert the following new language: "*a designated site and solid waste disposal and pollution control equipment, regardless of where located,*"

And when so amended, H. F. No. 1190 will be identical to S. F. No. 1573 and further recommends that H. F. No. 1190 be given its second reading and substituted for S. F. No. 1573 and S. F. No. 1573 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 285 be amended as follows:

Page 2, line 4, before "(b)" delete "may"

Page 2, line 6, before "~~(b)~~" strike "may"

Page 2, line 19, after "may" strike the comma

And when so amended, H. F. No. 285 will be identical to S. F. No. 724 and further recommends that H. F. No. 285 be given its second reading and substituted for S. F. No. 724 and S. F. No. 724 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2275 be amended as follows:

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

"ARTICLE I

Section 1. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, COMMISSION ON ALCOHOL PROBLEMS, BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS, AND CORRECTIONS TO EXPEND MONEYS.

The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

APPROPRIATIONS

Available for the Year

Ending June 30,

	1973	1974	1975
\$	\$	\$	\$

Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE

Subdivision 1. Administration of the department of Public Welfare—salaries

2,200,000	2,200,000
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Unless approved by the governor, after consulting the legislative advisory committee, any federal funds received in excess of \$1,915,000 in fiscal year 1974 and \$1,930,000 in fiscal year 1975 shall reduce the state appropriation by a like amount.

Approved Complement—310.86

If the state assumes any portion of the costs of general relief, the approved complement may be increased up to but not more than six positions for auditing and supervision purposes after consulting with the legislative advisory committee, whose opinion shall be advisory only.

Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the director of civil service and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

	1973	1974	1975
	\$	\$	\$

The director of civil service is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation.

Subd. 2. Supplies and Expense

	1,621,000	1,467,000
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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. In determining the amount for public assistance grants on or after October 1, 1973, the commissioner may effect an 18 percent increase in the food allowance.

The commissioner of public wel-

	1973	1974	1975
	\$	\$	\$

fare shall develop a specific comprehensive plan including recommendations for the future use of the state institutions. This plan shall include recommendations regarding community centers, specifically but not limited to: number, appropriate locations, types of facilities, short and long range projections, relationship to state institutions, development plans for regions, etc.

So much of the above funds as necessary can be established in a special account in the department of public welfare to pay for special costs relating to the Mental Health Commitment Act.

Funds are provided in the above appropriation for expenses incurred in distributing surplus commodities furnished by the federal government to the counties.

Subd. 3. Mechanized Payment System for the Categorical Aids

1,000,000

Provided that these funds shall be available only if separate legislation passes the 1973 legislature which authorizes the department of public welfare to develop and implement such system.

Subd. 4. Mental Health Research

200,000

Approved Complement—2
Subd. 5. Mental Health Training Program

92,800

Funds provided in subdivision 5 may be used for a psychiatric residency training program.

Of the amount appropriated by subdivision 5, \$30,000 each year may be used for the employment of additional psychia-

	1973	1974	1975
	\$	\$	\$
trists at state institutions and only such funds as are neces- sary shall be transferred to those institutions where the psychiatrists are employed.			
Approved Complement—0			
Subd. 6. Community Mental Health Centers		5,200,000	5,500,000

Any unexpended balances remaining in subdivisions 3, 4, 5 and 6 in the first year shall not cancel but shall be available for the second year of the biennium.

Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service, nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by subdivision 11, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health centers may accept cases from juvenile courts for diagnostic evaluation.

	1973	1974	1975
	\$	\$	\$
Approved Complement—4			
Subd. 7. Care and Support of Children Under Guardianship of the Commissioner of Public Welfare		716,000	790,000
Subd. 8. Care, Relief, and Support of Dependent Children, Aged, Blind, Disabled and the Medical Assistance to the Needy Program		86,600,000	97,800,000

Provided that \$4,000,000 of the funds appropriated by this subdivision shall be available only if separate legislation is passed by the 1973 legislature to provide supplemental payments in the adult categories.

Notwithstanding the provision of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to families with dependent children program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.1 percent of the total expenditure for the above program in a county, that portion

	1973	1974	1975
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	\$	\$	\$
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of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the blind program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.2 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the old age assistance program to meet special needs, as defined by the commissioner of public welfare, exceeds 2.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the disabled program to meet special needs, as defined by the commissioner of public welfare, exceeds 1.8 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Provided that the amount appropriated for implementation of Minnesota Statutes 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state

	1973	1974	1975
	\$	\$	\$

institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund.

The department of public welfare may promulgate rules and regulations, not inconsistent with federal law or regulation, allowing recipients of medical services to be charged a specified minimum amount toward cost of medical services provided. An amount sufficient to meet anticipated needs for this purpose shall be included as part of the recipient's public assistance grant.

Subd. 9. Administrative Expense on Aging	125,000	125,000
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Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

Subd. 10. Vocational Rehabilitation of the Blind	210,000	212,885
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The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 11. Equalize the Cost of Welfare	1,175,000	1,275,000
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All payments from funds appropriated by this subdivision

	1973	1974	1975
\$	\$	\$	

shall be based upon a formula which includes four factors:

recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the work sheets of the conference committee which also specify the number of counties that may receive this aid.

Salary expenditures shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments to counties shall be made on or before October 1, 1973, for fiscal year 1974 and on or before October 1, 1974, for fiscal year 1975. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of this act, Welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: old age assistance, medical assistance to the needy, aid to dependent children, aid to the permanently and totally disabled, aid to the blind, payments to the commissioner of public welfare for care and treatment of patients in state institutions, maintenance relief, medical relief, tuberculosis sanatoria care, hospital charges, maintenance of children not under state guardianship, cost of sundry poor, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has

	1973	1974	1975
	\$	\$	\$

transferred any moneys available for welfare purposes to any other county funds, except that a transfer of a surplus in the welfare fund may be made to the road and bridge fund of said county, and except that where funds are otherwise unavailable, a transfer may also be made to the general revenue fund of said county for payment of rent of office space for the county welfare board. Such transfers shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment for rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall receive in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Subd. 12. Daytime Activity Centers for the Mentally Retarded

1,503,000 1,503,000

Approved Complement—1

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

	1973	1974	1975
	\$	\$	\$
<p>The above funds provide for a 60 percent matching, except for counties affected by subdivision 11, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.</p>			
Subd. 13. Crippled Children Services		600,000	700,000
Subd. 14. Aid to Counties—Mentally Retarded		1,330,400	1,466,500
<p>Any unexpended balance remaining in subdivisions 13 and 14 in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
Subd. 15. Red Lake Band of Chippewa Indians		130,000	130,000
Subd. 16. General Relief—Indians		503,850	554,175
<p>Provided further that reimbursements shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.</p>			
Subd. 17. Foster Grandparents Program		200,000	200,000
Subd. 18. Aid to Counties—Emotionally Disturbed		572,750	628,200
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
Subd. 19. Child Care Service Grants		125,000	125,000

	1973	1974	1975
	\$	\$	\$
Subd. 20. State Hospitals			
(a) Current Expense		7,296,857	7,230,179

The above appropriation includes funds to provide temporary laundry service for Rice memorial hospital at a charge to be determined by the commissioner of public welfare.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that laundry service at Hastings state hospital shall be provided for the prison and the Minnesota reception and diagnostic center after the necessary transfer of positions from the department of corrections has been accomplished. Such transfer shall be accomplished not later than June 30, 1974. If the Hastings state hospital is closed, such services shall be contracted with a private concern.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

(b) Salaries		47,050,000	46,450,000
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Approved Complement—FY
 1973—5,410
 by June 30, 1974—5,310
 by June 30, 1975—5,210

	1973	1974	1975
	\$	\$	\$

Notwithstanding any law to the contrary, the approved complement is effective the day following enactment of this act.

Provided that the commissioner of public welfare shall maintain as high a patient-care staff to patient ratio as possible.

Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.

(c) Special Equipment		451,420
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The commissioner of public welfare shall submit the budgets for the hospitals to the 1975 legislature on an individual hospital basis in addition to a consolidated budget which includes all of the state hospitals.

Funds are provided in the above appropriation for developing a self-injurious behavior program at the Faribault state hospital. Information obtained from other states shall be used in developing this program.

The hospitals enumerated by this subdivision are hereby granted authority to negotiate with sheltered workshops to provide services to the hospitals, provided salary savings are used to pay these costs.

Subd. 21. Braille and Sight Saving School

(a) Current Expense		60,110	61,320
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	1973	1974	1975
	\$	\$	\$
(b) Salaries		632,089	622,089
Approved Complement—73			
(c) Regional Library for the Blind		66,425	65,825
Approved Complement—6.5			
Subd. 22. School for the Deaf			
(a) Current Expense		171,310	171,310
(b) Salaries		1,364,332	1,354,332
Approved Complement—150.5			
As soon as feasible, the busi- ness office of the braille and sight saving school shall be combined with that of the school for the deaf and the com- plement reduced accordingly.			
(c) Gallaudet Students		800	800
Subd. 23. Gillette State Hospi- tal			
(a) Current Expense		342,000	362,000
(b) Salaries		2,148,991	2,148,991
Approved Complement—245.16			
(c) Honorarium for Visiting Staff		78,300	78,300
Subd. 24. Ah-Gwah-Ching Nursing Home			
(a) Current Expense		402,600	402,600
(b) Salaries		2,087,687	2,087,687
Approved Complement—271			
Subd. 25. Glen Lake State Sanatorium and Oak Terrace Nursing Home			
(a) Current Expense		451,705	452,905
(b) Salaries		2,506,431	2,506,431
Approved Complement—297			
(c) Central Library Service ..		11,982	11,982
Subd. 26. Special Equipment for the Braille and Sight Saving			

	1973	1974	1975
	\$	\$	\$
School, School for the Deaf, Gillette State Hospital, Ah- Gwah-Ching Nursing Home, and Glen Lake State Sanatori- um and Oak Terrace Nursing Home		122,264	

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense	3,325,858	3,317,863
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Approved Complement—245

The commissioner of corrections is authorized to establish a select committee of 15 to 20 members whose purpose will be to review the roles of all Minnesota correctional institutions and determine which of these institutions should be retained. The commissioner of corrections is authorized to appoint to this select committee members of the legislature, law enforcement and private citizens or citizen's groups.

The commissioner of corrections is hereby authorized to pay members of the select committee \$25 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of administration and to pay publication expenses for the committee's report. Said report will be submitted to the Minnesota legislature by January 2, 1974.

This appropriation includes funds for the operation of the transportation unit.

	1973	1974	1975
	\$	\$	\$

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.

This appropriation includes personnel and funds for the expenses of providing supervision for county homes.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

(b) County Reimbursement. .	700,000	750,000
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Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate with the salaries paid to comparable positions in the classified service of the state civil

	1973	1974	1975
	\$	\$	\$

service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes 260.311, Subdivision 5.

Subd. 2. Corrections Subsidy Act	1,500,000
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The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature. These funds shall not be expended unless separate legislation is passed by the 1973 legislature authorizing such expenditure.

Subd. 3. Medical and Psychiatric Services	1,500,000
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The amount appropriated by this item shall be used for psychiatric services and to cover

	1973	1974	1975
	\$	\$	\$

the expense of hospital care for inmates and persons furnished in hospitals not under supervision of the commissioner of corrections. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

Prior to the expenditure of this appropriation, the commissioner of corrections shall study all feasible non-metro hospitals, in addition to those already studied, to find the lowest cost alternative.

The commissioner of corrections may contract with any other state department or agency to obtain psychiatric services for the department of corrections. This appropriation is in addition to funds for psychiatric services provided in the appropriations for the individual institutions.

Approved Complement—13

Subd. 4. Personnel Training . .	497,120
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This appropriation includes funds for training of group home parents in county homes.

Subd. 5. Vocational Training .	140,000
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The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.

Subd. 6. Foster Group Care . .	1,000,000
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The amount appropriated by

	1973	1974	1975
	\$	\$	\$

this item shall be used for foster group care facilities under the commissioner of corrections and to reimburse counties pursuant to Minnesota Statutes 1971, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.

The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.

Subd. 7. Work Release Program	250,000
Subd. 8. Community Corrections Centers	425,000

This appropriation includes \$50,000 for community corrections centers on Indian reservations. Rules and regulations shall be developed by the commission of corrections for operation of such programs.

Any unexpended balances in subdivisions 1b, 2, 3, 4, 5, 6, 7 and 8 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 9. Correctional Institutions

This appropriation is for the Minnesota state prison, reformatory for men, Minnesota correctional institution for women, state training school for boys, Minnesota home school, Willow River forestry camp, and the Minnesota reception and diagnostic center and Thistledew camp.

	1973	1974	1975
	\$	\$	\$
(a) Current Expense		2,541,861	2,547,843
(b) Salaries		12,731,329	12,712,549
Approved Complement—1,138.75			
(c) Special Equipment		175,000	

The commissioner of corrections shall transfer positions, when necessary, between institutions to improve programs.

The academic school program at the state training school for boys and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

A portion of the reception and diagnostic center may be used for intensive treatment of persons committed to the youth conservation commission. The commissioner may set aside suitable space at other institutions under his control to be used by the youth conservation commission as an annex to the reception and diagnostic center. Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1975.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 10. Regional Jails, Area Lock-ups, and Detention Centers

457,000

	1973	1974	1975
	\$	\$	\$

It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Of the sum of \$800,000 appropriated from the general fund by Laws 1971, Chapter 961, Section 3, Subdivision 12, for regional jails, area lock-ups, and detention centers, the sum of \$381,206 is hereby reappropriated to the commissioner of corrections for the purposes of Laws 1971, Chapter 961, Section 3, Subdivision 12.

Subd. 11. Special Projects		50,000
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This appropriation is intended as the state match for applications for federal grants.

The state auditor is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.

Any unexpended balances in subdivisions 10 and 11 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 4. BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

(a) Salaries, supplies and expense		54,576	54,896
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Provided that after July 1, 1974, the commissioner of administration shall not permit the allotment and encumbrance of any funds in excess of the anticipated revenues.

Sec. 5. COMMISSION ON ALCOHOL PROBLEMS

(a) Salaries, supplies and expense		65,222	65,022
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	1973	1974	1975
	\$	\$	\$

Sec. 6. BOARD OF HEALTH

Subdivision 1. Administration

(a) Salaries		2,592,122	2,606,972
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Approved Complement—247

Of the amounts provided by this item, \$61,458 for the first year and \$61,458 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

(b) Supplies and Expense		636,553	652,301
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Of the amounts provided by this item, \$26,972 for the first year and \$23,362 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

Funds are provided in the above appropriation for expenses of the sanitarian advisory council and for the registration and inspection of x-ray and radium sources of ionizing radiations if separate legislation passes during the 1973 session which authorizes such.

All receipts received from the national office of vital statistics for microfilm transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Subd. 2. Mobile Health Clinic

(a) Salaries, supplies and expense		38,857	39,457
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Sec. 7. CONTINGENT FOR PUBLIC WELFARE		1,000,000	
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The amount appropriated by this item or so much thereof as may be necessary, is to be used

	1973	1974	1975
	\$	\$	\$

for programs which help diminish the population of the state welfare institutions. After July 1, 1974, no expenditure of these funds shall be made unless equally matched by local funds. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee and the appropriate finance committees of the legislature.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 8. CONTINGENT FOR
STATE INSTITUTIONS

500,000

The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually

	1973	1974	1975
	\$	\$	\$

according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the July, 1973, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

Sec. 9. EMPLOYEES COMPENSATION 738,068.78

To be transferred by the state auditor to the department of labor and industry, compensation revolving fund, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare	\$621,554.03
Corrections	\$116,514.65

Sec. 10. UNEMPLOYMENT COMPENSATION 39,548.67

To unemployment compensation fund in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections	\$ 39,548.67
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Sec. 11. CERTAIN FUNDS USED FOR CERTAIN PURPOSES. Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

Sec. 12. APPROVED COMPLEMENT. Except as otherwise provided herein, whenever an appropriation to any institution or agency for salaries discloses an approved complement, the institution or agency is limited in the employment of the number of full-

time equivalent persons indicated by such approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

Sec. 13. CERTAIN EMPLOYEES. Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids or personnel with similar domestic duties to work in the residences of any officer or employee of any institution, department, or agency of the state. But this provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

Sec. 14. RECEIPTS. All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belong to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 7, 8, 9, 10 and 11.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men, state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

Sec. 15. COMMISSARY AND QUARTER ALLOWANCE. No commissary privileges, including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act. Youth camp superintendents may be furnished quarters without cost.

For superintendents of youth camps, the commissioner of corrections is authorized to grant an allowance of not to exceed \$75 per month in lieu of free quarters.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physician fellows.

The commissioners of corrections and public welfare are authorized to pay out of salary appropriations for the various institutions, to physicians employed in institutions, an allowance of not to exceed \$150 per month, in lieu of free quarters on the grounds, providing such suitable quarters are not available. It is the intent of the legislature that the department of public welfare and the department of corrections shall regress from providing free housing, as soon as feasible, except for temporary quarters.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 16. PROVISIONS. Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferences of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated. Except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 17. FEDERAL GRANTS. Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was

received but shall be used to reduce the appropriations herein before provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

Sec. 18. BUDGETARY CONTROL. The budgetary control as provided in Laws 1939, Chapter 431, shall extend to and apply to all appropriations herein made available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

All state departments, bureaus, agencies or divisions, operating under Laws 1939, Chapter 431, financed by funds appropriated or receipts or fees of any nature whatsoever, when making requests or preparing budgets to be submitted to the federal government in support of or in request of funds, equipment, materials, or services, from the federal government shall, upon completion of such request or budget, first submit it to the commissioner of administration. The commissioner of administration shall have authority to approve, disapprove, modify, or amend any such request or budget before submitting it to the proper federal authority. When such federal authority has approved such request or budget, the state agency shall resubmit it to the commissioner of administration for recording before any allotment or encumbrance of the federal funds can be made.

Sec. 19. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state or boxing tax receipts transferred to the department of public welfare by the authority of Laws 1945, Chapter 245, and all such federal aid, contributions or reimbursements, and boxing tax receipts are hereby reappropriated for the purpose of

supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

Sec. 20. TRANSFER OF FUNDS. (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 7, 8 and 10, and also between the various accounts appropriated under section 2, subdivisions 6, 12, 14, 18, 20a and 20b. Provided further that if the appropriation under section 2, subdivision 8, should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Unless the 1973 legislature enacts legislation to the contrary, authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3, except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a, funds may be transferred from this appropriation to other appropriations in section 3, but in no case may transfers from the other appropriations in section 3 be made to section 3, subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

Sec. 21. TRANSFER OF PERSONNEL. (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between institutions under his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20b.

Sec. 22. COMPULSORY RETIREMENT EXCLUSION. Notwithstanding any provision of laws to the contrary, a physician in the classified or unclassified state service may during this biennium, upon reaching the age of 70 years continue to be employed in the department of health subject to annual certification by the state board of health.

Sec. 23. Every group or individual policy of accident and sickness insurance issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62A, and every group or individual service plan or subscriber contract issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62C, provided care or payment for care in this state, shall provide payments for services rendered by a hospital or medical facility owned or operated by, or on behalf of, the state or any unit of local government, or practitioners therein, on the same basis as are made for like

care in other facilities. The unit of government concerned may maintain an action for recovery of such payments.

ARTICLE II

Section 1. [GENERAL ASSISTANCE ACT; DECLARATION OF POLICY; CITATION.] *Subdivision 1. The objectives of sections 1 to 30 are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; to provide property tax relief; and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law, who meet the eligibility requirements of this act and do not refuse suitable employment, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. To achieve this aim, the commissioner shall establish minimum standards of assistance for general assistance. The standard for cash payments to recipients shall be, as to shelter, 100 percent, and as to other budgetary items, 50 percent, of those established for the federally aided assistance programs; provided, however, that no general assistance payment shall exceed an amount, which when computed for the time period for which it is made, exceeds the equivalent on a weekly basis of 40 times the hourly federal minimum wage prevailing when the payment is made; and provided further that persons receiving general relief on the effective date of this act shall continue to be eligible therefor. In order to maximize the use of federal funds, the commissioner shall promulgate regulations, to the extent permitted by federal law for eligibility for the emergency assistance program, under the terms of this act for general assistance. The commissioner shall provide by regulation for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. The strengthening and preservation of the family unit shall be a principal consideration in the administration of this act and all general assistance policies shall be formulated and administered so as to further this objective.

Subd. 2. Sections 1 to 30 may be cited as the general assistance act.

Sec. 2. [DEFINITIONS.] *Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.*

Subd. 2. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 3. "Department" means the department of public welfare.

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. It shall include cash payments for goods, shelter, fuel, food, clothing, light, necessary household supplies, and personal need items. General assistance shall not include payments for foster care, child welfare services, medical, dental, hospitalization, nursing care, drugs, or medical supplies. It is the intent of this act that these items be provided by local agencies in accordance with programs in effect at the time of the passage of this act. Vendor payments may be made only as provided for in sections 9 and 11.

Subd. 5. "Family" means two or more individuals who are related by blood, marriage or adoption, who are living in a place or residence maintained by one or more of them as his or their own home, and at least one of whom is a child who is not married to another of such individuals and is in the care of or dependent upon another of such individuals.

Subd. 6. "Child" means an individual who is under the age of 18, or under the age of 19 and a student regularly attending a school, college, or university or a course of vocational or technical training designed to prepare him for gainful employment.

Subd. 7. "Childless couple" means two individuals who are related by marriage and who are living in a place of residence maintained by them as their own home.

Subd. 8. "Income" means earned and unearned income reduced by amounts paid or withheld for federal and state personal income taxes and federal social security taxes.

Subd. 9. "Earned income" means remuneration for services performed as an employee, and net earnings from self-employment.

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workmen's compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or family assistance program; rents, dividends, interest and royalties; and support and alimony payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit they are received, unless that person is under a legal duty to support another family member.

Subd. 11. "State aid" means state aid to local agencies for general assistance expenditures as provided for in this act.

Subd. 12. "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.

Sec. 3. [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] *Subdivision 1. Every local agency shall provide gen-*

eral assistance to persons residing within its jurisdiction who meet the need requirements of this act. General assistance shall be administered according to law and rules and regulations promulgated by the commissioner pursuant to the provisions of this act.

Subd. 2. State aid shall be paid to local agencies for 50 percent of all general assistance grants up to the standards of section 1, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of section 1, subdivision 1.

Sec. 4. [DUTIES OF THE COMMISSIONER.] *In addition to any other duties imposed by law, the commissioner shall:*

(1) Supervise the administration of general assistance by local agencies as provided in this act;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of this act to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of Minnesota Statutes, Chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in this act;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under this act;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public.

Sec. 5. [ELIGIBILITY FOR GENERAL ASSISTANCE.] *Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for an entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emer-*

gency assistance, aid to families with dependent children, supplemental security income for the aged, blind, or disabled; or any successor to the above.

Sec. 6. [AMOUNT OF ASSISTANCE.] *Subdivision 1. General assistance shall be granted in such an amount that when added to the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance.*

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, a grant of general assistance may be made to an eligible individual or family for one or more items encompassed within the definition of general assistance where the applicant or recipient requests temporary assistance not exceeding 30 days and an emergency situation appears to exist if the individual is ineligible for the federally aided program of emergency assistance.

Sec. 7. [TIME OF PAYMENT OF ASSISTANCE.] *An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by this act and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.*

If upon verification and due investigation it appears that the applicant swore falsely and such false information materially affected his eligibility for general assistance or the amount of his general assistance grant, the local agency shall refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 8. [EXCLUSION FROM RESOURCES.] *Subdivision 1. In determining eligibility of a family or individual there shall be excluded the following resources:*

(1) Property which does not exceed that permitted under the federally aided assistance program known as aid to families with dependent children; provided, however, that the commissioner may provide by rule and regulation more restrictive eligibility standards and levels of payment for general assistance if it is determined that funds available are not adequate to meet projected need; and

(2) Other property, including real or personal property used as a home, which has been determined, in accordance with and subject to limitations contained in rules and regulations promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule and regulation for those situations in which property may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family.

Subd. 2. Notwithstanding any other provision of this act, the commissioner shall provide by rule and regulation for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance will not exceed 30 days and an undue hardship would be imposed on an individual or family by the forced disposal of such property.

Sec. 9. [FORM OF PAYMENT; VENDOR PAYMENTS.] *Subdivision 1. All grants of general assistance shall be paid in cash and with such frequency as the commissioner shall determine. The commissioner may provide by rule and regulation for the making of general assistance payments in different time periods for various reasonable classifications of recipients.*

Subd. 2. Notwithstanding the provisions of subdivision 1, the commissioner shall provide by rule and regulation for situations in which vendor payments may be made by local agencies because of the inability of the recipient to manage his general assistance grant for his own or family's benefit.

Sec. 10. [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] *No grant of general assistance except one made pursuant to section 6, subdivision 2 or section 8, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.*

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section 12 subsequent to any action taken by a local agency after a prior hearing.

Sec. 11. [WORK INCENTIVE AND REGISTRATION.] *Subdivision 1. Every person who is a recipient of general assistance and not employed shall be required, unless exempt by subdivision 6, to register with the state employment service of the department of manpower services and the local agency and accept any suitable employment that is offered him.*

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the department of manpower services. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 3. General assistance work program recipients shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient

shall be determined by the needs of himself and his family including expenses incidental to his employment.

Subd. 4. A local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency.

Subd. 5. General assistance work program recipients are employees of the local agencies within the meaning of workmen's compensation laws, but not retirement or civil service laws.

Subd. 6. No person shall be required to register with the commissioner or state employment service if he is:

(1) A person with illness, incapacity, or advanced age;

(2) A child attending a school or college full time;

(3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;

(4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or

(5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.

Subd. 7. Any person who objects to being required to register with the commissioner or state employment service, shall be entitled to a prior hearing in accord with the provisions of section 10 on the issue of whether such person comes within the exemptions contained in subdivision 4, clause (1), (2), (3), or (4).

Subd. 8. (1) Any person who refuses to accept suitable employment when offered him shall lose his eligibility for general assistance and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule and regulation that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment has refused to do so.

(2) The provisions of section 10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits shall be applicable to determinations made under clause (1) of this subdivision.

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his

ability to support himself and his family shall be promptly referred to the department of manpower services or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

Sec. 12. [ADMINISTRATIVE AND JUDICIAL REVIEW.]
Subdivision 1. Any applicant or recipient aggrieved by any order or determination of a local agency may appeal from such order or determination to the commissioner of public welfare. The aggrieved applicant or recipient shall file with the local agency a notice of appeal within 30 days of the receipt by him of the order or determination of the local agency, provided that the order or determination is in writing and contains a statement advising the applicant or recipient of his right to appeal and the procedures for perfecting same.

If the order or determination of the local agency is not in writing or does not contain the appeal procedure statement referred to above, the 30-day period shall not be tolled until the applicant or recipient is properly notified in accordance with the provisions of this subdivision.

Notwithstanding the absence of proper notice or order or determination, the applicant or recipient may appeal to the commissioner by filing with the local agency any writing which states with reasonable clarity his dissatisfaction with or desire to obtain review of the determination or order of the local agency.

Subd. 2. Upon receipt the local agency shall immediately forward the notice of appeal to the commissioner. Within 30 days of the receipt of the notice of appeal, the commissioner shall provide the applicant or recipient with the opportunity for a hearing before the commissioner or his legal representative. The local agency shall be a party to the proceeding before the commissioner.

Subd. 3. The commissioner may, upon his own motion, review any decision made by a local agency and may make such additional investigation as he deems necessary.

Subd. 4. Within 30 days from the date of the hearing before the commissioner or his legal representative, a decision in writing making findings of fact and conclusions of law shall be rendered.

Subd. 5. Any applicant or recipient aggrieved by the determination by the commissioner may, within 30 days after notice of such decision is mailed, appeal from the decision or determination of the commissioner to the district court of the county in which the application was filed by serving a written notice of such appeal upon the commissioner and all other parties to the administrative hearing and by filing the original of such notice together with proof of service with the clerk of the district court of the county. No filing fee or other fees normally exacted by the clerk of district court upon the filing of a case shall be required.

A summary of the issues involved, a copy of all supporting papers, a transcript of any testimony, and a copy of the decision of the commissioner shall be filed with the court. The court shall

summarily, upon ten days' written notice, try and determine the appeal upon the record of the commissioner as certified by the commissioner and in the determination thereof shall be governed by the standard of review applicable to contested proceedings under Minnesota Statutes, Chapter 15. No new or additional evidence shall be taken on such appeal or introduced by any party to such hearing or appeal in a district court unless such new or additional evidence in the sound discretion of the court is necessary to a more equitable disposition of the appeal. If the court shall find that the order of the commissioner is not sustained by substantial evidence or is not in accord with applicable legal principles, the court shall make an order declaring the order of the commissioner null and void, giving the reasons therefor, and shall order the commissioner to take further action in the matter not inconsistent with the determination of the court. During the pendency of any appeal, if the commissioner has awarded general assistance, it shall be paid pending the determination of the appeal.

Subd. 6. Any party aggrieved by the determination of the district court may appeal to the supreme court in like manner as appeals are taken in civil actions, except that no filing fee shall be required by the clerk of the district court or supreme court.

The determination of the district court shall remain in effect during the pendency of any appeal to the supreme court.

Sec. 13. [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] *Subdivision 1. Notwithstanding the provisions of section 12 providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:*

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Subd. 2. The denial by a district court of a writ of mandamus shall not affect the right or scope of administrative or judicial review as set forth in section 16 of this act.

Sec. 14. [VIOLATIONS; MISDEMEANOR.] *Whoever obtains or attempts to obtain, or aids or abets any person to obtain by means of a willfully false statement or representation, or by impersonation, or other fraudulent device:*

(1) Assistance to which he is not entitled; or

(2) Assistance greater than that to which he is reasonably entitled; is guilty of a misdemeanor.

Sec. 15. [RELATIVE'S RESPONSIBILITY.] *The financial responsibility of a relative for an applicant or recipient of general assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant or recipient who is a child.*

Sec. 16. [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] *On the death of any person who received any general assistance under this act, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.*

Sec. 17. [DATA PROCESSING PROCEDURES.] *The local agency shall, to the extent permitted by federal law or regulation, in addition to any other necessary records and procedures, provide for the inclusion of all general assistance records in any data processing system established for the medical assistance program, in accordance with procedures established by the commissioner.*

Sec. 18. [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY.] *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 Minnesota Statutes, Section 144.50, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. [PROCEDURE WHEN COUNTY OF FINANCIAL RESPONSIBILITY IS IN QUESTION.] 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 this act, and shall be so complied with pending any such appeal.

Sec. 19. [ABOLITION OF TOWNSHIP SYSTEM OF POOR RELIEF.] *Subdivision 1. The town system for caring for the poor in each of the counties in which it is in effect is hereby abolished. The county welfare board of each county shall administer general assistance under the provisions of this article.*

Subd. 2. All county welfare boards affected by this act are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief.

Sec. 20. [TRANSFER OF TOWN EMPLOYEES.] *Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security act as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.*

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on the effective date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All transferred employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on the effective date of this act shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and such accumulated sick leave shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the

work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2 of this section, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, and at the time of their transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to such transfer, for all or part of the accumulated vacation time.

Sec. 21. [CONTINUATION OF RETIREMENT SYSTEM FOR FORMER MINNEAPOLIS EMPLOYEES.] *Subdivision 1. Each employee of the city of Minneapolis who is transferred to and employed by the county under the provisions of section 20 and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 422, shall continue to be a member of that system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 422, unless he applies to cancel his membership within six months after the effective date of this act.*

Subd. 2. The cost to the public of that portion of the retirement allowances or other benefits accrued while any such employee was in the service of the city of Minneapolis shall remain an obligation of the city and a tax shall be levied and collected by it to discharge its obligation as provided by Minnesota Statutes, Chapter 422.

Subd. 3. The cost to the public of the retirement allowances or other benefits accruing to employees so transferred to and employed by the county shall be the obligation of and paid by the county at such time as the retirement board shall fix and determine in accordance with chapter 422. The county shall pay to the municipal retirement fund an amount certified to the county auditor of the county by the retirement board as the cost of the retirement allowances and other benefits accruing and owing to such county employees. The cost to the public of the retirement allowances as herein provided shall be paid from the county revenue fund by the county auditor upon receipt of certification from the retirement board as herein provided, and the county board is authorized to levy and collect such taxes as may be necessary to pay such costs.

Sec. 22. Minnesota Statutes 1971, Section 245.77, is amended to read:

245.77 [LEGAL SETTLEMENT OF PERSONS RECEIVING ASSISTANCE; ACCEPTANCE OF FEDERAL FUNDS.] In the event federal funds become available to the state for purposes of reimbursing the several local agencies of the state for costs incurred in providing financial relief to poor persons under the liability imposed by section 261.03, or for reimbursing the state

and counties for categorical aid assistance furnished to persons who are eligible for such assistance only because of the United States Supreme Court decision invalidating state residence requirements the commissioner of public welfare is hereby designated the state agent for receipt of such funds. Upon receipt of any federal funds the commissioner shall in a uniform and equitable manner use such funds to reimburse counties ; ~~towns, cities and villages~~ for expenditures made in providing financial relief to poor persons. The commissioner is further authorized to promulgate rules and regulations, consistent with the rules and regulations promulgated by the Secretary of Health, Education and Welfare, governing the reimbursement provided for by this provision.

Sec. 23. Minnesota Statutes 1971, Section 261.04, Subdivision 1, is amended to read:

261.04 [LIABILITY OF ESTATE.] Subdivision 1. [SUPPORT, MAINTENANCE, CARE, OR BURIAL.] When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person by ~~any county, city, town, village, or borough~~ the ~~municipality~~ ~~county~~ so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such ~~municipality~~ ~~county~~ at its option upon discovery of any property belonging to the poor person or to his estate.

Sec. 24. Minnesota Statutes 1971, 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 *general assistance*, old age assistance, aid to dependent children, 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. 25. Minnesota Statutes 1971, Section 275.09, Subdivision 3, is amended to read:

Subd. 3. [TOWN PURPOSES.] There shall be levied annually on each dollar of taxable property, except such as is by law otherwise taxable, as assessed and entered on the tax lists for town purposes, such amount as is voted at any legal town meeting, the rate of which tax shall not exceed, exclusive of such sums as are voted at the annual town meeting for road and bridge purposes ~~and for the support of the poor~~, ten mills in any town having a population of more than 7,000, excluding the population of any cities or villages therein, five mills in any town having a taxable

valuation of \$100,000 or more, and the amount of which shall not exceed \$350 in any town having a taxable valuation of less than \$100,000, and the rate of which shall not exceed one percent in any town. The rate of tax for road and bridge purposes in any town shall not exceed the rate provided by section 164.04, and the tax for poor purposes shall not exceed five mills. In any town in which the amount levied within the above limitations is not sufficient to enable the town to carry on its necessary governmental functions, the electors, during the business hours, after disposing of the annual report, may make an additional levy of not to exceed five mills to enable the town to carry on such necessary governmental functions.

Sec. 26. Minnesota Statutes 1971, Section 376.424, is amended to read:

376.424 [CHARGES; PAYMENT.] The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of any such nontuberculous patient, which charge shall equal all costs of such hospitalization of such patient. Any person who is afflicted with a malady, deformity or ailment, other than tuberculosis, which can probably be remedied by hospital care, service and treatment, and who is unable to pay the charges, may be admitted to the sanatorium for care, treatment and maintenance upon application of the county ; ~~town,~~ village, ~~borough,~~ or city responsible for the care of such person under the provisions of the statutes governing the relief of the poor, and such charges shall be paid by the county ; ~~town,~~ village, ~~borough,~~ or city making such application.

Sec. 27. Minnesota Statutes 1971, Section 393.01, Subdivision 3, is amended to read:

Subd. 3. [COUNTY BOARD TO BE WELFARE BOARD IN CERTAIN COUNTIES.] In any county containing a city of the first class operating under a home rule charter, wherein there is established in such city a board of public welfare for administration of poor relief in such city only, *In the county of Hennepin* the board of county commissioners shall be the county welfare board. In such ~~counties~~ *county* the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such ~~counties~~ *county* the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings. In such ~~counties~~ the system of caring for the poor in effect at the time of the passage of this chapter shall be continued, subject to all provisions of law relating thereto, except that, if such county is operating under the township system of caring for the poor, such towns, villages, and cities of the second, third and fourth classes therein may, by resolution of its governing body, agree with the county welfare board that the latter shall supervise and administer the poor relief fund in such town, village, or city, or contract with any one or more of the public subdivisions of the county for the purpose of jointly supervising and administering the poor relief funds in such towns, villages or cities. In any such county the powers and duties of such board of public welfare shall not be affected by the

provisions of this chapter. Such board of public welfare, in administering poor relief funds granted by any state agency authorized so to do by law, shall comply with all standards of administration and procedure prescribed by such agency.

Sec. 28. Minnesota Statutes 1971, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county welfare board, except as provided in section 393.01, subdivision 3; and subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including *general assistance*, aid to dependent children, old age assistance, aid to the blind, child welfare services, mental health services, and other public assistance or public welfare services. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1971, Section 393.08, Subdivision 1, is amended to read:

393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.] Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, subdivisions *subdivision 3 and 4*, shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include poor relief in such counties or institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for *public assistance and* categories of aid under the federal social security act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for poor relief *institutional requirements* as authorized by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

On the 25th day of July of each year the county welfare board referred to in section 393.01, subdivision 4, shall present its estimate of the amount needed by it to perform its duties, including expense of administration, to the board of county commissioners of any such county and the council of the city of the first class located in such county. Said board and said council may appoint a welfare budget advisory committee to study said budget provided that said welfare budget advisory committee must report its recommendation to said board and said council not later than September 1 of each year. The board of county commissioners of such county and the city council of such city shall jointly adopt a budget for such county welfare board and such action of such board of county commissioners and such city council in so adopting such budget shall be taken not later than September 20th of each year. The cost of all such relief, including the maintenance of any almshouse, sanatorium, or hospital maintained by such county and city shall be paid 72-1/2 percent by such county and 27-1/2 percent by such city.

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

Sec. 30. To the extent of appropriations available therefor, the department of public welfare shall reimburse counties up to 50 percent of all salary expenses, approved by the commissioner, incurred and paid by the counties, for which no payment or reimbursement is made by the United States or any subdivision thereof, in administering, and salary administrative costs in providing services in connection with, all public assistance programs. Claims for reimbursement for expenditures made by the county shall be presented to the department by the respective counties at least four times per year in such manner as the commissioner shall prescribe. The commissioner shall, pursuant to the administrative procedures act, prior to making any payments, promulgate rules to implement this section.

Sec. 31. There is appropriated to the department of public welfare from the general fund the sum of \$15,500,000 for the biennium ending June 30, 1975, to enable the department to pay claims made pursuant to section 30 for reimbursement for the salary cost of administering, and salary administrative costs in providing services in connection with, public assistance programs.

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$10,700,000 for the purpose of state aid for general assistance.

Sec. 33. Minnesota Statutes 1971, Sections 245.46, 261.01, 261.02, 261.03, 261.05, 261.06, 261.061, 261.064, 261.065, 261.066,

261.067, 261.07, 261.08, 261.10, 261.11, 261.123, 261.124, 261.125, 261.126, 261.14, 261.141, 261.142, 261.143, 261.26 and 393.08, Subdivision 2, are repealed.

Sec. 34. Article II is effective January 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 the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief; creating a welfare general assistance program and providing for the administration of welfare programs; providing penalties; amending Minnesota Statutes 1971, Sections 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.-424; 393.01, Subdivision 3; 393.07, Subdivision 2; and 393.08, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; and 393.08, Subdivision 2.”

And when so amended, H. F. No. 2275 will be identical to S. F. No. 2305 and further recommends that H. F. No. 2275 be given its second reading and substituted for S. F. No. 2305 and S. F. No. 2305 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 938 be amended as follows:

Page 3, line 5, strike “*Clause*” and insert in lieu “*Paragraph*”

Page 3, strike line 8 and insert in lieu thereof “*Minnesota Statutes, Section 184.38, Subdivision 18;*”

Page 3, line 9, after “*at*” strike “*an*” and insert in lieu “*any*”

Page 3, line 13, strike “*reasons*” and insert in lieu “*reason(s)*”

Page 3, line 22, after “*order*” insert “*prior*”

Further, amend the title in line 5, by striking “*providing a penalty;*” and in line 7, after “*subdivision;*” insert “*184.33;*” and in line 9, delete “, and Section 184.33”

And when so amended, H. F. No. 938 will be identical to S. F. No. 888 and further recommends that H. F. No. 938 be given its second reading and substituted for S. F. No. 888 and S. F. No. 888 be indefinitely postponed. Amendments adopted.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2417, 1941, 1960, 962 and 2016 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1198, 1767, 1214, 1691, 1620, 1959, 2205, 977, 662, 1932, 1727, 1671, 1510, 1579, 748, 2239, 2206, 1580, 1319, 1853, 959, 813, 1711, 1190, 285, 2275, 938, 1960, 588, 1625, 1045 and 1103 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Conzemius moved that S. F. No. 750, No. 2 on the Calendar be stricken and placed at the top of General Orders. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Lewis in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Lewis reported that the committee had considered

S. F. Nos. 1302, 830, 1908 also H. F. Nos. 1198, 240, 1932, 1642, 1537, 1522 which the committee recommends to pass.

S. F. No. 750, which the committee recommends to pass with the following amendments offered by Messrs. Conzemius and Jensen:

Mr. Conzemius moved to amend S. F. No. 750, as follows:

Page 8, Line 15, before the period, insert, "*, including but not limited to the common use of 'hedging'*"

Page 8, Line 17, after "*losses*" insert "*, except for interest and taxes,*"

Page 8, strike lines 20 through 28

Page 9, strike lines 1 through 9

Reletter the clauses in sequence

Page 9, Line 18, after "carried" insert "back three years and carried"

Page 9, Line 22, after "any" insert "carryback or"

Page 9, Line 24, after "and" and before "carryover" insert "carry-back or"

Mr. Jensen moved to amend S. F. No. 750, as follows:

Page 9, Line 14, strike "gross" and insert "net"

Page 9, Line 27, strike "gross" and insert "net"

Mr. Blatz moved to amend S. F. No. 750, as follows:

Page 9, Line 16, after "\$10,000" strike the balance of the line.

Page 9, Line 17, strike "exceeds the amount of \$10,000"

Page 10, Line 1, after "\$10,000" strike the balance of the line

Page 10, Line 2, strike "exceeds the amount of \$10,000"

The question being taken on adoption of the amendment of Mr. Blatz,

And the roll being called, there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Keefe, J.	Nelson	Tennesen
Bang	Hansen, Baldy	Kirchner	Ogdahl	Ueland
Blatz	Hansen, Mel	Kowalczyk	O'Neill	
Brown	Hanson, R.	Krieger	Pillsbury	
Dunn	Josefson	Larson	Sillers	

Those who voted in the negative were:

Anderson	Conzemius	Kleinbaum	Olson, A. G.	Solon
Arnold	Davies	Laufenburger	Olson, H. D.	Spear
Berg	Doty	Lewis	Perpich, A. J.	Stokowski
Bernhagen	Gearty	Lord	Perpich, G.	Thorup
Borden	Hughes	Milton	Purfeerst	Willet
Chenoweth	Humphrey	Moe	Renneke	
Chmielewski	Jensen	North	Schaaf	
Coleman	Keefe, S.	Novak	Schrom	

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

H. F. No. 356 which the committee recommends to pass, after the following motion:

Mr. Kleinbaum moved that the amendment made to H. F. No. 356 by the Committee on Rules and Administration in the report adopted April 5, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 813, which the committee recommends to pass with the following amendment offered by Mr. Doty:

Amend H. F. No. 813, the typewritten bill, as amended May 2, 1973, under Rule 49, as follows:

Page 4, line 16, strike "*January 1, 1974*" and insert "*October 1, 1973*"

H. F. No. 190, which the committee recommends to pass with the following amendment offered by Mr. Hughes:

Page 1, Line 5, after "effective" insert "*February 1, 1974, and*"

S. F. No. 769, which the committee recommends to pass with the following amendments offered by Mr. Milton:

Page 1, line 24, after "13" insert "*years of age or over but less than 18*"

Page 1, line 24, after "age" strike "*or over*"

Page 1, line 26, strike "*having in his immediate possession*" and insert "*possessing*"

Page 1, line 31, after "*establish*" insert "*an educational course and*"

Page 2, line 1, after "*persons*" insert "*13 years of age or over but less than 18 years of age*"

Page 2, line 1, strike "*by section 361.22*"

Page 2, line 3, after "*person*" insert "*13 years of age or over but less than 18 years of age*"

Page 2, line 3, strike "*passes*" and insert "*completes*"

Page 2, line 3, after "*the*" insert "*educational program and the*"

Page 2, line 4, strike "*The*"

Page 2, strike lines 5 and 6

Page 2, line 7, strike "*renews the permit.*"

Page 2, line 8, after "\$2 for" strike "*the renewal*" and insert "*a duplicate*"

Page 2, line 9, strike "*of an*"

Page 2, line 24, after "operator" insert "*, his parent or legal guardian, or*"

Page 2, line 24, strike "15" and insert "18"

Page 2, strike lines 25 through 28

Page 3, line 1, strike "*of the operator*"

Page 4, line 9, strike "*a court, including*"

Page 4, line 10, strike "*convicts or*"

Page 4, line 14, strike "*conviction or*"

Mr. Milton moved to amend S. F. No. 769 further as follows:

Page 2, line 7, strike everything after the period

Page 2, strike lines 8 through 12

Mr. Milton moved to amend S. F. No. 769 further as follows:

Page 3, line 4, strike everything after "Subd. 2."

Page 3, strike lines 5 through 26

Page 3, line 27, strike everything before "*An*"

Page 3, line 28, after "*operator*" strike "*convicted by a court or*" and insert "*13 years of age or older but less than 18 years of age,*"

Page 4, line 4, strike "*five years*" and insert "*one year*"

Page 4, strike lines 6 through 8

Page 4, line 9, strike everything before "*The*"

Page 4, line 9, strike "*a court, including*"

Page 4, line 14, strike "*conviction or*"

H. F. No. 23 which the committee reports progress, after the following motion:

Mr. Keefe, S. moved to amend H. F. No. 23, the printed bill, as follows:

Page 2, line 6, strike "who possess a prescription for any"

Page 2, line 7, strike "drug,"

Page 2, line 7, strike "such" and insert in lieu thereof "any"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 23 and nays 27, as follows:

Those who voted in the affirmative were:

Borden	Gearty	Lewis	Novak	Spear
Chenoweth	Hughes	Lord	Olhoft	Stokowski,
Coleman	Humphrey	Milton	Perpich, A. J.	Tennessen
Davies	Keefe, S.	Moe	Perpich, G.	
Doty	Laufenburger	North	Schaaf	

Those who voted in the negative were:

Ashbach	Fitzsimons	Kirchner	Nelson	Ueland
Berg	Fredenick	Kleinbaum	Ogdahl	Wegener
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Willet
Blatz	Hansen, Mel	Kowalczyk	Pillsbury	
Brown	Hanson, R.	Krieger	Renneke	
Dunn	Josefson	Larson	Sillers	

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

The committee then progressed H. F. No. 23.

H. F. No. 600, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Page 17, line 12, strike "Sec. 20." and insert "Sec. 19."

Page 17, line 14, strike "Sec. 21." and insert "Sec. 20."

S. F. No. 1334, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 7, lines 6 and 7, reinstate the stricken language

Page 7, lines 11 and 12, reinstate the stricken language

S. F. No. 1125 which the committee recommends to pass, after the following motion:

Mr. Nelson moved that S. F. No. 1125 be re-referred to the Committee on Finance.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 6 and nays 49, as follows:

Those who voted in the affirmative were:

Brown	Josefson	Nelson	O'Neill	Sillers
Hansen, Mel				

Those who voted in the negative were:

Anderson	Doty	Kirchner	Moe	Renneke
Arnold	Dunn	Kleinbaum	North	Schrom
Ashbach	Fitzsimons	Knutson	Novak	Solon
Berg	Gearty	Kowalczyk	Ogdahl	Spear
Bernhagen	Hansen, R.	Larson	Olhoft	Stokowski
Blatz	Hughes	Laufenburger	Olson, A. G.	Tennessee
Borden	Humphrey	Lewis	Olson, H. D.	Thorup
Coleman	Jensen	Lord	Perpich, A. J.	Wegener
Conzemius	Keefe, J.	McCutcheon	Perpich, G.	Willet
Davies	Keefe, S.	Milton	Purfeerst	

Which motion did not prevail.

And then, on motion of Mr. Lewis, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1626, No. 131 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

Mr. Nelson moved to amend S. F. No. 1626, as follows:

Page 6, line 10, strike "25" and insert "10"

Page 6, line 10, after "the" insert "average of the"

Page 6, line 11, after "the" insert "four"

Page 6, line 11, strike "election" and insert "elections"

Which motion prevailed. So the amendment was adopted.

Mr. Pillsbury moved to amend S. F. No. 1626, as follows:

Page 14, Line 12, strike "primary" and insert "elementary"

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

Mr. Stassen moved to amend S. F. No. 1626, as follows:

Page 6, line 11, before the period, insert "*except that in school board elections held in conjunction with general or municipal elections, this clause shall be effective if signed by a number of qualified voters in excess of 5 percent of the total number of votes cast for school board offices*"

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

Mr. Keefe, J. moved to amend S. F. No. 1626, as follows:

Page 10, line 23, after "exceeds" insert "400 pupils or"

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

Mr. Knutson moved to amend S. F. No. 1626, as follows:

Page 3, line 14, strike "\$812" and insert "\$820"

Page 3, line 21, strike "\$24" and insert "\$32"

Page 3, line 21, after "from" strike "\$812" and insert "\$820" and before the period strike "\$812" and insert "\$820"

Page 5, line 9, strike "\$812" and insert "\$820"

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

Mr. Knutson moved to amend S. F. No. 1626, as follows:

Page 12, line 2, strike "fourth" and insert "half"

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

Mr. Knutson moved to amend S. F. No. 1626, as follows:

Page 1, lines 31 and 32, strike "in excess of seven" and insert "seven or more"

Page 1, line 33, before the period insert "and 1974"

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

Mr. Stassen moved to amend S. F. No. 1626 as follows:

Page 12, line 3, after the period insert

"When the actual number of pupil units has increased from the prior year by more than six percent, the number of pupil units for such district shall equal the sum of the actual units for the current year and one half of the difference between the actual units for two years."

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

Mr. Keefe, J. moved to amend S. F. No. 1626, as follows:

Page 5, line 27, strike "amount" and insert "millage"

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

Mr. Stassen moved to amend S. F. No. 1626, as follows:

Page 21, line 11, delete "\$30,078,760" and insert "\$37,900,000"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 41, as follows:

Those who voted in the affirmative were:

Bernhagen	Jensen	Knutson	Olson, J. L.	Ueland
Blatz	Josefson	Kowalczyk	Pillsbury	Wegener
Brown	Keefe, J.	Krieger	Renneke	Willet
Frederick	Kirchner	Olson, H. D.	Stassen	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olhoft	Solon
Arnold	Hansen, Baldy	Lewis	Olson, A. G.	Spear
Borden	Hansen, Mel	Lord	O'Neill	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Purfeerst	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	
Doty	Larson	Ogdahl	Sillers	

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

S. F. No. 1626 was read the third time, as amended, and placed on its final passage.

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

CALL OF THE SENATE

Mr. Anderson imposed a call of the Senate.

The following Senators answered to their names:

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

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

Mr. Anderson moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 63 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown and Jensen voted in the negative.

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Introduction of Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

INTRODUCTION OF BILLS

Mr. Novak, for the Committee on Finance introduced—

S. F. No. 2429: A bill for an act relating to the organization and operation of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical educa-

tion; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

Which was read the first time and under the rules of the Senate, laid over one day.

Messrs. Ogdahl, Gearty and Stokowski introduced—

S. F. No. 2430: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a Subdivision; and 23, Subdivision 5.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Coleman, Krieger and Konzemius introduced—

S. F. No. 2431: A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Lewis introduced—

S. F. No. 2432: A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Dunn, Arnold and Lord introduced—

S. F. No. 2433: A bill for an act relating to environmental control; management and preservation of wetlands; prescribing the powers and duties of the commissioner of natural resources and local governmental units in relation thereto; amending Minnesota Statutes 1971, Section 462.357, Subdivision 1; and Chapter 105, by adding a section.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Willet, Ashbach and Hansen, Baldy introduced—

S. F. No. 2434: A bill for an act relating to aeronautics; regulating the disclosure of insurance on rented aircraft; providing penalties; amending Minnesota Statutes 1971, Section 360.018, by adding a subdivision.

Which was read the first time and referred to the Committee on Labor and Commerce.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 1723: A bill for an act relating to game and fish; closing the season on pheasants in Douglas county for three years.

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

Page 1, line 12, strike "years" and insert "year"

Page 1, line 12, strike ", 1974, or 1975"

Amend the title as follows:

Page 1, line 4, strike "three years" and insert "one year"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1387: A bill for an act relating to the Minnesota housing finance agency; prescribing its powers and duties; providing for the financing thereof; appropriating money; amending Minnesota Statutes 1971, Sections 462A.03, Subdivisions 2, 4, 9, and 10, and by adding subdivisions; 462A.05, Subdivisions 2, 3, 4, 5, and 10; 462A.06, Subdivision 11; 462A.07, Subdivision 5; 462A.08, Subdivision 1; 462A.10, Subdivision 5; 462A.17, Subdivision 1; 462A.18, Subdivision 2; 462A.21, Subdivisions 2 and 3; 462A.22; and 462A.23.

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

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

Section 1. Minnesota Statutes 1971, Section 462A.02, is amended by adding a subdivision to read:

Subd. 7. It is further declared that housing assistance programs

provided by the federal government frequently require cooperation by or coordination with an agency of state government and that the availability of particular housing assistance programs of the federal government may depend upon the existence of an agency in state government with the authority and capacity to coordinate and administer such federal housing assistance programs.

Sec. 2. Minnesota Statutes 1971, Section 462A.03, Subdivision 2, is amended to read:

Subd. 2. "Development costs" means the costs approved by the agency as appropriate expenditures which may be incurred by sponsors of land development for residential housing or of residential housing, within this state, prior to commitment and initial advance of the proceeds of a ~~federally insured~~ *an eligible* construction loan, or ~~federally insured eligible~~ mortgage, and for which temporary loans from the housing development fund may be made by the agency subject to the provisions of section 462A.05, subdivision 2 5, including but not limited to:

(a) Payments for options to purchase properties on the proposed residential housing site, deposits on contracts of purchase, or, with prior approval of the ~~housing development fund agency~~, payments for the purchase of such properties;

(b) Legal and organizational expenses, including payments of attorneys' fees, project manager and clerical staff salaries, office rent and other incidental expenses;

(c) Payment of fees for preliminary feasibility studies, advances for planning, engineering and architectural work;

(d) Expenses for tenant surveys and market analyses; and

(e) Necessary application and other fees.

Sec. 3. Minnesota Statutes 1971, Section 462A.03, Subdivision 4, is amended to read:

Subd. 4. "Federally insured mortgage" means a mortgage loan for residential housing *which is* insured or guaranteed by the United States or an instrumentality thereof, or by a commitment by the United States or an instrumentality thereof to insure such a mortgage.

Sec. 4. Minnesota Statutes 1971, Section 462A.03, Subdivision 7, is amended to read:

Subd. 7. "Residential housing" means a specific work or improvement within this state undertaken primarily to provide dwelling accommodations *for persons and families of low and moderate income and for others when determined to be necessary in furtherance of the policy stated in section 462A.02, subdivision 6*, including land development and the acquisition, construction or rehabilitation of buildings and improvements thereto, for residential housing, and such other nonhousing facilities as may be incidental or appurtenant thereto.

Sec. 5. Minnesota Statutes 1971, Section 462A.03, Subdivision 9, is amended to read:

Subd. 9. "~~Loan fund,~~" and "~~bond fund,~~" and "~~Housing development fund,~~" and "~~bond funds~~" mean the funds which may be created and established in accordance with sections 462A.20; and 462A.22 and 462A.23 , respectively.

Sec. 6. Minnesota Statutes 1971, Section 462A.03, Subdivision 10, is amended to read:

Subd. 10. "~~Persons and families of low and moderate income~~" means persons and families, irrespective of race, creed, national origin or sex, determined by the agency to require such assistance as is made available by sections 462A.01 to 462A.24 on account of personal or family income not sufficient to afford adequate housing; ~~and to be eligible or potentially eligible to occupy residential housing constructed and financed, wholly or in part, with federally insured construction loans, federally insured mortgages, federally insured securities, or with other public or private assistance, and .~~ In making such determination the agency shall take into account the following: (a) The amount of the total income of such persons and families available for housing needs, (b) the size of the family, (c) the cost and condition of housing facilities available, (d) the eligibility of such persons and families to compete successfully in the normal housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing. In the case of federally insured *subsidized* mortgages with respect to which income limits have been established by any agency of the federal government having jurisdiction thereover for the purpose of defining eligibility of low and moderate income families, the limits so established shall govern under the provision of sections 462A.01 to 462A.24. In all other cases income limits for the purpose of defining low or moderate income persons shall be established by the agency in its rules.

Sec. 7. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 11. "Eligible loan" means any mortgage loan, construction loan, or other loan, whether or not federally insured, granted by the agency to an eligible mortgagor.

Sec. 8. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 12. "Eligible security" means any security payable from or evidencing an interest in mortgages securing loans to finance residential housing.

Sec. 9. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 13. "Eligible mortgagor" means a nonprofit corporation or limited profit entity as the same are defined by the agency in its rules, or a natural person of low or moderate income, except that the return to a limited dividend entry shall not exceed eight percent of the capital contribution of the investors or such lesser percentage as the agency shall establish in its rules.

Sec. 10. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 14. "Federal housing assistance supplements" means and refers to all funds made available to the state of Minnesota by the federal government or any agency or instrumentality thereof for the purpose of assisting in providing adequate and economic housing in the state of Minnesota.

Sec. 11. Minnesota Statutes 1971, Section 462A.05, Subdivision 2, is amended to read:

Subd. 2. It may make or participate in the making of **federally insured eligible** construction loans to sponsors of residential housing for occupancy by persons or families of low and moderate income. Such loans shall be made only upon determination by the agency that construction loans are not otherwise available, wholly or in part, from private lenders upon equivalent terms and conditions.

Sec. 12. Minnesota Statutes 1971, Section 462A.05, Subdivision 3, is amended to read:

Subd. 3. It may *agree to purchase, make, or otherwise participate* in the making and enter into commitments for the *purchase, making, or participation in the making* of long term **federally insured eligible** mortgage loans to sponsors of residential housing for occupancy by persons and families of low and moderate income, or to persons and families of low and moderate income who may purchase such residential housing. Such loans shall be made only upon determination by the agency that long term mortgage loans are not otherwise available, wholly or in part, from private lenders upon equivalent terms and conditions.

Sec. 13. Minnesota Statutes 1971, Section 462A.05, Subdivision 4, is amended to read:

Subd. 4. It may purchase and enter into commitments for the purchase of **federally insured eligible** securities provided that the agency shall first determine that the proceeds of such securities will be utilized for the purpose of residential housing for occupancy by persons or families of low and moderate income.

Sec. 14. Minnesota Statutes 1971, Section 462A.05, Subdivision 5, is amended to read:

Subd. 5. It may make temporary loans *solely* to "nonprofit" sponsors as defined by the agency, with or without interest, and with such security for repayment, if any, as the agency determines reasonably necessary and practicable, solely from the housing development fund, in accordance with the provisions of section 462A.21, to defray development costs to sponsors of residential housing construction for occupancy by persons and families of low and moderate income which development costs are eligible or potentially eligible for **federally insured** construction loans, or **federally insured** mortgages. ~~Provided that no temporary loans shall be made to limited dividend corporations.~~

Sec. 15. Minnesota Statutes 1971, Section 462A.05, Subdivision 9, is amended to read:

Subd. 9. It may invest any funds not required for immediate disbursement in direct obligations of the United States government or in obligations the principal of which and interest on which are guaranteed by the United States government or an agency thereof, subject to the provisions of section 462A.23.

Sec. 16. Minnesota Statutes 1971, Section 465A.05, Subdivision 10, is amended to read:

Subd. 10. It may sell ~~federally insured mortgages eligible loans or eligible securities~~ to the federal national mortgage association or ~~another any other agency or instrumentality~~ of the United States, and may invest in the capital stock of ~~such issued by said association or other agency or instrumentality~~ to the extent, if any, required as a condition of such sale.

Sec. 17. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 11. It may receive federal housing assistance supplements from the federal government, or from agencies or instrumentalities thereof; may administer and distribute said funds in accordance with the applicable provisions of federal law or regulations governing the administration and distribution of said supplements; and may make and publish such rules and regulations as are necessary to enable it to receive, administer, and distribute said supplements in accordance with said federal laws and regulations.

Sec. 18. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 12. It may, from time to time, establish such funds as may be needed in order to receive, administer, and distribute federal housing assistance supplements. All federal housing assistance supplements received by the agency are hereby appropriated to the agency.

Sec. 19. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 13. In carrying out the policies and purposes declared in section 462A.02, the agency shall prefer those housing projects which are federally subsidized and those loans which are federally insured or guaranteed, to the extent that the agency finds such projects and loans to be available at the times and in the amounts needed to meet the shortage of residential housing for persons and families of low and moderate income.

Sec. 20. Minnesota Statutes 1971, Section 462A.06, Subdivision 11, is amended to read:

Subd. 11. It may make and publish rules and regulations respecting its ~~federally insured mortgage lending, construction lending, and temporary lending~~, and any such other rules and regulations as are necessary to effectuate its corporate purpose.

Sec. 21. Minnesota Statutes 1971, Section 462A.06, Subdivision 12, is amended to read:

Subd. 12. It may borrow money to carry out and effectuate its corporate purpose and may issue its negotiable bonds or notes as evidence of any such borrowing in such principal amounts and upon such terms as shall be necessary to provide sufficient funds for achieving its corporate purpose, except that no negotiable notes shall be issued to mature more than ten years from date of issuance and no negotiable bonds shall be issued to mature more than 50 years from date of issuance in accordance with sections 462A.08 to 462A.17.

Sec. 22. Minnesota Statutes 1971, Section 462A.07, Subdivision 5, is amended to read:

Subd. 5. It may enter into agreements with sponsors, mortgagors, or the issuers of securities for the purpose of regulating the planning, development, and management of housing projects financed in whole or in part by the proceeds of federally insured mortgages eligible loans or eligible securities purchased by the agency.

462.08 [BONDS AND NOTES; PURPOSES, TERMS, APPROVAL.]

Sec. 23. Minnesota Statutes 1971, Section 462A.08, Subdivision 1, is amended to read:

Subdivision 1. The agency from time to time may issue its negotiable bonds and notes in such principal amount, as, in the opinion of the agency, shall be necessary to provide sufficient funds for achieving its purposes through, including the making of federally insured eligible construction loans and mortgage loans for residential housing for low and moderate income persons and families, and the purchase of federally insured eligible securities, the payment of interest on bonds and notes of the agency, the establishment of reserves to secure such bonds and notes, and the maintenance of a reserve as provided in section 462A.22 payment of all other expenditures of the agency incident to and necessary or convenient to carry out its corporate purposes and powers.

Sec. 24. Minnesota Statutes 1971, Section 462A.08, Subdivision 2, is amended to read:

Subd. 2. The agency from time to time may issue renewal notes, issue bonds to pay notes and whenever it deems or notes for the purpose of refunding expedient, refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and issue bonds partly to refund bonds then outstanding and partly for any other purpose or notes of the agency then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the redemption date next succeeding the date of delivery of such refunding bonds or notes. The refunding bonds shall be sold and the proceeds of any such refunding bonds or notes may, in the discretion of the agency, be applied to the purchase, redemption or payment at maturity of the bonds or notes to be refunded, or to the redemp-

tion of such outstanding bonds or notes on the redemption date next succeeding the date of delivery of such refunding bonds or notes and may, pending such application, be placed in escrow to be applied to such purchase, retirement, or redemption. Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations issued or guaranteed by the state or the United States or by any agency or instrumentality thereof, or in certificates of deposit or time deposits secured in such manner as the agency shall determine, maturing at such time or times as shall be appropriate to assure the prompt payment of the principal of and interest and redemption premiums, if any, on the bonds or notes to be refunded. The income earned or realized on any such investment may also be applied to the payment of the bonds or notes to be refunded. After the terms of the escrow have been fully satisfied, any balance of such proceeds and investment income may be returned to the agency for use by it in any lawful manner. All refunding bonds or notes issued under the provisions of this subdivision shall be issued and secured in the manner provided by resolution of the agency.

Sec. 25. Minnesota Statutes 1971, Section 462A.08, Subdivision 3, is amended to read:

Subd. 3. All notes or bonds issued hereunder shall be negotiable investment securities ~~under~~ within the meaning and for all purposes of the uniform commercial code, subject only to any provisions of the bonds and notes for registration. All notes and bonds so issued shall be general obligations of the agency, secured by its full faith and credit, and payable out of any moneys, assets, or revenues of the agency, subject to the provisions of resolutions or indentures pledging and appropriating particular moneys, assets, or revenues to particular notes or bonds.

Sec. 26. Minnesota Statutes 1971, Section 462A.09, is amended to read:

462A.09 [BONDS AND NOTES; RESOLUTIONS AUTHORIZING, ADDITIONAL TERMS, SALE.] *The notes and bonds of the agency shall be authorized by a resolution of the members of or resolutions adopted by the agency, shall bear such date or dates, and shall mature at such time or times, in the case of any note, or any renewal thereof, not exceeding ten years from the date of issue of such original note, and in the case of any bond, not exceeding 50 years from the date of issue, as the resolution may provide. The notes and bonds shall bear interest at such rate or rates, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment lawful money of the United States of America, at such place or places within or without the state, and be subject to such terms of redemption prior to maturity as such resolution or resolutions or certificates may provide. No note shall mature more than ten years from its date or from the date of any note refunded thereby. The maximum maturity of any bond, whether or not issued for the purpose of refunding, shall be 50 years from its date. The notes and bonds of the agency may be sold by the agency, at public or private sale, at such price or prices as the agency shall determine.*

Sec. 27. Minnesota Statutes 1971, Section 462A.10, Subdivision 2, is amended to read:

Subd. 2. It may pledge or create a lien on all or any part of the moneys received in payments of loans and interest thereon, and or property of the agency and any moneys held in trust or otherwise, by others to secure the payment of the notes or bonds or of any issue thereof, subject to such agreements with bondholders or noteholders as may then exist, and subject to the provisions of sections ~~462A.22 and 462A.23.~~

Sec. 28. Minnesota Statutes 1971, Section 462A.10, Subdivision 3, is amended to read:

Subd. 3. It may provide for the use and disposition of the gross income from mortgages owned by the agency and payment of principal of mortgages owned by custody, collection, securing, investment, and payment of any moneys of the agency.

Sec. 29. Minnesota Statutes 1971, Section 462A.10, Subdivision 4, is amended to read:

Subd. 4. It may set asside reserves in the bond fund or sinking funds and provide for the regulation and disposition thereof and may create other special funds into which any moneys of the agency may be deposited.

Sec. 30. Minnesota Statutes 1971, Section 462A.10, Subdivision 5, is amended to read:

Subd. 5. It may limit the guaranteed loans and securities to which the proceeds of sale of notes or bonds may be applied and may pledge repayments thereon to secure the payment of the notes or bonds or of any issue thereof.

Sec. 31. Minnesota Statutes 1971, Section 462A.10, Subdivision 9, is amended to read:

Subd. 9. It may define the acts or omissions to act which shall constitute a default in the obligations and duties of the agency and may provide for the rights and remedies of the holders of bonds or notes in the event of such default, and provide any other matters of like or different character, consistent with sections ~~462A.01 to 462A.24~~ the general laws of the state and other provisions of this chapter, which in any way affect the security or protection of the notes or bonds and the rights of the holders thereof.

Sec. 32. Minnesota Statutes 1971, Section 462A.16, is amended to read:

462A.16. If the agency defaults in the payment of principal or interest on any issue of notes or bonds after the same shall become due, whether at maturity or upon call for redemption, and such default continues for a period of 30 days, or if the agency fails or refuses to comply with the provisions of sections ~~462A.01 to 462A.24~~ this chapter, or defaults in any agreement made with the holders of any issue of notes or bonds, the holders of 25 percent in aggregate principal amount of the notes or bonds of such issue

then outstanding may appoint a trustee to represent the holders of such notes or bonds for the purposes set forth in *section 462A.17, unless the notes or bonds are issued under an indenture made and entered into by the agency with a designated trustee.*

Sec. 33. Minnesota Statutes 1971, Section 462A.17, Subdivision 1, is amended to read:

462.17 [POWERS AND DUTIES OF TRUSTEE.] Subdivision 1. The trustee *designated in any indenture or resolution securing an issue of notes or bonds, or a trustee appointed pursuant to section ~~462A.14~~ 462A.16*, may, and upon written request of the holders of 25 percent in principal amount of such notes or bonds then outstanding shall, in his own name, *subject to the provisions of such indenture or resolution:*

(a) Enforce all rights of the noteholders or bondholders, including the right to require the agency to collect fees and charges and interest and ~~amortization~~ payments on ~~mortgage~~ *eligible loans and mortgages made and eligible securities purchased by it* adequate to carry out any agreement as to, or pledge of, such fees and charges and ~~interest~~ payments and to require the agency to carry out any other agreements with the holders of such notes or bonds and to perform its duties under ~~sections 462A.01 to 462A.24~~ *this chapter;*

(b) Bring suit upon such notes or bonds;

(c) Require the agency to account as if it were the trustee of any express trust for the holders of such notes or bonds;

(d) Enjoin any acts or things which may be unlawful or in violation of the *rights* of holders of such notes or bonds; or

(e) Declare all such notes or bonds due and payable, and if all defaults shall be made good, then, with the consent of the holders of 25 percent of the principal amount of such notes or bonds then outstanding, ~~to the trustee may~~ *annul such declaration and consequences.*

Sec. 34. Minnesota Statutes 1971, Section 462A.18, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of this section, the agency shall have power, subject to the approval of the state treasurer, to contract with the holders of any of its notes or bonds, as to the custody, collection, securing, investment, and payment of any moneys of the ~~agency~~ *agency*, or any moneys held in trust or otherwise for the payment of notes or bonds, and to carry out such contract. Moneys held in trust or otherwise for the payment of notes or bonds or in any way to secure notes or bonds and deposits of such moneys may be secured in the same manner as moneys of the agency, and all banks and trust companies are authorized to give such security for such deposits. *All moneys so paid to the state treasurer as agent of the agency, from whatever source, are appropriated to the agency.*

Sec. 35. Minnesota Statutes 1971, Section 462A.20, Subdivision 2, is amended to read:

Subd. 2. There shall be paid into the housing development fund:

(a) Any moneys appropriated and made available by the state for the purposes of the fund;

(b) Any moneys which the agency receives in repayment of advances made from the fund;

(c) Any other moneys which may be made available to the authority for the purpose of the fund from any other source or sources;

(d) All fees and charges collected by the agency;

(e) All interest or other income not required to be paid into the bond fund or loan fund by the provisions of a resolution or indenture securing notes or bonds to be paid into another special fund.

Sec. 36. Minnesota Statutes 1971, Section 462A.21, Subdivision 2, is amended to read:

Subd. 2. To make temporary loans to "nonprofit" sponsors to defray development costs, as provided by section 462A.05, subdivision 5. Each such loan shall be repaid in full by the borrower to the agency concurrent with the initial endorsement of such ~~borrowers~~ ~~federally insured~~ *borrower's eligible* construction loan, unless the authority extends for the period for the repayment of the advances. In no event shall the time of repayment be extended later than the date of the final endorsement of the ~~federally insured~~ *eligible* mortgage loan. If no permanent financing is obtained ~~from the federal agency~~, the loan shall be repaid in accordance with such terms and conditions as the agency has prescribed by rule.

Sec. 37. Minnesota Statutes 1971, Section 462A.21, Subdivision 3, is amended to read:

Subd. 3. To make planning grants to local communities, pursuant to rules promulgated by the agency, in such amounts as the agency determines, not to exceed the net costs, exclusive of any federal or other aid or assistance, as are incurred by the local community in planning for land and building acquisition, improvements, renewal, relocation or conservation. Such grants shall be limited to planning for specific sites upon which housing is, or is to be, situated and sites designated for other uses that are reasonably related to such housing.

Sec. 38. Minnesota Statutes 1971, Section 462A.21, Subdivision 4, is amended to read:

Subd. 4. For the payment of all costs, expenses, and financing not paid out of ~~the loan fund~~ *a special fund created by a resolution or indenture securing notes or bonds.*

Sec. 39. Minnesota Statutes 1971, Section 462A.22, is amended to read:

462A.22. *Subdivision 1. Before issuing any bonds or notes the agency shall establish a special bond fund on its official books and*

records, and shall deposit in it, whenever money is received or available from any of the sources described below, such amount of such money as may be needed to increase the balance then on hand in the bond fund to an amount at least equal to the maximum amount of principal and interest to become due in any subsequent fiscal year on all bonds then outstanding and payable from the bond fund; or to such greater amount as may be covenanted and agreed in the resolutions, indentures, or other instruments authorizing the issuance of the bonds. The obligation to make these deposits shall be a first and prior lien and charge on (a) the proceeds of each issue of agency bonds, (b) all repayments of principal and interest on federally insured mortgage loans made and securities purchased from the loan fund, and (c) all cash and investments from time to time on hand in the loan fund (other than proceeds of notes and repayments of federally insured construction loans and interest thereon). The bond fund shall be used only to pay when due the principal of and interest on bonds of the agency, and all fees and expenses of trustees and paying agents designated for bond issues. Investments of money in the bond fund shall be limited to direct obligations of the United States government maturing within one year from the date of investment, and shall be valued at their maturity value. The aggregate principal amount of bonds and notes which are outstanding at any time, excluding the principal amount of any bonds and notes refunded by the issuance of new bonds or notes, shall not exceed \$150,000,000. To the extent consistent with the provisions of resolutions of the agency or other instruments authorizing the issuance of bonds, the interest rate on loans made from the proceeds thereof may be decreased or increased from time to time, provided that the rate shall at no time be less than the rate paid by the agency on bonds issued to fund the loan.

Subd. 2. Subdivision 1 is not a contract with the holders of any bonds or notes excluding the issuance of bonds or notes in excess of said maximum amount, if such maximum shall be increased by law.

Subd. 3. The agency may create and establish a special fund or funds for the security of one or more or all series of its bonds or notes, which funds shall be known as debt service reserve funds. The agency may pay into each debt service reserve fund (a) any moneys appropriated by the state only for the purposes of such fund, (b) any proceeds of sale of bonds or notes to the extent provided in the resolution or indenture authorizing the issuance thereof, (c) any funds directed to be transferred by the agency to such debt service reserve fund, and (d) any other moneys made available to the agency only for the purpose of such fund from any other source or sources.

Subd. 4. The moneys held in or credited to each debt service reserve fund, except as provided in this section, shall be used solely for the payment of the principal of bonds or notes of the agency as the same mature, the purchase of such bonds or notes, the payment of interest thereon, or the payment of any premium required when such bonds or notes are redeemed before maturity; provided, that moneys in any such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of the fund to less than the amount which the agency shall determine to be reasonably necessary for the purposes

of the fund, except for the purpose of paying principal or interest due on bonds or notes secured by the fund, for the payment of which other moneys of the agency are not available.

Subd. 5. Moneys in any debt service reserve fund not required for immediate use or disbursement may be invested in obligations of the state or the United States of America, or obligations the principal and interest of which are guaranteed by the state or the United States of America. In computing the amount of any debt service reserve fund for the purpose of this section, securities in which all or a portion of the fund are invested shall be valued at par or, if purchased at less than par, at their cost to the agency.

Subd. 6. If the agency shall create and establish a debt service reserve fund for the security of any series of bonds or notes, it shall not issue any additional bonds or notes which are similarly secured if the amount of any of the debt service reserve funds at the time of such issuance does not equal or exceed the minimum amount, if any, required by the resolution creating such fund, unless the agency shall deposit in each such fund at the time of such issuance, from the proceeds of the bonds or notes or otherwise, an amount which, together with the amount then in the fund, will be not less than the minimum amount so required.

Subd. 7. To the extent consistent with the resolution and indentures securing outstanding bonds and notes, the agency may at the close of any fiscal year transfer to any other fund or account from any debt service reserve fund, any excess in that fund over the amount deemed by the agency to be reasonably necessary for the purpose of the fund.

Subd. 8. In order to assure the payment of the principal of and interest on bonds and notes of the agency and the continued maintenance of all debt service reserve funds created and established therefor, the agency shall annually determine and certify to the governor, on or before December 1, (a) the amount, if any, then needed to restore each debt service reserve fund to the minimum amount required by the resolution or indenture establishing the fund, not exceeding the maximum amount of principal and interest to become due and payable in any subsequent year on all bonds or notes which are then outstanding and secured by such fund; and (b) the amount, if any, determined by the agency to be needed in the then immediately ensuing fiscal year, with other funds pledged and estimated to be received during that year, for the payment of the principal and interest due and payable in that year on all then outstanding bonds and notes secured by a debt service reserve fund the amount of which is then less than the minimum amount agreed. The governor shall include and submit to the legislature, in the budget for the following fiscal year, or in a supplemental budget if the regular budget for that year has previously been approved, the amounts certified to him by the agency in accordance with this subdivision 8.

Subd. 9. The agency shall also submit a biennial report of its activities to the governor and the legislature on or before January 15 in each odd-numbered year.

Subd. 10. All of the official books and records of the agency shall be subject to audit by the public examiner in the manner prescribed for other agencies of state government. The agency is authorized also to

employ and to contract in its resolutions and indentures for the employment of independent accountants for the audit of books and records pertaining to any fund or funds, and the public examiner is authorized to cooperate with such accountants as provided in Minnesota Statutes, Sections 215.31 to 215.37.

Sec 40. *Minnesota Statutes 1971, Sections 462A.06, Subdivisions 13, 14, 15 and 16; and 462A.23, are repealed.*

Further, amend the title on page 1, as follows:

line 5, delete "appropriating money"

line 6, after "Sections" insert "462A.02, by adding a subdivision;"

line 7, after "4," insert "7,"

line 9, after "5," strike "and" and insert "9,"

line 9, after "10" and before the semicolon insert ", and by adding subdivisions"

line 10, strike "Subdivision 11" and insert "Subdivisions 11 and 12"

line 11, delete ", Subdivision 1"

line 12, before "462A.10" insert "462A.09;"

line 12, strike "Subdivision 5" and insert "Subdivisions 2, 3, 4, 5, and 9"

line 12, before "462A.A" insert "462A.16;"

line 13, after "Subdivision 2;" insert "462A.20, Subdivision 2;"

line 14, strike "2 and 3" and insert "2, 3 and 4"

line 14, before "462A.22" insert "and"

Strike all of line 15 and insert in lieu thereof "repealing Minnesota Statutes 1971, Sections 462A.06, Subdivisions 13 to 16; and 462A.23."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1005, A bill for an act relating to ethics in political activity; creating a state ethics commission to regulate lobbying activity and campaign financing; appropriating money; providing a penalty; repealing Minnesota Statutes 1971, Sections 211.06; 211.16; 211.17; 211.20; 211.21; 211.22; 211.25; and 211.32.

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

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

"Section 1. [PUBLIC POLICY.] The legislature hereby declares that public confidence in the integrity of government and the impartiality of its individual members is a precondition of a representative democracy. If the reputation of state government is to be maintained, the legislature must foster a moral climate in which public officials may reach impartial and independent judgments based solely on the considerations of the public good.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms have the meanings given them unless the context requires otherwise.

Subd. 2. "Administrative action" means the making of any recommendation, report or decision or taking of any official action by one or more officials in the executive branch, a state regulatory commission, agency or other body in the executive branch, and includes a decision to postpone a decision or action.

Subd. 3. "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual.

Subd. 4. "Business with which he is associated" means any business of which the individual is a director, officer, proprietor, partner, employer, or holder of stock 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, whether or not the individual is elected. An individual shall be deemed to seek nomination for election, or election, if he has taken the action necessary under the law of a state to qualify himself for nomination for election, or election, to an office, or received contributions or made expenditures, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to an office.

Subd. 6. "Cash" means money, securities at market value, balances on deposit in banks and savings and loan institutions, checks, negotiable money orders and other paper commonly accepted by a bank in a deposit of cash, and cash funds in other repositories.

Subd. 7. "Commission" means the state ethics commission.

Subd. 8. "Contribution" means:

(a) A gift, subscription, loan, advance, or deposit of money or anything of value, made to influence the nomination for election, or election, of a person to office;

(b) A contract, promise, or agreement, whether or not legally enforceable, to make a contribution for the purpose;

(c) A transfer of funds between political committees; and

(d) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or committee without charge to influence the nomination for election, or election of a person to office. "Contribution" shall not be considered to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee.

Subd. 9. "Election" means any general, special or primary election and any convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 10. "Legislative action" means introduction, sponsorship, debate, voting and any other official action on any bill, resolution, amendment, nomination, appointment, or report in a legislative committee, or in either house of the legislature.

Subd. 11. "Legislative employee" means any person employed by the Legislature or by any of its committees and any person employed by a legislator who is paid from funds provided by the state at a rate in excess of \$15,000 per year.

Subd. 12. "Lobbyist" means any person who:

(a) Makes a total expenditure in excess of \$30 in a calendar month, not including his own travel expenses or membership dues, for communicating directly with, or reimbursing another to communicate directly with one or more members of the legislative or executive branch to influence legislation or administrative action; or

(b) Makes a total expenditure in excess of \$30 in a calendar month, not including membership dues, to solicit others by an advertising campaign to communicate directly with one or more members of the legislative or executive branch to influence legislation or administrative action; or

(c) Receives compensation from another to communicate directly with one or more members of the legislative or executive branch to influence legislation or administrative action; or

(d) Receives reimbursement in excess of \$30 from another to communicate directly with one or more members of the legislative or executive branch to influence legislation or administrative action; or

(e) As a part of his regular employment periodically communicates directly with a member of the legislative or executive branch to influence legislation or administrative action whether or not any compensation in addition to the salary for that regular employment is received for the communication.

"Lobbyist" does not include an individual acting solely on his

behalf who does not spend an amount in excess of \$30 per month for personal postage and telephone for such solicitation; public officials acting in the course of their office or employment who engage in the conduct described; persons requesting that a claim be filed in their behalf and who testify in furtherance of that claim; persons who own, publish, or are employed by a newspaper or other regular published periodical or radio station, television station, wire service or other bona fide news media which in the ordinary course of business disseminates news, and editorials if such persons engage in no further activities and represent no other persons in connection with the influencing of legislation and administrative action; persons appearing before a legislative committee at the invitation of the committee and who receive no compensation for their appearance and engage in no further activities to influence legislation.

Subd. 13. "Official in the executive branch" "or member of the executive branch" means any member of a state regulatory commission, agency or other body in the executive branch, and any official or employee of the state receiving from the state a salary at a rate in excess of \$15,000 per year who takes any administrative action, as defined in subdivision 2, but does not include officials or employees of state supported universities and colleges.

Subd. 14. "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 person to public office;

(b) A contract, promise, or agreement, whether or not legally enforceable, to make an expenditure; and

(c) A transfer of funds between political committees.

Subd. 15. "File" means delivery to the office of the state commission or in the case of certain filings by persons or political committees to the appropriate county auditor by midnight of the prescribed filing date, or deposit as certified mail, in an established United States post office, postage prepaid, no later than midnight of the second day next preceding the filing date. Certified mail receipts shall be retained as evidence of filing. In the event the mailing deadline falls on a day in which no mail is certified, the next preceding day on which mail is certified shall be deemed the mailing date.

Subd. 16. "Full name" and "name" mean the identification of the person usually given for business purposes.

Subd. 17. "Mailing address" and "address" mean apartment or building number, street number, city or town and ZIP code.

Subd. 18. "Occupation and principal place of business," means, if self-employed, type of work or profession and city where self-employed; or, if otherwise employed, type of work or title, name of employer or employing organization and city of employment.

Subd. 19. "Official in the legislative branch" or "member of the legislative branch" means any candidate for the legislature in a primary, special or general election, any member or member-elect of the legislature, any member of a commission established by and responsible to the legislature or either house thereof, and any staff member, assistant or employee of the same receiving from the state a salary at a rate in excess of \$15,000 per year.

Subd. 20. "Person" means an individual, corporation, association, firm, partnership, committee, club, labor organization or other organization or group of persons.

Subd. 21. "Political committee" means a combination of two or more individuals, or a person other than an individual, the primary or incidental purpose of which is to support or oppose any candidate or measure or to influence the result of election.

Subd. 22. "Public office" means the office of governor, lieutenant governor, attorney general, secretary of state, state auditor, state treasurer, state senator and state representative.

Subd. 23. "Public official" means any elected or appointed official or employee of the state, including the executive agencies and the judicial branch, any legislator and any legislative employee.

Subd. 24. "Principal political committee" means the political committee designated by a candidate as the political committee which may make expenditures on behalf of said candidate.

Subd. 25. "Affiliated or connected organization" means

(a) an organization which organized the reporting committee primarily for the purpose of influencing the nomination or election of candidates for office; or

(b) an organization whose primary purpose is to support the reporting committee; or

(c) an organization whose membership is generally similar to that of the reporting committee.

Subd. 26. "Calendar year" is the period January 1 through December 31, inclusive, except in the first year of this act when calendar year shall be the period from the effective date of this act through December 31.

Subd. 27. "Political party" means an organization which shall have maintained in the state, governmental subdivision thereof or precinct therein in question, a party organization, and presented candidates for election at the last preceding general election one or more of which candidate shall have been voted for in each county within the state at that election and shall have received in the state not less than five percent of the total vote cast for all candidates at that election or whose members in a number equal to at least five percent of the total number of votes cast in the preceding general election in the county where the application

is made present to the county auditor a petition for a place on the primary election ballot.

Subd. 28. "Minor party" means any party which ran a candidate on the statewide or legislative ballot at the last general election and is not a political party.

Subd. 29. "Per capita" means per unit of population.

Subd. 30. "Depository" means any bank savings and loan association or credit union, organized under federal law or state law and transacting business within Minnesota.

Sec. 3. [STATE ETHICS COMMISSION; MEMBERSHIP.] Subdivision 1. There is hereby created a state ethics commission composed of 15 members as follows: Two members of the Minnesota senate, one appointed by the committee on committees and one elected from the most numerous minority caucus; two members of the Minnesota house of representatives, one appointed by the speaker and one elected from the most numerous minority caucus; the secretary of state; and ten public members, appointed by the governor with the advice and consent of the senate, no more than five of whom shall be of the same political party and none of whom shall be a holder of public office, an official of the executive or legislative branch or a holder of state office in a political party as defined in Minnesota Statutes, Section 202.20.

Subd. 2. The terms of the members of the commission shall be as follows: The members of the legislature shall serve a two year term; the secretary of state shall serve during his term of office as secretary of state; the public members shall serve a six year term, provided that the public members first appointed shall serve the following terms to be determined by lot: three shall be appointed for two years, three shall be appointed for four years, and four shall be appointed for six years. No public member shall serve for more than one term.

Subd. 3. If a member ceases to hold the position that qualified him for membership on the commission, a vacancy shall thereby be created. An appointment or election to fill a vacancy shall be for the balance of the unexpired term only. An appointment must be made or a caucus election held within 30 days of a vacancy.

Sec. 4. [OFFICERS.] The commission shall elect one member to serve as chairman and one member to serve as vice-chairman and such other officers as to them shall appear necessary. The vice-chairman shall act as chairman in the absence or disability of the chairman or in the event of a vacancy in that office. A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission and eight members thereof shall constitute a quorum for the transaction of business.

Sec. 5. [ANNUAL REPORT.] In addition to any other specific reports called for by this act, or otherwise published by the commission, the commission shall at the close of each fiscal year make an annual report 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 on matters within its jurisdiction and shall offer recommendations for further legislation as may be required or desirable.

Sec. 6. [DUTIES.] In addition to any other duties prescribed by this act it shall be the duty of the commission:

(a) To prescribe forms for statements, reports and other information required to be filed by this act and to furnish such forms to persons required to file them;

(b) To prepare and publish a manual prescribing uniform systems and methods of accounting and reporting for use by persons required to file statements and reports by this act;

(c) To accept and file any information voluntarily supplied that exceeds the requirements of this act;

(d) To develop a filing, coding, and cross-indexing system consonant with the provisions of this act;

(e) To make the reports and statements filed with it available for public inspection and copying during regular office hours, and to make copying facilities available free of charge or at a charge not to exceed actual cost. Any information copied from reports and statements shall not be sold for the purpose of soliciting contributions or for any commercial purpose. For the purposes of this section, "any commercial purpose" means any sale, trade, or barter of any list of names or addresses taken from the reports and statements and any use of the list for any surveys or sales promotion activity. For purposes of this section, "soliciting contributions" means requesting gifts or donations of money, or anything of value for any cause or organization or anything of value for any cause or organization, political, social, charitable, religious, or otherwise;

(f) To preserve such reports and statements for a period of six years from the date of receipt;

(g) To prepare and publish, in addition to the specific summaries and reports required elsewhere in this act, such other summaries of statements and reports received and such other reports as may seem appropriate;

(h) To provide for wide public dissemination of summaries and reports;

(i) To make investigations with respect to statements and reports filed pursuant to this act, with respect to alleged failures to file any statement required under the provisions of this act, and upon complaint by any individual, with respect to alleged violation of any part of this act. In all matters relating to its official duties, the commission shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All persons subject to the provisions of this act shall aid

the commission in the performance of its duties including, but not limited to, the production for examination of all books, accounts, records, documents, and receipts, and the answering under oath of its lawful inquiries;

(j) To report suspected violations of law to the appropriate law enforcement authorities, including both the attorney general and the appropriate county attorney;

(k) To issue and publish upon request advisory opinions on the requirements of this act, based on a real or hypothetical set of circumstances;

(l) To promulgate, pursuant to Minnesota Statutes, Chapter 15, rules and regulations to carry out the provisions of this act.

Sec. 7. [COMPENSATION.] Each member of the commission shall, for actual time engaged in the business of the commission, receive \$35 per day.

Sec. 8. [OFFICES.] The office of the commission shall be in the state capitol complex, but it may meet or exercise any or all of its powers at any other place in the state. 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.

Sec. 9. [EMPLOYEES.] The commission shall appoint an executive director who shall be in the unclassified service to serve at the pleasure of the commission. The executive director shall be responsible for the administrative operations of the commission and shall perform such other duties as may be delegated or assigned to him from time to time by the commission. The commission, however, may not delegate the making of regulations to the executive director. The executive director may employ such persons as the commission finds necessary to carry out the provisions of this act subject to appropriation.

Sec. 10. [POLITICAL ACTIVITY.] All public members, agents, attorneys, and employees of the commission, except elected officials, shall be subject to any provisions of law regulating political activity by state employees. In addition, no public member, agent or attorneys and employees of the commission shall be a candidate or a holder of legislative district, congressional district, or state office in a political party.

Sec. 11. [INSPECTION OF DOCUMENTS FILED.] The executive director of the commission or his staff shall inspect all registrations, statements, reports, and disclosures filed with the commission as promptly as is necessary to comply with any provision of this act, but no later than ten days after it is filed. He shall notify the person required to file a document with the commission under this act immediately if:

(a) Upon inspection of a filed document, or other records it appears that the person has failed to file a statement as required

by this act, or that a document filed by the person does not conform to this act; or

(b) A written complaint is filed with the commission by any registered voter alleging that a document filed with the commission does not conform to this act or to the truth, or that a person has failed to file a statement, disclosure, report, document, or registration required by this act.

Sec. 12. [AUDITS.] The commission may conduct audits to assure compliance with this act.

Sec. 13. [PUBLIC POLICY; LOBBYISTS.] The legislature hereby declares that the operation of responsible democratic government requires that the fullest opportunity be afforded people to petition their government for the redress of grievances and to express freely to individual members of the legislature, to committees of the legislature, and to officials of the executive branch their opinions on legislation, on pending executive actions, and on current issues; and that, to preserve and maintain the integrity of the legislative and administrative processes, it is necessary that the identity, expenditures, and activities of certain persons who engage in efforts to persuade members of the legislature or the executive branch to take specific actions, either by direct communication to such officials, or by solicitation of others to engage in such efforts, be publicly and regularly disclosed.

Sec. 14. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall, not later than five calendar days after commencing lobbying activity, file a registration form with the commission. Registration or reports by an individual lobbyist shall not exempt either the person whom the lobbyist represents or that lobbyist's employees from registering or filing reports, if they are also lobbyists as defined herein.

Subd. 2. The registration form shall be prescribed by the commission and shall include the registrant's full name and complete address, place of business; the full name and complete address of each person, whether or not an employee, who will lobby on behalf of the registrant; the full name and complete address of each person, if any, by whom the registrant is retained or employed or on whose behalf the registrant appeals; the date on which the registrant expects his lobbying to end; and a general description of the matters on which the registrant expects to lobby and the position of the registrant on each matter listed. If the registrant lobbies or purports to lobby on behalf of an organization with members, such registration form shall include a statement of the number of members, the name and address of all directors and the outline of the procedure by which the organization adopts a policy on any matter before the legislature.

Sec. 15. [LOBBYIST REPORTING; INFORMATION REQUIRED.] Subdivision 1. Each person who registers pursuant to section 14 shall file with the commission a report concerning his

activities during the preceding calendar month within ten days after the close of each calendar month of each year as long as such registrant continues to engage in any lobbying activity.

Subd. 2. Each person about whose activities a registrant is required to report by subdivision 1 shall provide a full account of such activities to the registrant at least five days before such registrant's report is due to be filed.

Subd. 3. Such report shall be on a form prescribed by the commission, and shall include a complete and up-to-date statement of the information required to be supplied under section 14 plus the following information for the preceding calendar month:

(a) The registrant's total expenditures on lobbying and a breakdown of such expenditures into the following categories: the cost of publication and distribution of each publication used in lobbying; other printing; media; advertising, including production costs; postage; travel; salaries and fees, including allowances, rewards and contingency fees; entertainment; telephone and telegraph; and other expenses;

(b) A list of each contribution and membership fee of \$200 or more paid to the registrant regardless of whether it was paid solely for the purpose of lobbying, with the full name and complete address and principal business activity of each payor and the subject matter, if any, for which such contribution was made;

(c) A list of each honorarium, gift or loan, in excess of \$10 in value, paid to an official in the legislative or executive branch, by any employee of the registrant, by any lobbyist who received compensation or reimbursement for expenses from the registrant, or, if the registrant is a person other than an individual, by any officer or official of the registrant.

Sec. 16. [CERTIFICATION OF FORMS.] Each lobbyist registration form and report required to be filed under this act shall be signed and certified as true and correct by the registrant, or, if the registrant is a person other than an individual, by an appropriate officer of such registrant. Each person required to file a registration form or report shall file one that conforms to this act and to the truth.

Sec. 17. [LEGISLATIVE REPORT.] Beginning with the third Monday following the beginning of any regular or special session of the legislature after the adoption of this act, and on every Monday thereafter for the duration of such session the executive director of the commission shall from his records report to each house of the legislature the names of lobbyists registered under this act who were not previously reported, the names of the persons whom they represent as such lobbyists and the subjects of legislation in which they are interested. Such report shall be incorporated into the journal of each branch of the legislature.

Sec. 18. [FALSE STATEMENTS PROHIBITED.] No lobbyist shall knowingly or willfully make any false statement or misrepresenta-

tion of the facts to any official in the legislative branch or in the executive branch, or knowing a document to contain a false statement, cause a copy of such document to be received by an official in the legislative branch or in the executive branch without notifying such official in writing of the truth.

Sec. 19. [CONTINGENT FEES PROHIBITED.] No person shall be employed as a lobbyist for a compensation dependent in any manner upon the result or outcome of any legislative or executive action.

Sec. 20. [PUBLIC OFFICE IS PUBLIC TRUST.] The legislature hereby declares that public office is a public trust, and any effort to realize personal gain through official conduct is a violation of that trust.

Sec. 21. [PUBLIC OFFICIAL, CONDUCT.] No public official shall knowingly use his official position or office to obtain financial gain for himself, any member of his household, or any business with which he or a member of his household is associated, unless the financial gain affects him no more greatly than other members of a business classification, profession, occupation or other group to which he belongs.

Sec. 22. [GIFTS TO PUBLIC OFFICIALS.] Subdivision 1. No person shall offer or give to a public official or a member of a public official's household and no public official shall solicit or receive anything of value, including a gift, favor or service or a promise of future employment, based on any understanding that such public official's vote, official actions or judgment would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his duties, or as a reward, or which would cause the total value of such things received from the same person not a member of such public official's household to exceed \$100 during any single calendar year.

Subd. 2. No person shall offer or pay to a public official and no public official shall solicit or receive any money in addition to that received by the public official in his official capacity for legislative advice or assistance, or for advice given in the course of the public official's employment or relating to such employment.

Sec. 24. [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 that would substantially affect his financial interests or those of a business with which he is associated, unless the benefit or detriment affects him no more greatly than other members of a business classification, profession, occupation, or other group to which he belongs, 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 with respect to such action or decision;

(b) He shall cause copies of such statement to be delivered to the state ethics commission and to his immediate superior, if any;

(c) If he is a legislator or legislative employee, he shall deliver a copy of such statement to his presiding officer. The presiding officer may, upon request, excuse a legislator from votes, deliberations, and other action on the matter on which a conflict may exist; and

(d) If he is not a legislator, his superior, if any, shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take steps as the commission shall prescribe through rules or regulations to remove himself from influence over actions and decision on the matter on which the potential conflict exists.

Subd. 2. No official of the executive or legislative branch shall represent a client before any state regulatory department or agency for a fee; provided that this section shall not be construed to prohibit a public official from practicing before the courts of this state or the workmen's compensation commission or filing papers of incorporation of tax returns or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any county, state or federal court; and provided that this section shall not act to prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof; and provided that the prohibition contained in this subdivision shall not apply to a partnership in which the public official is a member and provided that the prohibition contained in this subdivision shall not apply in connection with any matter pending before any state board or agency on the operative date of this subdivision if the affected public official is attorney of record or representative in the matter prior to such operative date.

Subd. 3. No public official and no business with which a public official is associated shall enter into any contract in excess of \$3,000 with a state agency which is to be paid in whole or in part out of state funds unless the contract has been awarded through a process of public notice and competitive bidding, or under the provisions of Minnesota Statutes Chapter 16.07.

Subd. 4. No person shall offer or give to a member or employee of a state regulatory commission that regulates a business with which such person is associated, and no member or employee of a state regulatory commission shall solicit or accept from any such person, anything of value, including a promise of future employment or a favor or service, while the member or employee is associated with the regulatory commission. No former member or employee of a state regulatory commission shall serve as a lobbyist or represent clients before such regulatory commission for a period of three years after he leaves such regulatory commission.

Sec. 25. [STATEMENT OF ECONOMIC INTERESTS.] Subdivision 1. Within 14 days after an individual accepts appointment or files for office in the executive or legislative branch or a judge of the Minnesota supreme or district court he shall file a statement of economic interests at the office of the commission.

Subd. 2. Each official who receives a declaration of candidacy or

petition to appear on the ballot from an individual required by subdivision 1 of this section to file statement and each official who nominates such an individual shall within five days of such receipt or nomination, notify the commission of the name of each such individual and the date of the declaration, petition or nomination.

Subd. 3. The commission shall notify such official, and in the case of candidates for appointive office, the clerk of the body that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interests at the office of the commission and of the date on which such statement was filed.

Subd. 4. Other provisions of the law notwithstanding, a candidate for elective office described in subdivision 1 who fails to submit a statement of economic interests in accordance with the requirements of this act within 14 days after he files for office shall be notified by the commission by certified mail. A candidate who knowingly fails to submit a statement of economic interests within 20 days shall be guilty of a gross misdemeanor.

Subd. 5. If an individual who is a nominee for appointive office described in subdivision 1 fails to file a statement of economic interests in accordance with the provisions of this act within 20 days after such nomination, the nomination shall not be approved or ratified until at least five days after he has filed such statement of economic interests.

Subd. 6. No individual appointee described in subdivision 1 who receives from the state a salary at a rate in excess of \$15,000 per year and no official of the legislative branch shall be allowed to take the oath of office or enter upon his duties unless he has filed a statement of economic interests in accordance with the provisions of this act at the office of the commission.

Subd. 7. Any statement of economic interests filed under this act shall be on a form prescribed by the commission, and the individual filing the statement shall supply the following information:

(a) The name of each business and trust in which he has a financial interest, and the nature and category of the amount of such interest;

(b) A list of any offices or directorships held by him in a corporation, firm or enterprise;

(c) The legal description of all real estate in Minnesota in which he has any interest, direct or indirect, including an option to buy, excluding homesteaded property and property valued at less than \$1,000 at the time such statement is filed;

Subd. 8. Where an amount is required to be reported by category, the individual shall report whether the amount is at least \$1,000 but less than \$10,000, at least \$10,000, but less than \$25,000, or \$25,000 or more. An amount of stock may be reported by number of shares instead of by category of dollar value. Less than \$1,000 need not be reported. No provision of this act shall be held to prevent any person from filing more information or more detailed information than required.

Subd. 9. Each individual who is required to file a statement of economic interests under this act shall file an updated statement at the office of the commission every six months if there is any addition, deletion or change in his financial status with respect to which information is required to be supplied under this section; provided that, if the individual has filed with the commission the description by name, amount and schedule of payments of a continuing arrangement relating to an item required to be reported under this act, an updated statement need not be filed for each payment under such continuing arrangement, but only if the arrangement is terminated or altered.

Subd. 10. All persons presently serving in an office described in subdivision 1 shall file a statement of economic interests in accordance with the provisions of this act at the office of the commission within 60 days after the effective date of this act, and shall receive no compensation after such filing deadline until he files such statement.

Sec. 26. [ORGANIZATION OF POLITICAL COMMITTEES.]
Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. Every political committee shall have a chairman and a treasurer.

Subd. 3. 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 chairman or treasurer.

Subd. 4. A candidate may at any time, without cause, remove and replace the chairman, treasurer or any other officer, including any deputy treasurer, of the candidate's principal political committee.

Subd. 5. The candidate and members of his principal political committee specified on the statement of organization shall be responsible for complying with the provisions of this act.

Sec. 27. [DEPUTY TREASURERS AND DEPOSITORIES.]
Subdivision 1. Any treasurer of a political committee may appoint as many deputy treasurers as deemed necessary provided however that the treasurer shall be responsible for the accounts of all deputy treasurers.

Subd. 2. Any treasurer of a political committee may designate not more than one depository in each county in which a campaign is conducted.

Sec. 28. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of a treasurer of a political committee to keep a detailed and exact account of:

(a) All contributions made to or for the committee;

(b) The full name and mailing address, if any, of any person making a contribution in excess of \$10, and the date and amount thereof;

(c) All expenditures made by or on behalf of the candidate or committee; and

(d) The full name and mailing address and occupation and the principal place of business, if any, of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Any person violating any provision of this subdivision shall, upon conviction thereof, be guilty of a misdemeanor.

Subd. 2. It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in an amount in excess of \$100, and for any expenditure in a lesser amount, if the aggregate amount of lesser expenditures to the same person during a calendar year exceeds \$100. A cancelled check showing payment of a bill, together with the bill or invoice stating the purpose of the expenditure, shall be deemed to be a receipted bill. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of not less than six years.

Sec. 29. [REGISTRATION OF POLITICAL COMMITTEES.]
Subdivision 1. The treasurer of a political committee shall register with the state ethics commission within five days of the date upon which the committee has received contributions or made expenditures or anticipates receiving contributions or making expenditures totaling \$100.

Subd. 2. The statement of organization shall include:

- (a) The name and address of the committee;
- (b) The names, addresses, and relationships of affiliated or connected organizations;
- (c) The geographic area in which it will operate and the purpose of the committee;
- (d) The name, address, and position of the custodian of books and accounts;
- (e) The name and address of the chairman and the treasurer, and the name and address of any other principal officers including deputy treasurers, if any;
- (f) The name, address, office sought, and party affiliation of (i) each candidate whom the committee is supporting, and (ii) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;

(g) A statement whether the committee is a continuing one;

(h) A listing of all depositories or safety deposit boxes used.

Subd. 3. Any change in information required in subdivision 2

shall be forwarded to the state ethics commission by the chairman or treasurer of the political committee within five days of the change.

Sec. 30. [CONTRIBUTIONS.] Subdivision 1. Anonymous contributions in excess of \$10 shall not be accepted by any committee or candidate. If the donor of any anonymous contribution in excess of \$10 is known to the committee or candidate, it shall be returned to the donor. If the donor is not known, the contribution shall escheat to the state and shall become part of and be added to the state elections campaign fund.

Subd. 2. All funds of a political committee shall be segregated from, and may not be commingled with any personal funds of officers, members, or associates of the committee.

Subd. 3. All funds received by or on behalf of any candidate or political committee shall within five days after the receipt thereof, Sundays and holidays excepted, be deposited by a treasurer or a deputy treasurer in a designated depository in an account designated "campaign fund of . . . (name of committee)".

Subd. 4. No person shall make a contribution in the name of another person. No person shall knowingly accept a contribution made by one person in the name of another person.

Subd. 5. Any person violating any provisions of subdivisions 1 to 3 of this section shall, upon conviction thereof, be guilty of a misdemeanor. Any person violating any provision of subdivision 4 of this section shall, upon conviction thereof, be guilty of a gross misdemeanor.

Sec. 31. [EXPENDITURES.] Subdivision 1. All expenditures, other than the transfer of funds between political committees, must be authorized by the candidate or treasurer or deputy treasurer of the committee making the expenditure.

Subd. 2. The transfer of funds between political committees shall be authorized by the treasurer of the political committee making the transfer.

Subd. 3. Any person or political committee which spends an aggregate amount in excess of \$100 on behalf of a candidate must receive from the treasurer of that candidate's principal political committee a prior authorization and certification that the expenditures will not exceed the limits on expenditures imposed by this act.

Subd. 4. The treasurer or deputy treasurer of a political committee may make an authorization for petty cash in any reporting period in an amount of not more than \$30 per week for statewide races and \$20 per week in legislative races to be used for miscellaneous expenditures.

Subd. 5. 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.

Subd. 6. Any person violating any provisions of subdivisions 1, 2, 3, and 4 of this section shall, upon conviction thereof, be guilty of a misdemeanor.

Sec. 32. [BILLS WHEN RENDERED AND PAID.] Subdivision 1. Every person who shall have any bill, charge or claim against any political committee for any expenditure made in relation to an election shall render in writing to the treasurer of such committee such bill, charge or claim within 30 days after the day of the election in connection with which such bill, charge or claim was incurred. No bill, charge, or claim incurred prior to the election shall be paid which is not so presented within 30 days after such election.

Subd. 2. The candidate, treasurer and deputy treasurer of any political committee shall be personally responsible for all obligations authorized by the candidate or treasurer or deputy treasurer.

Sec. 33. [REPORTS.] Subdivision 1. Every treasurer of a political committee shall file the reports required by this section if the committee receives contributions or makes expenditures on behalf of a candidate who stands for election in excess of \$100 in that calendar year.

Subd. 2. The reports shall be filed with the state ethics commission by midnight of the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7;
- (2) June 7.

(b) In years in which any candidate being supported does stand for election:

- (1) June 7;
- (2) August 7;
- (3) Five days before any primary election in which the candidate stands for election;
- (4) October 7;
- (5) Five days before any general election in which a candidate stands for election;
- (6) Thirty days after the last election in which he is a candidate in a calendar year.

(c) In special or special primary elections in which a candidate stands for election:

- (1) Thirty days before any special or special primary election;
- (2) Five days before any special or special primary election.

Subd. 3. Each report under this section shall disclose:

(a) The amount of cash on hand at the beginning of the reporting period;

(b) The full name and mailing address and occupation and the principal place of business, if any, of each person who has made

one or more contributions to or for the committee including the purchase of tickets for dinners, luncheons, rallies, and similar fundraising events within the calendar year in an aggregate amount or value (i) in excess of \$100, if the contribution or contributions are made in support of candidates for statewide office; or (ii) in excess of \$25 if the contribution or contributions are made in support of candidates for legislative office; together with the amount and date of the contributions, and the aggregate amount of contributions within the calendar year of each contribution so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the committee during the reporting period and not reported under clause (b);

(d) The name and address of each political committee or candidate from which the reporting committee 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 calendar 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) The total amount of proceeds from (i) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (ii) mass collections made at such events; and (iii) sales of items such as campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(g) Each contribution, rebate, refund, or other receipt in excess of \$100 not otherwise listed under clauses (b) to (f);

(h) The total sum of all receipts by or for the committee during the reporting period;

(i) The full name and mailing address and occupation and the principal place of business, if any, of each person to whom expenditures have been made by the committee or on behalf of the committee within the calendar year in an aggregate amount or value 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;

(j) The sum of individual expenditures which is not otherwise reported under (i);

(k) The full name and mailing address and occupation and the principal place of business, if any, of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date, and purpose of the expenditure;

(l) The sum of individual expenditures for personal services,

salaries and reimbursed expense which is not otherwise reported under (k);

(m) The total sum of expenditures made by the committee during the reporting period;

(n) The amount and nature of debts and obligations owed by or to the committee, in the form the ethics commission may prescribe and a continuous reporting of their debts and obligations after the election until the debts and obligations are extinguished.

(o) The name of each person or political committee 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 contest any contribution of \$1,000 or more or, in any legislative contest, any contributions of \$100 or more, which is not included in the last report prior to an election, shall be reported by telegram within 48 hours after its receipt and in the next required report.

Subd. 6. Every person, other than a political committee who makes expenditures other than by contribution to a political committee, in an aggregate amount in excess of \$100 within a calendar year shall file with the state ethics commission a statement containing the information required of a political committee or candidate. Statements required by this section shall be filed on the dates on which reports by political committees are filed.

Subd. 7. If no contribution is received or expenditure made by or on behalf of a candidate or political committee during a period described in this act, the treasurer of the political committee shall file with the state ethics commission, at the time required by this act for the period, a statement to that effect. Each statement shall be signed and certified as true and correct by the political treasurer required to file it.

Sec. 34. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the elections commission by the principal campaign committee of legislative candidates shall also be filed with the county auditor.

Subd. 2. When a legislative district lies in more than one county, copies of the reports and statements referred to in subdivision 1, shall be filed with the county auditor of each county in which the legislative district lies.

Subd. 3. The copies of reports filed with the county auditor need not be verified copies.

Subd. 4. Such reports shall be available to the public in the manner prescribed by section 6, clause (e) and retained until six months after the election to which they refer.

Sec. 35. [INSPECTION AND SUMMARIES OF STATEMENTS.] Subdivision 1. In addition to the general examination specified in

section 11, the executive director of the commission shall prepare appropriate summaries as prescribed by this section.

Subd. 2. Summaries of statements filed with the commission shall be made available for public distribution on the 60th, 15th, and third calendar days before the election at which the candidates or measures are to be voted upon, and the 15th calendar day after such election, and as part of the commission's annual report provided for in section 4.

Subd. 3. Within three months after the date of each election, the executive director of the commission shall examine each statement filed with the commission under this act referring to the election, to determine whether the statement conforms to this act and to the truth. Such examinations shall include a comparison of all reports filed with the commission. The commission may require any person to answer in writing and under oath or affirmation any question concerning the source of any contribution. Failure to answer a question under oath or affirmation as required by this subdivision is a misdemeanor unless the answer is constitutionally privileged.

Sec. 36. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by this act to be filed by a treasurer of a political committee, or by any other person, shall be signed and certified as true by the person required to file the report.

Subd. 2. A copy of a report or statement shall be preserved by the person filing it for a period of at least six years.

Subd. 3. 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.

Subd. 4. Each contribution in kind shall be declared 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. 5. 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 \$100 in the case of a statewide candidate or exceeds \$25 in the case of a legislative candidate within the calendar year, the name, address, occupation, principal place of business, if any, of that contributor shall then be listed on the prescribed reporting forms. In addition, any subsequent contribution received from a contributor who has previously been reported within the

calendar year shall be listed on the prescribed reporting forms using the same name as previously reported.

Subd. 6. A political committee making an expenditure for or on behalf of more than one candidate for state or legislative shall allocate the expenditures among the candidates on a reasonable basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 7. 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 and date 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 supervisory officer, or his authorized representatives, for a period of not less than six years from the date of filing of the reports or statements or of changes or corrections thereto. Any person violating any provisions of this subdivision shall, upon conviction thereof, be guilty of a misdemeanor.

Subd. 8. [OUT-OF-STATE COMMITTEES.] The treasurer of a political committee shall not accept a contribution of more than \$100 from a political committee not in this state unless the contribution is accompanied by a written statement, setting forth the full name and complete address of each person who contributed: (i) in excess of \$100, if the contribution or contributions are made in support of candidates for statewide office, (ii) in excess of \$25 if the contribution or contributions are made in support of candidates for legislative office.

Subd. 9. [FEDERAL REPORTS.] The secretary of state shall cause one certified copy of each report or statement filed with him under Section 309 of the Federal Campaign Communications Reform Act to be delivered to the commission within 24 hours of the time he receives such report or statement.

Subd. 10. Any person who signs and certifies to be true a report or statement which he knows contains inaccurate information shall be guilty of a felony.

Sec. 37. [CHANGES AND CORRECTIONS.] Any changes in information previously submitted in, and any corrections to a report shall be reported to the ethics 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 be reported by letter in the same manner as was the information previously submitted, shall identify the form and the paragraph containing the information to be changed or corrected.

Sec. 38. [DISSOLUTION OR TERMINATION.] No political committee 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 plus a statement as to the disposition of any residual funds.

Sec. 39. [LIMITS.] Subdivision 1. For the purposes of this act, 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. No expenditures shall be made and no obligations to make expenditures shall be incurred, by or on behalf of any candidate, which shall result in the aggregate expenditure on behalf of the candidate of an amount in excess of the amounts hereinafter set forth:

(a) For governor and lieutenant governor, running jointly, 15 cents per capita or \$600,000 whichever is greater;

(b) For attorney general, secretary of state, state treasurer and state auditor, separately, five cents per capita or \$200,000 whichever is greater;

(c) For state senator, 25 cents per capita or \$15,000 whichever is greater;

(d) For state representative, 25 cents per capita or \$7,500 whichever is greater.

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the nomination to 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 nomination. This money shall be in addition to the money which may be expended pursuant to subdivision 2, clause (a).

Subd. 4. The period of time during which the limitation on expenditures, by or on behalf of any candidate, shall be in force, shall be the period commencing with that date on which the receipt of contributions or making of expenditures, in an aggregate amount, by or on behalf of the candidate, exceeds \$100. Any expenditure made following the effective date of this act and prior to the receipt of contributions or making of expenditures in the aggregate amount of \$100 shall be deemed to be expenditures within the limitation established for the office sought by the candidate.

Subd. 5. If a candidate in a primary election, wins the primary election, and his opponent or opponents in said election, between them receive more than 30 percent of the vote cast in that election, the winning candidate shall have added to the aggregate amount which may be expended by or on behalf of that candidate an amount equal to one sixth of the amount which may be spent by or on behalf of that candidate as set forth in subdivision 2 of this section or the amount actually expended by or on behalf of that candidate in the primary election whichever is less.

Subd. 6. For every year prior to, but not including, an election year in which he is on the ballot, a candidate shall have added to the aggregate amount which may be expended by or on behalf of that candidate an amount not to exceed 20 percent of the amount which may be spent

by or on behalf of that candidate as set forth in subdivision 2 of this section. Provided, however, that:

(a) The amount added to the aggregate amount set forth in subdivision 2 of this section, shall not exceed the amount actually expended by or on behalf of that candidate in any year;

(b) The additional amounts of expenditure allowed under this subdivision shall not be cumulative from year to year;

(c) In no event shall the amount expended by or on behalf of any candidate during an election year in which he is on the ballot exceed the amounts allowed under subdivisions 2 and 5 of this section and section 40, subdivision 2.

(d) Any expenditure charged against those amounts allowed by this subdivision, by or on behalf of any candidate, for goods and services that are used in whole or in part during an election year in which the candidate is on the ballot, shall be treated, at their fair market value in that election year, as expenditures in that election year.

Subd. 7. On or before January 31 of each election year, the state ethics commission shall determine and cause to be published generally the per capita amounts specified in subdivision 2. In determining the per capita amounts, the state ethics 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 15 of each election year, the state department of health shall certify to the secretary of state the estimated total population of the state as of January 1 of that year.

Subd. 9. No person who has spent an aggregate amount in excess of \$100 on behalf of any candidate may make any additional charge or make an expenditure for any goods or services to be used by or on behalf of any candidate unless the treasurer of the principal political committee of that candidate certifies to the person that the payment will not violate the provisions of this act placing limits on the expenditures by or on behalf of any candidate.

Sec. 40. [TRANSFERS OF FUNDS.] Subdivision 1. A transfer of funds from any political committee other than a political party, to the principal political committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee.

Subd. 2. A transfer of funds from a political party to any political committee made for any purpose whatsoever and specifically not limited to influencing the nomination for election, or election, of any person to office is an expenditure by that political party.

Sec. 41. [ADDITIONAL LIMITATIONS.] Subdivision 1. No politi-

cal party shall make expenditures during any calendar year in an amount in excess of 15 cents per capita or \$600,000 whichever is greater.

Subd. 2. No political party or political committee except the principal political committee of a candidate shall make expenditures, other than a transfer of funds to the principal political 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 39.

Subd. 3. If a political party makes expenditures on behalf of any candidate directly and not by transfer to the principal political committee of the candidate on whose behalf the expenditures are being made, the expenditure shall be in addition to the aggregate amount that may be spent by or on behalf of that candidate as set forth in section 39.

Subd. 4. 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 refers to three or more candidates, shall not be subject to the limitations of section 39, subdivisions 2 and 3.

Sec. 42. [PRICE ADJUSTMENT.] At the beginning of each calendar year beginning in 1975, the secretary of state shall obtain from the secretary of labor of the United States information as to the percentum difference between the national price index for the 12 months preceding the beginning of the calendar year, and the price index for the base period which shall be 1973. Each amount determined under sections 39, subdivision 2; and 41, subdivision 1, shall be increased by the percentum difference. Each amount so increased shall be the amount in effect for the calendar year. For the purpose of this subdivision, the term "price index" means the average over a calendar year of the consumer price index, all items, United States city average published monthly by the United States Bureau of Labor Statistics. In the event that there is a decline in the price index it shall not result in a reduction in the amounts determined under sections 39, subdivision 2; and 41, subdivision 1, and in any year after 1974 in which there is a decline in the price index the amounts in effect shall be those in effect or the preceding general election.

Sec. 43. [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, each minor party, and a general account.

Sec. 44. [DESIGNATION OF INCOME TAX PAYMENT.] Subdivision 1. Effective with the taxable years ending after December 31, 1972, every individual whose income tax liability after personal credit for any 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 to the

account of a major political party, a minor party, or into the general account.

Subd. 3. The income tax form provided to taxpayers shall include:

(a) A section on the first page in legible type which shall say: "In order to promote financing of election campaigns by the people, the law allows you to allocate \$1 of your taxes to the financing of campaigns of candidates of the party of your choice for state offices. The dollar is not an additional tax. It is an allocation of \$1 of your tax to the state elections campaign fund. The allocation is voluntary".

(b) The form shall then contain a line stating: "I wish \$1 of my taxes to be distributed to state candidates", and shall then provide for boxes which may be marked designating one of the following: (i) each major political party listed in the sequence they are listed on the last general election ballot; (ii) a space for writing in the name of any minor party and (iii) distribution "to all qualifying candidates proportionately".

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 are annually appropriated for distribution as set forth in subdivisions 5, 6, and 7.

Subd. 5. The moneys accumulated in the several accounts of the state elections campaign fund, shall be allocated and distributed in the following manner: In each fiscal year, ten percent of the moneys in each account, except the general account, shall be distributed directly to the party of the candidates to be funded from that account. The distribution shall occur on September 1 of each year.

Subd. 6. Statewide offices. (a) In each fiscal year, 36 percent of the moneys in each account other than the general account, shall be set aside for candidates for statewide offices.

(b) Of the amount set aside, in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly and as if one; and 24 percent shall be distributed to the candidates 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 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 40 percent of the available funds in the general account in the same proportions as provided in clause (b), to each candidate who received at least five percent of the votes cast for the office for which he was a candidate.

Subd. 7. State senators. (a) In each fiscal year, 18 percent of the moneys in each account, other than the general 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 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 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 20 percent of the available funds in the general account in equal proportions to each candidate who received at least five percent of the votes cast for the office for which he was a candidate.

Subd. 8. State representatives. (a) In each fiscal year, 36 percent of the moneys in each account other than the general 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 of 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 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 40 percent of the available funds in the general account in equal proportions to each candidate who received at least five percent of the votes cast for the office for which he was a candidate.

Sec. 45. 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 this act.

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.

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 received from the state elections campaign fund.

Subd. 4. In any case in which a political party or minor party for whose candidate funds have been accumulated in the state elections campaign fund, does not have a candidate in any one or more of the categories in which the funds are allocated (statewide office, state

representative and state senator), the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Subd. 5. The state ethics commission shall prescribe the rules and regulations necessary to facilitate the distribution of moneys in the state election campaign fund.

Sec. 46. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent disclosure as provided for in this act, by redirecting funds through another person is a gross misdemeanor.

Sec. 47. [REMEDIES.] Subdivision 1. A person charged with a duty under this act shall be personally liable for the penalty for failing to discharge it.

Subd. 2. A person who believes that a violation of this act has occurred shall report his belief to the state ethics committee.

Subd. 3. The state ethics commission, the attorney general, or the county attorney, may seek an injunction in the district court to enforce the provisions of this act.

Subd. 4. The district courts of this state shall have jurisdiction to issue injunctions to enforce the provisions of this act upon application by any citizen of this state.

Sec. 48. [PENALTIES.] Subdivision 1. Any person who violates the provisions of this act shall be guilty of a gross misdemeanor unless otherwise specified.

Subd. 2. The penalties prescribed in this act do not limit the power of either house of the legislature to discipline its own members or to impeach a public official, and do not limit the power of agencies or commissions to discipline officials or employees.

Sec. 49. [APPROPRIATION.] There is appropriated to the state ethics commission from the general fund \$. for carrying out the provisions of this act.

Sec. 50. Minnesota Statutes 1971, Sections 211.06; 211.16; 211.17; 211.20; 211.21; 211.22; 211.25; and 211.32, are repealed.

Sec. 51. This act shall be in effect October 1, 1973.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

RECONSIDERATION

Mr. Lewis moved that the vote whereby S. F. No. 1847 failed to pass the Senate on May 1, be now reconsidered. Which motion prevailed.

S. F. No. 1847: A bill for an act changing the name of the department of taxation to the department of revenue; amending Minnesota Statutes 1971, Section 270.02.

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

The question being taken on the passage of the bill.

And the roll being called, there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Larson	Olson, H. D.	Stokowski
Ashbach	Gearty	Laufenburger	Perpich, A. J.	Wegener
Bang	Hughes	Lewis	Perpich, G.	Willet
Borden	Humphrey	Lord	Pillsbury	
Chenoweth	Keefe, J.	Milton	Schaaf	
Chmielewski	Keefe, S.	Moe	Schrom	
Coleman	Kirchner	North	Solon	
Conzemius	Kleinbaum	Olhoff	Spear	

Those who voted in the negative were:

Anderson	Dunn	Jensen	Novak	Renneke
Berg	Fitzsimons	Josefson	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olson, A. G.	Tennesen
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Ueland
Brown	Hansen, Mel	Krieger	O'Neill	
Davies	Hanson, R.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

RECESS

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

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

CALL OF THE SENATE

Mr. Perpich, A. J. imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Arnold	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bang	Gearty	Larson	Patton	Stokowski
Berg	Hansen, Baldy	Laufenburger	Perpich, A. J.	Tennesen
Bernhagen	Hansen, Mel	Lewis	Perpich, G.	Thorup
Brown	Hanson, R.	Lord	Pillsbury	Wegener
Chenoweth	Hughes	McCutcheon	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	
Conzemius	Jensen	North	Schrom	
Doty	Keefe, S.	Ogdahl	Sillers	
Dunn	Kirchner	Olhoff	Solon	

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

SUSPENSION OF RULES

Mr. Novak moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2275 and that the rules of the Senate be so far suspended as to give H. F. No. 2275 now on General Orders its third reading and placed on final passage. Which motion prevailed.

H. F. No. 2275: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor; permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief; creating a welfare general assistance program and providing for the administration of welfare programs; providing penalties; amending Minnesota Statutes 1971, Sections 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; and 393.08, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 216.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; and 393.08, Subdivision 2.

Mr. Moe moved to amend H. F. No. 2275, the typewritten bill, as amended under Rule 49, and adopted by the Senate May 2, 1973, as follows:

Page 17, strike all of Section 5, and insert in lieu thereof a new Section 5 to read as follows:

“Sec. 5. [DRUG AND ALCOHOL PROGRAMS.]

(a) Commission on Alcohol Problems	65,222	65,022
(b) Alcohol and Drug Counselors— Dependency Education	200,000	
(c) Drug and Alcoholic Counselors	275,000	
(d) Detoxification Centers	1,700,000	
(e) Detoxification Grants	950,000	

Any unexpended balance remaining in (b), (c), (d) and (e) in the first year shall not cancel but shall be available for the second year of the biennium.”

Which motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H. F. No. 2275, the typewritten bill, as amended under Rule 49 and adopted by the Senate, May 2, 1973, as follows:

Page 9, add a paragraph to the end of Subdivision 12 as follows:

“Notwithstanding any law to the contrary daytime activity centers for the retarded shall receive from the state an additional amount of \$250,000 during each year of the biennium.”

CALL OF THE SENATE

Mr. Moe imposed a call of the Senate on the Knutson amendment.

The following Senators answered to their names:

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

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

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	McCutcheon	Sillers
Bang	Fitzsimons	Kirchner	Nelson	Stassen
Berg	Frederick	Knutson	Ogdahl	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Patton	
Blatz	Hanson, R.	Krieger	Pillsbury	
Brown	Jensen	Larson	Renneke	

Those who voted in the negative were:

Anderson	Doty	Lord	Perpich, A. J.	Tennessee
Arnold	Gearty	Milton	Perpich, G.	Thorup
Borden	Hansen, Baldy	Moe	Purfeerst	Wegener
Chenoweth	Hughes	North	Schaaf	Willett
Chmielewski	Humphrey	Novak	Schrom	
Coleman	Keefe, S.	Olhoft	Solon	
Conzemius	Kleinbaum	Olson, A. G.	Spear	
Davies	Lewis	Olson, H. D.	Stokowski	

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

CALL OF THE SENATE

Mr. Moe imposed a call of the Senate on H. F. No. 2275.

The following Senators answered to their names:

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

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

H. F. No. 2275 was read the third time, as amended, and placed on its final passage.

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

Mr. Moe moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 62 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Bernhagen, Brown, and Schaaf voted in the negative.

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 308, pursuant to the request of the House,

Messrs. Gearty, Pillsbury, Schaaf, Milton, McCutcheon.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2167, pursuant to the request of the Senate,

Messrs. Arnold; Willet; Ogdahl; Hansen, Mel; Doty.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2166, pursuant to the request of the Senate,

Messrs. Arnold; Willet; Ogdahl; Hansen, Mel; Doty.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 733, pursuant to the request of the Senate,

Messrs. Purfeerst, Thorup, McCutcheon.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 488, pursuant to the request of the Senate,

Messrs. Doty, Conzemius, Kirchner.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 211, pursuant to the request of the Senate,

Messrs. Dunn, Chmielewski, Ueland, Lord, Kleinbaum.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 118, pursuant to the request of the Senate,

Messrs. Lewis, Borden, Bang.

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

Mr. Davies, from the Committee on Committees, recommends

that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 160, pursuant to the request of the Senate,

Messrs. North, Keefe, S., Knutson.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Ashbach moved that the first sentence of Rule 77 be suspended for the remainder of the Session. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Lord in the Chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Lord reported that the committee had considered

S. F. No. 1480, which the committee recommends to pass with the following amendments offered by Messrs. Humphrey and Stassen:

Mr. Brown requested that the Humphrey amendment be divided as follows:

First Portion: Page 1, line 19, before the period insert "*except meetings of the board of pardons, the adult corrections commission and the youth commission*"

Second Portion: Page 1, line 14, after "*department*" insert "*when required or permitted by law to transact public business in a meeting*"

Page 1, line 16, strike "or" and insert a comma

Page 1, line 17, after "borough" insert "*, or other public body,*"

Page 1, line 29, after the period insert "*This section shall not apply to any state agency, board, commission, or other governing body when exercising quasi-judicial functions involving disciplinary proceedings.*"

Page 2, line 1, strike "*the*" and insert "*an*"

Page 2, line 1, after "*amount*" strike "*of*" and insert "*not to exceed*"

Page 2, line 1, after "\$100" and before the period insert "for a single occurrence"

Mr. Stassen moved to amend S. F. No. 1480, as follows:

Page 1, line 26, after "public" insert "during all normal business hours where such records are kept"

Mr. Nelson moved to amend S. F. No. 1480 as follows:

Page 2, after line 18, insert:

"Sec. 2. For purposes of this act, the term "public" includes representatives of the news media."

Re-number the remaining sections in sequence

The question being taken on adoption of the amendment of Mr. Nelson,

And the roll being called, there were yeas 20 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Blatz	Josefson	Nelson	Renneke
Bang	Dunn	Kirchner	Olson, J. L.	Sillers
Berg	Frederick	Knutson	Patton	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Hansen, Baldy	Larson	Olhoff	Schrom
Arnold	Hanson, R.	Lewis	Olson, A. G.	Solon
Borden	Hughes	Milton	Olson, H. D.	Spear
Chmielewski	Humphrey	Moe	Perpich, A. J.	Stokowski
Coleman	Keefe, S.	North	Perpich, G.	Tennessee
Conzemius	Kleinbaum	Novak	Purfeerst	Willet
Doty	Krieger	Ogdahl	Schaaf	

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

Mr. Brown moved to amend S. F. No. 1480, as follows:

Page 1, line 12, strike "by"

Page 1, line 13, strike "statute" and insert "in this section"

Page 1, line 13, after "of" insert "the state senate, the house of representatives, any commission, committee, subcommittee, or conference committee of the legislature,"

Page 1, line 21, after "such" insert "legislative body,"

Page 1, after line 29, add:

"Subd. 2. The only exception to this open meeting law is the following: A hearing related to the discipline or dismissal of an employee which can be closed at the request of that employee."

Re-number the subsequent subdivision

Page 2, line 4, after "located." insert "Except in the case of a legislator,"

Page 2, line 18, after the period insert "Upon a third violation by a

legislator, the ethics committee of the house of which that person is a member must initiate expulsion proceedings against that person."

Page 2, line 23, strike "May" and insert "January"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Nelson	Sillers
Bang	Fitzsimons	Knutson	North	Stassen
Berg	Frederick	Kowalczyk	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	Krieger	Patton	
Blatz	Hanson, R.	Larson	Pillsbury	
Brown	Josefson	McCutcheon	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Milton	Perpich, A. J.	Stokowski
Arnold	Hansen, Baldy	Moe	Perpich, G.	Tennessee
Borden	Hughes	Novak	Purfeerst	Thorup
Chmielewski	Humphrey	Ogdahl	Schaaf	Willet
Coleman	Keefe, S.	Olhoft	Schrom	
Conzemius	Kleinbaum	Olson, A. G.	Solon	
Davies	Laufenburger	Olson, H. D.	Spear	

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

The question being taken on committee recommendation,

And the roll being called, there were yeas 51 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Ogdahl	Solon
Arnold	Gearty	Larson	Olhoft	Spear
Berg	Hansen, Baldy	Laufenburger	Olson, A. G.	Stassen
Borden	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Brown	Hanson, R.	Lord	Olson, J. L.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Pillsbury	
Conzemius	Keefe, S.	Nelson	Purfeerst	
Doty	Kirchner	North	Schaaf	
Dunn	Kleinbaum	Novak	Schrom	

Those who voted in the negative were:

Bernhagen	Jensen	Patton	Sillers	Ueland
Frederick	Knutson	Renneke		

Which motion prevailed. So the committee recommends S. F. No. 1480 to pass as amended.

And then, on motion of Mr. Lord, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Thursday, May 3, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-FIRST DAY

St. Paul, Minnesota, Thursday, May 3, 1973.

The Senate met at 12:00 o'clock noon and was called to order by the President.

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. O'Neill and McCutcheon were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
1827		Chapter 143	April 30, 1973	April 30, 1973

Sincerely,

Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Olhoft, Kowalczyk and Thorup introduced—

S. F. No. 2435: A bill for an act relating to public education; providing a minute of classroom silence.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Milton introduced—

S. F. No. 2436: A bill for an act relating to divorce and separation; grounds and procedure for; rights and obligations of the parties; custody and support of children; providing penalties; amending Minnesota Statutes 1971, Sections 256.12, Subdivision 14; 518.41; 518.42, Subdivisions 1, 7, 8, and 9; 518.44; 518.45; 518.46; 518.48, Subdivisions 3, 4, and 6, and by adding a subdivision; 518.51, Subdivision 1; 518.53; and 609.375; repealing Minnesota Statutes 1971, Sections 518.001 to 518.29; 518.51, Subdivision 4; and 518.54 to 518.67.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Schaaf introduced—

S. F. No. 2437: 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.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Lewis, Gearty and Bang introduced—

S. F. No. 2438: A bill for an act relating to the county of Hennepin; granting authority to acquire, construct, operate and maintain a correctional facility, work farm, or detention facilities.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 658, 667, 1386 and 1594.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 2, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1870 and 2162.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 1, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2098, 2132, 2207, 2270, 2294, 2351, 484, 1191, 2015, 2016, 2352, 485, 545, 601, 1386, 1404, 1617, 876, 1292, 1541, 1732, 1895, 2107, 1340, 1854, 1898, 1907, 1948, 2004, 2197, 1288, 1558, 1709, 1871, 1965, 2178, 2208, 873, 713, 945, 1309, 2174, 2179 and 2180.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 2, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 1870: A bill for an act relating to the city of Minneapolis and authorizing condemnation of real property in certain instances pursuant to procedures set forth in its home rule charter or Minnesota Statutes 1971, Chapter 430.

H. F. No. 2162: A bill for an act authorizing the county board of Rice county to annually appropriate money as a contingent fund for use by the chairman of the board for incidental costs and expenses.

H. F. No. 2098: A bill for an act relating to St. Louis county; authorizing the issuance of seasonal on-sale intoxicating liquor licenses.

H. F. No. 2132: A bill for an act relating to civil service in Ramsey county; inclusion of employees of Ramsey county welfare board.

H. F. No. 2207: A bill for an act relating to intoxicating liquor; authorizing one additional on-sale license within Todd county.

H. F. No. 2270: A bill for an act relating to the village of North St. Paul; authorizing the construction and financing of certain

awnings in the village pursuant to Minnesota Statutes, Chapter 429.

H. F. No. 2294: A bill for an act relating to the issuance of bonds by the village of Emmons.

H. F. No. 2351: A bill for an act relating to Ramsey county; authorizing issuance of bonds for construction and equipping of certain recreational facilities; amending Laws 1969, Chapter 1055, as amended, by adding a section.

H. F. No. 484: A bill for an act relating to the practice of medicine; practicing without license; prescribing penalties; amending Minnesota Statutes 1971, Section 147.10.

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.

H. F. No. 2015: A bill for an act relating to aeronautics; increasing the number of intermediate system airports permitted; amending Minnesota Statutes 1971, Section 360.305, Subdivisions 2, 3 and 4.

H. F. No. 2016: A bill for an act relating to aeronautics; regulating the powers of the commissioner of aeronautics and authorizing cease and desist orders under certain circumstances; amending Minnesota Statutes 1971, Sections 360.018, Subdivisions 1, 2 and 3; 360.075, Subdivision 6; 360.0751, Subdivisions 4, 5, 6, 7 and 8.

H. F. No. 2352: A bill for an act relating to the county of Ramsey; tax levy for educational, scientific and artistic purposes; amending Laws 1961, Chapter 583, Section 1, as amended.

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. 601: A bill for an act relating to negotiable instruments; acts regulating issuance of a worthless check; regulating the proof of intent; regulating the liability of banks for certain disclosures; providing for penalties and prosecutions thereof; amending Minnesota Statutes 1971, Section 609.535, Subdivisions 2 and 3.

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.

H. F. No. 1404: A bill for an act relating to the attorney general; requiring the appointment of a deputy attorney general for the department of public welfare and the appointment of an assistant attorney general for the department of corrections; amending Minnesota Statutes 1971, Section 8.024.

H. F. No. 1617: A bill for an act relating to insurance; cancellation of automobile insurance policies; setting requirements for cancellation of collision and comprehensive coverages; amending Minnesota Statutes 1971, Sections 65B.14, 65B.17, and 65B.18.

H. F. No. 876: A bill for an act relating to search warrants; definitions; defining peace officer; amending Minnesota Statutes 1971, Section 626.05, Subdivision 2.

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.

H. F. No. 1541: A bill for an act relating to housing and redevelopment; relocation assistance; authorizing relocation assistance and payment of relocation allowances in connection with certain federally funded programs by municipalities and other state public bodies.

H. F. No. 1732: A bill for an act relating to the department of public safety; organization of the department; fixing the term of the commissioner; limiting the number of personnel in the unclassified service and providing for their salaries; amending Minnesota Statutes 1971, Section 299A.01, Subdivisions 1 and 3, and by adding a subdivision.

H. F. No. 1895: A bill for an act relating to waters, watercraft safety; authorizing the commissioner of natural resources to regulate the size of motors; amending Minnesota Statutes 1971, Section 361.26, Subdivision 2.

H. F. No. 2107: A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; amending Minnesota Statutes 1971, Section 340.07, Subdivision 5.

H. F. No. 1340: A bill for an act relating to towns; special assessments; culverts, bridges and other approaches; amending Minnesota Statutes 1971, Chapter 435, by adding a section.

H. F. No. 1854: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4, and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

H. F. No. 1898: A bill for an act relating to the commissioner of public safety, term of office; amending Minnesota Statutes 1971, Section 299A.01, Subdivision 1.

H. F. No. 1907: A bill for an act relating to licensing and regis-

tration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1971, Sections 326.09; 326.10, Subdivisions 1, 2, 4, 5, and 7; 326.11, Subdivisions 2 and 4; and 326.13.

H. F. No. 1948: A bill for an act relating to the town of Ramsey in Anoka county; providing certain powers.

H. F. No. 2004: A bill for an act relating to Cass county; authorizing issuance of additional on-sale intoxicating liquor licenses.

H. F. No. 2197: A bill for an act relating to the department of public service; authorizing the public service commission to investigate inadequate telephone service; providing for hearings thereon; authorizing the commission to make reasonable orders in connection therewith; amending Minnesota Statutes 1971, Chapter 237, by adding a section.

H. F. No. 1288: A bill for an act relating to motor vehicles; manufacturers and dealers; the sale of mobile homes; exempting certain persons from licensing requirements; amending Minnesota Statutes 1971, Section 168.27.

H. F. No. 1558: A bill for an act relating to commerce; clarifying rule making power of the consumer services section, department of commerce; amending Minnesota Statutes 1971, Section 45.16, Subdivision 2.

H. F. No. 1709: A bill for an act relating to city, village, or borough programs of public recreation and playgrounds, the acquisition and betterment of land, buildings, and other facilities therefor, including cultural facilities, and the leasing and sale of such facilities to nonprofit corporations engaged in such programs; amending Minnesota Statutes 1971, Section 471.191, Subdivision 1.

H. F. No. 1871: A bill for an act relating to the village of Roseville and the city of Brooklyn Center; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 1965: A bill for an act relating to the suspension of employees in the classified service of the city of Minneapolis.

H. F. No. 2178: A bill for an act relating to the city of Saint Paul; authorizing the condemnation of real property pursuant to the procedures set forth in its home rule charter.

H. F. No. 2208: A bill for an act relating to the county of Waseca; authorizing the expenditure of money for hospital purposes.

H. F. No. 873: A bill for an act relating to subdivided lands; the regulation of the disposition of lots, parcels, units or interests in lands within real estate subdivisions; to require registration; to protect the purchaser from unfair and deceptive trade practices; to provide for the filing of bonds and performance assurances; to regulate advertising, promotion and sales contracts; to provide for the payment of fees; and to provide penalties; repealing Minnesota Statutes 1971, Sections 83.01 to 83.19.

H. F. No. 713: A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary ap-

prenticeship 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. 945: A bill for an act relating to safety in the use of waters of this state; establishing a watercraft safety program; increasing certain license fees; providing penalties; amending Minnesota Statutes 1971, Sections 361.055; 361.22, Subdivision 2; and Chapter 361, by adding a section.

H. F. No. 1309: A bill for an act relating to financial institutions; regulating the investments of savings banks and insurance companies; amending Minnesota Statutes 1971, Sections 50.14, Subdivision 15, and by adding subdivisions; 60A.11, Subdivisions 2 and 5; and 61A.28, Subdivision 2.

H. F. No. 2174: A bill for an act relating to laws and the statutory compilation thereof; prescribing times of and other conditions of publication; appropriating money; amending Minnesota Statutes 1971, Sections 482.07, by adding subdivisions; 648.31, by adding subdivisions; 648.41, Subdivision 2; 648.42; and 648.45.

H. F. No. 2179: A bill for an act relating to the city of Hopkins; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

H. F. No. 2180: A bill for an act relating to corporations; take-overs; regulating corporate take-overs; providing a penalty.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

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

S. F. No. 1359: A bill for an act relating to occupations and professions; providing for the licensure of speech pathologists and audiologists; creating a state board of speech pathology and audiology and prescribing its powers and duties; providing penalties; appropriating money.

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

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

“Section 1. [DEFINITIONS.] Subdivision 1. As used in this act, unless the context otherwise requires, the following terms have the meanings given them.

Subd. 2. "Board" means the state board of health.

Subd. 3. "Commission" means the advisory commission on speech pathology and audiology.

Subd. 4. "Speech pathologist" means any person who represents himself to the public by any title or description of services incorporating the term speech pathology, speech therapy, speech correction, speech clinic, language pathology, logopedics, communicology, aphasiologist, voice therapy, voice pathology, language therapist, phoniatrist, or other similar title.

Subd. 5. "Practice of speech pathology" means the application of principles, methods and procedures for measurements, testing, identification, predication, counseling or instruction related to disorders of speech, voice or language, whether of organic or non-organic origin, which impede the normal process of vocal communication, for the purpose of identifying, preventing, treating and ameliorating these disorders.

Subd. 6. "Audiologist" means any person who represents himself to the public by any title or description of services incorporating the term audiology, hearing center, hearing clinic, hearing therapist, audiometry, otometry, or any similar title.

Subd. 7. "Practice of audiology" means the application of principles, methods and procedures for measurement, testing, appraisal, predication, counseling and instructing relating to hearing and disorders of hearing for the purpose of modifying communication disorders involving speech, language, auditory function or other aberrant behavior related to hearing loss.

Subd. 8. "Public member" means a person who is not, and never was, a speech pathologist or audiologist, or the spouse of a speech pathologist or audiologist; who does not have and never has had a material financial interest in the provision of the services of speech pathology or audiology, or in an activity directly related to speech pathology or audiology.

Sec. 2. [ADVISORY COMMISSION ON SPEECH PATHOLOGY AND AUDIOLOGY.] There is hereby created as an advisory commission to the board of health the advisory commission on speech pathology and audiology, consisting of seven members to be appointed by the governor for three year terms. Two members shall be speech pathologists who meet the requirements of this act; two members shall be audiologists who meet the requirements of this act; one shall be a physician licensed to practice in this state; and two shall be public members. One designee of the board of health shall serve as a non-voting member of the commission. Each professional member shall have had five years of professional experience preceding his appointment. Two of the initial appointees shall serve a one year term, two shall serve a two year term, and three shall serve a three year term. No member may serve more than two terms. All subsequent appointees to the commission must be qualified in the manner of the members they succeed. Four members shall constitute a quorum for transaction of business.

Sec. 3. [POWERS AND DUTIES.] Subdivision 1. The board shall:

(a) designate the time and place for examination of applicants for licensure;

(b) administer examinations to applicants for licensure;

(c) issue or decline to issue licenses to applicants;

(d) deny, suspend, revoke or refuse to renew a license on the following grounds:

(1) fraud or deception in the securing of a license, or

(2) violation of any of the provisions of this act;

(e) upon the request of a person being denied a license, or of a licenseholder whose license is being suspended, revoked, or denied renewal, advise him in writing of the basis for the board's action, and when appropriate, of his right to appeal;

(f) report annually in writing to the governor, giving the names of all persons licensed or denied licensure during the preceding year, giving an account of all suspension, revocation, or renewal denial proceedings during that period, and accounting for all funds expended;

(g) take into consideration such recommendations as the commission may submit, and, in its discretion, implement them pursuant to the provisions of Minnesota Statutes, 1971.

(h) employ such personnel as it deems necessary to carry out the provisions of this act.

(i) pursuant to Minnesota Statutes, Chapter 15, adopt rules and regulations necessary to enable it to carry out the provisions of this act; and

(j) provide by appropriate regulation for the continuing professional education of persons subject to this act.

Subd. 2. The commission may make recommendations to the board concerning:

(a) qualifications for licensure;

(b) regulation of speech pathologists and audiologists;

(c) enforcement of the provisions of this act; and

(d) continuing education of persons subject to this act.

Sec. 4. [QUALIFICATIONS FOR LICENSURE.] To be eligible for licensure as a speech pathologist or audiologist the applicant must:

(a) possess at least a master's degree or its equivalent in the study of speech pathology or audiology from a college or university recognized by the board;

(b) have completed a course of study, and acquired academic and professional clinical experience, in accordance with the stan-

dards set in the requirements for the certificates of clinical competence of the American speech and hearing association in effect on January 1, 1973; and

(c) pass the examination given by the board.

Sec. 5. [EXAMINATION.] Separate examinations shall be given for speech pathology and for audiology. Licensure shall be granted in either speech pathology or audiology independently. A person may be licensed in both areas if he meets the qualifications established for licensure in each area

Sec. 6. [WAIVER OF EXAMINATION.] The board may waive the requirement of examination and grant licensure:

(a) to any person who presents proof of current licensure in another state which maintains professional standards considered by the board to be equivalent to those adopted pursuant to this act;

(b) to any person certified as clinically competent pursuant to the standards of the American speech and hearing association in effect on January 1, 1973;

(c) to any person who is actively engaged in the practice of speech pathology or audiology who makes application within one year after the effective date of this act; and

(d) to any person who has been principally engaged in the practice of speech pathology or audiology within any two of the five years immediately preceding the effective date of this act.

Sec. 7. [EXEMPTIONS.] Nothing in this act shall be construed to prevent or restrict;

(a) a person licensed in this state under any other law from engaging in the profession for which he is licensed, consistent with his training and code of ethics;

(b) hearing aid dealers or manufacturers from engaging in research, counseling, instruction, testing, or fitting necessary to manufacture, fit or sell hearing aids, provided they do not undertake to diagnose hearing disorders or advertise free hearing tests;

(c) any of the following persons from representing himself as a speech pathologist or audiologist:

(1) a person who holds a valid current credential as a speech pathologist issued by the state department of education, a person employed as a speech pathologist or audiologist by the government of the United States or a Minnesota state government agency; however, none of these persons shall be exempt from the requirements of this act for the portion of his professional work spent as a private practitioner apart from his position with a local, state or federal governmental agency;

(2) any student, intern, or trainee in speech pathology or audiology pursuing a course of study at a university, college, or educational center recognized by the board under the direct supervision of a licensed or certified audiologist or speech pathologist who per-

forms such services as a part of his supervised course of study, provided that the student, intern, or trainee receives no fee for his services and does not hold himself out to the public as being qualified to practice independently;

(3) any person not a resident of this state, who performs speech pathology or audiology services in this state and who is not licensed under this act, if the services are performed for no more than five days in any calendar year and the person meets the qualifications and requirements for licensure established by this act; or

(4) a person who is obtaining such professional clinical experience as the board may require, provided that the person is under the supervision of a licensed or certified speech pathologist or audiologist.

(5) any person, trained under the direction of a licensed physician, who is engaged in a volunteer program of screening pre-school children.

Sec. 8. [RENEWALS.] Licenses issued pursuant to this act are valid for a one year period, and may be renewed. No person whose license has expired shall be required to submit to an examination as a condition to renewal if he makes application for renewal within three years after the expiration of his license. A suspended license may be renewed, but the licensee may not engage in the licensed activity or in any other conduct or activity in violation of the order of judgment by which the license was suspended until the license is reinstated.

Sec. 9. [REVOCATION AND REINSTATEMENT.] The board may conduct proceedings for revocation or suspension of a license, or the denial of the renewal of a license, in accordance with the the notice, hearing, and appeals provisions of Minnesota Statutes, Chapter 15. One year after the date of revocation, suspension, or a decision not to renew, application may be made to the board for reinstatement. The board shall have discretion to accept or reject an application for reinstatement and may require an examination for such reinstatement.

Sec. 10. [PRESENTATION TO THE PUBLIC.] No person shall present himself to the public as a speech pathologist or audiologist, or engage in the practice of speech pathology or audiology, unless he is qualified or licensed pursuant to this act.

Sec. 11. [PENALTY.] Any person who violates any provision of this act shall be guilty of a misdemeanor.

Sec. 12. [COMPENSATION.] Each commission member shall receive the sum of \$35 for each day actually employed in the discharge of his official duties, and compensation for his necessary expenses incurred incidental thereto in the manner of state employees.

Sec. 13. [FEES.] The fees charged by the board shall be:

(1) a non-refundable application fee for examination of \$25;

- (2) an initial license fee of \$5;
- (3) a fee for license renewal of \$5.

The fees established by this section shall be exclusive. No municipality shall have the power to require any person licensed under this act to furnish any bond, pass any examination, or pay any license fees or occupation tax. All fees collected pursuant to this act shall be deposited in the state treasury to the credit of the general revenue fund.

Sec. 14. [APPROPRIATION.] There is appropriated from the general fund in the state treasury to the state board of health the sum of \$8,000 to carry out the provisions of this act.

Sec. 15. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1632: A bill for an act relating to the city of Brooklyn Center; creating a housing and redevelopment authority.

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

Page 1, line 9, after "contrary," strike the remainder of the line and lines 10, 11 and 12 insert in lieu thereof "the city councils of Brooklyn Center and Brooklyn Park by ordinance may provide that the members of the city council shall constitute the housing and redevelopment authority of their respective cities, or may provide that members of the city council may serve on said authority."

Page 1, line 24, after "effective" insert "as to the city of Brooklyn Center"

Page 1, after line 27, add a new section to read:

"Sec. 4. This act shall become effective as to the city of Brooklyn Park only after its approval by a majority of the governing body of the city of Brooklyn Park and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title:

Page 1, line 2, strike "city" and insert in lieu thereof "cities" and after "Brooklyn Center" add "and Brooklyn Park"

Page 1, line 3, strike "a"

Page 1, line 4, strike "authority" and insert in lieu thereof "authorities"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2178: A bill for an act relating to Dakota county; soil and water conservation; expenditures from general revenue fund.

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

Page 1, line 8, strike "county of Dakota" and insert in lieu thereof "counties of the metropolitan area as defined in Minnesota Statutes, Section 473B.02, Subdivision 1"

Line 12, after "effective" insert "as to each county"

Line 13, after "by the" and before "county" insert "affected" and in the same line strike "of the county of Dakota"

Amend the title:

Line 2, strike "Dakota county" and insert in lieu thereof "metropolitan counties"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2058: A bill for an act relating to Independent School District No. 1; restoring employees salary and retirement benefits withheld under law.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Any reduction of salary or withholding of salary increases of any employee of Independent School District No. 1, pursuant to former Minnesota Statutes, Sections 179.54 and 179.55, after April 1, 1970 through and including April 1, 1973 shall be repaid without interest to all employees of Independent School District No. 1 or their representatives not later than July 1, 1978.

Specifically excluded from this requirement is payment to any striking employee for any days on which no services were performed.

Sec. 2. In order that no employee of Independent School District No. 1 shall suffer any reduction of benefits from the Minneapolis Teachers' retirement fund association organized under sections

354.15 to 354.23, inclusive, of the Minnesota Statutes by reason of any reduction of salary or withholding of salary increases made pursuant to former sections 179.54 and 179.55 of the Minnesota Statutes between April 1, 1970 and April 1, 1973 said Independent School District No. 1 shall pay to Minneapolis teachers' retirement fund association without interest an amount equal to the deposit of each such employee plus an amount equal to the employer's deposit for such employee which would have been paid pursuant to the laws governing said association upon the amount of any such reduction of salary or withholding of salary increases, with the same force and effect as though there had been no such reduction or withholding of salary increases. The amount of any such employee's deposit shall be deducted from the repayment made to any such employee pursuant to section 1, hereof."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2182: A bill for an act authorizing the city of Saint Paul to create development districts within its 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; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

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

Page 2, line 18, strike "recommendation from" and insert "consultation with"

Page 2, lines 20 and 21, strike "a newspaper of general circulation" and insert "the official newspaper of the city of Saint Paul"

Page 3, line 2, after "domain." insert "In all such acquisitions the acquiring authority 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."

Page 4, line 17, after "number." insert "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 such district shall not be enlarged after three years following the date of designation of such district. At the time of adoption of the first development district in the city of Saint Paul, the governing body shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, the city must use the same option for all succeeding development districts.

(1) The total acreage included in any one development district shall not exceed one percent of the total acreage of the municipality. At no time shall the total current acreage within development districts for which unrecovered cost of bonds remain exceed three percent of the total acreage of the municipality.

(2) The total market value of taxable real property of any one development district when adopted shall not exceed five percent of the total market value of taxable real property in the municipality as then most recently certified by the county auditor. At no time shall the current market value of taxable real property within development districts for which unrecovered cost of bonds remain exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.

(3) The governing body may adopt one development district which shall not exceed six acres in area. At no time shall another development district be adopted by the governing body of the city of Saint Paul until all cost of bonds for the previously adopted district has been paid.

Page 5, line 5, after "plazas," insert "malls,"

Page 5, line 10, after the period insert "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."

Page 7, line 4, after "and" strike "public" and insert "publicly owned"

Page 7, line 18, after "may" strike the rest of the line

Page 7, strike lines 19 through 24 and insert the following:

"authorize, issue, and sell bonds which shall mature within 30 years from 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 such 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 city's net debt."

Page 8, line 14, strike "assessed valuation" and insert "market value"

Page 8, line 24, strike "according to the original" and insert "in the proportion that the original taxable value bears to the current"

Page 8, line 26, after the word "collected," insert "referred to herein as the tax increment,"

Page 9, delete lines 12 through 17

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

Mr. Perpich, A. J., pursuant to Rule 35, requested that S. F. No. 2182 be re-referred to the Committee on Rules and Administration. So S. F. No. 2182 was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2097: A bill for an act relating to the city of Duluth, authorizing the city of Duluth to create development districts within the city boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

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

Page 2, line 18, after "number." insert:

"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 such district shall not be enlarged after three years following the date of designation of such district. At the time of the adoption of the first development district in the municipality, the governing body shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, the municipality must use the same option for all succeeding development districts.

(a) The total acreage included in any one development district shall not exceed one percent of the total acreage of the municipality. At no time shall the total current acreage within development districts for which unrecovered cost of bonds remain 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 adopted shall not exceed five percent of the total market value of taxable real property in the municipality as then most recently certified by the county auditor. At no time shall the current total market value of taxable real property within development districts for which unrecovered cost of bonds remain exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.

(c) The governing body may adopt one development district which shall not exceed six acres in area. At no time shall another development district be adopted by the governing body until all cost of bonds for the previously adopted district has been paid."

Page 3, line 6, after "plazas," insert "malls."

Page 3, line 12, after the period insert "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."

Page 3, line 28, strike "recommendation from" and insert "consultation with".

Page 4, line 1, after "published" insert "in the official newspaper of the municipality, or if the municipality has no official newspaper,"

Page 4, line 10, after "domain." insert "In all such acquisitions the acquiring authority 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."

Page 5, line 21, after "and" strike "public" and insert "publicly owned".

Page 6, line 7, after "may" strike the rest of the line.

Page 6, strike lines 8 to 13 and insert the following:

"authorize, issue, and sell bonds which shall mature within 30 years from 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 hereto 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 such 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."

Page 7, line 4, strike "according to the original" and insert "in the proportion that the original taxable value bears to the current".

Page 7, line 6, after the word "collected," insert "referred to herein as the tax increment,".

Page 8, line 6, after "department" insert "or designate an existing department or office".

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

Mr. Perpich, A. J., pursuant to Rule 35, requested that S. F. No. 2097 be re-referred to the Committee on Rules and Administration. So S. F. No. 2097 was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1829: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; authorizing fees to defray costs of the department in giving notice in contested cases; defining terms; prescribing conditions for the granting of permits to certain carriers and prescribing conditions for the transfer thereof; specifying the form of license application for livestock buyers; amending Minnesota Statutes 1971, Sections 216.161; 221.011, Subdivisions 12 and 22; 221.101; 221.121, Subdivision 1; 221.131; 221.141; 221.151, Subdivision 2; 221.281; 221.-291; and 239.18, Subdivision 2.

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

Page 1, line 32, after "*involved*" insert a period and strike the balance of the line

Page 1, line 33, strike "*total costs.*"

Page 2, strike lines 10 to 28

Page 3, strike lines 1 to 28

Page 4, strike lines 1 to 21

Page 5, line 27, after "*existing*" insert "*permit and certificated*"

Renumber the sections in sequence

Further amend the title in lines 14 and 15 by striking "Subdivisions 12 and 22" and inserting in lieu thereof "Subdivision 12"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2203: A bill for an act relating to the legislature; prescribing the membership of the legislative advisory committee; amending Minnesota Statutes 1971, Section 3.30, Subdivision 2.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1844: A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

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

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

"Section 1. Minnesota Statutes 1971, Section 125.04, is amended to read:

125.04 [QUALIFIED TEACHER DEFINED.] A qualified teacher is one holding a valid certificate from the state board ,

as hereinafter provided, to perform the particular service for which he is employed in a public school.

Sec. 2. Minnesota Statutes 1971, Section 125.05, Subdivision 1, is amended to read:

125.05 [COMMISSION TO ISSUE CERTIFICATES.] Subdivision 1. [QUALIFICATIONS.] The authority to certify teachers as defined herein is vested in the ~~state board~~ *commission but based solely on criteria and qualifications approved by the state board of education. The authority to certify superintendents and principals is vested in the state board of education.* Certificates shall be issued to such persons as the ~~state board~~ *commission* finds to be physically competent and morally fit to teach. Qualifications of teachers and other professional employees shall be determined by the ~~state board~~ *commission* under the rules which it promulgates. Certificates of qualifications of teachers shall be issued by the commissioner and the commissioner shall issue certificates to any qualified blind graduates of a school of education.

Sec. 3. Minnesota Statutes 1971, Section 125.05, Subdivision 2, is amended to read:

Subd. 2. [EXPIRATION AND RENEWAL.] Each certificate shall bear the date of issue. Certificates shall expire and be renewed in accordance with rules promulgated by the ~~state board of education~~ *commission*. Renewal requirements for the renewal of a certificate shall include the production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the certificate in grades or subjects for which the certificate is valid or the completion of such additional preparation as the ~~state board~~ *commission* shall prescribe.

Sec. 4. Minnesota Statutes 1971, Section 125.06, is amended to read:

125.06 [APPLICANTS TRAINED IN OTHER STATES.] When a certificate to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state college, or of the University of Minnesota, or of a liberal arts college, or a technical training institution, such certificate may also, in the discretion of the ~~state board~~ *commission*, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state, granted by virtue of the completion of a course in teacher preparation essentially equivalent in content to that required by such Minnesota State college or the university of Minnesota or a liberal arts college in Minnesota or a technical training institution as preliminary to the granting of a diploma or a degree of the same rank and class.

Sec. 5. Minnesota Statutes 1971, Section 125.08, is amended to read:

125.08 [TEACHERS' CERTIFICATES, FEES.] Each application for the issuance, renewal, or extension of a certificate to teach shall be accompanied by a nonrefundable fee of \$5 *in an amount set by the commission*. Such fee shall be paid to the commissioner, who shall deposit them with the state treasurer, as provided by

law, and report each month to the state auditor the amount of fees collected.

Sec. 6. Minnesota Statutes 1971, Section 125.09, is amended to read:

125.09 [SUSPENSION OR REVOCATION OF CERTIFICATES.] Subdivision 1. [GROUNDS FOR REVOCATION.] The ~~state board~~ *commission* may, on the written complaint of the board employing a teacher, or of the superintendent of schools where such teacher is employed, or of a teacher organization, or of a teacher in a district where no teacher organization exists, ~~or of the commissioner~~ which complaint shall specify generally the nature and character of the charges, suspend or revoke such teacher's certificate or license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of his contract;
- (3) Gross inefficiency or wilful neglect of duty; or
- ~~(4) A violation of the professional code of ethics, when, in the determination of the state board, in consultation with the commissioner, such violation constitutes gross misconduct.~~
- (4) *Failure to meet recertification requirements; or*
- (5) *Fraud or misrepresentation in obtaining a certificate.*

Subd. 2. [HEARING ON CHARGES.] The ~~commissioner~~ *chairman of the commission* shall, within 10 days after the filing of the complaint, serve a copy thereof upon the teacher in person or by registered mail addressed to such teacher at his last known address and such teacher shall, within 10 days after the service of such copy upon him, file with the ~~state board~~ *commission* his answer to the charges specified. The ~~commissioner~~ *chairman of the commission* shall thereupon fix in writing a time for a hearing upon the complaint, and serve a copy thereof on the teacher. Such hearing shall be conducted by the ~~state board~~ *commission* or by the ~~commissioner~~ *chairman of the commission* or ~~assistant commissioner~~, as the rules of the ~~state board~~ *commission* may provide, unless the complaint is filed by the ~~commissioner~~; in which case it shall be conducted by the ~~state board~~ or a member thereof designated by the ~~state board~~. In the case of a complaint of a violation of the professional code of ethics, the hearing shall be conducted by the ~~professional teaching practices commission~~ unless the teacher charged requests otherwise. The hearing shall be held in the office of the ~~state board~~ *commission* unless the teacher at the time of filing his answer shall file therewith a written demand that the hearing be held in the county seat of the county wherein he is employed, in which case it shall be held at such county seat. Such hearing shall be either private or public, as the teacher may elect, and the teacher shall have the right to appear in person and by counsel and produce evidence thereat. All witnesses shall be sworn before testifying and the official conducting such hearing is hereby

authorized to administer the oath prescribed by law for witnesses in judicial proceedings. A record in writing shall be made of the proceedings and of all evidence produced thereat and forthwith filed with the ~~state board~~ *commission* upon the conclusion of such hearing. A copy thereof shall be furnished to such teacher upon his request.

Subd. 3. [DECISION BY COMMISSION.] Upon concluding such hearing, if conducted by the ~~state board~~ *commission*, the ~~state board~~ *commission* shall ~~consider the same~~ and make its decision within 30 days from the date of such hearing. If the hearing is conducted by the ~~commissioner, deputy commissioner chairman or such other person as is authorized by rules of the commission, member of the state board, or the professional teaching practices commission,~~ the ~~state board~~ *commission* shall make its decision within 30 days from the date of the filing of the hearing report with the ~~state board~~ *commission*, which report shall be filed within 30 days from the date of such hearing. ~~The report of a hearing conducted by the professional teaching practices commission shall also include the findings and recommendation of such commission.~~ In case of suspension or revocation, the order of the ~~state board~~ *commission* shall fix the date at which suspension or revocation becomes effective and, in case of suspension, the duration thereof, and notice thereof shall forthwith be given in writing to the teacher and to the school board by which he is employed.

The action of the ~~state board~~ *commission* shall be final and subject to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0426. All orders of suspension or revocation shall be included in the certificate records of the ~~department~~ *commission*.

Sec. 7. Minnesota Statutes 1971, Section 125.181, is amended to read:

125.181 [PROFESSIONAL PRACTICES; INTENT.] The purpose of ~~Extra Session Laws 1967, Chapter 25 sections 125.181 to 125.185~~, is to develop standards of ethical conduct for the guidance and improvement of the teaching profession and to provide measures through which the observance of such standards by the members of the profession may be promoted and enforced.

Sec. 8. Minnesota Statutes 1971, Section 125.182, is amended to read:

125.182 [DEFINITIONS.] Subdivision 1. For the purpose of ~~Extra Session Laws 1967, Chapter 25 this act~~, the words, phrases and terms defined in this section shall have the meanings ascribed to them.

Subd. 2. "Teacher" means a ~~superintendent, principal, supervisor, classroom teacher, or other similar professional employee~~ required to hold a certificate from the state department of education.

Subd. 3. "Commission" means the ~~professional teaching practices teacher standards and certification~~ *commission*.

Subd. 4. "State board" means the state board of education.

Sec. 9. Minnesota Statutes 1971, Section 125.183, is amended to read:

125.183 [MEMBERSHIP.] Subdivision 1. A professional teaching practices teacher standards and certification commission consisting of ~~12~~ 15 members is hereby established. Each member shall be appointed by the governor for a four year term and serve until his successor is duly appointed and qualified. No member shall be reappointed for more than one additional term. A vacancy during the term of a member shall be filled by the governor for the unexpired term.

Subd. 2. ~~Of the first members appointed, three shall be appointed for a term ending the first Monday in January 1968; three shall be appointed for a term ending the first Monday in January 1969; three shall be appointed for a term ending the first Monday in January 1970; and three shall be appointed for a term ending the first Monday in January 1971. Initial appointments shall be made by November 15, 1973 for terms as follows: five members shall be appointed for terms ending November 15 in each of the years 1974, 1975 and 1976. Thereafter each member shall be appointed for a full four year term.~~

Subd. 3. *Except for the representatives of higher education and the public, to be eligible for appointment to the commission a person must be fully certificated for the position he holds and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The commission shall be composed of one teacher whose responsibilities are those either of a counsellor, librarian, psychologist remedial reading teacher, speech therapist, vocational teacher, or certified school nurse, four elementary school classroom teachers, four secondary classroom teachers, three school administrators, one of whom shall be a superintendent, one of whom shall be an elementary school administrator, one of whom shall be a secondary school administrator, and one other teacher higher education representatives, from higher education faculties preparing teachers, two of whom shall be representatives of state institutions and one of whom shall be a representative of private institutions; one school administrator and two members of the public. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and certification.*

Subd. 4. *The position of a member who leaves Minnesota or whose employment status changes to a category different from that from which he was appointed shall be deemed vacant.*

Sec. 10. Minnesota Statutes 1971, Section 125.184, is amended to read:

125.184 [MEETINGS.] Subdivision 1. The commission shall meet regularly at quarterly intervals at the seat of government and at such other times and places as the commission shall determine. Meetings shall be called by the chairman or at the written request of any ~~six~~ eight members. ~~Each member shall be reimbursed for travel, subsistence and other reasonable expenses in-~~

curred in the performance of his duties in the same manner and in the same amounts as other state officers and employees are reimbursed. The members of the commission shall receive compensation of the sum of \$35 per day for attendance at commission meetings and ordinary and necessary expenses in the same amount and manner as state employees.

Subd. 2. The commissioner of education shall serve as secretary of the commission and, in his discretion, may assign such persons as may be required to perform clerical and professional assistance to the commission.

Sec. 11. Minnesota Statutes 1971, Section 125.185, is amended to read:

125.185 [DUTIES.] Subdivision 1. The commission shall, after public hearings, develop a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance and methods of enforcement.

Subd. 2. The commission shall act in an advisory capacity to the state board of education and to members of the profession in matters of interpretation of the code of ethics.

Subd. 3. In the case of a complaint under section 125.09, the commission shall conduct the hearing if the complaint is based upon an alleged violation of the professional code of ethics, except that, upon request of the teacher against whom the charges are brought, such hearing shall be held in the manner otherwise provided in section 125.09.

Subd. 4. 3. The commission shall elect a chairman and such other officers as it may deem necessary.

Subd. 4. The commission shall develop and create criteria, rules, and regulations for the certification of public school teachers and interns, which shall be submitted to the state board of education for approval, and from time to time the commission shall revise or supplement the criteria for certification of public school teachers subject to approval by the state board. It shall be the duty of the commission to establish criteria for the approval of teacher education programs subject to approval by the board. Subject to criteria, rules, and regulations approved by the state board of education, the commission shall also grant certificates to interns and to candidates for original certificates and receive recommendations from local committees as established by the commission for the renewal of teaching certificates, grant life certificates to those who qualify according to requirements established by the commission, and suspend or revoke certificates pursuant to Minnesota Statutes, Section 125.09. With regard to vocational education teachers the commission shall adopt and maintain as its criteria the state plan for vocational education.

In the event the state board of education disapproves any proposal from the commission, it shall give written notice of such disapproval within 120 days after the receipt of the proposal including its reasons. Any proposal disapproved by the state board

may be resubmitted by the commission at any time after the expiration of 90 days after the date of disapproval.

Subd. 5. The secretary of the commission shall keep a record of the proceedings of these sections and a register of all persons certificated under this act. The register shall show the name, address, certificate number and the renewal thereof. The commission shall on July 1, 1974, or as soon thereafter as is practicable, and each year thereafter compile a list of such duly certificated teachers and transmit a copy thereof to the board. Any other interested person in the state may obtain a copy of such list on request to the commission, upon payment of a reasonable amount as fixed by the commission.

Subd. 6. The commission except for initial appropriation shall be supported by moneys received through fees authorized herein. The state board shall provide all necessary materials and assistance for the transaction of the business of the commission and all moneys received by the commission shall be paid into the state treasury as provided by law.

Subd. 7. Any person who shall in any manner represent himself as a certificated teacher without a valid existing certificate issued to him by the commission or any person who employs fraud or deception in applying for or securing a certificate shall be guilty of a gross misdemeanor.

Subd. 8. The sum of \$30,000 or so much thereof as may be necessary is appropriated to the state board of education from the general fund in the state treasury for the establishment of the commission to carry out the purposes of this act.

Subd. 9. In order to carry out the duties and powers enumerated herein, the commission shall have the power to make such rules and regulations as are reasonably necessary in accordance with the procedure described in the general laws relating to departments and agencies of the state.

Sec. 12. No regulation adopted by the teacher standards and certification commission shall affect the validity of certificates or licenses to teach in effect on July 1, 1974, or the rights and privileges of the holders thereof, except that any such certificate or license may be suspended or revoked for any of the causes and by the procedures specified by law.

Sec. 13. This act is effective July 1, 1973. The present rules and regulations of the state board of education shall continue in full force and effect relative to teacher certification and approval of teacher preparation programs until superseded."

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2047: A bill for an act relating to state government;

establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; and 15A.085.

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

Page 1, line 21, strike "46,900" and insert "43,000"

Page 1, after line 21, insert "deputy commissioner 31,300 35,000"

Page 1, line 25, strike "24,900" and insert "22,800"

Page 1, line 27, strike "26,400" and insert "24,200"

Page 1, line 28, strike "21,600" and insert "20,700"

Page 1, line 32, strike "30,900" and insert "36,600"

Page 2, line 2, strike "30,600 36,700" and insert "27,500 32,500"

Page 2, line 4, strike "22,600 31,600" and insert "22,000 24,200"

Page 2, line 5, strike "22,600 31,600" and insert "25,100 28,200"

Page 2, line 8, strike "12,600 - 30,600" and insert "15,400 - 28,600"

Page 2, line 11, strike "30,600" and insert "22,600"

Page 2, line 13, strike "26,000" and insert "23,500"

Page 2, line 14, strike "24,900" and insert "22,800"

Page 2, after line 16, insert: "(This salary is authorized only until the effective date of any law authorizing the creation of a department of personnel.)"

Page 2, line 18, strike "24,900" and insert "22,800"

Page 2, line 19, strike "24,900" and insert "22,800"

Page 2, line 20, strike "24,900" and insert "22,800"

Page 2, line 22, strike "34,900" and insert "31,900"

Page 2, line 23, strike "26,400" and insert "24,700"

Page 2, line 27, strike "22,000 26,600" and insert "24,000 27,500"

Page 2, line 28, strike "17,200 20,600" and insert "18,100 21,000"

Page 3, line 8, strike "35,800" and insert "32,800"

Page 3, after line 10 insert:

"Finance, department of

commissioner 39,000 43,000

deputy commissioner 31,200 35,000"

Page 3, line 12, strike "35,000" and insert "49,000"

Page 3, line 14, strike "36,800" and insert "33,700"

Page 3, line 16, strike "31,400" and insert "28,800"

Page 3, line 18, strike "24,100" and insert "22,100"

Page 3, line 26, strike "42,800" and insert "39,200"

Page 3, line 28, strike "22,500" and insert "20,600"

Page 3, line 30, strike "21,000" and insert "19,300"

Page 3, line 32, strike "27,500" and insert "35,500" , and strike "33,000"

Page 3, strike lines 33 and 34

Page 4, line 5, strike "22,400 26,800" and insert "27,500 30,000"

Page 4, after line 5, insert:

"deputy commissioner 22,000 24,000"

Page 4, line 6, strike "25,200" and insert "23,100"

Page 4, line 10, after "20,700" add achievement award limit "22,800"

Page 4, line 14, strike "17,800 21,300" and insert "20,000 22,000"

Page 4, line 18, strike "33,000" and insert "30,300"

Page 4, line 24, strike "35,800" and insert "32,800"

Page 4, line 25, strike "29,400" and insert "26,900"

Page 5, after line 5, insert:

*"Personnel, department of
commissioner 32,000 35,000
deputy commissioner 25,600 28,000"*

(These salaries are authorized only upon the effective date of any law authorizing the creation of a department of personnel.)"

Page 5, line 9, strike "24,700 30,200" and insert in lieu thereof "27,600 30,300"

Page 5, strike lines 10 and 11

Page 5, line 13, strike "33,200" and insert "30,400"

Page 5, line 14, strike "26,000" and insert "23,800"

Page 5, line 34, strike "25,200" and insert "23,100"

Page 5, line 37, strike "24,900" and insert "22,800"

Page 6, line 1, strike "42,800" and insert "39,200"

Page 6, after line 1, insert:

"deputy commissioner 28,500 31,000"

Page 6, line 3, strike "25,000" and reinstate the stricken "21,000"

Page 6, line 5, strike "18,500" and insert "16,500"

Page 6, line 9, strike "31,500 37,800" and insert "32,500 34,700"

Page 6, line 13, strike "29,600" and insert "27,200"

Page 6, line 15, strike "27,700" and insert "25,400"

Page 6, line 17, strike "21,300" and insert "19,500"

Page 6, line 19, strike "20,000" and insert "18,400"

Page 6, line 21, strike "25,700" and insert "24,100"

Page 6, line 23, strike "33,100" and insert "30,300"

Page 6, line 27, strike "23,100" and insert "21,200"

Page 6, line 29, strike "22,900" and insert "21,000"

Page 7, line 2, strike "22,900" and insert "21,000"

Page 7, line 4, strike "21,500" and insert "19,700"

Page 7, line 6, strike "19,600" and insert "18,000"

Page 7, line 8, strike "18,700" and insert "17,100"

Page 7, line 10, strike "23,900" and insert "22,400"

Page 7, line 12, strike "35,800" and insert "32,800"

Page 7, line 17, strike "25,000" and reinstate the stricken "21,000"

Page 7, line 18, strike "19,600" and insert "18,000"

Page 7, line 20, strike "17,500 21,000" and insert "15,800 17,400"

Page 7, line 31, after "employee." strike the balance of the line

Page 8, strike lines 1 through 6

Page 8, line 17, strike "45,500" and insert "41,000"

Page 8, line 18, strike "41,300" and insert "37,000"

Page 8, line 19, strike "35,000" and insert "32,000"

Page 9, line 9, strike "30,000" and insert "27,000"

Page 9, line 11, strike "22,000" and insert "21,000"

Page 9, line 16, strike "32,000" and insert "29,000"

Page 10, line 1, strike "20,000 — 32,000" and insert "24,000 — 30,000"

Page 10, line 3, strike "25,000 — 35,000" and insert "24,000 — 30,000"

Page 10, line 6, strike "26,000" and insert "18,000 — 26,000"

Page 10, line 8, strike "12,500" and insert "15,000"

Page 10, line 13, strike "on" and insert "at"

Page 10, line 14, strike "*June 26, 1973*" and insert "*the beginning of the first pay period in fiscal year 1973/74*"

Page 10, line 16, strike "*July 1, 1973*" and insert "*the beginning of the first pay period in fiscal year 1973/74*"

Page 11, line 26, after "*apply*" insert "*for*"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1543: A bill for an act relating to the incorporation of villages; the annexation and detachment of property from municipalities; the consolidation of municipalities; and the powers and duties of the Minnesota municipal commission in relation thereto; amending Minnesota Statutes 1971, Chapter 414, by adding sections; Sections 414.01, Subdivision 14; 414.032, Subdivisions 1 and 3; 414.041, Subdivisions 3, 4, and by adding a subdivision; 414.061, Subdivision 4; 414.067, by adding a subdivision; and repealing Minnesota Statutes 1971, Section 414.031, Subdivisions 2 and 5.

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

Page 1, line 23, after "*municipality*" insert "*or town*"

Page 2, line 4, after "*agency*" and before "*orders*" insert "*, pursuant to Minnesota Statutes, sections 115.03, 115.47, 115.49 or any law giving a state agency similar powers,*"

Page 2, line 11, after "*commission*" strike "*of*" and insert "*on*"

Page 4, line 23, after "*in*" and before "*subdivision*" insert "*section 414.031,*"

Page 7, line 1, strike "*the plan of*" and insert "*shall operate under the statutory plan of government in operation in that village unless otherwise ordered by the commission.*"

Page 7, strike all of lines 2 and 3

Page 7, line 4, strike "*1967, Section 412.551, at any time.*"

Page 7, line 8, strike "*inoperable.*" and insert "*reviewed by the commission, and if necessary to provide substantially equal representation to the residents of the new municipality, the commission shall in its order redistrict the wards and adjust ward boundaries. The number of councilmen shall be as prescribed in the charter or law applicable to the most populous municipality or such other number as agreed to by the included municipalities. The commission may, as an alternative, abolish the ward system.*"

Page 9, line 5, strike "*metropolitan council*" and insert "*regional development commissions*"

Page 11, line 16, strike everything after "414.031," and insert "*Subdivision 2 is repealed.*"

Further amend the title in line 16, strike "Subdivisions 2 and 5" and insert "Subdivision 2"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 381: A bill for an act relating to licensing board; providing for public members on professional examination and licensing boards; changing the per diem of board members; undedicating certain dedicated funds; defining public member; amending Minnesota Statutes 1971, Sections 144.01; 144.04; 144.952; 146.11; 147.01; 147.05; 148.03; 148.07, Subdivisions 2 and 3; 148.181; 148.201; 148.241; 148.29, Subdivision 2; 148.296, Subdivision 2; 148.45; 148.52; 148.60; 148.79; 148.85; 150A.02; 150A.03, Subdivision 2; 151.02; 151.03; 151.04; 151.27; 153.02; 153.03; 153.12; 154.22; 154.23; 155.04; 155.05; 155.18, Subdivision 1; 156.01, Subdivisions 1 and 2; 156.14; 326.04; 326.05; 326.08, Subdivision 1; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.541; 341.01; 341.02; 341.03; 341.06; 386.63, Subdivisions 1 and 5; 386.64; 481.01; Chapters 144, by adding a section; and 148, by adding a section; repealing Section 45.16, Subdivision 3.

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

Page 1, line 38, after "act." insert "*The members of the board of health shall be appointed by the governor with the advice and consent of the senate.*"

Page 52, line 7, strike "*It shall be the*"

Page 52, line 8, strike "*duty of the*" and insert "*The*"

Page 52, line 8, after "*administration*" insert "*at his discretion*"

Page 52, line 10, strike "*to*" and insert "*may*"

Page 52, lines 21 and 22, strike "*with respect to the board of health*"

Page 52, lines 23 and 24, strike "*with respect to the department of administration*"

Page 53, lines 1 and 2, strike "*accounts of the state board of health with respect to the health related boards and to the*"

Page 53, line 3, after "*to the*" insert "*health related boards and the*"

Page 53, line 7, strike "*board of health and the*"

Page 53, line 8, strike "*respectively*"

Page 53, line 20, strike "*legislative advisory committee*" and insert "*commissioner of administration*"

Page 53, line 26, after "1974." insert "*All provisions relative to depositing fees and other income in the general revenue fund shall be effective July 1, 1976.*"

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

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 985: A bill for an act relating to health; authorizing the establishment of health maintenance organizations and prescribing powers and duties; providing for financial assistance to certain health maintenance organizations; providing for open enrollment in certain health plans; appropriating money; and providing penalties.

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

Page 31, strike lines 23 through 26

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

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state service; appropriating money.

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

Page 1, line 11, strike "13" and insert in lieu thereof "10"

Page 1, line 11, after "weeks" insert "up to 32 hours per week"

Page 1, line 15, strike the period and insert in lieu thereof "as well as county and local governments and school districts."

Page 1, after line 15, add a new section to read as follows:

"Sec. 2. [RATE OF PAY.] Persons hired pursuant to this act shall be compensated at the prevailing rate for federal youth employment programs."

Page 1, line 30, after "serving" insert "county and local governments and school districts. as well as"

Page 2, after line 1, add a new section to read as follows:

"Sec. 5. The Minnesota department of manpower services may contract with a county or local government or a school district to administer the program."

Page 2, line 4, strike everything after the comma and insert in lieu thereof "\$1,650,000 for the summer of 1973 and \$1,350,000 for the summer of 1974 to"

Page 2, after line 5 add a new section 7 to read as follows:

"Sec. 7. Any county or local unit of government or school district wherein any such young individual is employed pursuant to the provisions of this act shall pay ten percent of the compensation paid the individual during his employment in the summer of 1973 and 30 percent of such compensation in the summer of 1974."

Renumber the sections accordingly

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 334: A bill for an act relating to port authorities; removing the requirement for unanimous approval in the sale of real property; amending Minnesota Statutes 1971, Section 458.17.

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

Page 1, before line 1, add a new section to read:

"Section 1. *Notwithstanding Minnesota Statutes, Section 458.10 or any other provision to the contrary, the commissioners of the St. Paul port authority shall be the members of the St. Paul city council.*"

Page 4, line 20, strike "*final enactment*" and insert in lieu thereof "*its approval by the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021.*"

Renumber sections accordingly

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

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

H. F. No. 189: A bill for an act relating to intoxicating liquor; issuance of on-sale licenses in certain municipalities.

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

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

H. F. No. 1186: A bill for an act relating to intoxicating liquor; sale and dispensing at the Minneapolis convention hall-auditorium.

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

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

H. F. No. 632: A bill for an act relating to intoxicating liquor; authorizing the issuance of additional on-sale licenses in the county of Cook.

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

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

H. F. No. 134: A bill for an act relating to labor; establishing procedures for determining wage rates on state projects and state highway construction; prohibiting wage rates lower than prevailing wage rates; providing penalties.

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

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

H. F. No. 314: A bill for an act relating to the village of Grand Marais; authorizing the issuance of on-sale liquor licenses.

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

Page 1, line 2, strike "five" and insert "three"

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

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

H. F. No. 70: A bill for an act relating to education; general powers of independent school districts; amending Minnesota Statutes 1971, Section 123.35, Subdivision 9.

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

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 1942, 2021, 2139, 2140, 2230, 2259, 2275, 2317, 2371, 2358, 1387, 1574, 1679, 1682, 1806, 871, 1375, 1530, 1655, 875 and 1723.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1383, 1230, 1681, 2241, 1873 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1383	793	2241	2031		
1230	1268	1873	2194		
1681	2037				

And that the above Senate Files be indefinitely postponed.

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

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

H. F. Nos. 976, 1673, 1939, 2240 and 1968 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
976	1344	2240	2033		
1673	1615	1968	2024		
1939	1862				

Pursuant to Rule 49 the Committee recommends that H. F. No. 976 be amended as follows:

In the title, page 1, line 3, after "terms;" insert "increasing the compensation of the members of the state board of pharmacy;"

And when so amended, H. F. No. 976 will be identical to S. F. No. 1344 and further recommends that H. F. No. 976 be given its second reading and substituted for S. F. No. 1344 and S. F. No. 1344 be indefinitely postponed. Amendment adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1673 be amended as follows:

Page 2, line 7, delete the comma and insert in lieu thereof "and"

Page 2, line 8, delete "*and the highway patrolmen's retirement*"

Page 2, line 9, delete "*association*"

Page 2, line 14, delete the comma and insert in lieu thereof "*and*"

Page 2, line 14, after "*association*" delete "*and*"

Page 2, line 15, delete everything before the period

Page 5, after line 19, insert the following:

"(a) Municipal judges and special municipal judges."

Renumber the subsequent clauses in subdivision 2a

Page 11, line 9, restore the stricken "*his*"

Page 11, line 15, restore the stricken language and delete the underscored language

Page 11, line 16, restore the stricken "*his*"

Page 14, line 15, strike "*was*" and insert thereafter "*who was*"

Page 14, line 28, strike "*member who is not an*"

Page 16, after line 16, insert the following:

"Subd. 34. [ADDITIONAL EMPLOYER CONTRIBUTION; LIMITED.] "Additional employer contribution" except as such term applies to the police and fire fund, means an amount to be applied to the unfunded obligation for prior entry age normal level contribution requirements accumulated to date as determined in accordance with section 356.21. This contribution shall be made from funds available to the employing governmental subdivision; provided, however, that when the contribution payable after June 30, 1973 is in an amount equal to \$85,363,639 plus interest thereon at the rate of seven percent per annum compounded annually, this contribution shall cease."

Page 16, line 28, before "*nine*" strike "*and*"

Page 17, line 10, delete the underscored comma

Page 20, line 2, after "*353*" insert "*or 355*"

Page 22, line 9, delete "*eight*" and insert in lieu thereof "*seven*"

Page 22, line 11, delete "*four*" and insert in lieu thereof "*three and one-half*"

Page 32, delete all of lines 7 through 28 and insert in lieu thereof the following:

"Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] (1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1969, except for supplementary benefits payable from the general fund of the state and except for survivor or disability benefits, shall be determined by the 1965 group annuity table—males, the 1965 group annuity table—females, and three and one-half percent interest, and assets representing the required reserves for these annuities shall be trans-

ferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in section 11.25.

(2) (1) Effective July 1, 1969 1973, for those members retiring pursuant to the provisions of the law relating to the public employees retirement association and for persons receiving benefits on such date or subsequent thereto, the required reserves as determined in accordance with these sections on a five percent interest assumption shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement, or the date the benefit begins to accrue; provided, however, that the required reserves with respect to persons receiving a benefit on June 30, 1973, shall be transferred to the Minnesota adjustable fixed benefit fund on June 30, 1973, using a three and one-half percent interest rate. The 1965 group annuity table—males, the 1965 group annuity table—females and three and one-half percent interest, will be used to determine the amount to be transferred.

(3) (2) Annuity and benefit payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.

(4) (3) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless the intended recipient files written notice is filed by the annuitant with the public employees retirement association requesting that the increase shall not be made."

Page 33, delete all of lines 1 through 6

Page 34, after line 1, insert a new section as follows:

"Sec. 37. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.273] [INCREASE IN ANNUITIES AND BENEFITS.]
Any person who was receiving an annuity or benefit as of July 1, 1973, shall be entitled to an increase in such monthly annuity or benefit effective July 1, 1973, in an amount that, when added to amounts received under section 353.271 and receivable under section 36 of this act, equals 30 percent of the annuity or benefit for which he originally qualified. Said increase shall be made in the same manner and at the same time retirement annuities and other benefits are paid and shall be included in each warrant on which each annuity or benefit is so paid. Persons who will become eligible to receive benefits, because of the death of a member or annuitant prior to June 30, 1973, shall be covered under this section. Notwithstanding the provisions of section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the public employees retirement association requesting that the increase shall not be made."

Page 42, line 21, delete "\$400" and insert in lieu thereof "the average monthly salary on which such benefit is calculated"

Page 42, line 23, delete ", subject to the"

Page 42, line 24, delete "*aforementioned maximum*"

Page 43, line 26, after "member" insert "*or former member who terminates public service after June 30, 1973,*"

Page 44, line 6, after "thereon" insert "*after one year of membership to the date of termination of public service*"

Page 44, line 6, strike "two" and insert "five"

Page 44, line 7, delete the underscored language

Page 44, line 13, strike "If a former member dies before he"

Page 44, strike all of lines 14 through 18

Page 49, line 6, strike "He may instead"

Page 49, strike all of lines 7 through 11

Page 49, line 12, strike "section 353.31."

Page 49, line 19, after "employee" insert "*after June 30, 1973*"

Page 49, line 20, strike "without interest" and insert before the period "*, plus interest thereon after one year of membership to the date of termination of public service at the rate of five percent per annum compounded annually*"

Page 50, line 28, strike "without interest,"

Page 59, line 12, before "*The rights*" insert "*Except as provided in section 37 of this act,*"

Page 60, delete all of lines 20 through 27

Page 63, line 17, delete "73" and insert in lieu thereof "74"

Page 64, line 1, strike the comma

Page 64, strike all of lines 2 and 3

Page 64, line 4, strike "then available to other members retiring at the time"

Page 65, strike all of lines 9 through 17

Page 66, line 7, delete "*, including surviving spouse and*"

Page 66, line 8, delete "*children,*"

Page 34, line 25, delete "*Chapter 353*" and insert in lieu thereof "*Chapters 353 and 355*"

Page 37, after line 33, insert "*for the first ten years and thereafter by 2.5 percent per year of allowable service*"

Page 37, line 35, delete "1.25" and insert in lieu thereof "one"

Page 37, after line 35, insert "*for the first ten years and thereafter by 1.5 percent per year of allowable service*"

Page 38, after line 1, insert the following:

"Subd. 3a. [ANNUITY; UNMARRIED APPLICANT.] *At the*

time of application for annuity hereunder, any person may elect to be paid a "normal" annuity five percent greater than annuity determined under subdivision 3 of this section. If such person dies leaving a spouse, such spouse shall not be paid an annuity pursuant to section 353.31, subdivision 1a."

Page 40, line 8, restore the stricken language and delete the underscored language

Page 40, line 10, restore the stricken language and delete the underscored language

Page 40, line 12, restore the stricken language and delete the underscored language

Page 40, line 13, after the period insert "*Upon retirement a member may select an optional form of annuity in lieu of accepting any other form of annuity which might otherwise be available.*"

Page 66, line 9, delete "\$400" and insert in lieu thereof "*the average monthly salary on which such benefit is calculated*"

Page 66, line 10, delete ", subject"

Page 66, line 11, delete "*to the aforementioned maximum*"

Page 66, line 18, delete "73" and insert in lieu thereof "74"

Page 71, delete all of lines 10 through 21

Page 72, line 18, after "Sections" insert "*353.01, Subdivisions 24 and 30;*"

Page 72, line 20, after "*353.31, Subdivisions*" insert "2,"

Page 72, line 21, after "4, 5, 6, 7," delete "*and 10*" and insert in lieu thereof "*10, and 11; 353.32, Subdivision 3*"

Page 72, line 26, delete "*and*"

Page 72, line 27, after "9" delete the comma and insert "*; and 355.301*"

Renumber the sections in sequence

Further, amend the title as follows:

Line 33, after "2 and 3" delete ", and"

Line 34, delete "by adding a subdivision"

Line 41, after "Sections" insert "*353.01, Subdivisions 24 and 30;*"

Line 44, after "Subdivisions" insert "2,"

Line 45, delete "*and 10*" and insert in lieu thereof "*10, and 11; 353.32, Subdivision 3*"

Line 53, insert before the period "*; and 355.301*"

And when so amended, H. F. No. 1673 will be identical to S. F. No. 1615 and further recommends that H. F. No. 1673 be given its second reading and substituted for S. F. No. 1615 and S. F. No. 1615 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1939 be amended as follows:

Page 5, line 6, after "*shall*" insert a comma

Page 5, line 9, after "*with*" strike "*the*" and insert in lieu "*a*"

And when so amended, H. F. No. 1939 will be identical to S. F. No. 1862 and further recommends that H. F. No. 1939 be given its second reading and substituted for S. F. No. 1862 and S. F. No. 1862 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2240 be amended as follows:

Page 1, line 15, delete "plat"

And when so amended, H. F. No. 2240 will be identical to S. F. No. 2033 and further recommends that H. F. No. 2240 be given its second reading and substituted for S. F. No. 2033 and S. F. No. 2033 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1968 be amended as follows:

Page 1, line 13, strike "\$5,000,000" and insert in lieu thereof "\$8,000,000"

Page 2, line 38, strike "only after its" and insert in lieu thereof "immediately upon final enactment."

Page 2, strike lines 39 through 41

And when so amended, H. F. No. 1968 will be identical to S. F. No. 2024 and further recommends that H. F. No. 1968 be given its second reading and substituted for S. F. No. 2024 and S. F. No. 2024 be indefinitely postponed. Amendments adopted.

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

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

H. F. Nos. 1870, 2162, 2098, 2207, 2270, 2294, 1191, 485, 545, 601, 1386, 1404, 1617, 876, 1292, 1541, 1732, 1895, 2107, 1340, 1854, 1898, 1907, 2004, 2197, 1288, 1558, 1871, 1965, 713, 1309, and 1134 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be referred to their respective Committees as follows:

H. F. Nos. 485, 545, 1404 and 1134 to the Committee on Finance.

H. F. Nos. 1292, 1541, 1732, 1898, and 1907 to the Committee on Governmental Operations.

H. F. Nos. 1870 and 876 to the Committee on Judiciary.

H. F. Nos. 2098, 2207, 1191, 601, 1386, 1617, 2107, 2004, 2197, 1288, 1558, 1871, 713 and 1309 to the Committee on Labor and Commerce.

H. F. Nos. 2162, 2294 and 1340 to the Committee on Local Government.

H. F. Nos. 2270, 1854 and 1965 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1895 to the Committee on Natural Resources and Agriculture.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 381, 985, 1120, 1723, 1655, 1530, 1375, 871, 1806, 1682, 1679, 1574, 1387, 2317, 2275, 2259, 2230, 2140, 2139, 1942 and 2429 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 334, 189, 1186, 632, 134, 314, 70, 1939, 1968, 2240, 1673, 976, 1873, 1681, 1230, 2241 and 1383 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ueland moved that the name of Mr. Josefson be stricken and the name of Hansen, Mel be added as second author to S. F. No. 500. Which motion prevailed.

Mr. Novak moved that H. F. No. 1772 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with Senate File No. 1808. Which motion prevailed.

Mr. Gearty moved that S. F. No. 1005 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Governmental Operations. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Milton in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Milton reported that the committee had considered

H. F. No. 835, which the committee recommends to pass, after the following motion:

Mr. Jensen moved to amend H. F. No. 835, the printed bill, as follows:

Page 2, lines 12 through 36, reinstate the stricken language

Page 3, lines 1 through 13, reinstate the stricken language

Page 3, line 13, before the words "*Adissolution*" insert "*(10)*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Jensen	Nelson	Renneke
Berg	Frederick	Josefson	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Stassen
Chmielewski	Hansen, Mel	Kowalczyk	Patton	Willet
Dunn	Hanson, R.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Conzemius	Kleinbaum	Olhoft	Stokowski
Arnold	Davies	Laufenburger	Olson, A. G.	Tennessee
Blatz	Gearty	Lewis	Perpich, A. J.	Thorup
Borden	Hughes	Lord	Perpich, G.	
Brown	Humphrey	Milton	Schaaf	
Chenoweth	Keefe, S.	North	Solon	
Coleman	Kirchner	Ogdahl	Spear	

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

The question being taken on the committee recommendation,

And the roll being called, there were yeas 35 and nays 25, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	Nelson	Schaaf
Blatz	Gearty	Krieger	North	Sillers
Borden	Hughes	Larson	Ogdahl	Solon
Chenoweth	Humphrey	Lewis	Olson, A. G.	Spear
Coleman	Keefe, J.	Lord	Perpich, A. J.	Stokowski
Conzemius	Keefe, S.	Milton	Perpich, G.	Tennessee
Davies	Kirchner	Moe	Pillsbury	Ueland

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Novak	Renneke
Berg	Fitzsimons	Jensen	Olson, H. D.	Schrom
Bernhagen	Frederick	Josefson	Olson, J. L.	Stassen
Brown	Hansen, Baldy	Knutson	Patton	Thorup
Chmielewski	Hansen, Mel	Kowalczyk	Purfeerst	Willet

Which motion prevailed. So the committee recommends H. F. No. 835 to pass.

And then, on motion of Mr. Milton, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until 4:00 o'clock p.m. Which motion prevailed.

The hour of 4:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Krieger was excused from the Session of today, beginning at 4:35 o'clock p.m. Mr. Patton was excused from the Session of today, beginning at 5:45 o'clock p.m. Mr. Olson, J. L. was excused from the Session of today, beginning at 6:00 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Dunn	Kleinbaum	Olhoff	Spear
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lewis	Patton	Tennessee
Chenoweth	Hanson, R.	Lord	Perpich, G.	Thorup
Coleman	Hughes	McCutcheon	Pillsbury	Ueland
Conzemius	Humphrey	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2399, No. 208 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2399: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

Mr. Purfeerst moved to amend S. F. No. 2399 as follows:

Page 12, lines 25 and 26, strike "cigarette tax apportionment fund and the liquor tax apportionment" and insert "general"

Which motion prevailed. So the amendment was adopted.

S. F. No. 2399 was then progressed as amended.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1252, No. 177 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1252: A bill for an act relating to state parks; establishing the St. Croix Wild River state park in Chisago county; appropriating money; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; and 85.012, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Purfeerst
Arnold	Davies	Keefe, S.	North	Renneke
Ashbach	Doty	Kirchner	Novak	Sillers
Bang	Dunn	Kleinbaum	Ogdahl	Spear
Berg	Fitzsimons	Knutson	Olhoff	Stassen
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Stokowski
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Larson	Olson, J. L.	Ueland
Brown	Hanson, R.	Lewis	Patton	Willet
Chenoweth	Humphrey	Lord	Perpich, A. J.	
Chmielewski	Jensen	McCutcheon	Perpich, G.	
Coleman	Josefson	Moe	Pillsbury	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS—CONTINUED

The Senate resolved itself into a Committee of the Whole, with Mr. Moe in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Moe reported that the committee had considered

H. F. No. 1969, which the committee recommends to pass with the following amendment offered by Mr. Doty:

Page 10, strike lines 8 through 14

Re-number the sections in sequence

The question being taken on the committee recommendation,

And the roll being called, there were yeas 32 and nays 12, as follows:

Those who voted in the affirmative were:

Borden	Gearty	Larson	North	Solon
Chenoweth	Hanson, R.	Laufenburger	Novak	Spear
Chmielewski	Hughes	Lewis	Olhoff	Stokowski
Coleman	Humphrey	Lord	Olson, A. G.	Thorup
Davies	Keefe, S.	McCutcheon	Olson, J. L.	
Doty	Kirchner	Milton	Perpich, A. J.	
Dunn	Kleinbaum	Moe	Pillsbury	

Those who voted in the negative were:

Ashbach
Berg
Bernhagen

Blatz
Brown
Frederick

Hansen, Baldy Kowalczyk
Knutson Krieger

Renneke
Schrom

Which motion prevailed. So the committee recommends H. F. No. 1969 to pass as amended.

S. F. No. 615, which the committee recommends to pass with the following amendments offered by Messrs. Olson, A. G. and Nelson:

Mr. Olson, A. G. moved to amend S. F. No. 615 as follows:

Page 3, line 4, after "state" strike "the following products" and insert "sources of energy"

Page 4, after line 11, insert:

"A dealer may, upon agreement with an affiliated distributor, make a standing order to purchase each month an amount equal to or a certain percentage of the amount he purchased during the corresponding month of the preceding year.

A dealer or large contract purchaser may not make orders pursuant to this subdivision for a total amount greater than 100 percent of his average monthly purchase during the preceding year or his purchase during the corresponding month of the preceding year, whichever is greater. A dealer or large contract purchaser making an order pursuant to this subdivision, other than a standing order with an affiliated distributor, shall file copies of all orders with the Public Service Commission together with a statement of the maximum amount which he may order pursuant to this subdivision."

Mr. Nelson moved to amend S. F. No. 615 as follows:

Page 8, after line 25, insert:

"Sec. 7. This act shall expire on July 1, 1975."

And then, on motion of Mr. Moe, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Friday, May 4, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-SECOND DAY

St. Paul, Minnesota, Friday, May 4, 1973.

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Doty	Keefe, S.	North	Perpich, G.
Arnold	Dunn	Kleinbaum	Novak	Pillsbury
Ashbach	Gearty	Knutson	Olhoff	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Blatz	Hanson, R.	Lewis	Olson, J. L.	Tennesen
Borden	Hughes	Lord	O'Neill	Thorup
Coleman	Humphrey	McCutcheon	Patton	
Davies	Josefson	Moe	Perpich, A. J.	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Bang; Brown; Olson, J. L. and Tennesen were excused from this afternoon's Session. Messrs. Jensen and Krieger were excused from the Session of today. Mr. Humphrey was excused from tomorrow's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 3, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 145: An act relating to corrections; conservation camps administered by the department of corrections; amending Minnesota Statutes 1971, Section 242.37.

S. F. No. 197: An act relating to corrections; regulating prison industries; authorizing the establishment of private industry within the state prison.

S. F. No. 236: An act relating to taxation; excise tax on gasoline and gasoline substitutes; refunds; penalties for false claims; amending Minnesota Statutes 1971, Section 296.18, Subdivision 1.

S. F. No. 274: An act relating to motor vehicles; transfer of ownership and fees therefor; amending Minnesota Statutes 1971, Section 168.54, Subdivision 4.

S. F. No. 277: An act relating to highway traffic regulations; size, weight and load limitations; amending Minnesota Statutes 1971, Section 169.80, Subdivision 1.

S. F. No. 317: An act relating to labor relations; prohibiting employment of professional strikebreakers during strikes and lockouts; amending Minnesota Statutes 1971, Sections 179.01, by adding a subdivision; and 179.12.

S. F. No. 395: An act relating to assessments; boards of review and boards of equalization; amending Minnesota Statutes 1971, Section 274.01.

S. F. No. 436: An act relating to commerce; providing remedies and labeling requirements for the sale or possession for sale of imitation Indian-made goods; amending Minnesota Statutes 1971, Sections 325.41; 325.42; 325.48, Subdivision 2; and Chapter 325, by adding a section.

S. F. No. 442: An act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1971, Section 340.14, Subdivision 2.

S. F. No. 460: An act authorizing county solid waste management programs to include certain other wastes; amending Minnesota Statutes 1971, Section 400.03, by adding a subdivision.

S. F. No. 801: An act relating to commerce; securities; limitations on actions; amending Minnesota Statutes 1971, Section 80.26.

S. F. No. 819: An act relating to commerce; providing remedies for unlawful practices in business, commerce or trade; amending

Minnesota Statutes 1971, Sections 325.907, Subdivisions 1, 2, and 3; and by adding subdivisions.

S. F. No. 823: An act relating to county sheriffs; collection of fees and per diems required by law; amending Minnesota Statutes 1971, Section 387.20, Subdivision 5.

S. F. No. 829: An act relating to education; authorizing payment of certain surplus school funds in county treasuries to certain school districts; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

S. F. No. 895: An act authorizing the county board of Sibley county to annually appropriate money as a contingent fund for use by the chairman of the board for incidental costs and expenses.

S. F. No. 922: An act relating to Itasca county; providing for organization of county welfare board and county hospital board in accordance with Minnesota Statutes.

S. F. No. 1009: An act relating to the municipalities of Dover, Eyota and St. Charles; providing for the creation of a sanitary sewer board; prescribing its duties and powers; and providing for the collection, treatment and disposal of sewage for the municipalities and areas adjacent thereto.

S. F. No. 1010: An act relating to public welfare; extending the period during which a medical assistance lien may be filed; amending Minnesota Statutes 1971, Section 393.10, Subdivision 2.

S. F. No. 1072, An act relating to wild animals; altering certain requirements for private shooting preserves; amending Minnesota Statutes 1971, Section 100.34, Subdivisions 3 and 4; repealing Minnesota Statutes 1971, Section 100.34, Subdivisions 1 and 2.

S. F. No. 1114, An act relating to counties; authorizing counties to enter into rental purchase agreements and conditional sales agreements for acquisition of road equipment subject to limitations; amending Minnesota Statutes 1971, Section 373.01.

S. F. No. 1211, An act relating to independent school district No. 447 in Roseau, Marshall and Beltrami counties; providing certain statutory exemptions, and validating the status of the district as an independent school district and the power of the district to issue previously authorized general obligation bonds.

S. F. No. 1599, An act relating to Koochiching county; prescribing conditions of veterans preference for employment by the county sheriff's department.

Sincerely,

Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Mr. Gearty introduced—

S. F. No. 2439: A bill for an act relating to licensing and regis-

tration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1971, Sections 326.09; 326.10, Subdivisions 1, 2, 4, 5, and 7; 326.11, Subdivisions 2 and 4; and 326.13.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Spear, Brown and Gearty introduced—

S. F. No. 2440: A bill for an act relating to holidays; authorizing public employees to annually take one additional holiday on dates of their own choosing; amending Minnesota Statutes 1971, Section 645.44, by adding a subdivision.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Hughes, Dunn and Kleinbaum introduced—

S. F. No. 2441: A bill for an act relating to education; establishing the project for developing school accountability; appropriating money; repealing Minnesota Statutes 1971, Sections 3.924 to 3.927.

Which was read the first time and referred to the Committee on Education.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 103, 1042, 1361, 1593, 1622 and 1925.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 3, 1973

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 9: A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 3, 1973

Mr. Coleman moved that House Concurrent Resolution No. 9 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 892, 1001, 1465, 1675, 1718, 1764, and 1897.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 2, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1577, 2050, 2164, 2166, 2308 and 1436.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 3, 1973

FIRST READING OF HOUSE BILLS

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.

H. F. No. 1001: A bill for an act relating to the environment; establishing a state environmental policy and a program for the systematic review of environmental effects of various projects and actions; requiring an annual environmental report; and amending Minnesota Statutes 1971, Sections 4.12, Subdivision 2; 40.02; 104.01, Subdivision 3; 115.03, Subdivision 1; 116.07, Subdivision 2.

H. F. No. 1465: A bill for an act relating to water resources; modifying and strengthening certain powers of the commissioner of natural resources in connection therewith; providing penalties; amending Minnesota Statutes 1971, Sections 105.37, by adding subdivisions; 105.38; 105.39, by adding a subdivision; 105.41; 105.42; 105.43; 105.44, Subdivisions 1, 3, 5, 6; 105.45; 105.47; 105.51, Subdivision 1; and Chapter 105, by adding sections; repealing Minnesota Statutes 1971, Section 105.54.

H. F. No. 1675: A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

H. F. No. 1718: A bill for an act relating to public water and sewer systems, improvements, and extensions established by counties and district courts; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 116A.02, Subdivision 1; 116A.09; 116A.12, Subdivisions 2 and 3a, and by adding subdivisions; 116A.15, Subdivisions 1 and 2; 116A.16; 116A.17, Subdivisions 1, 2, and 4; 116A.18, Subdivision 1; 116A.19, Subdivision 2; 116A.20, Subdivisions 1, 2, and 5; 116A.21; 116A.22; 116A.24, Subdivision 1, and by adding subdivisions; and 273.111, Subdivision 14.

H. F. No. 1764: A bill for an act relating to highways; designating and describing the route of the Voyageur highway; amending Minnesota Statutes 1971, Section 161.14, by adding a subdivision.

H. F. No. 1897: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; authorizing fees to defray costs of the department in giving notice in contested cases; defining terms; prescribing conditions for the granting of permits to certain carriers and prescribing conditions for the transfer thereof; specifying the form of license application for livestock buyers; amending Minnesota Statutes 1971, Sections 216.161; 221.011, Subdivision 12; 221.101; 221.121, Subdivision 1; 221.131; 221.141; 221.151, Subdivision 2; 221.281; 221.291; and 239.18, Subdivision 2.

H. F. No. 1577: A bill for an act relating to the state board of electricity; compensation; amending Minnesota Statutes 1971, Section 326.241, Subdivision 3.

H. F. No. 2050: A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

H. F. No. 2164: A bill for an act relating to the town of White, St. Louis county; authorizing an increase in the salaries of clerk, assessor and treasurer.

H. F. No. 2166: A bill for an act relating to Anoka county; authorizing issuance of bonds for county park acquisition and development.

H. F. No. 2308: A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2344: A bill for an act relating to the metropolitan council; providing that the adjustments of Minnesota Statutes 1971, Sections 272.64; 273.13, Subdivision 7a; and 275.49 shall not be used in connection with the levy authorized by section 473B.08; amending Minnesota Statutes 1971, Section 473B.08; Subdivision 1.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1123: A bill for an act relating to taxation; requiring the payment of a two percent gross premium tax by all nonprofit health service plan corporations; amending Minnesota Statutes 1971, Section 60A.15, Subdivision 1.

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

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

S. F. No. 1825: A bill for an act relating to the Minnesota historical society; appropriating money for repairs to the Ness Memorial Cemetery Association.

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

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

S. F. No. 1993: A bill for an act relating to the department of education, division of vocational rehabilitation; providing for the purchase of cattle; and appropriating money.

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

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

S. F. No. 2085: A bill for an act relating to tax assessments; instruction courses for assessors and deputies; appropriating money to pay the cost thereof; amending Minnesota Statutes 1971, Section 273.075.

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

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

S. F. No. 1246: A bill for an act relating to elections; providing for the registration of voters; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 200.02, Subdivisions 22 and 25; 201.11; 201.12; 201.13; 201.14; 201.15; 201.18; 201.26; 201.27; 201.33; 203.27, Subdivision 2; 204.076; 204.08, Subdivision 1; 204.17, Subdivision 3; 207.02; 207.03; 207.08; and 207.19, Subdivision 1; Chapter 201, by adding sections; and Chap-

ter 204, by adding a section; repealing Minnesota Statutes 1971, Sections 201.02 to 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, Subdivision 3.

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

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

H. F. No. 248: A bill for an act relating to agriculture; soybean promotion board; promotion and financing; amending Minnesota Statutes 1971, Sections 21A.03; 21A.06; 21A.10; 21A.16, Subdivision 2; and 21A.18.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1978: A bill for an act relating to Ramsey county; authorization of the county to appropriate and expend moneys in the improvements of lakes and acquiring land in the vicinity of such lakes for recreational grounds; repealing annual expenditure limitation; amending Laws 1927, Chapter 209, Section 1, as amended.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1633: A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; appointment, compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes 1971, Sections 1.34, Subdivision 1, and 1.36.

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

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

S. F. No. 737: A bill for an act relating to water and related land resources planning; imposing certain duties in relation thereto on the governor, the Minnesota resources commission, the commissioner of natural resources, counties, municipalities, regional development commissions, the metropolitan council, the state planning agency, sanitary districts, watershed districts, lake conservation districts and soil and water conservation districts; setting the terms for state participation in state-federal river basin commissions; providing for the development of state, regional, and local water and related land resources plans; appropriating money; amending Min-

nesota Statutes 1971, Sections 105.485, Subdivision 3, and by adding a subdivision; 112.48, Subdivisions 1 and 3; and 394.25, by adding a subdivision.

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

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

H. F. No. 268: A bill for an act relating to courts; initiation of paternity proceedings; amending Minnesota Statutes 1971, Section 257.253.

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

Page 1, line 5, after "of a" insert "*civil summons together with a*"; strike everything after "complaint" and insert in lieu thereof a period

Page 1, strike line 6

Page 1, after line 6, insert "*An order, returnable not sooner than five days following expiration of the period to answer, to show cause why he should not be adjudicated to be the father of the child may also be served with the summons and complaint.*"

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

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

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.

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

Page 1, line 17, after "*dependent*" insert "*, as defined in section 120.03.*"

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1547: A bill for an act relating to Hennepin county; permitting county to lease real property for periods up to 15 years; amending Laws 1969, Chapter 476, Section 1.

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

Page 1, strike lines 9 and 10

Renumber sections in sequence.

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

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, Sections 1, 2, 3, and 7, and repealing Laws 1971, Chapter 677, Sections 9 and 13.

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

Page 2, line 24, after "domain." insert "*In all such acquisitions the acquiring authority 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.*"

Page 4, line 15, after the period insert the following: "*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 such district shall not be enlarged after three years following the date of designation of such district. At the time of the adoption of the first development district, the governing body shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, the municipality must use the same option for all succeeding development districts.*"

(1) *The total acreage included in any one development district shall not exceed one percent of the total acreage of the municipality. At no time shall the total current acreage within development districts for which unrecovered cost of bonds remain exceed three percent of the total acreage of the municipality.*

(2) *The total market value of taxable real property of any one development district when adopted shall not exceed five percent of the total market value of taxable real property in the municipality as then most recently certified by the county auditor. At no time shall the current total market value of taxable real property within development districts for which unrecovered cost of bonds remain exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.*

(3) *The governing body may adopt one development district which shall not exceed six acres in area. At no time shall another development district be adopted by the governing body of the municipality until all costs of bonds for the previously adopted district has been paid."*

Page 6, after line 24, insert a new section to read:

"Sec. 4. Laws 1971, Chapter 677, Section 6, is amended to read:

Sec. 6. [ISSUANCE OF BONDS.] The city councils of the cities of Minneapolis and Robbinsdale may *authorize, issue, and sell bonds which shall mature within 30 years to finance all public improvements the acquisition and betterment of real and personal property needed to carry out the development program within the each development districts district together with all relocation costs incidental therewith thereto in accordance with Minnesota Statutes, Chapter 475, 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 each city pursuant to Section 7 shall be pledged for the payment of such bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and Such the bonds shall not be included when computing the city's net debt.*

Page 7, line 28, strike the words "according to the original" and insert in lieu thereof "*in the proportion that the original taxable value bears to the current*"

Page 8, line 2, after "collected," insert "*referred to herein as the tax increment,*"

Page 8, delete lines 17 through 22

Renumber sections accordingly

Amend the title on page 1, line 5, after "3," insert "6,"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1808: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

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

Page 1, line 10, after "painting," insert "or planning for such painting,"

Page 1, line 14, after the period add: "Such planning shall be in cooperation and consultation with the capitol area architectural and planning commission."

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1753: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and 11.

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

Page 1, line 18, strike "twelve" and insert in lieu thereof "thirteen"

Line 19, strike "three" and insert in lieu thereof "four"

Page 2, line 23, strike "three" and insert in lieu thereof "four"

Page 4, lines 18 and 19, after "commissioners" reinstate the stricken language

Line 26, after "submitted" reinstate the stricken language and strike the new language

Line 27, strike the new language

Line 28, strike the comma and reinstate the stricken language

Page 5, lines 3, 4, 6, 7, 9 and 10, reinstate the stricken language

Page 6, lines 17 and 18, reinstate the stricken language

Page 7, strike lines 11 to 25 and insert in lieu thereof the following:

"Subd. 5. The commission shall purchase all necessary goods, and materials and services commonly used by governmental agencies such as fuels, stationery and office supplies through the purchasing agent of the city of Saint Paul pursuant to the joint purchasing agreement including the reimbursement provision between said city and said county and the laws applicable thereto. Purchases for said commission in amounts less than \$2,000 may be made by the purchasing agent of the city of Saint Paul by informal bid procedure. In addition to presently authorized methods, the commission may purchase directly or utilize the services of the city of Saint Paul, the state, the University of Minnesota or any other political subdivision or agency of the state in the purchase of all medical and scientific goods, materials and services related to the care of patients and the conduct of educational and research activities. These purchases shall be made in compliance with the laws of the state."

Page 9, strike lines 4 to 6

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 515: A bill for an act relating to the metropolitan council; providing for election of council members from designated districts; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 473.02, Subdivisions 1, 2, 3, and 4.

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

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

"ARTICLE 1

Section 1. [473B.011] [DEFINITIONS.] *Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.*

Subd. 2. "Metropolitan area" means the area over which the metropolitan council has jurisdiction, including the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Metropolitan commission" means the metropolitan sewer service commission, the metropolitan airports commission, the metropolitan transportation commission, the metropolitan parks and open space commission, the metropolitan housing commission and other such commissions as the legislature may hereafter designate.

Subd. 4. "Local governmental unit" means any county, city, village, borough, 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. 5. "Metropolitan significance" means area-wide effect or substantial effect on the metropolitan area or on metropolitan area development as determined by the council in accordance with section 9 of this article.

Subd. 6. "State agency" means the state of Minnesota or any agency, board, commission, department or educational institution thereof.

Subd. 7. "Policy plan" shall have the meanings given them in this act, and shall mean the long term comprehensive plan referred to in federal or state statutes.

Sec. 2. 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. 3. 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 1970; five for terms ending the first Monday in January 1971; and five for terms ending the first Monday in January 1973. Commencing the first Monday in January 1974, the terms of members of the metropolitan council, other than the chairman, shall be as follows: members representing the first, second, fourth, sixth, eighth, ninth, thirteenth and fifteenth council districts for terms ending the first Monday in January 1976; members representing the third, fifth, seventh, tenth, eleventh, twelfth, fourteenth, and sixteenth council districts for terms ending the first Monday in January 1978. Thereafter the term of each member shall be for a term of six four years and until his successor is appointed and qualified.~~

Members of the council serving as of the first Monday in January 1974 from districts heretofore established shall continue to serve from 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 representative from the district and the terms of other members residing in the district are thereupon terminated. The governor shall appoint as members of the council, in the manner prescribed by subdivision 3, one resident of each district described in said subdivision 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 serving as of the first Monday in January 1974 from heretofore established districts shall be their residence as of July 1, 1973.

Sec. 4. Minnesota Statutes 1971, Section 473B.02, Subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] ~~Fourteen~~ *Sixteen* members of the metropolitan council shall be appointed by the governor on a non-partisan 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 senate districts established by ~~Extra Session Laws 1960, Chapter 1~~ *from which state senators were elected at the 1972 general election, 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 senate district ~~12 63 and 65 that part of representative district 6A within Dakota county, and representative districts 14A, and that part of representative district 14B within Scott county.~~

(2) The second council district consists of legislative senate districts ~~8 62 and 59 64.~~

(3) The third council district consists of legislative senate districts ~~49 66 and 57 67 and representative district 32B.~~

(4) The fourth council district consists of legislative districts 33 and representative senate districts 13A 48 and 21A 49.

(5) The fifth council district consists of legislative senate districts 30 54 and 31 56 and representative district 32A.

(6) The sixth council district consists of legislative senate districts 29 55 and 37 57.

(7) The seventh council district consists of legislative senate districts 27 58 and 28 59.

(8) The eighth council district consists of legislative senate districts 34 60 and 35 61.

(9) The ninth council district consists of legislative senate districts 35 37 and 38.

(10) The tenth council district consists of legislative senate districts 39 and 40 41.

(11) The eleventh council district consists of legislative senate districts 43 and 44.

(12) The twelfth council district consists of legislative senate districts 43 42 and 44 45.

(13) The thirteenth council district consists of legislative senate districts 45 46, and 45 47, and that part of district 19 within the metropolitan area.

(14) The fourteenth council district consists of legislative senate districts 47 50 and 49 51.

(15) The fifteenth council district consists of senate districts 52, 53, that part of district 25 within the metropolitan area, and Greenvale township in Dakota county.

(16) The sixteenth council district consists of senate districts 36 and 40, Blakely township and the borough of Belle Plaine in Scott county.

Sec. 5. 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, other than those designated in section 6 of this act, 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. 6. 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 for each meeting and for such other services as are specifically authorized by the metropolitan council a salary or per diem determined by the 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 chapter 15.

Sec. 7. 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.] *The number, term of office, qualifications, compensation and manner of appointment of members of metropolitan commissions shall be 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 governor with the advice and consent of the senate. 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 15;
- (7) Precinct G, consisting of council districts 10 and 16; and
- (8) Precinct H, consisting of council districts 11 and 12.

Subd. 3 [CHAIRMAN.] *The chairman of each commission shall be appointed by the governor with the advice and consent of the senate*

as 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 commission chairman shall serve at the pleasure of the governor. 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. All chairmen presently serving on commissions shall continue to serve at the pleasure of the governor, including the present chairman of the Metropolitan Airports Commission who shall complete the term for which he was appointed notwithstanding his residence outside the metropolitan area.

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 as a commission member hold the office of council member or any elective public office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, 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 1974 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 1976, members representing precincts E, F, G, and H for terms ending the first Monday in January 1978. Thereafter the term of each member 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 governor only for cause in the manner specified in chapter 351.

Members of any commission serving as of the first Monday in January 1974 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 governor shall designate one of them to serve as the commission member from the district and the terms of the other members are thereupon terminated. The governor 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 1974 shall be their residence as of July 1, 1973.

Subd. 6. [VACANCIES.] If the office of any commission member other than chairman becomes vacant, the vacancy shall be filled by appointment by the governor in the same manner in which the last regular appointment for that precinct was made. Vacancies in the office of chairman shall be filled by the governor. 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 \$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 be compensated at a salary established by the commission he serves 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 present at a regular or adjourned regular meeting or at a duly held special meeting, if a quorum is present. 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 a personnel code relating to the employees of the commissions, subject to the provisions of subdivision 12. After its adoption, 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. 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. The code shall also include procedures for open competitive examinations to test the relative fitness 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, the 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 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 commission 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 commission 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 commission 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 select a person or persons who may, but need not be, a member or members of the commission, to act as its secretary and treasurer. The secretary and treasurer 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 need not be a resident of the metropolitan area when appointed. 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, 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. The commission may employ on such 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 such amounts as it deems necessary against liability of the commission or its officers and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.

Subd. 13. [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 at their option become members of the Minnesota state retirement system or continue as members of a public retirement association under chapters 353, 422 or any other law, to which they belonged before the effective date of this act, and shall retain all pension rights which they may have under such latter laws, 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. Such employees shall perform such duties as may be prescribed by the commission.

Subd. 14. [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 commission shall enter into any contract with the council which would assign any operational authority, responsibility or function, other than planning or making studies, from the commission to the council.

Subd. 15. [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. 8. Minnesota Statutes 1971, Section 473B.04, is amended to read:

473B.04 [REPORTS.] On or before January 15, 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 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 improvements 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.

Sec. 9. Minnesota Statutes, Section 473B.06 is amended by adding a subdivision to read:

Subd. 5a. [POLICY PLANS FOR METROPOLITAN COMMISSIONS.] (1) The council shall adopt as a part of its development guide, long-range comprehensive policy plans with respect to the functions performed by the commissions; and when adopted, the policy plans shall be followed by the council and the affected commissions. In preparing the plans the council shall consider and give effect to policy statements, purposes, goals, standards, and maps in its development guide and in the chapters of the Minnesota Statutes directly relating to the commissions. 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 functions;

(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 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 general statement of the relationships to any current local comprehensive plans and any related development programs on file with the council; and

(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.

(2) *In preparing or amending a policy plan the council shall consult with and employ 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. Before adopting a policy plan, the council shall submit a proposed policy plan to the affected commission for its review, and the commission shall report its comments to the council within 90 days and may, within that period request the council to hold a special public meeting for the purpose of receiving the commission's report and comments. After receipt of the commission's report and such meeting, if any, the council shall make appropriate revisions to the policy plan and shall call and hold a public hearing on the proposed policy plan as revised at such time and place in the metropolitan area as it shall determine. Not less than 45 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 all interested persons shall be permitted to present their views on the policy plan. The hearing may be continued from time to time. Each such policy plan may be amended on the council's own initiative or upon the request of an affected commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide policy plans satisfying the requirements of paragraph 2 which heretofore have been adopted by the council pursuant to subdivision 5 of Minnesota Statutes, Section 473B.06, shall be deemed prepared and adopted pursuant to this subdivision; provided, that the council shall not amend a development policy plan so adopted except in accordance with the procedures herein established.*

Sec. 10. [473B.061] [REVIEW BY COUNCIL.] *Subdivision 1. [PURPOSE.] In order to achieve the goal of orderly and economic development in the metropolitan area, it is essential that a framework be established to coordinate effectively the various proposals, projects, improvements, programs, expenditures and plans covered by this section. The purpose of this section is to provide such a framework by requiring the council to review and comment on or approve as herein provided such proposals, projects, improvements, programs, expenditures and plans.*

Subd. 2. [METROPOLITAN SIGNIFICANCE.] The council shall adopt regulations establishing standards and guidelines for determining whether any proposed public or private capital improvements, services or facilities (herein improvements) within the metropolitan area have metropolitan significance. Any undertaking for which the council determines that capital expenditures in excess of \$10,000,000 will be required shall be deemed to have metropolitan significance. In addition, in developing the standards and guidelines the council shall consider the following:

(a) *the impact of improvements on the orderly economic development, public and private, of the metropolitan area and their consistency with the development guide;*

(b) the impact of improvements on policy plans adopted by the council and on the development programs and functions performed and to be performed by the metropolitan commissions; and

(c) the relationship of improvements to the policy statements, goals, standards, programs and other applicable provisions of the development guide.

The council shall establish an advisory board consisting of elected officials of local governmental units to advise it in the preparation of the regulations. The regulations shall include review procedures not inconsistent with other provisions of this act and shall provide that no person or local governments unit will be required to submit a proposed improvement more than once, unless it is materially altered, and shall further provide reasonable times by which the council shall complete its review and, where appropriate, recommendation.

Subd. 3. [REVIEW OF FEDERAL PROGRAMS.] (1) The council, within 60 days after receiving the application, shall review all applications of commissions and local governmental units for loan, grant or loan guarantee for improvements of metropolitan significance from the United State of America or any agency thereof. If federal law or a federal agency requires review by a regional agency, applications of commissions and local government units for loans or grants shall be submitted to and reviewed by the council in accordance with procedures provided in this subdivision. Each commission and local governmental unit before submitting such an application to the United States government or an agency thereof shall first transmit the application to the metropolitan council for its comments and recommendations with respect to whether or not the project proposed is consistent with the comprehensive development guide for the metropolitan area including the priorities established by the guide. The comments and recommendations made by the metropolitan council shall then become a part of the application and if submitted to the United States of America or an agency thereof, such comments and recommendations shall also be submitted.

(2) The council shall also review, comment on and approve all applications of such commissions and local governmental units for grants 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 grants or allocations be approved by a regional governmental entity. Each such application shall be submitted for review at the time and in the form prescribed by the council.

Subd. 4. [REVIEW OF APPLICATION FOR STATE FUNDS.] The council shall review all applications or requests of commissions and local governmental units for state funds allocated or granted for improvements of metropolitan significance. Each such commission and governmental unit shall, before transmitting an application or request to the state, submit the application or request to the council for its comments and recommendations with respect

to whether or not the project for which funds are proposed to be expended is consistent with the comprehensive development guide for the metropolitan area, including the priorities established by the guide. The comments and recommendations shall be submitted to the state along with the application or request.

Subd. 5. [REVIEW OF CAPITAL PLANS AND PROJECTS OF STATE.] *Each state agency of the state of Minnesota shall, prior to the adoption or implementation of any capital improvement plan or the undertaking of any capital improvement project having metropolitan significance, submit to the council the proposed plan or a description of the proposed project. The council, within 60 days after receiving the plans, shall review each such plan or project and prepare and file with the submitting governmental unit, institution, department, or commission its written comments and recommendations as to whether the plan or project is consistent with the comprehensive development guide for the metropolitan area. No such plan may be adopted or implemented and no such project may be undertaken prior to the filing by the council of its comments and recommendations or the passage of 120 days from the date of submission of the plan or project description to the council, whichever is the sooner. Plans or projects for the acquisition of land for or the construction of highways, roads or bridges having metropolitan significance shall be reviewed and approved pursuant to the provisions of article III.*

Subd. 6. [COUNCIL REVIEW; MUNICIPALITIES.] *Each city, village, borough, town, and county all or part of which lies within the metropolitan area, shall submit to the metropolitan council for 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, village, borough, town or county. The council shall maintain such plans in its files available for inspection by members of the public. No 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, village, borough, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date of submission, and the identity of the submitting unit. Political subdivisions contiguous to the submitting unit shall be notified in all cases. Within 30 days after receipt of such notice any governmental unit so notified 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. 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 comments and recommendations of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.*

Subd. 7. [PUBLIC AND PRIVATE CAPITAL IMPROVEMENTS.] *All capital improvements having metropolitan significance proposed to*

be undertaken within the metropolitan area by any person or local governmental unit shall be subject to review and recommendation by the metropolitan council. Before undertaking any such improvement, the person or governmental unit shall submit to the council, on a form prescribed by the council, a statement setting forth a description of the improvement; its function, location and estimated cost; a land acquisition and construction schedule; and such additional information as the council may deem necessary. The council shall review the statement to determine whether the proposed improvement is consistent with the comprehensive development guide and, if appropriate, the applicable policy plan and shall notify the person or governmental unit of its determination in writing setting forth the reasons the improvement is recommended or not recommended. The council may refer a proposed capital improvement to the advisory board created pursuant to subdivision 2 for its recommendations as to whether the improvement has metropolitan significance and whether it is consistent with the comprehensive development guide and applicable policy plans.

Subd. 8. [PROCEDURE FOR REVIEW AND APPROVAL.] The council shall hold a public hearing on any proposed improvement (as defined in subdivision 1) subject to its review and approval by this section. Thirty days before the hearing notice thereof shall be published in a newspaper circulated throughout the metropolitan area and shall be mailed to the state agency, local governmental unit or person proposing the improvement and to all local governmental units which may be affected by the proposed improvement. All interested parties shall be permitted to present their views on the proposed improvement and the hearing may be continued. The council shall file its decision and the reasons therefor in writing. The decision of the council that the improvement is or is not of metropolitan significance shall be subject to judicial review in the manner provided in Minnesota Statutes, Sections 15.0424 through 15.0426. The council shall be obligated to review and, on its own initiative if necessary, all improvements having metropolitan significance required to be reviewed by this section regardless of whether such proposed improvements are submitted to the council by the state agency, local governmental units or person undertaking them. Any local governmental unit which may be affected by an improvement may request that the council review it. Upon receipt of such a request, the council shall call and conduct a hearing and render a decision in the manner herein provided.

Sec. 11. [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 and scheduling necessary to the development of the program elements to be performed by the commission and the implementation of the policy plan adopted by the council pursuant to section 9 of the article. The plan may include such other technical information as the commission deems necessary. The program shall cover at least the five-year period commencing with the first calendar year beginning after its submission 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 improvement;

(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 improvements;

(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 vis-a-vis other capital improvements described in the program;

(h) each program shall include such additional information as the council or commission may deem appropriate.

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. If the council determines that the program is consistent with the development guide it shall approve the program as submitted. If it determines that the program is inconsistent with the development guide, 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 approval or disapproval. Before approving a program or returning it to the submitting commission, the council shall hold a public hearing on the program and its comments thereon, if any, in the manner prescribed by section 8 of this article. Within two years of the approval of its first development program by the council and 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 plan 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 plan the commission shall implement the program, and no capital improvements not authorized by the program shall be adopted or undertaken by the commission unless approved by the council.

Sec. 12. [473B.063] [METROPOLITAN COMMISSION BUDGETING.] **Subdivision 1. [CALENDAR YEAR.]** Each metropolitan commission shall adopt a budget for each calendar year.

Subd. 2. [BUDGET PREPARATION AND APPROVAL.] Each commission shall prepare a proposed budget on or before August 1 in 1974 and each year thereafter, showing for the next calendar year esti-

mated receipts of money from all sources and funds on hand at the beginning of the calendar year, and estimated expenditures for costs of (a) operation, administration, and maintenance; (b) acquisition and betterment of capital improvements and (c) debt service. Between August 1 and October 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 expenditures for acquisition and betterment of 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 commission, 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 money for debt service, and 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. 3. [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. Within three years after the effective date of this article, the council and all commissions shall adopt budgets in program budget form.

Subd. 4. [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 the various local government units and classes of users. 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 for consideration by the legislature.

Sec. 13. [473B.09] [FINANCIAL DISCLOSURE.] *Subdivision 1. Each member of the council and the commissions shall file with the executive director of the council by April 1 of each year, forms prescribed by the council, a report listing his occupation and membership on the board of directors or similar governing body, of membership in or employment by any profit or nonprofit corporation, partnership, labor organization, professional or business association cooperative or other financial, educational health or business institution. The report shall also disclose each of the member's financial interests, including both assets and liabilities, of a value in excess of \$1,000. Assets shall exclude accounts in banks, credit unions and savings and loan associations, United States Government Savings Bonds, the member's or employee's homestead, household goods and personal effects, personal automobile, and the cash value of life insurance. Liabilities shall exclude indebtedness on the member's or employee's homestead, household goods and personal effects, personal automobile, and the cash value of life insurance.*

Subd. 2. [INTEREST IN CONTRACTS PROHIBITED.] No commissioner or any person holding appointment under the commission shall be interested directly or indirectly in any contract entered into by the commission. No commissioner shall be subject to any personal liability on account of any liability of the commission.

Sec. 14. [LOCAL PLANNING ASSISTANCE.] *The metropolitan council may, at the request of local government units, enter into contracts with local government units for the provision of services for comprehensive community planning to coordinate local and metropolitan planning. This may include:*

(1) 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;

(2) 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;

(3) Coordination of all related plans of the departments or subdivision of the government concerned;

(4) Inter-governmental coordination of all related planned activities among the state and local governmental agencies concerned; and

(5) Preparation of regulatory and administrative measures in support of the foregoing.

Sec. 15. [REPEALER.] *Minnesota Statutes 1971, Section 473B.06, Subdivisions 6, 7 and 8 are hereby repealed.*

Sec. 16. [EFFECTIVE DATE.] *The articles I through V become effective January 1, 1974.*

ARTICLE II—METROPOLITAN SEWER SERVICE COMMISSION

Section 1. Minnesota Statutes 1971, Section 473C.03, Subdivision 1, is amended to read:

473C.03 [METROPOLITAN SEWER SERVICE COMMISSION.] Subdivision 1. [ESTABLISHMENT; APPOINTMENTS.] A metropolitan sewer service board *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 this chapter and Article I of this act.

Sec. 2. 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 ~~subdivision 1~~ *article I, section 9*, 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 *commission* for review and shall be subject to the approval of the board *commission* as to those features affecting the board'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*.

Sec. 3. Minnesota Statutes 1971, Section 473C.10, is amended to read:

473C.10 [SERVICE COMMISSION BUDGET.] The sewer service board *commission* shall prepare, and submit to the council and adopt a budget at the time and in the manner provided in and otherwise comply with *article I, section 12* for approval on or before September 1 in 1960 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 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.

Sec. 4. Minnesota Statutes 1971, section 473C.18, subdivision 1, is amended to read:

473C.18 [RELATION TO EXISTING LAWS.] The provisions of sections 473C.01 to 473C.17 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. 5. *In the next edition of Minnesota Statutes, the Revisor of Statutes shall change the term "board" to "commission" wherever the term refers to the metropolitan sewer service board.*

Sec. 6. Minnesota Statutes 1971, Section 473C.16, Subdivision 3, is amended to read:

Subd. 3. The commission shall prepare and submit to the council for approval *review* plans and specifications for the acquisition or betterment of interceptors or treatment works authorized by the council's comprehensive plan, and after approval *review* 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. 7. *Minnesota Statutes 1971, Sections 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, and 9; 473C.04; 473C.06, Subdivisions 1 and 2 are hereby repealed.*

ARTICLE III-THE METROPOLITAN TRANSPORTATION COMMISSION

Section 1. *Minnesota Statutes 1971, Section 473A.01, Subdivision 2 is amended to read:*

Subd. 2. "*Metropolitan transit transportation area*" or "*transit transportation area*" or "*area*" or "*MTA*" means the *Twin Cities metropolitan public transit transportation area* hereinafter established.

Sec. 2. *Minnesota Statutes 1971, Section 473A.01, Subdivision 3 is amended to read:*

Subd. 3. "*Metropolitan transit transportation commission*" or "*transit transportation commission*" or "*commission*" means the *Twin Cities area metropolitan transit transportation 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 transportation 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~~ *transportation* 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 the metropolitan ~~transit~~ *transportation* 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 TRANSPORTATION AREA, ESTABLISHMENT.] There is hereby established a ~~Twin Cities~~ metropolitan ~~public transit~~ *transportation* 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 TRANSPORTATION COMMISSION.] Subdivision 1. [COMMISSION; CREATING AND COMPOSITION.] There is hereby created a ~~Twin Cities area~~ metropolitan ~~transit~~ *transportation* 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 1 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.02. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act.

Sec. 8. Minnesota Statutes 1971, Chapter 473A, is amended by adding a section to read:

[473A.051] [TRANSPORTATION POLICY PLAN; 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 9 hereof, which shall include policies both capital and non-capital 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. The transportation commission, 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 and Section 4 of Urban Mass Transportation Act of 1964. The council shall assure administration and coordination of transportation planning with appropriate agencies and municipalities, and together with the commission shall establish such an advisory body in fulfillment of the planning responsibilities of the council and commission. The council and commission together shall be the agency for planning and carrying out urban regional transportation programs in the metropolitan area and entitled to receive any federal funds provided for each such agency to carry out their respective responsibilities as described under this act.

Sec. 9. Minnesota Statutes 1971, Section 473A.06 is amended by adding a subdivision to read:

Subdivision 1a. [DEVELOPMENT PROGRAM.] The commission shall prepare and submit in the manner provided in and satisfying the requirements of article I, section 11 of the act, a transportation development program, including both capital and non-capital elements, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with and obtain the views of 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 and include 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.

Sec. 10. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subdivision 1b. [APPROVAL OF HIGHWAY PROJECTS.] Before acquiring land for or constructing a state highway or principal arterial road 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 in relation to the development program the project and report its comments and recommendations to the council. The council shall also review the statement to ascertain its consistency with 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.06, Subdivision 3 is amended to read:

Subd. 3. [SERVICES OF DEPARTMENT OF HIGHWAYS.] The mass transit system specified in subdivision 1 shall be designed, as far as practicable, so as to provide, in combination with public highways, adequate means and facilities of maximum attainable efficiency for public transportation to, from, and within the metropolitan transit area, and to relieve the congestion, traffic hazards, and other objectionable conditions aforesaid on the public highways caused by lack of adequate provisions for public transit. In planning, designing, and constructing the mass transit transportation system the commission may make use of engineering and other technical and professional services, including regular staff and qualified consultants, which the commissioner of highways can furnish, upon fair and reasonable reimbursement for the cost thereof; provided, that the commission shall have final authority over the employment of any services from other sources which it

may deem necessary for such purposes. The commissioner of highways may furnish all engineering, legal, and other services, if so requested by the commission and upon fair and reasonable reimbursement for the cost thereof by the commission, which the commission requests for the purposes stated in this subdivision, including the acquisition by purchase, condemnation, or otherwise in the name of the commission of all lands, waters, easements, or other rights or interests in lands or waters required by the commission.

Sec. 12. Minnesota Statutes 1971, 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 on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax *which* shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.0~~ 1.6 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; plus

(b) 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.

Sec. 13. 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 article I or this act*, 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.~~

Sec. 14. 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 transportation commission act of 1973.*

Sec. 15. *In the next edition of Minnesota Statutes, the revisor of*

statutes shall change the term "metropolitan transit area" to "metropolitan transportation area," the term "transit area" to "transportation area," the term "metropolitan transit commission" to "metropolitan transportation commission," the term "transit commission" to "transportation commission," and the term "transit commissioner" to "transportation commissioner" wherever each such term appears in Minnesota Statutes, Chapter 473A.

Sec. 16. [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 hereby repealed.

ARTICLE IV—METROPOLITAN PARKS AND OPEN SPACE COMMISSION

Section 1. [LEGISLATIVE PURPOSE.] Subdivision 1. The pressure of urban growth in the metropolitan area at the same time increases the need and decreases the amount of land available in the area for recreation, conservation, and amenity. Preservation of metropolitan open space is difficult to accomplish solely by action of individual local governmental units. It is therefore necessary to provide for the establishment of a metropolitan park and open space system, and a metropolitan parks and open space commission.

Subd. 2. In order to control mosquitoes more effectively and to make more efficient use of the resources now employed for mosquito control, it is necessary to include Carver county in the metropolitan mosquito control program and to transfer the functions of the metropolitan mosquito control district to the metropolitan parks and open space commission.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 9, 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. "Commission" means the metropolitan parks and open space commission established by section 3 of this article.

Subd. 4. "Council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 5. "Park district" means a park district created under Minnesota Statutes, Chapter 398.

Subd. 6. "Regional recreation open space" means the land and water areas determined by the council to be of metropolitan 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. 7. "Policy plan" means a plan adopted by the council for parks and open space pursuant to article I, section 9, of this act.

Subd. 8. "Development program" means a plan adopted by the com-

mission pursuant to article 1, section 11, recreational open space and the nature of its development and use.

Subd. 9. "Metropolitan mosquito control district" means that district established pursuant to Minnesota Statutes 1971, Section 399.02.

Sec. 3. [METROPOLITAN PARKS AND OPEN SPACE COMMISSION.] *A metropolitan parks and open space commission is established as an agency of the council and shall be organized, structured and administered as provided in this chapter and article 1 of this act.*

Sec. 4. [REGIONAL RECREATION OPEN SPACE SYSTEM.]
Subdivision 1. [POLICY PLAN.] *In accordance with the procedures established in article 1, section 9, of this act, and after consultation with park districts, counties and municipalities in the metropolitan area, the council shall adopt a policy plan for regional recreation open space as a part of the council's metropolitan development guide. 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.*

Subd. 2. [DEVELOPMENT PROGRAM; COMMISSION.] *The commission shall prepare and submit in the manner provided in article 1, section 11, of this act a development program implementing with respect to the functions assigned it by sections 1 to 5 of this article the policy plan adopted by the council.*

Subd. 3. [DEVELOPMENT PROGRAMS; LOCAL GOVERNMENTS.] *(a) 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 and submit and from time to time revise and resubmit to the commission a development program 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 and, to the extent applicable, the commission's development program.*

(b) The commission shall review each plan submitted to determine whether it is consistent with the council's policy plan and, to the extent applicable, the commission's development program. If it is not consistent, the commission shall return the plan with its comments to the park district or county for revision and resubmittal.

Sec. 5. [ACQUISITION, GRANTS, TAX EQUIVALENTS; FINANCING.]
Subdivision 1. [COMMISSION ACQUISITION.] *The commission shall have the same powers as a county under Minnesota Statutes, Section 398.32, Subdivision 1, except the power of eminent domain, 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. Before proceeding with the acquisition of any such area or other rights, the commission shall by resolution offer a grant covering the full cost of acquisition to the 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 commission shall 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 commission may proceed with acquisition. The commission may, in its discretion, contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The commission 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 commission shall convey such areas or other rights to a municipality, park district or county for development and operation consistent with an approved recreation open space development program.

Subd. 2. [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 metropolitan area 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.

Subd. 3. [GRANTS.] 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 agencies may enter into contracts for this purpose. The fact that a county, park district or municipality has developed regional scale parks shall not prejudice its application for funds.

Subd. 4. [TAX EQUIVALENTS.] In each of the four years after the commission or park district, county or municipality acquires fee simple title to any real property included in the regional recreation open space system, the commission 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.

Subd. 5. [SALE OF BONDS.] The metropolitan council may sell and issue general obligation bonds to provide funds for the purposes set forth in subdivisions 1, 3, and 4 of section 5 of this article. The maturities and interest rates of each series of such bonds shall be fixed so that the maximum amount of principal and interest to become due on all such bonds in any year does not exceed an amount equal to seven-tenths of one mill on each dollar of assessed valua-

tion of taxable property in the metropolitan area as assessed in the year immediately preceding the year in which the bonds are issued.

The 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 chapter, except that no election shall be required, and the debt limitations in chapter 475 or any other law shall not apply to such bonds. The bonds shall be secured in accordance with Minnesota Statutes, Section 475.61, and any taxes required to be levied for their payment shall be spread against all taxable property in the metropolitan area and shall not be subject to limitation as to rate or amount.

Subd. 6. [TAX LEVIES.] The commission may levy taxes upon all taxable property in the metropolitan area to provide funds for the purposes of sections 1 to 7. The tax levied for any year shall not exceed nine-tenths of one mill for all purposes on each dollar of assessed valuation of all such taxable property less the tax levied for such year to pay debt service on bonds issued pursuant to subdivision 3. The amount of taxes which may be levied in any year shall be further reduced by the amount of any funds received by the commission during the previous year from (1) federal grants and (2) appropriations to the commission from revenues received from taxes, penalties and interest under Minnesota Statutes 1971, Section 297.01 through 297.13 or any other taxes collected by the state. The tax shall be levied and collected in the manner provided by Minnesota Statutes, Section 473.08.

Sec. 6. [MOSQUITO CONTROL.] The functions of the metropolitan mosquito control district and its employees are transferred to the metropolitan parks and open space commission.

The commission shall take measures to control mosquitoes in the metropolitan area in accordance with expert and technical plans. The chief administrator shall develop the mosquito control program of the metropolitan area and shall supervise its execution. It may enter into agreements with counties, cities, villages, boroughs, or towns of the state of Minnesota outside of the metropolitan area to conduct mosquito control activities in these political subdivisions in order to effectuate mosquito control in the metropolitan area.

Sec. 7. [GENERAL POWERS.] Subdivision 1. In addition to the powers granted by sections 1 to 6 of this article, the commission shall have all other powers necessary or convenient to discharge the duties imposed by law, including, but not limited to those specified in this section.

Subd. 2. The commission may sue and be sued.

Subd. 3. The commission may employ such persons and contract for such services and materials, supplies and equipment as may be necessary to carry out its functions.

Subd. 4. The commission may accept gifts, may 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, may enter into any agreement required in connection therewith, and may hold.

use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 5. The commission may act under the provisions of section 471.59, or any other appropriate law providing for joint or cooperative action between government units.

Subd. 6. The commission 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 its metropolitan parks and open space and mosquito control functions; and may advise and assist the metropolitan council and other government units on system planning matters within the scope of its powers, duties and objectives.

Subd. 7. Members of the commission, its officers, and employees, while on the business of the commission, may enter upon any property within the metropolitan area at reasonable times to determine whether mosquito breeding exists thereon, and such persons may take all necessary and proper steps for the control of mosquitoes on such property as the chief administrator of the commission may designate. Commission members and officers and employees of the commission may enter upon any property and clean up any stagnant pool of water, the shores of lakes and streams, and other breeding places for mosquitoes within the metropolitan area. Such persons may spray with insecticides approved by the chief administrator any area within the metropolitan area that is found to be a breeding place for mosquitoes.

Subd. 8. Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with Minnesota Statutes 1971, Chapter 471.345, Subdivisions 1 to 6.

Sec. 8. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act.

Sec. 9. [REPEALER.] Minnesota Statutes 1971, Chapter 399, is hereby repealed.

ARTICLE V—METROPOLITAN HOUSING COMMISSION

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 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 local governments in the metropolitan area are unable adequately to provide the financing and staff necessary for an effective housing and redevelopment authority; for each such local government to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to create and enable a metropolitan housing commission to make available to the local governmental units in the metro-

politan 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. "Comprehensive development guide" means that document created by the council pursuant to Minnesota Statutes 1971, Section 473B.06, Subdivision 5, and section 4 of this article.

Subd. 4. "Council" shall mean the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 5. "Local government unit" means any municipal corporation or governmental subdivision located fully or in part in the metropolitan area of exercising any powers therein.

Subd. 6. "Metropolitan area" shall mean the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 7. "Metropolitan housing commission" means that commission established in section 3 of this article.

Sec. 3. [METROPOLITAN HOUSING COMMISSION; POLICY PLAN DEVELOPMENT PROGRAM.] *Subdivision 1. [ESTABLISHMENT.] A metropolitan housing commission is established, which shall have the structure, membership and organization provided in this article and in article 1 of this act.*

Subd. 2. [HOUSING POLICY PLAN.] In accordance with the procedures established in article 1, section 9 of this act the council shall prepare and adopt a housing policy plan for the development of housing as a part of its comprehensive development guide.

Subd. 3. [DEVELOPMENT PROGRAM BY COMMISSION.] The commission shall prepare and submit in the manner provided in article 1, section 11 of this act a development program implementing with respect to the functions assigned it by sections 1 to 8 of this article the policy plan adopted by the council.

Subd. 4. [SPECIAL STUDIES.] In preparing, amending and implementing the housing policy plan, and development program the council and commission are empowered to undertake and to carry out studies and analyses of the housing needs within the metropolitan area, including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages, desirable patterns for land use and community growth, and other factors affecting the local housing needs and the meeting thereof, and to make the results of those studies and analyses available to the public and building, housing and supply industries and to engage in research and disseminate information on housing.

Sec. 4. [FINANCES.] *Subdivision 1. For purposes of the special benefit taxes authorized by section 462.545, subdivision 6, each municipality in the metropolitan area shall constitute a separate taxing district. The council may, when requested by the commission, levy a special benefit tax at such times and in the manner provided in section 462.545, subdivision 6, but may not levy a tax in a municipality without the consent by resolution of the governing body of the municipality.*

Subd. 2. The commission may expend for the purposes of this act any of the revenue derived pursuant to sections 7 and 8 of this article. In addition to the purposes set forth in section 473B.08, the council, through the commission, may expend for the purposes of this act any of the revenue derived pursuant to such section. The commission may also expend for the purposes of this act revenue derived pursuant to section 462.545, subdivision 6, provided that such expenditures be limited to the municipalities where the revenue was derived and be limited, as to each such municipality, to the amount of revenue derived from that municipality.

Sec. 5. [POWERS AND DUTIES OF THE METROPOLITAN HOUSING COMMISSION.] *Subdivision 1. [HOUSING AND REDEVELOPMENT AUTHORITY POWER.] In addition to, and not in limitation of, all other powers vested in it by law, the commission, 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. All the provisions of law applicable to housing and redevelopment authorities created for municipalities shall be applicable to the commission acting as an authority, except as clearly indicated otherwise from the context. Minnesota Statutes, Section 462.425, shall have no application to the commission. The commission may plan and propose projects within the boundaries of any municipality or county, and may otherwise exercise the powers of an authority at any time; provided however, that the commission may not carry out any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality without the prior approval of the governing body of the municipality in which any such project is to be located, and provided further that the commission shall not propose to the governing body of a municipality any project located within the area of operation of any municipal authority made active pursuant to section 462.425, or any county authority created by special legislation, without first submitting the proposed project to such municipal or county authority for its review and recommendations; provided, that the commission shall not undertake a project where the affected county housing authority and municipality agree to undertake a project within 60 days after the project has been proposed. All plans and projects of the commission shall be consistent with the development guide, housing policy plan and the development program.*

Subd. 2. [TECHNICAL ASSISTANCE.] The commission 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 commission 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 commission shall, as part of any project proposal to a municipality, propose a means for citizens to participate in the formulation and carrying out of projects undertaken by the commission pursuant to the terms of this article.

Subd. 5. [DEMONSTRATION PROJECTS.] The commission shall prepare a detailed report on the progress of any demonstration project undertaken by the commission. Such report shall be filed with the legislature not later than January 15 of each legislative year.

Sec. 6. [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. 7. Minnesota Statutes 1971, Section 287.05, Subdivision 1, is amended to read:

287.05 [TAX ON RECORDATION OR REGISTRATION; SUPPLEMENTAL MORTGAGES.] Subdivision 1. A tax of 15 cents is hereby imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situate within any county in the state other than the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. A tax of 20 cents is hereby imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situate within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. If any such mortgage describes any real estate situate outside of this state, such tax shall be imposed upon that proportion of the whole debt secured thereby as the value of the real estate therein described situate in this state bears to the value of the whole of the real estate described therein, as such value is determined by the commissioner of taxation upon application of the mortgagee.

Sec. 8. Minnesota Statutes 1971, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.] All taxes paid to the county treasurers in counties of the state other than the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington under the provisions of section 287.01 to 287.12 shall be

apportioned, one-sixth to the general fund of the state, one-sixth to the county revenue fund, and the balance to be divided equally between the school district and the city, village, or town in which the real estate described in the mortgage is situated. *All taxes paid to the county treasurers of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington under the provisions of sections 287.01 to 287.12 shall be apportioned, one fourth to the metropolitan housing commission Article VI of this act ; the remaining three fourths shall be apportioned one sixth to the general fund of the state, one sixth to the county revenue fund, and the balance to be divided equally between the school district and the city, village or town in which the real estate described in the mortgage is situated.* Where the amount determined to be apportionable in any instance to any given school district, city, village or town or the metropolitan council is less than \$1, such amount shall be retained in the county revenue fund.

Sec. 9. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act."

Further amend the title by striking the title and inserting in lieu thereof:

"A bill for an act relating to the seven county metropolitan area; changing the terms of Metropolitan Council members from 6 to 4 years; increasing the number of members of the Council from 15 to 17; reapportioning the districts of council members; enabling the Council to set the salaries of its members; renaming the Metropolitan Sewer Service Board; changing the Metropolitan Transit Commission to a Metropolitan Transportation Commission; creating a Metropolitan Parks and Open Space Commission; transferring the functions of the Metropolitan Mosquito Control District to the Parks and Open Space Commission; creating a Metropolitan Housing Commission; clarifying and making uniform the structure, organization and administration of regional commissions; providing for appointment by the governor of all members of the commissions; requiring relocation payments when property is acquired by commission; clarifying the planning and review process in the seven-county area; providing for council review and recommendation for all capital projects of metropolitan significance; providing planning assistance for local governmental units; removing from the Council the power of approval of operating budgets and plans and specifications of the Metropolitan Sewer Service Board; amending Minnesota Statutes 1971, Sections 287.05, Subdivision 1; 287.12; 473A.01, Subdivisions 2, 3, and by adding a subdivision; 473A.02; 473A.03; 473A.04, Subdivision 1; 473A.06, Subdivision 3, and by adding subdivisions; 473A.111, Subdivision 1; 473A.16; 473A.18; and Chapter 473A by adding a section; 473B.02, Subdivisions 1, 2, 3, 4 and 5; 473B.04; 473B.06, by adding a subdivision; and Chapter 473B, by adding sections; 473C.03, Subdivision 1; 473C.06, Subdivision 3; 473C.10; 473C.16, Subdivision 3; and 473C.18, Subdivision 1; repealing Minnesota Statutes 1971, Chapter 399; 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; 473A.065; 473B.06, Subdivisions 6, 7 and 8;

473C.03 Subdivisions 2, 3, 4, 5, 6, 7 and 9; 473C.04; and 473C.06, Subdivisions 1 and 2.”

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

Pursuant to Rule 56, a roll call vote was taken on the motion to strike Article IV in its entirety from H. F. 515 as amended.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Knutson	Lewis	Milton	Stokowski
Kirchner	Krieger	McCutcheon		

Those who voted in the negative were:

Chenoweth	Gearty	Keefe, J.	North	Schaaf
Doty	Humphrey			

The motion prevailed.

Pursuant to Rule 56, a roll call vote was taken on the motion to reconsider the striking of Article IV in its entirety from H. F. No. 515 as amended.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Chenoweth	Gearty	Lewis	North	Schaaf
Doty	Humphrey	Milton		

Those who voted in the negative were:

Ashbach	Kirchner	Krieger	Stokowski	McCutcheon
Keefe, J.	Knutson			

The motion prevailed.

Pursuant to Rule 56, a roll call vote was taken on the motion to reconsider the original motion to strike Article IV in its entirety from H. F. No. 515 as amended, and renumber the articles.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Kirchner	Krieger	Milton	Stokowski
Keefe, J.	Knutson	McCutcheon		

Those who voted in the negative were:

Chenoweth	Gearty	Lewis	North	Schaaf
Doty	Humphrey			

The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 134, 857, 1397, 1514, 2269 and 1088.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35,

S. F. No. 1283, together with the committee report thereon, A bill for an act relating to cable communications; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 161.45, Subdivision 1; and 222.37, Subdivision 1.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35,

S. F. No. 1235 together with the committee report thereon, A bill for an act establishing a Minnesota state racing commission; providing duties and authority; appropriating money; amending Minnesota Statutes 1971, Section 609.75, Subdivision 3.

Reports the same back with the recommendation that the report from the Committee on Labor and Commerce be not adopted and that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

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

H. F. No. 606: A bill for an act relating to eminent domain; providing for uniform relocation assistance, services, payments and benefits for displaced persons; repealing Minnesota Statutes 1971, Section 117.095.

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

Page 2, line 16, after "highway purposes" insert "or acquisitions for which the state department of highways performs relocation assistance services for the department of administration,"

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

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

H. F. No. 901: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete Statutory references and text; eliminating certain duplicative and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 15.50, Subdivision 2; 124.32, Subdivision 1; 290.92, Subdivisions 3, 6, 7, 8, 9, 11, 12, 13, and 15; 297A.24; 340.60, Subdivision 4; 463A.03, Subdivision 2; 462A.17, Subdivi-

sion 1; 481.15, Subdivision 2; and 488A.76, Subdivision 1; repealing Minnesota Statutes 1971, Section 35.832; and Laws 1969, Chapter 528.

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

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

H. F. No. 548: 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, Chapter 3, by adding a section; Chapter 46, by adding a section; Sections 9.071; 62C.14, by adding a subdivision; 124.221; 169.121, Subdivision 3; 179.68, Subdivision 3; 197.45, Subdivision 1; 412.-851; 462.581; 475.67, Subdivision 12; 490.025, Subdivisions 1 and 2; 645.023, Subdivision 2; and Laws 1969, Chapter 251, Section 2; repealing Minnesota Statutes 1971, Chapter 41; and Section 309.-176.

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

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

H. F. No. 622: A bill for an act relating to courts; grand juries; causes of challenge to a grand juror; amending Minnesota Statutes 1971, Section 628.54.

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

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

H. F. No. 833: A bill for an act relating to decedent's estates; requiring mailing of notice to a foreign consul in certain circumstances; amending Minnesota Statutes 1971, Section 525.83.

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

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

H. F. No. 490: A bill for an act relating to decedent's estates; abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

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

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

H. F. No. 704: A bill for an act relating to probate proceedings; sales, leases, and mortgages in connection with probate matters; amending Minnesota Statutes 1971, Section 525.64.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 759: A bill for an act relating to probate proceedings; bond in summary administration; amending Minnesota Statutes 1971, Section 525.51; Subdivision 5.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 703: A bill for an act relating to probate proceedings; partial distribution of probate estates; amending Minnesota Statutes 1971, Section 525.482.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 1591: A bill for an act relating to Hennepin county; establishing powers, duties and rights of the public defender.

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

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

H. F. No. 83: A bill for an act relating to licenses; prohibiting the issuance of licenses in certain instances.

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

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

H. F. No. 1515: A bill for an act relating to decedents' estates; revising a spouse's power to elect against a will; amending Minnesota Statutes 1971, Section 525.215.

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

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

H. F. No. 627: A bill for an act relating to probate proceedings; inventory and appraisal of estates in probate court; amending Minnesota Statutes 1971, Sections 525.33 and 525.331.

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

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

H. F. No. 11: A bill for an act relating to human rights; forbidding discrimination in the extension of credit because of sex; amending Minnesota Statutes 1971, Section 363.03, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 904: A bill for an act relating to divorce; reciprocal enforcement of support; amending Minnesota Statutes 1971, Section 518.42, Subdivision 2.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

S. F. No. 2330: A bill for an act relating to the creation of an environmental hearings board, as a separate agency of state government, and appropriating money therefor.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Natural Resources and Agriculture. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35,

S. F. No. 498, together with the Committee Report thereon, A bill for an act relating to crimes; defining criminal abortion; providing a penalty; amending Minnesota Statutes 1971, Chapter 609, by adding a section; repealing Minnesota Statutes 1971, Sections 617.18 and 617.19.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35,

S. F. No. 1322, together with the Committee Report thereon, 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 issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to pay off the principal and interest on such bonds; 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.

Reports the same back with the recommendation that the report from the Committee on Local Government be adopted and that the bill then be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35,

S. F. No. 1789 together with the Committee Report thereon, A bill for an act relating to water well contractors; requiring compliance with Minnesota Statutes, Chapter 156A, by certain nonlicensees; providing for limited licenses; establishing procedures for examination and licensing of water well contractors; authorizing the department of health to coordinate a state water information system; prohibiting imposition of fees by political subdivisions; amending Minnesota Statutes 1971, Sections 156A.02, Subdivisions 2 and 3; 156A.03, Subdivision 2; 156A.06, Subdivision 1; 156A.07, Subdivisions 1 and 4; and by adding subdivisions; repealing Minnesota Statutes 1971, Sections 156A.06, Subdivision 2; and 156A.07, Subdivision 3.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

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

H. F. Nos. 1709, 2352, 2016, 2351, 2208, 2015, 2132, 2178 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1709	1855	2132	2349		
2352	2260	2178	2174		
2016	1391				

GENERAL ORDERS

H.F. No.	S.F. No.
2351	2343
2208	2223
2015	1289

and that the above Senate Files be indefinitely postponed.

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

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

H. F. Nos. 2093, 1948, 484, 2174 and 2180 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F.No.	S.F. No.	H.F. No.	S.F. No.
2093	2096	1948	1947	2180	1908
484	821				
2174	1918				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2093 be amended as follows:

Page 3, delete line 28

Page 4, delete line 1

Page 4, line 7, delete "*charitable*" and insert in lieu "*Charitable*"

Page 4, line 27, delete "*any*" and insert in lieu "*Any*"

Page 6, line 17, delete "STATEMENT" and insert in lieu thereof "REQUIREMENT"

Page 6, line 19, delete "6" and insert in lieu thereof "5"

Page 13, line 28, delete "*commissioner*"

Page 14, line 1, delete the underscored language

Page 14, line 2, strike the comma and insert thereafter "*commissioner of securities of the department of commerce*"

Page 15, line 10, delete "18" and insert in lieu "17"

Page 18, after line 15, insert a section to read:

"Sec. 18. *Minnesota Statutes 1971, Section 309.51, is repealed.*"

Renumber the sections in sequence

And when so amended, H. F. No. 2093 will be identical to S. F. No. 2096 and further recommends that H. F. No 2093 be given its second reading and substituted for S. F. No. 2096 and S. F. No. 2096 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 484 be amended as follows:

Page 2, line 15, before "other" insert an underscored comma

Page 2, line 16, after "statutes" insert an underscored comma

And when so amended, H. F. No. 484 will be identical to S. F. No. 821 and further recommends that H. F. No. 484 be given its second reading and substituted for S. F. No. 821 and S. F. No. 821 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2174 be amended as follows:

Page 1, after line 25, insert a section to read;

"Sec. 3. Minnesota Statutes 1971, Section 648.31, Subdivision 2, is amended to read:

Subd. 2. [NEW LAWS INCORPORATED.] The revisor of statutes shall ~~may~~, as soon as possible after the adjournment of each such biennial session of the Legislature, incorporate with the body of the text of the Minnesota Statutes the amendments made to any of the statutes contained therein at such session of the Legislature and at any extra session of the Legislature held since the last preceding biennial session, and omit any sections or statutes expressly repealed."

Renumber the remaining sections

Further, amend the title in line 7, after "648.31," by inserting "Subdivision 2, and"

And when so amended, H. F. No. 2174 will be identical to S. F. No. 1918 and further recommends that H. F. No. 2174 be given its second reading and substituted for S. F. No. 1918 and S. F. No. 1918 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1948 be amended as follows:

Page 1, line 6, delete the colon and insert in lieu thereof a comma

Page 1, line 7, delete "(1)"

And when so amended, H. F. No. 1948 will be identical to S. F. No. 1947 and further recommends that H. F. No. 1948 be given its second reading and substituted for S. F. No. 1947 and S. F. No. 1947 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2180 be amended as follows:

Page 18, line 5, delete "under this act"

Page 18, line 6, delete "If the target company is an"

Page 18, delete all of lines 7 through 10

And when so amended, H. F. No. 2180 will be identical to S. F. No. 1908 and further recommends that H. F. No. 2180 be given its second reading and substituted for S. F. No. 1908 and S. F. No. 1908 be indefinitely postponed. Amendments adopted.

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

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

H. F. Nos. 1675, 1764, 2050, 1436 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1675 to the Committee on Governmental Operations.

H. F. No. 2050 to the Committee on Labor and Commerce.

H. F. No. 1436 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1764 to the Committee on Transportation and General Legislation.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1633, 737, 1123, 1825, 1993, 2085, 1246, 1789, 498, 1514, 2269, 428, 1397, 1808, and 857 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 627, 1515, 83, 1591, 606, 901, 704, 548, 490, 622, 833, 1547, 268, 248, 515, 1709, 2352, 2016, 2351, 2208, 2015, 2132, 2178, 2093, 484, 2174, 1948, 2180, 759, 703, 11, and 904 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that H. F. No. 601 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Judiciary. Which motion prevailed.

Mr. Hansen, Baldy moved that H. F. No. 713 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. Conzemius moved that S. F. No. 2410 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Finance. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 1782: A bill for an act relating to the county of McLeod; tax levy for road and bridge purposes.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Schaaf
Arnold	Fitzsimons	Knutson	Ogdahl	Schrom
Ashbach	Frederick	Krieger	Olhoft	Spear
Berg	Gearty	Larson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Borden	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, S.	Nelson	Purfeerst	
Doty	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1523: A bill for an act relating to motor vehicles; registration and taxation; registrar of motor vehicles; amending Minnesota Statutes 1971, Section 168.325, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1522: A bill for an act relating to elections; providing for financial disclosures by candidates for Congress; amending Minnesota Statutes 1971, Section 211.20, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1623: A bill for an act relating to privacy of communications; amending Minnesota Statutes 1971, Section 626A.05, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being taken, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1643: A bill for an act relating to the city of St. Louis Park; authorizing the city council to establish special assessment districts.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Baldy	Kleinbaum	Milton
Arnold	Conzemius	Hansen, Mel	Knutson	Moe
Ashbach	Davies	Hanson, R.	Krieger	Nelson
Berg	Doty	Hughes	Larson	North
Bernhagen	Dunn	Humphrey	Laufenburger	Novak
Blatz	Fitzsimons	Josefson	Lewis	Ogdahl
Borden	Frederick	Keefe, S.	Lord	Olhoft
Chenoweth	Gearty	Kirchner	McCutcheon	Olson, A. G.

Olson, H. D.	Perpich, G.	Schrom	Stassen	Wegener
O'Neill	Pillsbury	Sillers	Stokowski	Purfeerst
Patton	Renneke	Solon	Thorup	Willet
Perpich, A. J.	Schaaf	Spear	Ueland	

So the bill passed and its title was agreed to.

S. F. No. 2035: A bill for an act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Anderson and Milton voted in the negative.

So the bill passed and its title was 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1797: A bill for an act relating to Ramsey county; establishing a commission for the study of local government; prescribing duties and obligations; providing for report by the commission to the legislature; appropriating money.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2165: A bill for an act relating to the City of Red Lake Falls; determination of financial requirements for the firemen's relief fund.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2338: A bill for an act relating to public welfare; permitting Ramsey county and the city of St. Paul to incur certain debt and impose taxes to discharge it for public hospital and social service programs.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Krieger voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2121: A bill for an act relating to the city of Minneapolis; authorizing the city to acquire and finance a rehabilitation and therapy health care facility as a project under the municipal industrial development act.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Mel voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1930: A bill for an act relating to municipal housing and redevelopment authorities; rehabilitation loans and grants; amending Minnesota Statutes 1971, Sections 462.445 by adding a subdivision; and 462.581.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2320: 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 under certain conditions; authorizing the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2277: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

Was read the third time.

With the unanimous consent of the Senate, Mr. McCutcheon moved to amend S. F. No. 2277, as follows:

Strike lines 22 through 24

Which motion prevailed. So the amendment was adopted.

S. F. No. 2277 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 2148: A bill for an act relating to Independent School District No. 625; amending Laws 1969, Chapter 911, Section 2, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 750: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Larson	Olson, A. G.	Spear
Arnold	Fitzsimons	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Frederick	Lewis	Patton	Stokowski
Borden	Gearty	Lord	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chmielewski	Hughes	Milton	Purfeerst	Willet
Coleman	Humphrey	Moe	Renneke	
Conzemius	Josefson	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	
Doty	Kleinbaum	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Brown	Kirchner	Nelson	Pillsbury
Bang	Hansen, Baldy	Kowalczyk	Ogdahl	Sillers
Berg	Hansen, Mel	Krieger	O'Neill	Ueland
Blatz				

So the bill passed and its title was agreed to.

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 830: A bill for an act relating to taxation; exempting certain sales of advertising material from sales tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown and Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1480: A bill for an act relating to meetings of state agencies and of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705; repealing Minnesota Statutes 1971, Section 10.41.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Larson	Olhoff	Spear
Arnold	Fitzsimons	Lewis	Olson, A. G.	Stassen
Bang	Gearty	Lord	Olson, H. D.	Stokowski
Borden	Hansen, Mel	McCutcheon	O'Neill	Thorup
Brown	Hughes	Milton	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Moe	Perpich, G.	Willet
Chmielewski	Keefe, J.	Nelson	Pillsbury	
Coleman	Keefe, S.	North	Purfeerst	
Conzemius	Kleinbaum	Novak	Schaaf	
Davies	Kowalczyk	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Krieger	Schrom
Berg	Frederick	Josefson	Patton	Sillers
Bernhagen	Hansen, Baldy	Knutson	Renneke	Ueland
Blatz				

So the bill passed and its title was agreed to.

S. F. No. 1125: A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1971, Section 626.851.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Nelson voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2417, No. 207 on the General orders calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and

limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Mr. Brown moved to amend S. F. No. 2417 as follows:

Page 6, Section 7, Subd. 1, strike and insert in lieu thereof	"145,100 "50,000	145,100" 50,000"
Page 16, Section 31, Subd. 2, strike and insert in lieu thereof	"200,000 "300,000	200,000" 300,000"

CALL OF THE SENATE

Mr. Hughes imposed a call of the Senate on S. F. No. 2417.

The following Senators answered to their names:

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

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

The question being taken on the adoption of the amendment,

Mr. Hughes moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 21 and nays 41, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knutson	O'Neill	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Patton	
Blatz	Hanson, R.	Krieger	Pillsbury	
Brown	Keefe, J.	Nelson	Sillers	
Dunn	Kirchner	Ogdahl	Stassen	

Those who voted in the negative were:

Anderson	Doty	Larson	Olson, A. G.	Spear
Ashbach	Fitzsimons	Lewis	Olson, H. D.	Stokowski
Berg	Gearty	Lord	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Wegener
Chenoweth	Hughes	Milton	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	
Coleman	Josefson	North	Schaaf	
Conzemius	Keefe, S.	Novak	Schrom	
Davies	Kleinbaum	Olhoft	Solon	

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

Mr. Nelson moved to amend S. F. No. No. 2417, as follows:

Page 8, Section 13, Subd. 4 after the line beginning with "(b)" insert a new line:

"Reimbursement to local governments
for peace officer training costs 100,000 100,000"

The question being taken on the adoption of the amendment,

Mr. Hughes moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kirchner	Nelson	Stassen
Bernhagen	Hansen, Mel	Knutson	Patton	Ueland
Blatz	Hansen, R.	Kowalczyk	Pillsbury	
Brown	Josefson	Krieger	Renneke	
Dunn	Keefe, J.	McCutcheon	Sillers	

Those who voted in the negative were:

Anderson	Davies	Larson	Ogdahl	Schaaf
Arnold	Fitzsimons	Laufenburger	Olhoft	Schrom
Ashbach	Gearty	Lewis	Olson, A. G.	Solon
Borden	Hansen, Baldy	Lord	Olson, H. D.	Spear
Chenoweth	Hughes	Milton	O'Neill	Stokowski
Chmielewski	Humphrey	Moe	Perpich, A. J.	Thorup
Coleman	Keefe, S.	North	Perpich, G.	Wegener
Conzemius	Kleinbaum	Novak	Purfeerst	Willet

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

S. F. No. 2417 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hansen, R.	Laufenburger	Novak
Arnold	Conzemius	Hughes	Lewis	Ogdahl
Ashbach	Davies	Humphrey	Lord	Olhoft
Blatz	Doty	Josefson	McCutcheon	Olson, A. G.
Borden	Dunn	Keefe, S.	Milton	Olson, H. D.
Chenoweth	Fitzsimons	Kirchner	Moe	O'Neill
Chmielewski	Gearty	Kleinbaum	North	Perpich, A. J.

Perpich, G. Purfeerst Renneke	Schaaf Schrom Sillers	Solon Spear	Stokowski Thorup	Wegener Willet
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Those who voted in the negative were:

Bang Berg Bernhagen Brown	Frederick Hansen, Baldy Hansen, Mel	Keefe, J. Knutson Kowalczyk	Larson Nelson Patton	Pillsbury Stassen Ueland
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So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. Which motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Laufenburger was excused from this evening's Session, beginning at 9:00 o'clock p.m. Mr. Gearty was excused from this evening's Session, beginning at 9:15 o'clock p.m.

CALL OF THE SENATE

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

Anderson Arnold Berg Bernhagen Brown Chenoweth Coleman Conzemius	Davies Doty Dunn Fitzsimons Frederick Gearty Hansen, Baldy Hanson, R.	Hughes Kirchner Kleinbaum Knutson Kowalczyk Krieger Laufenburger Lewis	Lord McCutcheon Ogdahl Olson, H. D. Patton Perpich, A. J. Perpich, G. Purfeerst	Sillers Solon Spear Thorup Wegener Willet
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The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved to recall S. F. No. 750 from the House for further consideration. Which motion prevailed.

Mr. Knutson moved that the name of Mr. North be added as co-author to S. F. No. 2369. Which motion prevailed.

Mr. Knutson moved that the name of Mr. Kowalczyk be added as co-author to S. F. No. 2118. Which motion prevailed.

Mr. Ogdahl moved that the name of Mr. Nelson be added as co-author to S. F. No. 1971. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Ogdahl in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Ogdahl reported that the committee had considered

H. F. No. 295, which the committee recommends to pass with the following amendments offered by Messrs. Thorup; Hansen, Baldy; Conzemius, Krieger, Nelson, Kirchner and O'Neill:

Mr. Thorup moved to amend H. F. No. 295, the printed bill, as follows:

Page 12, after line 19, add:

"Sec. 36. [EFFECTIVE DATE.] *This act shall take effect the day following its final enactment.*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup then moved to amend H. F. No. 295, the printed bill, as follows:

Page 7, line 35, after "*petition*" insert "*and determination by the mediator,*"

Page 8, line 3, after "*arbitration*" insert "*and the director has determined that an impasse has been reached*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup then moved to amend H. F. No. 295, the printed bill, as follows:

Page 7, Line 32, after "*shall*" insert "*only*"

Page 8, line 20, strike "*board*" and insert "*director*"

Page 8, line 24, after "*petition*" insert "*the director*"

Page 9, line 9, after "*179.72.*" insert: "*If the employer has not petitioned for binding arbitration under subdivision 3 or 5 or if the employer has not joined in an employee's petition for binding arbitration under subdivision 3 or 5, Minnesota Statutes 179.72, Subdivision 6 shall not be applicable. If no petition has been filed within the time specified under subdivision 3 or 5, at any time thereafter the parties may invoke the provisions of subdivision 3 or 5 and Minnesota Statutes 179.72, Subdivision 6, shall be applicable.*"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy, moved to amend H.F. No. 295 (as amended), the printed bill, as follows:

Page 2, strike lines 6 through 21

Page 4, strike lines 3 through 18

Page 4, strike lines 23 through 28

Page 9, strike lines 23 through 36

Page 12, line 17, strike "179.69, Subdivision 7;"

Renumber the sections consecutively

Amend the title as follows:

Third line of title, strike "9," and strike ", and by adding a"

Fourth line, beginning of the line, strike "subdivision"

Fourth line, strike "6" and after "179.66," strike "Subdivisions"

Fifth line, at the beginning of the line, strike "4 and" and insert "Subdivision"

Sixth line, strike "179.71, Subdivision 3;"

Eighth line, strike "179.69, Subdivision 7;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 33 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Olson, A. G.	Schrom
Bang	Hansen, Baldy	Kowalczyk	Olson, H. D.	Sillers
Berg	Hansen, Mel	Krieger	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Larson	O'Neill	Ueland
Blatz	Jensen	Nelson	Patton	Willet
Dunn	Josefson	Ogdahl	Pillsbury	
Fitzsimons	Kirchner	Olhoft	Renneke	

Those who voted in the negative were:

Anderson	Coleman	Keefe, S.	Milton	Solon
Arnold	Conzemius	Kleinbaum	Moe	Spear
Borden	Davies	Laufenburger	North	Stokowski
Brown	Doty	Lewis	Novak	Thorup
Chenoweth	Hughes	Lord	Perpich, A. J.	
Chmielewski	Humphrey	McCutcheon	Purfeerst	

Which motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 295, the printed bill, as follows:

Page 2, strike lines 27 through 34

Renumber the sections in sequence

Amend the title in the third line, after "9," insert "and" and in the same line strike "and 18,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kleinbaum	Olhoft	Schrom
Bang	Frederick	Knutson	Olson, A. G.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Krieger	Olson, J. L.	Ueland
Blatz	Jensen	Larson	O'Neill	Willet
Brown	Josefson	Nelson	Patton	
Conzemius	Keefe, J.	North	Pillsbury	
Dunn	Kirchner	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Novak	Solon
Arnold	Doty	Lewis	Perpich, A. J.	Spear
Borden	Hansen, Mel	Lord	Perpich, G.	Stokowski
Chenoweth	Hughes	McCutcheon	Purfeerst	Thorup
Coleman	Humphrey	Milton	Schaaf	Wegener

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend H. F. No. 295, the printed bill, as follows:

Page 9, strike lines 10 through 22

Renumber the sections in sequence

Amend the title as follows:

6th line, strike "179.70, Subdivision 1;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 33 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Arnold	Gearty	McCutcheon	Perpich, G.	Thorup
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	
Coleman	Keefe, S.	Novak	Solon	
Davies	Lewis	Olhoft	Spear	
Doty	Lord	Perpich, A. J.	Stokowski	

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend H. F. No. 295 as follows:

Page 11, lines 2 through 5, reinstate the stricken language.

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 2, strike "*due*" and insert "*dues*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup moved to amend H. F. No. 295, the printed bill, as follows:

Page 12, line 11, after "legislature" insert "*to be accepted, rejected or modified*"

Which motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend H. F. No. 295, the printed bill, as follows:

Page 3, line 26, after the period, insert:

"In no instance shall the required contribution exceed a pro rata share of the specific expenses for services rendered incurred by the representative in relationship to the negotiation."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 31 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Novak	Solon
Arnold	Doty	Lord	Olhoft	Spear
Borden	Gearty	McCutcheon	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Milton	Olson, H. D.	Tennessen
Coleman	Hughes	Moe	Purfeerst	Thorup
Conzemius	Humphrey	North	Schaaf	Wegener

Which motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 35, after the period insert a new sentence to read:

"That portion of an arbitrator's award or negotiated agreement which contains a provision or provisions which conflicts with any statute providing for spending limitations or levy limitations shall be void and of no effect."

Which motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 295, the typewritten bill as follows:

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

“Section 1. Minnesota Statutes 1971, Section 179.63, Subdivision 6, is amended to read:

Subd. 6. “Exclusive representative” means an employee organization which has been designated by more than 50 percent of a majority of those votes cast in the appropriate unit and has been certified pursuant to section 179.67.

Sec. 2. Minnesota Statutes 1971, Section 179.63, Subdivision 13, is amended to read:

Subd. 13. “Teacher” means any person other than a superintendent or assistant superintendent, employed by a school district in a position for which the person must be certificated by the state board of education; and such employment does not come within the exceptions stated in subdivision 7, or defined in subdivisions 8, 9, or 15 14.

Sec. 3. Minnesota Statutes 1971, Section 179.64, Subdivision 1, is amended to read:

179.64 [STRIKES; PROHIBITION; PENALTIES.] Subdivision 1. *Except as otherwise provided by this act*, no person holding a position by appointment or employment in the government of the state of Minnesota, or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or of the state university, or in the service of any authority, commission or board or any other branch of the public service, whether included or excepted from this act may engage in a strike, nor shall any such person or organization of such persons or its officials or agents cause, condone, instigate, encourage, or cooperate, in a strike.

Sec. 4. Minnesota Statutes 1971, Section 179.64, Subdivision 4, is amended to read:

Subd. 4. A public employee who knowingly violates the provisions of this section and whose employment has been terminated pursuant to this section, may, subsequent to such violation, be appointed or reappointed, employed or reemployed, but the employee shall be on probation for two years with respect to such civil service status, tenure of employment, or contract of employment, as he may have theretofore been entitled.

No employee shall be entitled to any daily pay, wages or per diem for the days on which he engaged in a *an unlawful or permitted strike*.

Sec. 5. Minnesota Statutes 1971, Section 179.65, Subdivision 2, is amended to read:

Subd. 2. Public employees shall have the right to form and join labor or employee organizations, and shall have the right not to

form and join such organizations. Public employees in an appropriate unit shall have the right by secret ballot to designate an exclusive representative for the purpose of negotiating grievance procedures and the terms and conditions of employment for such employees with the employer of such unit. *All public employees in an appropriate unit who are members of an appropriate unit shall be required to contribute a proportionate share of the costs of services rendered by the exclusive representative in negotiating contracts. The employer shall provide for check off of said costs and transmit same to the exclusive unit.*

Sec. 6. Minnesota Statutes 1971, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Supervisory and confidential employees, principals and assistant principals, may join and participate in employee organizations and may form their own organizations, provided, however, that nothing in this section authorizes supervisory or confidential employees ; ~~or principals and assistant principals~~, to be included in an appropriate unit. Affiliation of a supervisory or confidential employee ~~or principal or assistant principal~~ organization with another employee organization which has as its members non-supervisory employees or non-confidential employees, or non-principals or non-assistant principals is *shall not be permitted*. An employer shall not, and shall not be required by the director to extend exclusive recognition to a representative of or an organization of supervisory or confidential employees ; ~~or principals and assistant principals~~, for the purpose of negotiating terms or conditions of employment, but an employer may consult and otherwise communicate with such an organization on appropriate matters.

Sec. 7. Minnesota Statutes 1971, Section 179.66, Subdivision 4, is amended to read:

Subd. 4. A public employer has the obligation to meet and confer with supervisory employees, confidential employees ; ~~principals and assistant principals~~, or their representative regarding the terms and conditions of their employment.

Sec. 8. Minnesota Statutes 1971, Section 179.67, Subdivision 7, is amended to read:

Subd. 7. An employee organization shall be certified as the exclusive representative of an appropriate unit upon receiving a majority of votes of the employees in the appropriate unit ~~at a voting in the certification election~~.

Sec. 9. Minnesota Statutes 1971, Section 179.67, Subdivision 11, is amended to read:

Subd. 11. If no choice on the ballot receives a majority of those ~~employees votes cast~~ in the unit, the director shall conduct a run off election wherein the ballot shall contain only the two choices receiving the greater number of votes.

Sec. 10. Minnesota Statutes 1971, Section 179.67, Subdivision 12, is amended to read:

Subd. 12. Upon a representative candidate receiving a majority of *those* votes ~~of all employees~~ cast in a unit, the director shall certify that representative candidate as the exclusive representative of all employees in the unit.

Sec. 11. Minnesota Statutes 1971, Section 179.68, Subdivision 3, is amended to read:

Subd. 3. Employee organizations, their agents or representatives, and public employees are prohibited from:

(1) restraining or coercing employees in the exercise of their rights as provided in sections 179.61 to 179.77;

(2) restraining or coercing a public employer in the election of his representatives to be employed for the purposes of meeting and negotiating or the adjustment of grievances;

(3) refusing to meet and negotiate in good faith with a public employer, if they have been designated in accordance with the provisions of sections 179.61 to 179.77 as the exclusive representative of employees in an appropriate unit;

(4) violating any of the rules and regulations established by the director regulating the conduct of representation elections;

(5) refusing to comply with the provisions of a valid decision of an arbitration panel or arbitrator acting pursuant to sections 179.61 to 179.77;

(6) calling, instituting, maintaining or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;

(7) coercing or restraining any person with the effect to:

(a) force or require any public employer to cease dealing or doing business with any other person or;

(b) force or require a public employer to recognize for representation purposes an employee organization not certified by the director;

(c) refuse to handle goods or perform services;

(d) preventing an employee from providing services to the employer;

(8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;

(9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft or class;

(10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

- (11) engaging in ~~a~~ *an unlawful* strike;
- (12) any picketing which results in a refusal by any person to deliver goods or perform services;
- (13) picketing which has an unlawful purpose such as, but not limited to, the furthering of a strike;
- (14) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;
- (15) seizing or occupying or destroying property of the employer;
- (16) violating or refusing to comply with any lawful order or decision issued by the director of the board as authorized by sections 179.61 to 179.77;
- (17) the persistent insistence to negotiate items clearly excluded as negotiable under section 179.63, subdivision 19.

Sec. 12. Minnesota Statutes 1971, Section 179.70, Subdivision 5, is amended to read:

Subd. 5. All arbitration decisions authorized or required by a grievance procedure shall be *final and binding on both parties* subject to those limitations of arbitration decisions contained in section 179.72, subdivision 7.

Sec. 13. Minnesota Statutes 1971, Section 179.72, Subdivision 3, is amended to read:

Subd. 3. In addition to the other powers and duties given it by law, the board has the following powers and duties;

(a) to hear and decide issues relating to the meaning of the terms "supervisory employee", "confidential employee", or "essential employee" ~~or "professional employee"~~, as defined by section 179.63;

(b) to hear and decide appeals from determinations of the director relating to the appropriateness of a unit under section 179.67;

(c) to approve or disapprove the rules and regulations promulgated by the director under section 179.71, subdivision 5(g).

Sec. 14. Minnesota Statutes 1971, Section 179.72, Subdivision 9, is amended to read:

Subd. 9. Upon issuing its decision and order involving any dispute, the panel shall transmit the order to the board and to the appropriate representative or officer of the public employer and the employees.

The public employer shall have ten days from the receipt of the order to accept or reject the decision and order; if the public employer takes no action within the ten day period the order shall be deemed to have been accepted and shall be final. The public employer may reject the order by certification to the director and if so rejected the order shall be of no force or effect. *Upon*

such rejection, public employees who are parties to the dispute, other than employees who are employees of the state of Minnesota, upon ten days written notice to the employer may engage in a permitted strike.

Sec. 15. Minnesota Statutes 1971, Section 179.72, Subdivision 13, is amended to read:

Subd. 13. This section shall ~~not~~ apply *only with respect to arbitration of grievances to any state employee, confidential employee, or supervisory employee ; principal and assistant principal*; ~~nor shall any such employee derive any rights from this section .~~

Sec. 16. Minnesota Statutes 1971, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The negotiating team shall meet and negotiate with the exclusive representative of appropriate units in the manner prescribed by sections 179.61 to 179.77; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other consideration affecting employment relations clearly require appropriate units of some other ~~compensation~~ *composition*. Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Sec. 17. [REPEALS.] *Minnesota Statutes 1971, Sections 179.63, Subdivisions 10 and 14; 179.65, Subdivision 3; 179.66, Subdivision 3; and 179.73, are repealed."*

Further, strike the title in its entirety and insert in lieu thereof, the following:

"A bill for an act relating to labor relations; labor disputes and strikes by certain public employees; defining terms; providing for elections of exclusive representatives and arbitration; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6 and 18; 179.64, Subdivisions 1 and 4; 179.65, Subdivisions 2 and 6; 179.66, Subdivision 4; 179.67, Subdivisions 7, 11 and 12; 179.68, Subdivision 3; 179.70, Subdivision 5; 179.72, Subdivisions 3, 9 and 13; 179.74, Subdivision 4; repealing Minnesota Statutes 1971, Sections 179.63, Subdivisions 10 and 14; 179.65, Subdivision 3; 179.66, Subdivision 3; and 179.73."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Stokowski
Arnold	Hughes	Milton	Perpich, G.	Thorup
Borden	Humphrey	Moe	Purfeerst	Wegener
Chenoweth	Keefe, S.	North	Schaaf	Willet
Coleman	Kleinbaum	Novak	Solon	
Conzemius	Lewis	Olhoft	Spear	
Davies	Lord	Olson, A. G.	Stassen	

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

Mr. Jensen moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 35, after the period, insert a new sentence to read: "*Any arbitrator's award or negotiated agreement containing a provision or provisions which conflict with any statute providing for spending limitations, levy limitations, or Minnesota Statutes, Section 179.66, Subdivision 1, shall be void and of no effect.*"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Tennessee
Arnold	Hughes	Milton	Perpich, G.	Thorup
Borden	Humphrey	Moe	Purfeerst	Wegener
Chenoweth	Keefe, S.	North	Schaaf	Willet
Coleman	Kleinbaum	Novak	Solon	
Conzemius	Lewis	Olhoft	Spear	
Davies	Lord	Olson, A. G.	Stokowski	

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

Mr. Olson, H. D., moved to amend H. F. No. 295, the printed bill, as follows:

Page 3, line 6, strike "*may be provided in subdivision 7.*" and insert "*permitted in section 179.72, subdivision 9.*"

Page 3, strike all of Section 8.

Page 4, strike all of Section 13.

Page 5, lines 22, 23, and 24, reinsert the stricken language

Page 6, lines 8 through 11, strike the new matter and reinsert the stricken language.

Pages 7 and 8, strike all of Section 21

Page 8, strike all of Section 22

Pages 8 and 9, strike all of Section 23

Page 10, strike all of Section 27

Page 11, lines 10 through 15, reinsert all of the stricken language

Page 11, after line 15 insert:

“Upon such rejection, public employees who are parties to the dispute, upon ten days written notice to the public employer, may engage in the strike.”

Page 11, strike all of section 29

Page 12, strike all of Section 34

Page 12, line 18, strike “and 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9;”

Renumber the sections in sequence

Amend the title as follows:

Fourth line, after “179.64,” strike “Subdivisions 1 and” and insert “Subdivision”

Fourth line, after “5,” and before “6” insert “and” and after “6” strike “and 7”

Fifth and sixth lines, strike “179.69, Subdivisions 3, 5 and 6;”

Sixth line, after “1,” and before “9,” strike “7,” and insert “and” and after “9,” strike “and 10”

Seventh line, strike “179.75, Subdivision 8;”

Ninth line, strike “179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9;”

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 38, as follows:

Those who voted in the negative were:

Ashbach	Brown	Keefe, J.	Larson	Renneke
Berg	Frederick	Kirchner	Olson, H. D.	Schrom
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Sillers
Blatz	Jensen	Krieger	Patton	Ueland

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Spear
Arnold	Hansen, Mel	McCutcheon	O’Neill	Stassen
Borden	Hughes	Milton	Perpich, A. J.	Stokowski
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Davies	Keefe, S.	Nelson	Pillsbury	Wegener
Doty	Kleinbaum	North	Purfeerst	Willet
Dunn	Kowalczyk	Novak	Schaaf	
Fitzsimons	Lewis	Olhoft	Solon	

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

Mr. Ogdahl moved that the report of the Committee of the Whole, as kept by the Secretary be adopted.

CALL OF THE SENATE

Mr. Ashbach imposed a call of the Senate.

The following Senators answered to their names:

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

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

Mr. Coleman moved that Mr. Chmielewski be excused from the balance of the Session.

The question being taken on adoption of the motion of Mr. Coleman,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

Which motion prevailed.

The question being taken on the adoption of the report of the Committee of the Whole,

And the roll being called, there were yeas 51 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoff	Spear
Arnold	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Borden	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Brown	Hanson, R.	Lord	Olson, J. L.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Sillers	
Fitzsimons	Kleinbaum	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Bernhagen	Jensen	O'Neill	Renneke
Bang	Blatz	Kowalczyk	Patton	Ueland
Berg	Frederick	Krieger	Pillsbury	

Which motion prevailed. So the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennesen moved that S. F. No. 6 be taken from the table. Which motion prevailed.

Mr. Tennesen moved that the Senate do now concur in the amendments by the House to S. F. No. 6 and that the bill be placed on its repassage as amended.

Mr. Jensen moved that the Senate do not concur in the amendments by the House to S. F. No. 6 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question being taken on adoption of the motion of Mr. Jensen,

And the roll being called, there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Larson	Sillers
Bang	Fitzsimons	Keefe, J.	Ogdahl	Stassen
Berg	Frederick	Kirchner	Olson, J. L.	Ueland
Blatz	Hansen, Mel	Knutson	Patton	
Bernhagen	Hanson, R.	Kowalczyk	Pillsbury	
Brown	Jensen	Krieger	Renneke	

Those who voted in the negative were:

Anderson	Hughes	Moe	Perpich, A. J.	Tennessee
Arnold	Humphrey	Nelson	Perpich, G.	Thorup
Borden	Keefe, S.	North	Purfeerst	Wegener
Chenoweth	Kleinbaum	Novak	Schaaf	Willet
Davies	Lewis	Olhoft	Schrom	
Doty	Lord	Olson, A. G.	Solon	
Gearty	McCutcheon	Olson, H. D.	Spear	
Hansen, Baldy	Milton	O'Neill	Stokowski	

Which motion did not prevail.

The question recurring on the motion of Mr. Tennessee,

And the roll being called, there were yeas 42 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Olson, A. G.	Spear
Arnold	Hughes	McCutcheon	Olson, H. D.	Stokowski
Borden	Humphrey	Milton	Olson, J. L.	Tennessee
Chenoweth	Keefe, J.	Moe	O'Neill	Thorup
Coleman	Keefe, S.	Nelson	Perpich, A. J.	Wegener
Conzemius	Kleinbaum	North	Perpich, G.	Willet
Davies	Knutson	Novak	Purfeerst	
Doty	Kowalczyk	Ogdahl	Schaaf	
Gearty	Lewis	Olhoft	Solon	

Those who voted in the negative were:

Bang	Brown	Hanson, R.	Patton	Sillers
Berg	Fitzsimons	Jensen	Pillsbury	Stassen
Bernhagen	Frederick	Josefson	Renneke	Ueland
Blatz	Hansen, Baldy	Larson	Schrom	

Which motion prevailed.

CONCURRENCE AND REPASSAGE

S. F. No. 6: A bill for an act relating to real estate; liens for improvements thereto; extent and amount thereof; requiring notice to owners; prescribing penalties; amending Minnesota Statutes 1971, Sections 514.01; 514.03; 514.05; 514.07; 514.08; and 514.11; and Chapter 514, by adding a section.

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

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

And the roll being called, there were yeas 42 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olhoft	Solon
Arnold	Hansen, Mel	Lord	Olson, A. G.	Spear
Ashbach	Hughes	McCutcheon	Olson, H. D.	Stokowski
Borden	Humphrey	Milton	Olson, J. L.	Tennessee
Chenoweth	Keefe, J.	Moe	O'Neill	Thorup
Coleman	Keefe, S.	Nelson	Perpich, A. J.	Wegener
Conzemius	Kleinbaum	North	Perpich, G.	
Davies	Knutson	Novak	Purfeerst	
Doty	Kowalczyk	Ogdahl	Schaaf	

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Renneke	Willet
Berg	Frederick	Krieger	Schrom	
Bernhagen	Hansen, Baldy	Larson	Sillers	
Blatz	Hanson, R.	Patton	Stassen	
Brown	Jensen	Pillsbury	Ueland	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that H. F. No. 672 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

Mr. Borden moved that the foregoing recommendation and Conference Committee Report on H. F. No. 672 be now adopted. Which motion prevailed.

Which recommendations and Conference Committee Report were adopted.

H. F. No. 672: A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classifications of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

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

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

And the roll being called, there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Ogdahl	Schrom
Bang	Gearty	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Borden	Hansen, Mel	Larson	Olson, J. L.	Stassen
Brown	Hughes	Lewis	O'Neill	Stokowski
Chenoweth	Humphrey	Lord	Patton	Tennessee
Coleman	Jensen	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

Messrs. Bernhagen; Hanson, R.; Olson, H. D. and Ueland voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that House Concurrent Resolution No. 9 be taken from the table. Which motion prevailed.

Mr. Coleman moved that House Concurrent Resolution No. 9 be referred to the Committee on Rules and Administration.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question recurring on the motion of Mr. Coleman,

And the roll being called, there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, A. G.	Solon
Arnold	Gearty	Lord	Olson, H. D.	Spear
Borden	Hansen, Baldy	Milton	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Moe	Perpich, G.	Tennessee
Coleman	Humphrey	North	Purfeerst	Thorup
Conzemius	Keefe, S.	Novak	Schaaf	Wegener
Davies	Kleinbaum	Olhoff	Schrom	Willet

Those who voted in the negative were:

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

Which motion prevailed. So House Concurrent Resolution No. 9 was referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, May 5, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-THIRD DAY

St. Paul, Minnesota, Saturday, May 5, 1973.

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

CALL OF THE SENATE

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

Bang	Doty	Kirchner	Olhoff	Schaaf
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Gearty	Larson	Olson, J. L.	Spear
Blatz	Hansen, Baldy	Laufenburger	Patton	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brown	Hanson, R.	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Davies	Keefe, S.	Novak	Renneke	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey, Lord, McCutcheon and Pillsbury were excused from the Session of today. Mr. Renneke was excused from the Session of today, beginning at 11:30 o'clock a.m. Messrs. Josefson;

Ueland; Fitzsimons; Berg; Hanson, R. and Olson, H. D. were excused from the Session of today, beginning at 4:00 o'clock p.m. Messrs. Olson, J. L. and Perpich, G. were excused from the Session of today, beginning at 4:30 o'clock p.m. Mr. Patton was excused from the Session of today, beginning at 4:45 o'clock p.m. Messrs. Bernhagen, Larson and Kleinbaum were excused from the Session of today, beginning at 6:00 o'clock p.m. Mr. Kirchner was excused from the Session of today, beginning at 7:30 o'clock p.m. Mr. Laufenburger was excused from this afternoon's and this evening's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 2, 1973.

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Branch C. Miller, 2801 43rd Avenue South, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 2, 1973, for a term expiring the first Monday of January, 1976.

Sincerely,
Wendell R. Anderson, Governor

Which appointment was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Messrs. Tennesen, Josefson and Laufenburger introduced—

S. F. No. 2442: A bill for an act creating a commission to investigate and study all matters relating to highways; appropriating money.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Perpich, A. J. introduced—

S. F. No. 2443: A bill for an act relating to taxation of property devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, A. J. introduced—

S. F. No. 2444: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, A. J. introduced—

S. F. No. 2445: A bill for an act relating to taxation; transferring administration of homestead property tax relief in taconite and iron ore areas to commissioner of taxation; amending Minnesota Statutes 1971, Sections 273.135, Subdivisions 3 and 4; and 273.136, Subdivisions 2 and 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 2446: A bill for an act relating to the powers of the county board of commissioners; amending Minnesota Statutes 1971, Section 375.19.

Which was read the first time and referred to the Committee on Local Government.

Mr. Chmielewski introduced—

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; 40.05, Subdivisions 3, 3a, and 4; and 40.07, Subdivision 15.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 641, 1343, 1377, 1401, 1559, 1678, and 2189.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 4, 1973

Mr. President:

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

S. F. No. 118: A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

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

Sieben, M.; Wenzel and Wohlwend.

Senate File No. 118 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 4, 1973

Mr. President:

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

S. F. No. 488: A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

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

LaVoy; Andersen, R. and Johnson, D.

Senate File No. 488 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 4, 1973

Mr. President:

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

S. F. No. 733: A bill for an act relating to drivers; licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18, repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

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

Schulz, Lemke and Niehaus.

Senate File No. 733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 4, 1973

Mr. President:

I have the honor to announce the passage by the House of the

following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1182: A bill for an act relating to county government, providing for county license bureaus.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 3, 1973

Mr. Larson moved that S. F. No. 1182 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 225, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 225: A bill for an act relating to municipalities; powers; providing for severance pay to employees; amending Minnesota Statutes 1971, Chapter 465, by adding a section.

House File No. 225 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 4, 1973

Mr. Davies moved that H. F. No. 225 be laid on the table and the Conference Committee Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 225

A bill for an act relating to municipalities; powers; providing for severance pay to employees; amending Minnesota Statutes 1971, Chapter 465, by adding a section.

May 1, 1973

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. 225, 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. 225 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Chapter 465, is amended by adding a section to read:

[465.72] [MUNICIPAL CORPORATION; SEVERANCE PAY.] *Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, all counties, cities, villages, boroughs, townships and school districts are hereby authorized and empowered to pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving employment prior to the normal retirement date. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee leaving employment exceed an amount equivalent to 100 days pay.*

Sec. 2. [REPEALER.] *Laws 1965, Chapters 621 and 690 are repealed.*

Sec. 3. [EFFECTIVE DATE.] *This act shall become effective July 1, 1973.*"

Further, amend the title in line 5, after "section" by inserting "; repealing Laws 1965, Chapters 621 and 690"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Douglas St. Onge, John E. Boland and Ray O. Pleasant

Senate Conferees: (Signed) Jerald C. Anderson, Jack Kleinbaum and J. Robert Stassen

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2353 and 995.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 4, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 543, 1355, and 2365.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 3, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 972 and 2437.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 4, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 543: A bill for an act relating to health; amending Minnesota Statutes 1971, Section 617.251.

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

H. F. No. 2365: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

H. F. No. 995: A bill for an act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes 1971, Section 290.08, Subdivision 6.

H. F. No. 972: A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

Which were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 2437: A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby;

transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

Mr. Davies moved that H. F. No. 2437 be laid on the table. Which motion prevailed.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

Mr. Davies moved that H. F. No. 2353 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of those pertaining to appointments and the committee report on S. F. No. 1735 be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 1753, 2344 and 1978.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. No. 1735

Mr. Spear, pursuant to Rule 35, requested that S. F. No. 1735 be re-referred to the Committee on Rules and Administration. So S. F. No. 1735 was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 1359, 1543, 1632, 1829, 1844, 2047, 2058, 2178 and 2203.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

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

S. F. No. 2113: A bill for an act relating to taxation; providing

for a reduction in assessed value of apartment housing of type I or II construction; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

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

Page 1, line 27, strike "30" and insert "33 $\frac{1}{3}$ "

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

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

S. F. No. 2316: A bill for an act relating to taxation; providing certain rebates for brewers; amending Minnesota Statutes 1971, Section 340.47, Subdivision 2.

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

Page 1, line 27, strike "rebate" and insert "credit"

Page 1, line 29, strike "rebate" and insert "credit"

Page 2, line 1, strike "The"

Page 2, strike lines 2 through 9 and insert:

"Sec. 2. This act is in effect on July 1, 1973. On August 15, 1973, and on the 15th day of each month thereafter, Minnesota brewers may take the credit authorized by this act, but the total credit allowed shall not exceed the allowable credit on more than 40,000 barrels containing not more than 3.2 percent of alcohol by weight, and 40,000 barrels containing more than 3.2 percent of alcohol by weight, produced and sold in Minnesota in any fiscal year beginning July 1, 1973."

Amend the title on page 1, line 3, strike "rebates" and insert "credits"

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

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

S. F. No. 1269: A bill for an act relating to employees' benefits; providing an exemption for the sale of securities to an employee stock ownership trust and tax exemptions and deductions for contributions to an employee stock ownership trust; amending Minnesota Statutes 1971, Sections 80.06, by adding a subdivision; 290.01, by adding a subdivision; 290.21, Subdivision 3; 290.26, Subdivision 1 and by adding a subdivision; 291.05; and 292.04.

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

Strike everything after the enacting clause and insert:

"Section 1. [LEGISLATIVE INTENT.] *It is the intention of the legislature in defining and allowing for employee stock ownership trusts that the participation in the ownership of industrial, agribusiness, and other commercial businesses by the employees of the enterprises through the use of employee stock ownership trust would benefit all the people of Minnesota by:*

(1) Renewing and enlarging a sense of the worth of human effort; (2) Recognizing the interdependency of human effort and the ownership of the productive assets with which people work; (3) Providing direct economic advantage to employees from increased productivity; (4) Reducing differences in the real interests of labor and capital; and (5) Relieving a primary cause of social tension and alienation.

Sec. 2. Minnesota Statutes 1971, Section 80.06, is amended by adding a subdivision to read:

Subd. 17. Any sale by the issuer to an employee stock ownership trust as defined in section 290.01, subdivision 24.

Sec. 3. Minnesota Statutes 1971, Section 290.01, is amended by adding a subdivision to read:

Subd. 24. [EMPLOYEE STOCK OWNERSHIP TRUST.] The term "employee stock ownership trust" means a trust which (a) is a qualified stock bonus trust under section 401 of the Internal Revenue Code of 1954, as amended through December 31, 1972, except as any of the following requirements may be held to be prohibited transactions under section 503 of the Internal Revenue Code of 1954 amended through December 31, 1972; (b) provides that all employees of an employer with two or more years of full-time employment shall be eligible as beneficiaries of the trust; and (c) provides that shares in the unencumbered trust assets shall be allocated among the beneficiaries' accounts without reduction by social security benefits, in part in proportion to each beneficiary's aggregate compensation during his active employment as of each December 31 and in part upon other factors which will tend to avoid discrimination in favor of highly paid employees.

Sec. 4. Minnesota Statutes 1971, Section 290.21, Subdivision 3, is amended to read:

Subd. 3. An amount for contribution or gifts made within the taxable year:

(a) to or for the use of the state of Minnesota, or any of its political subdivisions for exclusively public purposes,

(b) to or for the use of any community chest, corporation, organization, trust, fund, association, or foundation located in and carrying on substantially all of its activities within this state, organized and operating exclusively for religious, charitable, public cemetery, scientific, literary, artistic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual,

(c) to a fraternal society, order, or association, operating under the lodge system located in and carrying on substantially all of their activities within this state if such contributions or gifts are to be used exclusively for the purposes specified in subdivision 3(b), or for or to posts or organizations of war veterans or auxiliary units or societies of such posts or organizations, if they are within the state and no part of their net income inures to the benefit of any private shareholder or individual, or to an employee stock ownership trust as defined in section 290.01, subdivision 24. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the deduction shall be reduced by the product of multiplying said amount by their percentage interest in the trust, provided that no deduction shall be allowed under this section with respect to amounts claimed as deductions under section 290.26,

(d) to or for the use of the United State of America for exclusively public purposes, and to or for the use of any community chest, corporation, trust, fund, association, or foundation, organized and operated exclusively for any of the purposes specified in subdivision 3(b) and (c) no part of the net earnings of which inures to the benefit of any private shareholder or individual, but not carrying on substantially all of their activities within this state, in an amount equal to the ratio of Minnesota taxable net income to total net income,

(e) to a political party, as defined in section 200.02, subdivision 7, or a political candidate, as defined in section 211.01, or a political cause when sponsored by any party or association or committee, as defined in section 211.01, in a maximum amount not to exceed the following:

(1) contributions made by individual natural persons, \$100,

(2) contributions made by a national committeeman, national committee woman, state chairman, or state chairwoman of a political party, as defined in section 200.02, subdivision 7, \$1,000,

(3) contributions made by a congressional district committeeman or committeewoman of a political party, as defined in section 200.02, subdivision 7, \$350,

(4) contributions made by a county chairman or a county chairwoman of a political party, as defined in section 200.02, subdivision 7, \$150;

(f) in the case of an individual, the total credit against taxable net income allowable hereunder shall not exceed 30 percent of the taxpayer's Minnesota gross income as follows:

(i) the aggregate of contributions made to organizations specified in (a), (b) and (d) shall not exceed ten percent of the taxpayer's Minnesota gross income,

(ii) the total credits under this subparagraph for any taxable year shall not exceed 20 percent of the taxpayer's Minnesota gross income. For purposes of this subparagraph, the credits under this section shall

be computed without regard to any deduction allowed under subparagraph (i) but shall take into account any contributions described in subparagraph (i) which are in excess of the amount allowable as a credit under subparagraph (i);

(g) in the case of a corporation, the total credit against net income hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the credits allowable under this section other than those for contributions or gifts,

(h) in the case of a corporation reporting its taxable income on the accrual basis, if—(A) the board of directors authorizes a charitable contribution during any taxable year, and (B) payment of such contribution is made after the close of such taxable year and on or before the fifteenth day of the third month following the close of such taxable year; then the taxpayer may elect to treat such contribution as paid during such taxable year. The election may be made only at the time of the filing of the return for such taxable year, and shall be signified in such manner as the commissioner shall by regulations prescribe.

Sec. 5. Minnesota Statutes 1971, Section 290.26, is amended by adding a subdivision to read:

Subd. 2a. [EMPLOYER STOCK OWNERSHIP TRUST CONTRIBUTIONS.] All contributions of an employer to an employee stock ownership trust as defined by section 290.01, subdivision 24, shall be allowed as a deduction in accordance with the provisions of section 404 of the Internal Revenue Code of 1954, as amended through December 31, 1972, except that the limitation contained therein on the amount of contributions allowed as a deduction shall not be applicable and in lieu thereof a limitation of 30% shall apply.

Sec. 6. Minnesota Statutes 1971, Section 291.05, is amended to read:

291.05 [EXEMPTIONS.] The following exemptions from the tax are hereby allowed:

(1) Any devise, bequest, gift, or transfer to or for the use of the United States of America or any state or any political subdivision thereof for public purposes exclusively, and any devise, bequest, gift, or transfer to or for the use of any corporation, fund, foundation, trust, or association operated within this state for religious, charitable, scientific, literary, education or public cemetery purposes exclusively, including the encouragement of art and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or individual, and any bequest or transfer to a trustee or trustees exclusively for such purposes, shall be exempt. *Any devise, bequest, gift, or transfer to an employee stock ownership trust as defined in section 290.01, subdivision 24, shall be exempt. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the exemption shall be reduced by the product of multiplying said amount by their percentage interest in the trust.*

Any devise, bequest, gift, or transfer, not to exceed \$1,000 made to a clergyman, the proceeds of which are to be used for religious

purposes or rites designated by the testator, shall be exempt. Any devise, bequest, gift, or transfer to or for the use of any corporation, fund, foundation, trust, or association operated for religious, charitable, scientific, literary, education, or public cemetery purposes exclusively, including the encouragement of art, and the prevention of cruelty to children or animals, no part of which devise, bequest, gift, or transfer inures to the profit of any private stockholder or any individual, and any bequest or transfer to a trustee or trustees exclusively for such purposes, shall be exempt, if, at the date of the decedent's death, the laws of the state under the laws of which the transferee was organized or existing, either (1) did not impose a death tax of any character, in respect of property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (2) contained a reciprocal provision under which transfers to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of another state were exempted from death taxes of every character if such other state allowed a similar exemption to a similar corporation, fund, foundation, trust, or association, organized under the laws of such state.

(2) The homestead of a decedent, and the proceeds thereof if sold during administration, transferred to the spouse or to any minor or dependent child of the decedent, or to any minor or dependent legally adopted child of the decedent, shall be exempt to the extent of \$30,000 of the appraised value thereof.

Proceeds of any insurance policy issued by the United States and generally known as war risk insurance, United States government life insurance or national service life insurance payable upon the death of any person dying on or after June 24, 1950, shall be exempt.

Proceeds of life insurance issued pursuant to Public Law 89-214 and generally known as servicemen's group life insurance payable upon the death of any person on or after September 1, 1965, shall be exempt. Claims for refunds of inheritance tax paid on such proceeds shall be accepted by the commissioner if filed with him by December 31, 1970, or within 18 months after such payment, whichever is later.

Proceeds of payments from the United States railroad retirement fund; or from the United States as social security benefit, shall be exempt.

(3) (i) Property or any beneficial interest therein of the clear value of \$30,000 transferred to the widow, shall be exempt.

(ii) Provided, where the amount of family maintenance allowed by the probate court is less than the maximum deductible under the provisions of section 291.10, or if no such maintenance is allowed, there shall be allowed to the widow an additional exemption equal in amount to the difference between the maximum deduction as provided by section 291.10 and the amount of such family maintenance allowed by the probate court. Further provided, where no probate proceedings are had there shall be allowed to the widow an additional exemption equal to the maxi-

imum deduction allowed for family maintenance under the provisions of section 291.10.

(4) (i) Property or any beneficial interest therein of the clear value of \$15,000 transferred to each minor or dependent child of the decedent, or any minor or dependent legally adopted child of the decedent, shall be exempt.

(ii) Provided, where the decedent left no widow entitled to the exemption allowed by Clause (3) of this section the exemption allowed by subparagraph (ii) of Clause (3) shall be allowed to beneficiaries entitled to exemption under the provisions of this Clause (4). In no event shall the aggregate amount of exemption so allowed be in excess of the additional amount that would have been allowed under subparagraph (ii) of Clause (3) had such paragraph been applicable.

(5) Property or any beneficial interest therein of the clear value of \$6,000 transferred to the husband, any adult child or other lineal descendant of the decedent, any adult legally adopted child, or any child to whom the decedent, for not less than ten years prior to his death, stood in the mutually acknowledged relation of a parent; provided, such relationship began at or before the child's fifteenth birthday, and was continuous for ten years thereafter, or any lineal issue of such adopted or mutually acknowledged child, or any lineal ancestor of the decedent, shall be exempt.

(6) Property or any beneficial interest therein of the clear value of \$1,500 transferred to any brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or the husband of a daughter of the decedent, shall be exempt.

(7) Property or any beneficial interest therein of the clear value of \$500 transferred to any person in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate not exempt under this chapter, shall be exempt.

Sec. 7. Minnesota Statutes 1971, Section 292.04, is amended to read:

292.04 [EXEMPTIONS.] The following transfers by gift shall be exempt from and excluded in computing the tax imposed by this chapter:

(1) Gifts to or for the use of the United States of America or any state or any political subdivision thereof for exclusively public purposes;

(2) Gifts to or for the use of any fund, foundation, trust, association, organization or corporation operated within this state for religious, charitable, scientific, literary, or educational purposes exclusively, including the promotion of the arts, or the conduct of a public cemetery, if no part thereof inures to the profit of any private shareholder or individual. Gifts to or for the use of any corporation, fund, foundation, trust, or association operated

for religious, charitable, scientific, literary, or educational purposes, including the promotion of the arts, or the conduct of a public cemetery, no part of which inures to the profit of any private shareholders or individual, shall be exempt, if at the date of the gift, the laws of the state under the laws of which the donee is organized or existing either (1) do not impose a gift tax in respect to property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (2) contain a reciprocal provision under which gifts to a similar corporation, fund, foundation, trust, or association organized or existing under the laws of another state are exempt from gift taxes if such other state allows a similar exemption to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of such state;

(3) Gifts to a fraternal society, order, or association operating under the lodge system, but only if such gifts are to be used exclusively for the purposes designated in clause (2);

(4) Gifts to or for the use of posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized within the state of Minnesota and if such gifts are to be used exclusively for the purposes designated in clause (2);

(5) All property transferred, money, service, or other thing of value, paid, furnished, or delivered by any person, corporation, organization, or association to his or its employees, or to any organization of his or its employees, directly or indirectly, or to any person, firm, or corporation for them or it, including payments to cover insurance, sickness, and death benefits, pensions, relief activities, or to any other employees benefit fund of any kind, and medical service to such employees and their families;

(6) The first \$3,000 in value of gifts (other than of future interests in property) made to any person by the donor during any calendar year. No part of a gift to a minor donee shall be considered a gift of future interest in property for purposes of this clause if it complies with the provisions of the Minnesota uniform gifts to minors act, Minnesota Statutes, Chapter 527, or if it is a transfer for the benefit of a minor, and if the property and income therefrom:

(a) May be expended by or for the benefit of the donee before his attaining the age of 21 years; and

(b) Will to the extent not so expended

(1) pass to the donee on his attaining the age of 21 years and

(2) in the event the donee dies before attaining the age of 21 years, be payable to the estate of the donee, or as he may appoint under a general power of appointment as defined in section 2514 (C) of the Internal Revenue Code of 1954;

(7) *Gifts to an employee stock ownership trust as defined in section 290.01, subdivision 24. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the exemption shall be*

reduced by the product of multiplying said amount by their percentage interest in the trust."

Amend the title, page 1, line 11, after "290.26," strike "Subdivision 1 and"

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

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

S. F. No. 2118: A bill for an act relating to human services; providing for the rendering of human services by a single board; permitting the joint exercise of powers by counties in the provision of human services; appropriating money.

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

Page 7, line 28, after "\$" insert "183,000"

Page 8, line 1, after "grants" insert ", evaluation and coordination,"

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

Mr. Novak from the Committee on Finance, 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.

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

Page 2, line 3, strike "*general fund*" and insert in lieu thereof "*game and fish fund*"

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

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

S. F. No. 1037: A bill for an act relating to water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; providing for the orderly maintenance, repair or reconstruction of dams serving the public interest; prescribing powers and duties of the commissioner of natural resources; authorizing the commissioner to make grants to local governmental units; appropriating money; amending Minnesota Statutes 1971, Sections 105.37, by adding a subdivision; 105.38; 105.42; 105.52; and Chapter 105, by adding a section.

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

Page 8, strike lines 22 through 28

Page 9, strike lines 1 through 4

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 12, strike "appropriating money;"

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

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

S. F. No. 929: A bill for an act relating to natural resources; prescribing a stream maintenance program; setting forth powers and duties of the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1971, Chapter 105, by adding a section.

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

Page 3, strike lines 2 through 5

Further amend the title as follows:

Page 1, line 6, strike "appropriating money;"

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

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

S. F. No. 461: A bill for an act relating to taxation; expanding class 3cc property classification to include homesteads of certain disabled persons; amending Minnesota Statutes 1971, Section 273.13, Subdivision 7.

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

Page 2, line 17, after "thereof." insert "*Permanently and totally disabled for the purpose of this subdivision means any one of the following conditions: the total and permanent loss of the sight of both eyes; the loss of both arms at the shoulder; the loss of both legs so close to the hips that no effective artificial members can be used; complete and permanent paralysis; total and permanent loss of mental faculties, or any other condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income.*"

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

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1224: A bill for an act relating to public health; venereal disease; requiring instruction and training in venereal disease in junior and senior high schools and for teachers; providing for the establishment of venereal disease treatment centers; relating to the sale of articles for the prevention of conception or disease; removing a restriction on certain medical advertisements; providing a penalty; appropriating funds; amending Minnesota Statutes 1971, Sections 126.02, Subdivision 2, and by adding a subdivision; 151.01, by adding a subdivision; 151.37, by adding a subdivision; 617.28, Subdivision 1; and Chapter 144, by adding a section; repealing Minnesota Statutes 1971, Section 617.251.

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

Page 2, line 24, strike "a"

Page 2, line 25, strike "course" and insert in lieu thereof "instruction"

Page 4, line 25, strike "270,000 or so"

Page 4, line 26, strike "much thereof as may be required" and insert in lieu thereof "50,000"

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

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1353: A bill for an act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

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

Page 1, line 26, after "462.396," insert "or Minnesota Statutes, Chapter 473B,"

Page 1, line 24, after "county," insert "having an aggregate population of 30,000 or more persons or comprising all the counties within a region designated pursuant to Minnesota Statutes, Sections 462.381 to 462.396 or Minnesota Statutes, Chapter 473B,"

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

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1160: A bill for an act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money.

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

Page 1, line 12, after "agencies." insert "The legislature also finds that further debate concerning population, economic and technological growth should be encouraged so that the consequences and causes of alternative decisions can be better known and understood by the public and its government."

Page 2, line 3, strike "The state planning agency shall provide"

Page 2, strike lines 4 through 6

Page 2, line 7, strike "council." and insert in lieu thereof "The director of the state planning agency shall employ staff or consultants who will be assigned to work for the council on a continuous basis."

Page 3, strike line 6

Page 3, line 7, strike "environmental matters and"

Page 3, line 11, strike "shall" and insert in lieu thereof "may"

Page 3, line 12, after "environmental" insert "programs,"

Page 3, line 13, strike the period and insert in lieu thereof "provided that such resolution of conflicts is consistent with state environmental policy."

Page 5, line 1, after "committee" insert "with the advice and consent of the Senate,"

Page 5, line 4, strike "shall" and insert in lieu thereof "may"

Page 5, after line 11, insert the following:

"Subd. 2. The duties and functions of the committee shall be as follows:"

Page 7, line 14, after the period insert "None of such moneys in the state treasury shall cancel."

Page 7, line 17, strike the period and insert in lieu thereof "for the biennium ending June 30, 1975."

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

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

S. F. No. 2321: A bill for an act relating to taxation; sales and use tax; exemptions; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended by Laws 1973, Chapter 75, Section 1.

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

Page 4, line 1, strike "*producing snow for skiing,*"

Page 7, line 13, strike "." and insert ";

Page 7, after line 13, add a clause to read:

"(v) The gross receipts from the sale of and storage, use or consumption of all materials including chemicals, fuels, electricity, gas and steam, used or consumed in the production of snow for skiing at places which charge an admission subject to the sales tax."

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

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were re-referred the following appointments:

VETERANS HOME BOARD

Harry Kerr, 1121 9½ Southeast, Rochester, Olmstead County, appointed effective January 1, 1973, for a term expiring January 1, 1979.

Dr. Mary Ann Mattoon, 940 Franklin Terrace, Minneapolis, Hennepin County, appointed effective January 1, 1973, for a term expiring January 1, 1979.

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

Mr. Conzemius moved that the foregoing Committee Report be laid on the table. Which motion prevailed.

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

H. F. No. 1638: A bill for an act relating to labor relations; charitable hospitals; amending Minnesota Statutes 1971, Section 179.35, Subdivision 2.

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

Line 2, strike "university,"

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

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

H. F. No. 309: A bill for an act relating to manpower services; unemployment compensation; benefits; amending Minnesota Statutes 1971, Sections 268.04, Subdivision 12; 268.06, Subdivisions 8, 22 and 27; 268.07, Subdivision 2; 268.08, Subdivisions 1, 3 and 5; and 268.09, Subdivision 1, as amended.

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

Page 6, line 8, after "*performed*" insert "*after January 1, 1974,*"

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

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

H. F. No. 532: A bill for an act relating to insurance; accident and health insurance policies, and health service plans; requiring health insurance coverage for newborn infants immediately from the moment of birth; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Sections 62A.10, Subdivision 2; and 62C.14, by adding a subdivision.

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

Page 1, line 7, after "*fants*" insert "*of the insured*"

Page 1, strike line 10

Page 1, line 11, strike "*the covered group*" and "*to cover members of a group located in this state*"

Page 1, line 12, after "*state*" insert "*which provides for coverage of family members or other dependents of an employee*"

Page 1, line 13, after "*infants*" insert "*of the insured*"

Page 2, line 27, strike "*which provides for coverage*"

Page 2, strike line 28

Page 2, line 29, strike "*of a group subscriber, shall be renewed,*"

Page 2, line 29, after "*state*" insert "*which provides for coverage of family members or other dependents of a subscriber*"

Page 2, line 30, after "*infants*" insert "*of the subscriber or employee*"

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

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

H. F. No. 2246: A bill for an act relating to the city of Little Falls; authorizing the issuance of an additional on-sale license for the sale of intoxicating liquor.

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

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

H. F. No. 1789: A bill for an act relating to workmen's compensation; liability of self-insured employers for benefits to employees

and dependents; amending Minnesota Statutes 1971, Section 176.-183, Subdivision 2, and by adding a subdivision.

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

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

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.

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

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

H. F. No. 1044: A bill for an act relating to insurance; making the unfair processing of the claim or complaint of a natural person an unfair trade practice; providing a penalty for violation; amending Minnesota Statutes 1971, Sections 72A.20, Subdivision 1; and 72A.28.

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

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

H. F. No. 1483: A bill for an act relating to the city of St. Cloud; authorizing additional on-sale intoxicating liquor licenses.

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

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

H. F. No. 365: A bill for an act relating to workmen's compensation; authorizing coverage for owners of businesses; amending Minnesota Statutes 1971, Chapter 176, by adding a section.

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

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

H. F. No. 1308: A bill for an act relating to telegraph and telephone companies; regulating corporate bonds issued by telegraph and telephone companies; amending Minnesota Statutes 1971,

Chapter 222, by adding a section; repealing Minnesota Statutes 1971, Section 222.14.

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

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

H. F. No. 735: A bill for an act relating to commerce; administration of the unfair cigarette sales act; providing penalties; amending Minnesota Statutes 1971, Sections 325.66, Subdivision 4; 325.67; 325.74, Subdivision 1; and 325.75, Subdivisions 1, 2, and 3.

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

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

H. F. No. 246: A resolution memorializing the President and Congress of the United States to continue the programs for subsidized housing, model cities and rehabilitation, as presently authorized by federal law.

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

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

S. F. No. 2122: 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.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1355: A bill for an act relating to county parks and park districts; amending Minnesota Statutes 1971, Sections 398.01; and 398.31; repealing Laws 1971, Chapter 950, Section 7.

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

Page 1, strike line 30

Page 2, strike lines 1 through 11

Renumber sections accordingly

Amend the title in line 4, by striking "Sections" and inserting in lieu thereof "Section" and in the same line strike "and 398.31;"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 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.

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

Page 1, line 28, after "by" strike "statute" and insert in lieu thereof "Minnesota Statutes 1971, Section 104.05"

Page 1, line 35, strike "is"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1314: A bill for an act relating to the city of Bloomington; housing and redevelopment authority; amending Laws 1971, Chapter 616, Section 1.

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

Page 1, lines 15 and 16, reinstate the stricken language

Line 17, reinstate the stricken language up to the word "~~shall~~"

Line 17, insert in lieu of the stricken word "~~shall~~" the word "may"

Line 17, reinstate the stricken language up to the word "~~shall~~"

Line 18, reinstate the stricken language

Lines 18 to 21, strike the new language

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1357: A bill for an act relating to the city of St. Louis Park; permitting city council to direct or serve on housing and redevelopment authority or to contract with other governmental units for services provided by such authority.

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

Page 1, line 9, after "ST. LOUIS PARK" insert ", WINONA"

Line 13, after "Louis Park" insert "or the city council of Winona"

Line 13, after "the" insert "respective" and in the same line strike "council" and insert "councils"

Line 15, strike "St. Louis Park" and insert "the respective cities"

Line 15, after "of the" insert "respective"

Line 15, strike "council" and insert "councils"

Line 18, strike "St. Louis Park" and insert "each of the cities"

Line 21, strike "council" and insert "councils"

Line 22, strike "St. Louis Park" and insert "each city"

Line 28, after "effective" insert "with regard to each city"

Line 29, strike "the city of St. Louis PARK" and insert "each city"

Amend the title, page 1, line 2, by striking "city" and inserting "cities"

Line 2, before the semicolon insert "and Winona"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 1486: A bill for an act relating to corrections; industrial enterprises conducted at the state prison and the state reformatory; appropriating money; amending Minnesota Statutes 1971, Sections 243.66 and 243.67; and repealing Minnesota Statutes 1971, Sections 243.65; 243.69; 243.81; 243.82; and 243.86.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 995, 972, 543 and 1355 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1355 to the Committee on Finance.

H. F. Nos. 543 and 972 to the Committee on Health, Welfare and Corrections.

H. F. No. 995 to the Committee on Taxes and Tax Laws.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1753, 2344, 1978, 2203, 2178, 2058, 1632, 1829, 1543, 2113, 2316, 1269, 2118, 526, 1037, 929, 461, 1224, 1353, 1160 and 2321 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1638, 309, 532, 2246, 1789, 1123, 1044, 1483, 365, 1308, 735 and 246 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ueland moved that H. F. No. 917 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Ueland moved that the foregoing recommendations and Conference Committee Report on H. F. No. 917 be now adopted. Which motion prevailed.

So the recommendations and Conference Committee Report were adopted.

H. F. No. 917: A bill for an act relating to the city of North Mankato; authorizing the common council of the city of North Mankato to annually levy money as a contingent fund for use by the common council for incidental and promotional expenses.

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

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

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Larson moved that S. F. No. 1182 be taken from the table. Which motion prevailed.

Mr. Larson moved that the Senate do not concur in the amendments by the House to S. F. No. 1182 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. Chenoweth moved that H. F. Nos. 1854, 1949, 1965 and 2238 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration. Which motion prevailed.

Mr. Gearty moved that H. F. Nos. 1578 and 1844 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with their companion Senate Files. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 813: A bill for an act relating to state parks and recreation areas; requiring free admission and reduced user fees for senior citizens; amending Minnesota Statutes 1971, Section 85.05.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1190: A bill for an act relating to municipal industrial development; amending Minnesota Statutes 1971, Sections 474.02, Subdivision 1; 474.03; 474.04; 474.06; and 474.09.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Solon
Arnold	Doty	Keefe, S.	Novak	Spear
Ashbach	Dunn	Kirchner	Olhoft	Stassen
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Tennessee
Blatz	Gearty	Krieger	O'Neill	Thorup
Borden	Hansen, Baldy	Larson	Patton	Ueland
Brown	Hansen, Mel	Laufenburger	Purfeerst	Wegener
Chenoweth	Hanson, R.	Lewis	Renneke	
Chmielewski	Hughes	Milton	Schaaf	
Coleman	Jensen	Moe	Schrom	
Conzemius	Josefson	Nelson	Sillers	

Messrs. Olson, H. D.; Perpich, A. J.; Perpich, G. and Willet voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 356: A bill for an act relating to teachers retirement; amending Minnesota Statutes 1971, Sections 136.82, Subdivision 2; 354.05, Subdivision 26; 354.07, Subdivision 5; 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.34, Subdivision 2, 354.33; 354.42, Subdivision 2; 354.44, Subdivision 4; 354.49, Subdivision 5; 354.53; 354.55, by adding a subdivision; and 354.62, Subdivisions 3, 4 and 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kee,e, J.	Novak	Schrom
Arnold	Doty	Keefe, S.	Olhoft	Sillers
Ashbach	Dunn	Kirchner	Olson, A. G.	Solon
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Stassen
Blatz	Gearty	Krieger	O'Neill	Stokowski
Borden	Hansen, Baldy	Larson	Patton	Tennessee
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Ueland
Chmielewski	Hughes	Moe	Purfeerst	Wegener
Coleman	Jensen	Nelson	Renneke	Willet
Conzemius	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 1198: A bill for an act relating to St. Louis county; transfer of state owned lands; state trust lands. Referred to the Committee on Natural Resources and Agriculture.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Olhoft	Sillers
Arnold	Doty	Keefe, S.	Olson, A. G.	Solon
Ashbach	Dunn	Kirchner	Olson, H. D.	Spear
Berg	Fitzsimons	Krieger	Olson, J. L.	Stassen
Bernhagen	Frederick	Larson	O'Neill	Stokowski
Blatz	Gearty	Laufenburger	Patton	Tennessee
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Milton	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Moe	Purfeerst	Wegener
Chmielewski	Hughes	Nelson	Renneke	Willet
Coleman	Jensen	North	Schaaf	
Conzemius	Josefson	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 190: A bill for an act relating to the village of Hugo; authorizing issuance of one additional on-sale license for the sale of intoxicating liquor.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Krieger	O'Neill	Stassen
Arnold	Doty	Larson	Patton	Stokowski
Ashbach	Gearty	Laufenburger	Perpich, A. J.	Tennessee
Berg	Hansen, Baldy	Lewis	Perpich, G.	Thorup
Blatz	Hanson, R.	Milton	Purfeerst	Ueland
Borden	Hughes	Moe	Schaaf	Wegener
Chenoweth	Jensen	Nelson	Schrom	Willet
Chmielewski	Keefe, S.	North	Sillers	
Coleman	Kleinbaum	Olson, A. G.	Solon	
Conzemius	Kowalczyk	Olson, H. D.	Spear	

Those who voted in the negative were:

Bernhagen	Frederick	Keefe, J.	Novak	Olson, J. L.
Brown	Hansen, Mel	Kirchner	Olhoft	Renneke
Dunn	Josefson			

So the bill passed and its title was agreed to.

H. F. No. 240: A bill for an act relating to highway traffic regulations; littering; providing a penalty; amending Minnesota Statutes 1971, Section 169.42.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Borden voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1642: A bill for an act relating to Otter Tail county; authorizing a levy for county extension work.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1932: A bill for an act relating to electricity; regulat-

ing certain terms for the purchase of electricity by certain cities; amending Minnesota Statutes 1971, Section 455.13.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Renneke
Arnold	Doty	Keefe, J.	Novak	Schaaf
Bang	Dunn	Kirchner	Ogdahl	Schrom
Berg	Fitzsimons	Kleinbaum	Olhoff	Sillers
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Solon
Blatz	Gearty	Krieger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lewis	Patton	Thorup
Chmielewski	Hughes	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Purfeerst	Wegener

Those who voted in the negative were:

Coleman	North	Perpich, G.	Spear	Willet
Keefe, S.				

So the bill passed and its title was agreed to.

H. F. No. 1537: A bill for an act relating to tax-forfeited lands; regulating certain sale and lease provisions; amending Minnesota Statutes 1971, Section 282.04, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 600: A bill for an act relating to real estate; brokers and salesmen; licenses; providing penalties; amending Minnesota Statutes 1971, Chapter 82, by adding sections; repealing Minnesota Statutes 1971, Sections 82.01 to 82.16.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Novak	Spear
Arnold	Doty	Kirchner	Ogdahl	Stassen
Bang	Dunn	Kleinbaum	Olhoft	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Tennessee
Bernhagen	Frederick	Krieger	Olson, J. L.	Thorup
Blatz	Gearty	Larson	O'Neill	Ueland
Borden	Hansen, Mel	Laufenburger	Patton	Wegener
Brown	Hansen, R.	Lewis	Perpich, A. J.	Willet
Chenoweth	Hughes	Milton	Renneke	
Chmielewski	Jensen	Moe	Schaaf	
Coleman	Josefson	Nelson	Sillers	
Conzemius	Keefe, J.	North	Solon	

Messrs. Hansen, Baldy; Olson, A. G.; Perpich, G. and Purfeerst voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1522: A bill for an act relating to the town of Taconite Harbor; authorizing the taking of a special federal census and its use.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No: 2180: A bill for an act relating to corporations; take-overs; regulating corporate take-overs; providing a penalty.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1969: A bill for an act relating to the city of Duluth; authorizing organization of a Spirit Mountain recreation area authority; conferring upon said authority the power and duty to administer, promote, control, direct and manage the organization and ongoing operation of said recreation area; and providing for a tax levy and issuance of bonds.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Laufenburger	Olson, A. G.	Schaaf
Borden	Hughes	Lewis	Olson, H. D.	Solon
Chenoweth	Jensen	Milton	Olson, J. L.	Spear
Chmielewski	Keefe, J.	Moe	O'Neill	Stokowski
Coleman	Keefe, S.	North	Patton	Thorup
Doty	Kirchner	Novak	Perpich, A. J.	Wegener
Fitzsimons	Kleinbaum	Ogdahl	Perpich, G.	
Gearty	Larson	Olhoft	Purfeerst	

Those who voted in the negative were:

Arnold	Blatz	Hansen, Baldy	Krieger	Tennessee
Ashbach	Brown	Hansen, Mel	Nelson	Willet
Bang	Conzemius	Josefson	Renneke	
Berg	Dunn	Knutson	Schrom	
Bernhagen	Frederick	Kowalczyk	Sillers	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that the following bills be designated as Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 1121, 1673 and 1200. S. F. Nos. 2250, 583, 1316, 1087, 1388, 464, 740, 1242, 1317, 984, 1437, 1716, 1702, 1029, 672, 1445, 1155, 1803, 514, 900, 1188, 1223, 1993, 1858 and 1836.

SPECIAL ORDER

H. F. No. 1121: A bill for an act relating to the uniform management of institutional funds; providing for the management, investment and appropriation of such funds.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Sillers
Arnold	Doty	Kirchner	Novak	Solon
Ashbach	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olhoft	Stassen
Berg	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Laufenburger	Patton	Ueland
Brown	Hughes	Lewis	Perpich, A. J.	Wegener
Chenoweth	Jensen	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2250: A bill for an act relating to public welfare; placing a limit on assets for old age assistance applicants in order to restore conformity with federal regulations; amending Minnesota Statutes 1971, Section 256.18.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Sillers
Arnold	Doty	Kirchner	Novak	Solon
Ashbach	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olhoft	Stassen
Berg	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Laufenburger	Patton	Ueland
Brown	Hughes	Lewis	Perpich, A. J.	Wegener
Chenoweth	Jensen	Milton	Perpich, G.	Willet
Chmielewski	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1673: A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions; actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding a subdivision; 353.31, Subdivisions 1 and 8; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3; 353.656, Subdivisions 1, 3, and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.01, Subdivisions 24 and 30; 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 2, 3, 4, 5, 6, 7, 10, and 11; 353.32, Subdivision 3; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9; and 355.301.

Mr. Chenoweth moved to amend H. F. No. 1673, the typewritten bill as amended under Rule 49 and adopted by the Senate May 3, 1973, as follows:

Page 5, delete line 20; renumber the clauses in sequence

Page 36, strike line 28

Page 37, strike lines 1 through 17

Page 39, strike lines 30 through 35

Page 41, after line 26, add:

“Subd. 1b. [EARLY RETIREMENT: REDUCTION IN ANNUITY IN CERTAIN CASES.] Any person with 30 years or more of allowable service credit who elects early retirement under subdivision 1, shall receive an annuity reduced by one-half of one percent for each month that such person is under age 62 at the time of retirement.”

Page 65, line 14, strike “74” and insert in lieu thereof “73”

Page 68, line 15, strike "74" and insert in lieu thereof "73"

Page 73, strike lines 7 through 28

Page 74, strike lines 1 and 2

Renumber sections accordingly

Amend the title on page 1, line 21, after "1," strike the comma and insert "and" and after "6" strike ", and 8"

Line 24, strike "a subdivision" and insert in lieu thereof "subdivisions"

Lines 37 and 38, strike "490.12, Subdivision 5;"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1673 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Ogdahl	Spear
Arnold	Doty	Knutson	Olhoff	Stassen
Ashbach	Dunn	Kowalczyk	Olson, A. G.	Stokowski
Bang	Fitzsimons	Krieger	Olson, J. L.	Tennessee
Berg	Gearty	Larson	O'Neill	Thorup
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Ueland
Blatz	Hanson, R.	Lewis	Perpich, G.	Wegener
Borden	Hughes	Milton	Purfeerst	Willet
Brown	Jensen	Moe	Schaaf	
Chenoweth	Keefe, J.	Nelson	Schrom	
Coleman	Keefe, S.	North	Sillers	
Conzemius	Kirchner	Novak	Solon	

Messrs. Frederick; Hansen, Mel; Josefson and Patton voted in the negative.

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

RECESS

Mr. Coleman moved that the Senate do now recess until 2:00 o'clock p.m. Which motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Olson, A. G. was excused from the balance of today's Session. Mr. Sillers was excused from the Session of today, beginning at 5:00 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Davies	Hughes	Lewis	Purfeerst
Bernhagen	Doty	Jensen	Moe	Solon
Borden	Dunn	Keefe, S.	Novak	Spear
Brown	Gearty	Kirchner	Olhoft	Stokowski
Chmielewski	Hansen, Baldy	Kleinbaum	O'Neill	Tennessee
Coleman	Hansen, Mel	Krieger	Perpich, A. J.	Ueland
Conzemius	Hanson, R.	Larson	Perpich, G.	Willet

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

S. F. No. 583: A bill for an act relating to game and fish; trout stamps and season for taking; amending Minnesota Statutes 1971, Section 98.46, by adding a subdivision.

Mr. Larson moved to amend S. F. No. 583 as follows:

Page 1, line 15, strike "*are appropriated annually to the commissioner for use*"

Page 1, strike lines 16 and 17 and insert in lieu thereof "*shall be deposited in the game and fish fund.*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 583 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 42 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olhoft	Sillers
Arnold	Gearty	Knutson	Olson, H. D.	Solon
Ashbach	Hansen, Baldy	Krieger	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Moe	Perpich, A. J.	Willet
Chmielewski	Jensen	Nelson	Perpich, G.	
Coleman	Josefson	North	Purfeerst	
Conzemius	Keefe, S.	Novak	Schrom	

Messrs. Dunn and Wegener voted in the negative.

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

SPECIAL ORDER

S. F. No. 1316: A bill for an act relating to insurance; providing continuing group accident and health coverage for survivors of a deceased employee.

Mr. Hansen, Baldy moved to amend S. F. No. 1316, as follows:

Page 1, line 18, after "payments" insert "for reimbursement of expenses"

Page 2, line 12, after "extended" insert "for such one year period,"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1316 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Schrom
Arnold	Doty	Keefe, J.	North	Sillers
Ashbach	Dunn	Keefe, S.	Novak	Solon
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Stokowski
Borden	Gearty	Knutson	Olson, J. L.	Tennessee
Brown	Hansen, Baldy	Kowalczyk	O'Neill	Wegener
Chenoweth	Hansen, Mel	Krieger	Patton	Willet
Chmielewski	Hanson, R.	Larson	Perpich, A. J.	
Coleman	Hughes	Lewis	Perpich, G.	
Conzemius	Jensen	Moe	Purfeerst	

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

SPECIAL ORDER

S. F. No. 1087: A bill for an act relating to health care coverage provided by nonprofit health service plan corporations and accident and health insurance companies; providing that references in a policy to "physicians" shall include dentists performing consultation or surgical procedure.

Mr. Anderson moved to amend S. F. No. 1087, as follows:

Page 1, strike lines 19 through 26 and insert:

"Subd. 2. [DENTISTS; SURGICAL PROCEDURES.] Any policy or contract referred to in subdivision 1 which provides coverage for services which can be lawfully performed within the scope of the license of a duly licensed dentist, shall provide benefits for such services whether performed by a duly licensed physician or duly licensed dentist."

Which motion prevailed. So the amendment was adopted.

S. F. No. 1087 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Moe	Perpich, G.
Arnold	Doty	Josefson	Nelson	Purfeerst
Bang	Dunn	Keefe, J.	North	Schrom
Bernhagen	Fitzsimons	Keefe, S.	Novak	Sillers
Borden	Frederick	Kirchner	Ogdahl	Solon
Brown	Gearty	Kleinbaum	Olhoft	Spear
Chenoweth	Hansen, Baldy	Knutson	Olson, J. L.	Stokowski
Chmielewski	Hansen, Mel	Kowalczyk	O'Neill	Tennessen
Coleman	Hanson, R.	Larson	Patton	Wegener
Conzemius	Hughes	Lewis	Perpich, A. J.	Willet

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

SPECIAL ORDER

S. F. No. 1388: A bill for an act relating to taxation; assessment of low income real property; amending Minnesota Statutes 1971, Section 273.13, Subdivision 17; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 17b.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 464: A bill for an act relating to controlled substances; defining terms; scheduling substances and establishing rescheduling procedures; rights to prescribe and possess; penalties and forfeitures for illegal possession, sale, manufacture or distribution of prohibited drugs; amending Minnesota Statutes 1971, Sections 152.01, by adding a subdivision; 152.02, Subdivisions 11, 12, and 13; 152.09, Subdivision 2; 152.101, Subdivision 2; 152.11; 152.12, Subdivisions 1 and 4; 152.15, Subdivisions 1, 2, 4, and 5; 152.18, Subdivision 1; 152.19, Subdivisions 1, 3, 5, and 7; and 153.01, Subdivision 2.

Mr. Schaaf moved to amend S. F. No. 464, as follows:

Page 9, line 24, before "misdemeanor" insert "petty"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 10 and nays 41, as follows:

Those who voted in the affirmative were:

Coleman	Keefe, S.	Milton	Schaaf	Stokowski
Conzemius	Lewis	Perpich, G.	Spear	Tennessee

Those who voted in the negative were:

Anderson	Davies	Humphrey	Novak	Stassen
Arnold	Doty	Jensen	Ogdahl	Thorup
Bang	Dunn	Josefson	Olhoft	Ueland
Berg	Fitzsimons	Keefe, J.	Olson, H. D.	Wegener
Bernhagen	Gearty	Kirchner	Olson, J. L.	Willet
Blatz	Hansen, Baldy	Knutson	O'Neill	
Borden	Hansen, Mel	Kowalczyk	Purfeerst	
Brown	Hanson, R.	Nelson	Schrom	
Chmielewski	Hughes	North	Sillers	

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

Mr. Borden moved to amend S. F. No. 464, as follows:

Page 9, line 15, strike "or a small"

Page 9, line 16, strike "amount of marijuana"

Which motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend S. F. No. 464, as follows:

Page 8, strike line 28

Page 9, strike lines 1 through 28

Page 10, strike lines 1 through 10

Renumber the remaining sections

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 7 and nays 42, as follows:

Those who voted in the affirmative were:

Bernhagen	Chmielewski	Kowalczyk	Purfeerst	Willet
Brown	Frederick			

Those who voted in the negative were:

Arnold	Gearty	Kleinbaum	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Milton	Patton	Tennessee
Chenoweth	Hughes	Moe	Perpich, A. J.	Thorup
Coleman	Humphrey	Nelson	Perpich, G.	Ueland
Conzemius	Jensen	North	Schaaf	Wegener
Davies	Josefson	Novak	Sillers	
Doty	Keefe, S.	Olhoft	Solon	
Dunn	Kirchner	Olson, H. D.	Spear	

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

Mr. Chmielewski moved to amend S. F. No. 464, as follows:

Page 9, line 25, after "is a" insert "gross"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 15 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Olson, H. D.	Schrom
Berg	Chmielewski	Kowalczyk	O'Neill	Wegener
Bernhagen	Frederick	Olhoff	Purfeerst	Willet

Those who voted in the negative were:

Anderson	Doty	Jensen	Moe	Solon
Arnold	Dunn	Josefson	Nelson	Spear
Blatz	Fitzsimons	Keefe, S.	North	Stassen
Borden	Gearty	Kirchner	Novak	Stokowski
Chenoweth	Hansen, Mel	Kleinbaum	Olson, J. L.	Tennessee
Coleman	Hanson, R.	Larson	Perpich, A. J.	Thorup
Conzemius	Hughes	Lewis	Perpich, G.	Ueland
Davies	Humphrey	Milton	Schaaf	

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

Mr. Stassen moved to amend S. F. No. 464, as follows:

Page 9, line 26, before the period insert "*, a drug education program and, at the discretion of the judge, psychological counseling*"

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

S. F. No. 464 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 45 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	North	Schrom
Arnold	Dunn	Josefson	Novak	Solon
Ashbach	Fitzsimons	Keefe, S.	Olhoff	Spear
Blatz	Frederick	Kirchner	Olson, H. D.	Stassen
Borden	Gearty	Kleinbaum	O'Neill	Stokowski
Chenoweth	Hansen, Mel	Lewis	Patton	Tennessee
Coleman	Hanson, R.	Milton	Perpich, A. J.	Thorup
Conzemius	Hughes	Moe	Perpich, G.	Ueland
Davies	Humphrey	Nelson	Schaaf	Wegener

Those who voted in the negative were:

Berg	Brown	Hansen, Baldy	Larson	Purfeerst
Bernhagen	Chmielewski	Kowalczyk	Olson, J. L.	Willet

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that H. F. No. 2437 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Novak moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2437 and that the rules of the Senate be so far suspended as to give H. F. No. 2437 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2437 was read the second time.

H. F. No. 2437: A bill for an act relating to the organization and operation of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

Mr. Davies moved to amend H. F. No. 2437, the printed bill, as follows:

Strike everything after the enacting clause and insert:

“Section 1. [EDUCATIONAL PURPOSES, APPROPRIATIONS.] Except as herein otherwise provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures “1973”, “1974”, and “1975” wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, 1974, and 1975 respectively.

	APPROPRIATIONS	
	Available for the Year	
	Ending June 30,	
	1974	1975
	\$	\$
Sec. 2. [DEPARTMENT OF EDUCATION.]		
Subdivision 1. General Academic and Related Services. . .	1,727,640	1,727,640
(1) Salaries, Supplies and Expense		
\$ 1,173,676	\$	1,175,220

(2) Claims, Grants and Shared Revenues

\$ 553,964 \$ 552,420

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

The appropriation in (1) includes \$100,000 each year for the right to read program. Of the amount provided by this subdivision, \$14,100 each year is appropriated from the trunk highway fund.

Provided that notwithstanding the provisions of Minnesota Statutes 1971, Section 121.26 and 125.08 to the contrary, the fee for registering with the teachers employment bureau shall not be less than \$10, and the fee for a certificate to teach or for a renewal or extension of certificate to teach shall not be less than \$10.

Subd. 2. Vocational Technical Instruction and Related Services

455,342 455,853

Subd. 3. Special and Compensatory Instruction and Related Services

509,624 512,434

(1) Salaries, Supplies and Expense

\$ 259,624 \$ 262,434

(2) Claims, Grants and Shared Revenues

\$ 250,000 \$ 250,000

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Education Planning Innovative Developmental Evaluative Services

646,800 646,800

(1) Salaries, Supplies and Expense

\$ 71,800 \$ 71,800

(2) Claims, Grants and Shared Revenues

\$ 575,000 \$ 575,000

Subd. 5. Auxiliary Services and General Support

3,204,973 4,232,649

(1) Salaries, Supplies and Expense

\$ 1,618,579 \$ 3,113,255

Of the amounts in (1), \$1,951,000 shall not be available in fiscal year 1974-75 until the senate committee on finance and the house committee on appropriations has reviewed the progress of the Minnesota education computer consortium. Recommendations will be made to the legislative advisory committee before March 1, 1974, for the release of the appropriation for the first six months of fiscal year 1974-75 and before September 1, 1974, for the release of the balance of the appropriation for fiscal year 1974-75.

The department shall establish reasonable charges to MECC users for on-line computer time actually used. Such receipts shall be deposited in a non-dedicated receipt account of the general fund.

(2) Claims, Grants and Shared Revenues

School lunch

\$1,586,394 \$1,119,394

Item (2) includes a contingent fund of \$570,000 for state matching of federal funds to be expended in the first year only if matching is not available from local funds, but may be expended in the second year without this restriction.

Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "C" milk program to be distributed under

standards established by the state board of education.

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 6. Community Library Services

1,681,026 1,713,026

(1) Salaries, Supplies and Expense

\$ 234,436 \$ 266,436

(2) Claims, Grants and Shared Revenues

\$1,446,590 \$1,446,590

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

(3) Provided that not more than \$20,000 of the appropriation each year may be expended for administration and for providing direct library service. The balance shall be used as financial assistance to public libraries as defined herein.

(4) A public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

Applications for financial assistance shall contain such information as the department requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such

plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

Subd. 7. Vocational Rehabilitation

1,855,000 1,995,000

(1) Salaries, Supplies and Expense - Counseling and Care of Persons

 \$1,507,549 \$1,607,762

(2) Claims, Grants and Shared Revenues

 \$ 131,640 \$ 86,250

(3) Rehabilitation Facilities

 \$ 215,811 \$ 300,988

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

None of the amounts appropriated in subdivision 1 through subdivision 7 listed as claim, grants and shared revenues on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any expenditure category other than

that for which it was appropriated. The number of state funded positions shall not exceed the number shown on the official worksheets.

Sec. 3. [STATE COLLEGE BOARD.]

Subdivision 1. Maintenance and Equipment

41,880,353 43,765,422

The amounts appropriated in subdivisions 1 and 2 include a sum in each year for the recruitment of unclassified staff.

Candidates for positions in the central office of the state college board or in a state college who have been invited by the state college board for interview may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

Subd. 2. Metropolitan State College

725,000 775,000

The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college. The state college board shall also request the assistance of the university of Minnesota, the junior colleges, the area vocational technical schools, and the private colleges in planning such programs. The college shall serve the needs of the graduates of the state junior colleges and the area

vocational technical schools and include curricula for re-training adults to meet the technological demands of the changing economy.

Subd. 3. State College Board Contingent

800,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

In the event that the number of full-time equivalent students enrolled exceeds the budget estimates submitted to the 1973 legislature, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full-time equivalent undergraduate students and one position for each 13 graduate students in excess of the biennial budget estimates for each year of the biennium.

In the event that enrollment at Minnesota metropolitan state college exceeds the estimates indicated in the workpapers of the senate finance and house appropriations committees, it is the intent of the legislature to provide additional fiscal support at the rate of \$600 for each student in excess of the above estimates. In no case, however, shall the total amount of this appropriation utilized by Minnesota metropolitan state college exceed \$300,000 for the biennium.

In order to provide for an orderly realignment of faculty staffing resulting from reduced or shifting enrollments, not more than \$600,000 of this appropriation may be expended to pay the salaries of faculty members employed on terminal year contracts where such terminal appointments are requir-

ed by current state college board rules. Before any of the above appropriation is expended, the state college board shall demonstrate to the legislative advisory committee that all reasonable measures were taken to adjust staffing patterns in such a manner as to minimize the need for such contracts.

The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes 1971, Section 3.30.

Subd. 4. Student Loans—State Matching

274,472 274,472

The above funds shall be used as state matching share for any federal student aid or loan program.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1973.

Subd. 5. General Research . . .

25,000 25,000

None of this appropriation shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, including but not limited to student's tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are reappropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to bud-

getary control by the commissioner of administration:

- (a) those attributed to dormitory functions handled under Minnesota Statutes 1971, Sections 136.31 to 136.38, and
- (b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and
- (c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes 1971, Sections 136.143 and 136.144.

A report shall be submitted to the 69th session of the legislature as to the use of all such excepted funds.

The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; provided such transfers are in accordance with the Laws of 1949, Chapter 230, Section 1, Subdivision 8.

Grants awarded to the state college system by any state agency shall be transferred to the account (s) of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds as deemed most appropriate by the state auditor.

During the 1973-75 biennium, the state college board shall identify non-academic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer may be transferred into the

classified service of the state without competitive examination, and shall be placed in the proper classifications by the director of civil service, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota metropolitan state college is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account shall not cancel on June 30 but shall be available in the next fiscal year.

The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes 1971, Chapter 16, shall not apply to such expenditures but the state college board shall prescribe the manner, amount, and purpose of such expendi-

tures and report thereon to the 1975 legislature.

Notwithstanding the provisions of Minnesota Statutes 1971, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one-third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any other provision of law to the contrary, the state college board may make refunds to students for tuition, activity fees, union fees and other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged.

The state college board shall obtain the approval of the public examiner for the procedures used in carrying out the provisions of this paragraph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized

to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the state auditor within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account. The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hospital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes 1971, Section 43.45.

The provisions of Minnesota Statutes 1971, Section 136.13, notwithstanding, the state college board may hold its annual meeting on any day in the month of May.

Sec. 4. [STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES.]

Subdivision 1. Maintenance and Operations

88,274,429 92,139,826

The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent do-

main may be exercised in accordance with Minnesota Statutes 1971, Chapter 117.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

(1) the investments of the permanent university fund; and

(2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes 1971, 137.022.

For the purposes of these appropriations it is estimated that the income to be derived from the investment of the permanent university fund will not exceed \$2,160,000 for the first year and \$2,160,000 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the state auditor at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts

herein stated, the amounts payable from the general fund shall be reduced accordingly.

For budgetary purposes it is estimated that the foregoing appropriation from the general fund will not exceed the sum of \$84,739,429 the first year and \$88,604,826 the second year.

Subd. 2. Libraries	360,000	360,000
Subd. 3. Summer School Tuition and Extension Education Supplement	800,000	800,000

Provided that the board of regents expend the funds to equalize tuition rates among the regular session, summer session and extension in order to facilitate to the maximum the use of campus units, buildings and staff. To initially accomplish these objectives, their efforts are to be directed on undergraduate instruction.

The board of regents should be commended for their recent policy decision to provide funds for merit increases, promotions, retirement and equalization adjustments among collegiate and campus units, and eliminate inequities and achieve comparability within the merit system and are urged to accomplish said policy as quickly as possible.

The appropriations made in subdivisions 2 and 3 are supplemental to the appropriation made in subdivision 1 but shall not become a part of the expenditure base.

On October 1, 1974 and 1975, the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

- (1) the total amount of receipts during the fiscal year 1974 from all sources in excess of \$45,500,000 and during the fiscal year 1975 from all sources in excess of \$47,200,000.
- (2) the sources of said receipts; and
- (3) the purposes for which any excess receipts were expended and accounts to which transferred.

Subd. 4. For the Support of the University of Minnesota Technical College—Crookston

1,083,205 1,150,402

The school shall continue their program within the confines of their present buildings.

Subd. 5. Waseca Technical College

701,800 237,200

The appropriation provides for the phasing out of the school in six quarters starting July 1, 1973.

Subd. 6. National Defense Student Loan Program

395,000

Subd. 7. Education Offset

250,000 250,000

Sec. 5. [FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL.]

Subdivision 1. For State's Share of Expenses of County Indigent Patients

1,680,000 1,680,000

In lieu of the formula for reimbursing a county as provided in Minnesota Statutes 1971, Section 158.04, a county under this appropriation will be reimbursed for 70 percent of the expenses charged against a patient in the hospital up to \$5,000. A charge against a patient in excess of \$5,000 will be paid

by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect.

Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivisions.

There is further appropriated to the university of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties during said fiscal years under the provisions of said acts payments to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of Minnesota Statutes 1971, Chapter 158.

720,000 720,000

The state auditor is authorized and directed to pay the university out of sums collected from counties under the provisions of said chapter 158 during the fiscal years ending June 30, 1974, and June 30, 1975, respectively, an amount sufficient to reimburse said university in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. [PSYCHOPATHIC DEPARTMENT - UNIVERSITY OF MINNESOTA HOSPITALS.]

1,524,013 1,547,171

Sec. 7. [CHILD PSYCHIATRIC DEPARTMENT - UNIVERSITY OF MINNESOTA HOSPITALS.]

567,971 578,820

Sec. 8. [REHABILITATION CENTER - UNIVERSITY OF

MINNESOTA HOSPITALS.]	1,501,727	1,525,609
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Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby reappropriated to said university hospital.

Sec. 9. [DEPARTMENT OF COMMUNITY SERVICE - UNIVERSITY OF MINNESOTA HOSPITALS.]	69,184	73,043
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Sec. 10. [FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA.]

Subdivision 1. Agricultural Extension Service	3,629,961	3,721,084
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This subdivision includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not result in a reduction of the county portion of the salary payments.

Of the amount appropriated for fiscal 1974, the sum of \$25,000 shall be used for special merit increases for county home agents and county agricultural agents. These special merit increases shall be in addition to other salary increases.

This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.

The appropriation includes funds for irrigation and marketing development project.

Subd. 2. Agriculture

(a) General Agricultural Research (Includes agricultural research - Rosemount)	2,846,325	2,959,247
(b) Soybean Research	169,519	176,761
(c) Potato Processing Research Laboratory	34,772	35,860
(d) Forest Research Center - Cloquet	68,335	70,540
(e) Veterinary Diagnostic Laboratory	262,016	268,664
Subd. 3. General Research	1,751,918	1,859,338

This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, industrial relations education program, institute of child development, special education training and research, training for careers in fire prevention and protection, center for urban and regional affairs, criminal justice studies, museum of natural history, project Newgate, and juvenile justice seminar.

Subd. 4. Medical and Other

(a) Medical and Cancer Research	201,428	202,899
(b) Psychiatric Research	343,219	357,354
(c) Control of Hypercholesterolemia	43,062	43,534
(d) Multiple Sclerosis and Other Neurological Problems	254,778	264,131
(e) Basic Sciences Program for Medical Training — Duluth Branch	832,481	1,017,375
(f) Dental Hygiene Program—Duluth Branch	127,743	138,364
(g) Duluth Graduate School of Social Work	328,327	379,470
(h) Facilities Study—Duluth	150,000	

For a study of the existing

buildings on the UMD campus for the purpose of facilitating the fullest practical utilization of space for present programs, and inclusion of additional space for the basic sciences medical program by means of construction of additions to existing structures to accomplish this purpose.

(i) Lake Superior Basin Study	84,982	48,934
(j) Undergraduate Instruction of Medical Students	1,296,000	1,392,000
(1) Hennepin County General Hospital		
(2) St. Paul-Ramsey Hospital		
(3) Private hospitals		
(k) Graduate Residency Program		
(1) University of Minnesota	1,360,000	1,600,000
(2) Hennepin County General Hospital	560,000	560,000
(3) St. Paul-Ramsey Hospital	440,000	480,000

Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice at the above-named hospitals.

(1) Medical Services and Instruction	1,392,187	1,425,660
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The above amount includes funds for the rural health physicians' associate program, family practice and community health, drug abuse information and education, allied health, nursing and patient transportation.

(m) Municipal Reference Bureau	54,927	
(n) Legal Services	18,274	68,015
(o) Law School Supplement ..	170,000	350,000

The above appropriation is for additional law students over planned first year enrollments for the 1973-74 school year, and additional law students over planned first year enrollments for the 1974-75 school year

(p) Hormel Institute - Austin	100,000	100,000
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To support the operation of the institute and to promote research by such institute.

From the appropriation made to the university of Minnesota by this act and from other sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury.

This shall not apply to the employer additional contributions payable to the Minnesota state retirement system to apply on the accrued unfunded liability of that system.

None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the auditor until the university first certifies to the auditor that its aggregate balances in the temporary investment pool, cash, or separate investments, resulting from all

state maintenance and special appropriations do not exceed \$7 million plus one-third of all tuition and fee payments from the previous fiscal year. Upon such certification, one-twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the state auditor whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the auditor until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Minnesota Statutes 1971, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

Sec. 11. [MAYO MEDICAL SCHOOL.]	608,000	928,000
Sec. 12. [MINNESOTA BOARD OF NURSING.]	125,000	125,000

Subdivision 1. For Nursing Scholarships

Sec. 13. [MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION.]

Subdivision 1. Salaries and Expenses	475,085	481,871
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This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, and interinstitutional educational television programs and program review and private college contracts.

Subd. 2. State Scholarship Program	3,175,000	3,875,000
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Subd. 3. State Grand-in-aid Program	3,125,000	3,875,000
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Subd. 4. Interinstitutional Educational Television	210,000	165,000
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The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the interinstitutional television program.

The staff of the higher education coordinating commission is directed to study the need for and the use of instructional television in Minnesota institutions of post-secondary education in cooperation with the senate finance committee and the house appropriations committee. The study shall include reconsideration of the assessments and recommendations of the interinstitutional feasibility study as presented to the 1965 legislature, evaluation of progress in meeting objectives presented in the feasibility study report, determination of the usefulness of the interinstitutional television program,

and formulation of state policies on instructional television for the future. A staff report on the study shall be presented to the finance and appropriations committees by October 1, 1974. Recommendations of the commission on instructional television shall be included in the commission's biennial report to the 1975 legislature.

Of the amount appropriated in this subdivision, \$45,000 is for the study.

Subd. 5. Minitex Library Program	248,600	248,600
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The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the minitex library program.

Subd. 6. Private College Contracts	1,476,200	1,476,200
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Any unexpended balance remaining the first year in subdivisions 1, 2, 3, 4, 5, 6, 7, and 8 shall not cancel but shall be available for the second year of the biennium.

Subd. 7. Regional Coordination and Service	100,000	
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The higher education coordinating commission is directed to develop and administer two experimental regional post-secondary education projects aimed at improving the efficiency and effectiveness of post-secondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the two experimental projects, the commission shall attempt to (1) improve the accessibility of all

levels of post-secondary education to residents of the regions, (2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of post-secondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of post-secondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The commission shall report on the results of the experimental regional projects in its next biennial report to the governor and the legislature. All post-secondary institutions and systems are requested to cooperate with and to assist the commission in developing these projects.

Subd. 8. Student Loan 1,000,000

The commission is authorized and directed to supervise a student loan program in accordance with Minnesota Statutes, Sections 136A.14 to 136A.17.

Sec. 14. [STATE JUNIOR COLLEGE BOARD.]

Subdivision 1. Maintenance and Equipment 17,866,427 19,021,516

The above appropriation is for maintenance and equipment of the state junior college board and the state junior colleges. The state junior colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of fac-

ulty. Candidates for twelve-month administrative positions and for academic positions who have been invited by the state junior college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

The appropriation in this account provides salary increase funds sufficient to meet the obligations of the Minnesota junior college board as stated in their contract negotiated with the junior college faculty association, however, the amount in the second year of the biennium cannot exceed 5.5 percent of the 1973-74 academic salary base.

Subd. 2. Occupational Program Development

500,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state junior colleges are hereby reappropriated to the state junior college board, but are subject to budgetary control to be exercised by the commissioner of administration.

The state junior college board is authorized to establish activity funds, except for dormitory purposes, and imprest cash funds, to waive tuition charges and to act as agent and accept the benefits of public law 88-452, known as the economic opportunity act of 1964, as amended, public law 85-864, known as the national defense education act of 1958, as

amended, to the same extent and subject to the same conditions as such authority is vested in the state college board. Minnesota Statutes 1971, Sections 136.56, 136.045, 136.142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a(6), also apply to the state junior college board and the state junior colleges in the same manner as to the state college board and the state colleges.

All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state junior college board and are not subject to budgetary control as exercised by the commissioner of administration.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Subd. 3. Student Loan Program - State Matching	75,000	85,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. State Junior College Board Contingent	600,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

In the event the enrollment of full-time equivalent students enrolled in campus courses during the regular school year exceeds the estimates for the total junior college system submitted to the 1973 legislature, it is the intent of the legislature

to provide additional teaching positions at a ratio of one unclassified teaching position to each 18.5 additional full-time equivalent students in excess of the enrollment estimates for each year of the biennium.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee, as provided by Minnesota Statutes 1971, Section 3.30.

Sec. 15. [EMPLOYEES COMPENSATION.] 1973

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

State College Board 53,951.30

Sec. 16. [UNEMPLOYMENT COMPENSATION.] 1973

In reimbursement of unemployment compensation benefits paid for former employees of the state college board and junior college board.

State College Board 41,139.72
Junior College Board 2,032.07

Sec. 17. [UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND.] Except the revolving fund for the on-the-job training program, the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

Sec. 18. [INCOME FEES, RECEIPTS, DEPOSITED IN GENERAL FUND.] Except as herein otherwise specifically provided, except the income to the university of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an

appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

Sec. 19. [APPROVED COMPLEMENT.] Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full-time equivalent persons including part-time and seasonal employees indicated by such approved complement.

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

Sec. 20. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Section 355.50 and 352.04, Subdivision 5.

Sec. 21. In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 22. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sections 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5) which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes."

Which motion prevailed. So the amendment was adopted.

H. F. No. 2437 was read the third time, as amended, and placed on its final passage.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Davies	Humphrey	Novak	Schaaf
Berg	Doty	Jensen	Ogdahl	Schrom
Bernhagen	Dunn	Keefe, S.	Olhoff	Sillers
Blatz	Fitzsimons	Kirchner	Olson, H. D.	Spear
Borden	Frederick	Kleinbaum	Olson, J. L.	Stassen
Brown	Gearty	Kowalczyk	O'Neill	Stokowski
Chenoweth	Hansen, Baldy	Krieger	Patton	Tennessee
Chmielewski	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Coleman	Hanson, R.	Moe	Perpich, G.	Wegener
Conzemius	Hughes	Nelson	Purfeerst	

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

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

And the roll being called, there were yeas 48 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Novak	Sillers
Arnold	Doty	Keefe, S.	Ogdahl	Solon
Ashbach	Dunn	Kirchner	Olhoff	Spear
Bang	Fitzsimons	Kleinbaum	Olson, J. L.	Stokowski
Blatz	Gearty	Knutson	O'Neill	Tennessee
Borden	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Thorup
Chenoweth	Hansen, Mel	Krieger	Perpich, G.	Wegener
Chmielewski	Hanson, R.	Lewis	Purfeerst	Willet
Coleman	Hughes	Milton	Schaaf	
Conzemius	Humphrey	Moe	Schrom	

Those who voted in the negative were:

Berg	Brown	Jensen	Nelson	Patton
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen

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

SPECIAL ORDER

S. F. No. 1317: 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.

Mr. Hansen, Baldy moved to amend S. F. No. 1317 as follows:

Page 2, after line 2, insert:

"When an insurer proposes an increase in rates of 20 percent or more; it shall accompany its proposal with a claims listing for the appropriate period that explains the proposed increase. When a contract is resubmitted for bids because of a proposed increase in rates of 20

percent or more the claims listing shall accompany the specifications for the contract.”

Which motion prevailed. So the amendment was adopted.

S. F. No. 1317 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Nelson	Solon
Arnold	Davies	Keefe, J.	Novak	Spear
Ashbach	Doty	Keefe, S.	Ogdahl	Stassen
Bernhagen	Dunn	Kirchner	Olhoft	Stokowski
Blatz	Frederick	Kleinbaum	O'Neill	Tennessee
Borden	Gearty	Knutson	Perpich, A. J.	Thorup
Brown	Hansen, Baldy	Kowalczyk	Perpich, G.	Willet
Chenoweth	Hansen, Mel	Larson	Purfeerst	
Chmielewski	Hughes	Lewis	Schaaf	
Coleman	Humphrey	Moe	Schrom	

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

SPECIAL ORDER

S. F. No. 1702: A bill for an act relating to the establishment of a riding and hiking trail from Plymouth Village, Hennepin county; authorizing the acquisition of interests in land, and the development, maintenance and operation of the trail; amending Minnesota Statutes 1971, Section 85.015, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 85.015, Subdivision 9.

Mr. Gearty moved to amend S. F. No. 1702, as follows:

Page 1, line 31, strike “*Local units of government*” and insert “*The department*”

Page 1, line 31, strike “*be encouraged to*”

Page 1, line 33, strike “*existing*” and insert “*local*”

Which motion prevailed. So the amendment was adopted.

Mr. Gearty then moved to amend S. F. No. 1702, as follows:

Page 3, after line 5, insert:

“Sec. 4. *This act is effective the day following its final enactment.*”

Which motion prevailed. So the amendment was adopted.

Mr. Bernhagen moved to amend S. F. No. 1702, as follows:

Page 1, line 29, after “*Railroad*” insert “*to Watertown in Carver county*”

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

S. F. No. 1702 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 45 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Milton	Purfeerst
Arnold	Davies	Keefe, J.	Moe	Schaaf
Ashbach	Doty	Keefe, S.	Nelson	Solon
Blatz	Dunn	Kirchner	Novak	Spear
Borden	Gearty	Knutson	Ogdahl	Stassen
Brown	Hansen, Baldy	Kowalczyk	Olhoft	Stokowski
Chenoweth	Hansen, Mel	Krieger	O'Neill	Tennessee
Chmielewski	Hughes	Larson	Perpich, A. J.	Thorup
Coleman	Humphrey	Lewis	Perpich, G.	Willet

Messrs. Bernhagen, Frederick and Schrom voted in the negative.

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

SPECIAL ORDER

S. F. No. 1437: A bill for an act relating to the public employees retirement association; pertaining to actuarial valuations and surveys; amending Minnesota Statutes 1971, Section 356.21, Subdivisions 1, 2, 4, and 5; and repealing Minnesota Statutes 1971, Section 355.301.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 1, as follows:

Those who voted in affirmative were:

Anderson	Davies	Keefe, S.	Novak	Spear
Arnold	Doty	Kirchner	Ogdahl	Stassen
Bang	Dunn	Knutson	Olhoft	Stokowski
Bernhagen	Frederick	Kowalczyk	O'Neill	Tennessee
Blatz	Gearty	Krieger	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	Larson	Perpich, G.	Willet
Chenoweth	Hughes	Lewis	Purfeerst	
Chmielewski	Humphrey	Milton	Schaaf	
Coleman	Jensen	Moe	Schrom	
Conzemius	Keefe, J.	Nelson	Solon	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 672: A bill for an act relating to corrections; establishing an office of ombudsman; definitions; granting the ombudsman certain enforcement powers of investigation, action on complaints, publication of opinions and recommendations; amending Minnesota Statutes 1971, Chapter 241, by adding sections.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Nelson	Solon
Arnold	Conzemius	Keefe, S.	Novak	Spear
Ashbach	Davies	Kirchner	Ogdahl	Stassen
Bang	Doty	Knutson	Olhoff	Stokowski
Bernhagen	Dunn	Kowalczyk	O'Neill	Tennessee
Blatz	Frederick	Krieger	Perpich, A. J.	Thorup
Borden	Gearty	Larson	Perpich, G.	Willet
Brown	Hansen, Baldy	Lewis	Purfeerst	
Chenoweth	Hansen, Mel	Milton	Schaaf	
Chmielewski	Hughes	Moe	Schrom	

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1200: A bill for an act relating to workmen's compensation; creating a division of workmen's compensation within the department of labor and industry; providing powers and responsibilities to such commission; making the commissioner of the department of labor and industry the head and administrator of such division; providing powers and responsibilities to such commissioner; amending Minnesota Statutes 1971, Sections 79.28; 121.33, Subdivision 2; 175.006, Subdivisions 1 and 4; 175.10; 175.11, Subdivision 1; 175.16; 175.17; 175.36, Chapter 175, by adding sections; 176.011, Subdivisions 3 and 5; 176.021, Subdivisions 3 and 5; 176.061, Subdivision 9; 176.081; 176.091; 176.101, Subdivisions 3, 6 and 8; 176.111, Subdivisions 5, 10, 11, 17 and 18; 176.131, Subdivisions 3, 4, 5, 6, 9, 10, 11 and 12; 176.132, Subdivision 4; 176.135, Subdivisions 1, 2, 3 and 4; 176.151; 176.155, Subdivisions 2, 3, 4 and 5; 176.161, Subdivisions 1 and 2; 176.165; 176.171; 176.181, Subdivisions 2 and 3; 176.183, Subdivision 2; 176.185, Subdivisions 1, 6 and 7; 176.191; 176.195, Subdivisions 2 and 5; 176.215, Subdivision 3; 176.221, Subdivisions 1, 2, 5 and 6; 176.225, Subdivisions 1, 2 and 3; 176.231, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; 176.235; 176.241, Subdivisions 1, 2, 3 and 4; 176.245; 176.251; 176.261; 176.265; 176.271; 176.275; 176.281; 176.285; 176.291; 176.295; Subdivisions 1, 2 and 4; 176.301, Subdivision 1; 176.305, Subdivisions 1, 2 and 3; 176.311; 176.321, Subdivision 3; 176.331; 176.341, Subdivisions 1, 2 and 3; 176.351, Subdivisions 1, 2, 3 and 4; 176.361; 176.381, Subdivisions 1 and 2; 176.391, Subdivisions 1, 2, 3 and 4; 176.421, Subdivisions 4, 5 and 7; 176.431, Subdivision 1; 176.441, Subdivisions 1 and 2; 176.461; 176.471, Subdivisions 3, 5, 6 and 8; 176.491; 176.511, Subdivision 2; 176.521, Subdivisions 1 and 2; 176.531, Subdivision 1; 176.541, Subdivisions 2, 3, 4 and 6; 176.561; 176.571, Subdivisions 1, 2, 3, 4, 5, 6 and 7; 176.581, Subdivisions 1, 2 and 3; 176.591, Subdivision 3; 176.601; 176.611, Subdivisions 2, 3 and 4; 176.621, Subdivisions 1, 4 and 5; 176.631, Subdivision 1; 176.66, Subdivisions 5 and 7; 176.661; 176.662; 176.663; 176.664; 176.665; 176.666; 176.667; 176.668; 176.669, Subdivisions 1 and 2; Chapter 176, by adding a section; 251.042; 251.043, Subdivision 1; 251.052; 251.053; 352A.01, Subdivision 8; repealing Minnesota Statutes 1971, Sections 175.12 and 175.13.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Coleman	Jensen	Moe	Solon
Arnold	Conzemius	Keefe, J.	Nelson	Spear
Ashbach	Doty	Keefe, S.	Novak	Stassen
Bang	Dunn	Kirchner	Ogdahl	Stokowski
Bernhagen	Frederick	Knutson	Olhoft	Tennessee
Blatz	Gearty	Kowalczyk	O'Neill	Thorup
Borden	Hansen, Baldy	Krieger	Perpich, A. J.	Willet
Brown	Hansen, Mel	Larson	Perpich, G.	
Chenoweth	Hughes	Lewis	Schaaf	
Chmielewski	Humphrey	Milton	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1445: A bill for an act relating to courts; amending numerous provisions pertaining to the county court and judges of the county court; amending Minnesota Statutes 1971, Sections 487.01, Subdivisions 3 and 9; 487.03, Subdivisions 2 and 4, and by adding a subdivision; 487.08; 487.09; 487.10, Subdivisions 1 and 4; 487.16; 487.19, by adding a subdivision; 487.21, Subdivision 2; 487.23, Subdivisions 1, 2 and 5, and by adding a subdivision; 487.24, Subdivision 3; 487.25, Subdivisions 3 and 4; 487.26, Subdivision 2; 487.27, Subdivision 3; 487.29; 487.30; 487.31, Subdivisions 1, 2 and 3; 487.33, Subdivision 5; 487.36; 487.39, Subdivision 1; 487.40, by adding a subdivision; and repealing Minnesota Statutes 1971, Sections 487.23, Subdivision 7; 487.26, Subdivisions 3, 5 and 7; and 488.04, Subdivisions 6 and 7.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Jensen	Moe	Solon
Arnold	Conzemius	Keefe, J.	Nelson	Spear
Ashbach	Doty	Keefe, S.	Novak	Stassen
Bang	Dunn	Kirchner	Ogdahl	Stokowski
Bernhagen	Frederick	Knutson	Olhoft	Tennessee
Blatz	Gearty	Kowalczyk	O'Neill	Thorup
Borden	Hansen, Baldy	Krieger	Perpich, A. J.	Willet
Brown	Hansen, Mel	Larson	Purfeerst	
Chenoweth	Hughes	Lewis	Schaaf	
Chmielewski	Humphrey	Milton	Schrom	

Mr. Perpich, G., voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1155: A bill for an act relating to public welfare; imposing penalties in connection with public assistance wrongfully obtained; amending Minnesota Statutes 1971, Section 256.98.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Coleman	Jensen	Moe	Solon
Arnold	Conzemius	Keefe, J.	Nelson	Spear
Ashbach	Doty	Keefe, S.	Novak	Stassen
Bang	Dunn	Kirchner	Ogdahl	Stokowski
Bernhagen	Frederick	Knutson	Olhoft	Tennessee
Blatz	Gearty	Kowalczyk	O'Neill	Thorup
Borden	Hansen, Baldy	Krieger	Perpich, A. J.	Willet
Brown	Hansen, Mel	Larson	Perpich, G.	
Chenoweth	Hughes	Lewis	Purfeerst	
Chmielewski	Humphrey	Milton	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1803: A bill for an act relating to insurance; providing for assignment of interests of certificate holders under group life insurance policies; amending Minnesota Statutes 1971, Section 61A.09.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 35 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Krieger	O'Neill
Arnold	Conzemius	Humphrey	Larson	Purfeerst
Bang	Davies	Jensen	Lewis	Schrom
Bernhagen	Doty	Keefe, J.	Moe	Solon
Blatz	Dunn	Keefe, S.	Nelson	Stassen
Brown	Gearty	Knutson	Novak	Thorup
Chmielewski	Hansen, Baldy	Kowalczyk	Olhoft	Willet

Those who voted in the negative were:

Chenoweth	Milton	Perpich, G.	Spear	Tennessee
Hansen, Mel	Perpich, A. J.	Schaaf		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 514: A bill for an act relating to intoxicating liquor; authorizing certain sales by restaurants; amending Minnesota Statutes 1971, Section 340.11, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Moe	Schrom
Arnold	Dunn	Keefe, J.	Nelson	Solon
Ashbach	Frederick	Keefe, S.	Ogdahl	Spear
Bang	Gearty	Kirchner	O'Neill	Tennessee
Borden	Hansen, Baldy	Knutson	Perpich, A. J.	Thorup
Chenoweth	Hansen, Mel	Krieger	Perpich, G.	Willet
Coleman	Hughes	Lewis	Purfeerst	
Conzemius	Humphrey	Milton	Schaaf	

Those who voted in the negative were:

Bernhagen	Chmielewski	Kowalczyk	Olhoft	Stassen
Brown	Doty	Larson		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1188: A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	O'Neill	Stokowski
Arnold	Doty	Kirchner	Perpich, A. J.	Tennessee
Borden	Dunn	Kowalczyk	Perpich, G.	Thorup
Brown	Frederick	Krieger	Purfeerst	Willet
Chenoweth	Gearty	Lewis	Schaaf	
Chmielewski	Hughes	Milton	Solon	
Coleman	Humphrey	Novak	Spear	
Conzemius	Keefe, J.	Olhoft	Stassen	

Those who voted in the negative were:

Ashbach	Blatz	Hansen, Mel	Knutson	Schrom
Bang	Hansen, Baldy	Jensen	Nelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1223: A bill for an act relating to public health; regulation of health care facilities providing newborn infant care; amending Minnesota Statutes 1971, Section 144.56, Subdivision 3.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Lewis	Schaaf
Arnold	Conzemius	Humphrey	Milton	Solon
Bang	Davies	Keefe, J.	Nelson	Spear
Blatz	Doty	Keefe, S.	Olhoft	Stassen
Borden	Dunn	Kirchner	O'Neill	Stokowski
Brown	Frederick	Knutson	Perpich, A. J.	Tennessee
Chenoweth	Gearty	Kowalczyk	Perpich, G.	Thorup
Chmielewski	Hansen, Mel	Krieger	Purfeerst	Willet

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1993: A bill for an act relating to the department of educa-

tion, division of vocational rehabilitation; providing for the purchase of cattle; and appropriating money.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Lewis	Schaaf
Arnold	Conzemius	Humphrey	Milton	Schrom
Ashbach	Davies	Jensen	Nelson	Solon
Bang	Doty	Keefe, J.	Novak	Spear
Blatz	Dunn	Keefe, S.	Olhoff	Stassen
Borden	Frederick	Kirchner	O'Neill	Stokowski
Brown	Gearty	Knutson	Perpich, A. J.	Tennessee
Chenoweth	Hansen, Baldy	Kowalczyk	Perpich, G.	Thorup
Chmielewski	Hansen, Mel	Krieger	Purfeerst	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Mr. Chmielewski moved to amend S. F. No. 1858, as follows:

Page 1, after line 21, insert:

"Sec. 2. [TRANSFER TO TREE GROWTH TAX LAW.] *When auxiliary forest contracts expire, or prior to expiration by mutual agreement between the land owner and the appropriate county office, the lands previously covered by an auxiliary forest contract automatically qualify for inclusion in the tree growth tax law without penalty for such transfer.*"

Renumber the remaining section

Which motion prevailed. So the amendment was adopted.

S. F. No. 1858 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	Milton	Solon
Arnold	Davies	Jensen	Nelson	Spear
Ashbach	Doty	Keefe, J.	Novak	Stassen
Bang	Dunn	Keefe, S.	Olhoff	Stokowski
Blatz	Frederick	Kirchner	O'Neill	Tennessee
Borden	Gearty	Knutson	Perpich, A. J.	Thorup
Brown	Hansen, Baldy	Kowalczyk	Perpich, G.	Willet
Chenoweth	Hansen, Mel	Krieger	Purfeerst	
Chmielewski	Hughes	Lewis	Schaaf	

Mr. Schrom voted in the negative.

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

SPECIAL ORDER

S. F. No. 1836: A bill for an act relating to insurance; prescribing time within which suit for recovery of claim under hail insurance policy must be commenced; amending Minnesota Statutes 1971, Section 65A.26.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Lewis	Schrom
Arnold	Conzemius	Humphrey	Milton	Solon
Ashbach	Davies	Jensen	Nelson	Spear
Bang	Doty	Keefe, J.	Novak	Stassen
Blatz	Dunn	Keefe, S.	Olhoft	Stokowski
Borden	Frederick	Kirchner	O'Neill	Tennessen
Brown	Gearty	Knutson	Perpich, A. J.	Thorup
Chenoweth	Hansen, Baldy	Kowalczyk	Perpich, G.	Willet
Chmielewski	Hansen, Mel	Krieger	Schaaf	

Mr. Purfeerst voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the bills not considered on the Special Orders Calendar today be returned to General Orders. Which motion prevailed.

Mr. Novak moved that S. F. No. 2429 be indefinitely postponed. Which motion prevailed.

Mr. Hughes moved that H. F. No. 2160 be withdrawn from the Committee on Education and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2259, No. 227 on General Orders. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages from the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawnings areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Senate File No. 2417 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. Novak moved that the Senate do not concur in the amendments by the House to S. F. No. 2417 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce that the House accedes to the request of the Senate for the return of Senate File No. 750 for further consideration:

S. F. No. 750: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

Senate File No. 750 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. Conzemius moved that S. F. No. 750 be laid on the table. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Monday, May 7, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-FOURTH DAY

St. Paul, Minnesota, Monday, May 7, 1973.

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

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Dunn	Kleinbaum	Olhoff	Renneke
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Kowalczyk	Olson, H. D.	Spear
Blatz	Gearty	Krieger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Coleman	Hughes	Milton	Perpich, A. J.	Wegener
Davies	Jensen	Novak	Pillsbury	Willet
Doty	Josefson	Ogdahl	Purfeerst	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Sillers was excused from the Session of today. Mr. Perpich, G. was excused from the Session of today until 12:00 o'clock noon. Mr. Stassen was excused from the morning's Session.

INTRODUCTION OF BILLS

Messrs. Nelson, Humphrey and Solon introduced—

S. F. No. 2448: A bill for an act relating to education; smoking by students; allowing public secondary schools to designate smoking areas for certain students.

Which was read the first time and referred to the Committee on Education.

Messrs. North, Knutson and Milton introduced—

S. F. No. 2449: A bill for an act relating to hospitalization and commitment; requiring review of admission and retention of patients in federal mental hospitals; amending Minnesota Statutes 1971, Section 253A.16, Subdivisions 1, 2, 3 and 4.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. North introduced—

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; 6; and 7; and by adding a section; repealing Laws 1969, Chapter 526, Section 2.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Solon; Keefe, S. and Stokowski introduced—

S. F. No. 2451: A bill for an act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Solon, Stokowski and Keefe, S. introduced—

S. F. No. 2452: A bill for an act relating to manpower services; unemployment compensation; eligibility for benefits; amending Minnesota Statutes 1971, Section 268.08, Subdivision 3.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Solon, Stokowski and Keefe, S. introduced—

S. F. No. 2453: A bill for an act relating to manpower services; unemployment compensation; extending benefits; amending Min-

nesota Statutes 1971, Sections 268.071, Subdivision 1; 268.10, Subdivision 4; 268.12, Subdivision 6; and 268.13, Subdivision 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Nelson introduced—

S. F. No. 2454: A bill for an act appropriating money to Independent School District No. 281 for the police liaison program.

Which was read the first time and referred to the Committee on Education.

Messrs. Conzemius, Coleman and Lewis introduced—

S. F. No. 2455: A bill for an act relating to corrections; creating a state board of corrections, and vesting in that board the supervisory responsibility for the correction matters of this state; amending Minnesota Statutes 1971, Section 241.01, Subdivisions 1, 2, 3, 5, 5a, 6, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 241.01, Subdivision 4.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Doty, Solon and Perpich, A. J. introduced—

S. F. No. 2456: A bill for an act relating to courts; prescribing charges by certain court reporters for transcripts; amending Minnesota Statutes 1971, Section 486.06, as amended.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Nelson, Arnold and Wegener introduced—

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.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Hansen, Mel; Gearty and Stokowski introduced—

S. F. No. 2458: A bill for an act relating to the city of Minneapolis; providing for the basis on which the city of Minneapolis shall levy for street, sidewalk, tree, curb and gutter maintenance.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Willet introduced—

S. F. No. 2459: A bill for an act relating to game and fish; permits for certain handicapped or disabled; amending Minnesota Statutes 1971, Section 98.48, Subdivision 12.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 170, 181, 662, 935, 1167, 1319, 1441, 1791, 1881, 1955 and 2035.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. President:

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

S. F. No. 211: A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

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

Stangeland, Peterson, Eken, Cummiskey and Haugerud.

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

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. President:

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

S. F. No. 2166: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

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

Culhane; Anderson, D.; Eckstein, Klaus and Kahn.

Senate File No. 2166 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. President:

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

S. F. No. 2167: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders; dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

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

Eckstein, Swanson, Fugina, Skaar and Searle.

Senate File No. 2167 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 5, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2121.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 5, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2121: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03. Subdivision 3; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sec-

tions 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 290.361, Subdivision 4; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; and 477A.01. Subdivisions 12 and 15.

Which was read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2356: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2013: A bill for an act relating to education; permitting six school districts to implement and experiment with an educational voucher system; permitting both public and private schools to participate; permitting participating school districts to contract for federal funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

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

Page 1, line 17, delete "9" and insert "12"

Page 1, line 18, delete "voucher" and insert in lieu thereof "scholarship"

Page 1, line 22, delete "voucher" and insert "scholarship"

Page 1, line 22, following "elementary" insert "and secondary"

Page 1, line 25, delete "vouchers" and insert "scholarships"

Page 1, line 27, following "elementary" insert "and secondary"

Page 2, line 8, delete "voucher" and insert "scholarship"

Page 3, line 2, delete the number "2" and insert "3" and renumber the following sections accordingly

Page 3, line 4, following "*elementary*" insert "*and secondary*"

Page 3, line 5, delete "*or by special*"

Page 3, delete all of line 6

Page 3, line 7, delete "*district*"

Page 3, line 7, delete "*or elect*"

Page 3, line 8, delete "*voucher*" and insert "*scholarship*"

Page 3, line 13, delete "*either*"

Page 3, line 14, delete "*or the authorizing voting results of the*"

Page 3, line 15, delete "*referendum to the electorate within that district*"

Page 3, line 27, delete "*voucher*" and insert "*scholarship*"

Page 4, line 1, delete "*vouchers*" and insert "*scholarships*"

Page 4, line 2, following "*elementary*" insert "*and secondary*"

Page 4, line 4, following "*district*" insert "*or combination of districts*"

Page 4, line 5, delete "*voucher*" and insert "*scholarship*"

Page 4, line 5, strike the comma at the end of the line and insert a period

Page 4, strike lines 6 and 7

Page 4, line 9, after "*district*" insert "*or districts*"

Page 4, line 10, delete "*voucher*" and insert "*scholarship*"

Page 4, line 12, following "*board*" insert "*or combination of boards*" and following "*district*" insert "*or combination of districts*"

Page 4, line 14, delete "*voucher*" and insert "*scholarship*"

Page 4, line 19, delete "*voucher*" and insert "*scholarship*"

Page 5, line 1, delete "*actual and necessary*" and insert "*additional and authorized*"

Page 5, line 3, delete "*, subject to*"

Page 5, line 4, delete "*distance limitations imposed by existing law*"

Page 5, line 7, delete "*any possible*"

Page 5, line 8, delete "*decreased economies of scale or*"

Page 5, line 9, after "*to*" insert "*and operation of*"

Page 5, line 12, after "*board*" strike "*and staff*"

Page 5, line 20, after "board" insert "*, which shall be an employer for the purposes of Minnesota Statutes, Section 179.63,*"

Page 5, line 21, after "Employ a" insert "*clerical and administrative*"

Page 5, line 23, delete "*vouchers*" and insert "*scholarships*"

Page 5, line 23, delete "*elementary*"

Page 6, line 1, delete "*vouchers*" and insert "*scholarships*"

Page 6, line 9, delete "*voucher*" and insert "*scholarship*"

Page 6, line 10, delete "*elementary school*"

Page 6, line 12, delete "*voucher*" and insert "*scholarship*"

Page 6, line 14, delete "*voucher*" and insert "*scholarship*"

Page 6, line 17, delete "6" and insert "7"

Page 6, line 19, delete "*voucher*" and insert "*scholarship*"

Page 6, line 20, delete "*voucher*" and insert "*scholarship*"

Page 6, line 21, delete "*voucher*" and insert "*scholarship*"

Page 6, line 23, delete "*voucher*" and insert "*scholarship*"

Page 6, line 24, following the word "*pupil*" insert "*, as defined in the negotiated contract,*"

Page 6, line 27, delete "*voucher*" and insert "*scholarship*"

Page 6, line 28, delete "*vouchers*" and insert "*scholarships*"

Page 7, line 2, delete "*vouchers*" and insert "*scholarships*"

Page 7, line 4, after "board" insert "*and the contracting agency*"

Page 7, line 6, delete "*vouchers*" and insert "*scholarships*"

Page 7, line 8, delete "**VOUCHERS**" and insert "**SCHOLARSHIPS**"

Page 7, line 9, delete "*Subdivision 1.*"

Page 7, line 10, delete "*voucher*" and insert "*scholarship*"

Page 7, line 11, delete "*vouchers*" and insert "*scholarships*"

Page 7, line 12, delete "*elementary*"

Page 7, line 12, delete "*voucher*" and insert "*scholarship*"

Page 7, line 23, delete "*voucher*" and insert "*scholarship*"

Page 7, strike lines 24 and 25 and renumber the following clauses accordingly

Page 8, beginning on line 12 and through line 15 strike all of Subd. 2.

Page 8, line 21, delete "*voucher*" and insert "*scholarship*"

Page 9, line 9, delete "8" and insert "9"

Page 9, line 12, delete "an elementary" and insert "a"

Page 9, line 13, delete "school"

Page 9, line 13, delete "voucher" and insert "scholarship"

Page 9, line 15, delete "voucher" and insert "scholarship"

Page 9, line 18, delete "voucher" and insert "scholarship"

Page 9, following line 18, add a new section as follows:

"Sec. 12. The provisions of this act shall be liberally construed with a view to effecting its objectives and promoting its purposes. If any section, subdivision, sentence, phrase or clause of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of the act. The legislature hereby declares that it would have enacted each and every section, subdivision, sentence, phrase and clause thereof regardless of the fact that any other such portion of the act is declared unconstitutional."

Further, amend the title on page 1, as follows:

Line 4, delete "voucher" and insert in lieu thereof "scholarship"

Line 5, delete "system" and insert "program"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 1314, 1355, 1357, 2122 and 2231.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

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

H. F. No. 1550: A bill for an act relating to personnel in government; their rights, privileges and benefits; creating a department of personnel; defining its powers and duties; amending Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.101; 15A.12; 43.01, Subdivisions 6, 7, 8, and 9, and by adding subdivisions; 43.02; 43.03; 43.05; 43.06; 43.07; 43.08; 43.09; 43.111; 43.122; 43.128; 43.13; 43.15; 43.17, Subdivision 2; 43.18, Subdivision 1; 43.19; 43.21; 43.23; 43.24; 43.32; 43.48; 43.43; and Chapter 43 by adding sections; repealing Minnesota Statutes 1971, Sections 15A.14; 16.02, Subdivisions 20 and 22; 43.01, Subdivision 5; 43.041; 43.10; 43.18, Subdivision 3; 43.30 and 43.34.

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

Page 3, line 11, strike “, two from a list which the senate may recom-”

Page 3, strike lines 12 and 13, and on line 14, strike “ers of the senate and of the house in equal number” and insert: “The governor shall select one appointee each from lists submitted by the speaker of the house, the minority leader of the house, the majority leader of the senate, and the minority leader of the senate”

Page 3, line 14, after “shall” strike “be for” and insert in lieu thereof “serve”

Page 3, line 15, strike “four of the appointees shall be” and insert in lieu thereof “the four appointees from the legislative lists shall”

Page 3, line 16, strike “for a two year term” and insert “serve two year terms”

Page 4, line 16, strike “\$50 per day” and reinstate “\$35”

Page 4, line 18, strike “\$1500” and reinstate “\$1050”

Page 5, line 16, strike “of more than 30 days”

Page 5, line 36, after “duties, and” insert “, notwithstanding the provisions of section 15A.021,”

Page 6, line 17, after “system,” reinstate “and”, and strike “and the higher”

Page 6, line 18, strike “education facilities authority”

Page 7, line 4, after “obtained.” add “Medical doctors paid under the provisions of section 43.126 shall be exempted from the provisions of this subdivision.”

Page 8, line 22, after “all”, strike “professional and managerial”

Page 8, line 23, after “state service” insert “enumerated in sections 15A.081 and 15A.083. The board may also recommend adding or deleting positions from these lists.”

Page 9, line 1, after “tants.” strike the balance of the line, and strike lines 2 and 3

Page 11, strike lines 25 to 28. Renumber following sections in sequence

Page 12, line 25, after “guard” insert a semicolon, and strike “and all”

Page 12, strike line 26

Page 13, line 15, strike “Persons, not exceeding one, appointed or employed by” and insert in lieu thereof “One employee of”

Page 13, line 32, strike “each department and are located in”

Page 13, strike lines 33 to 36, and insert in lieu thereof “the

departments of administration, corrections, finance, highways, natural resources, public safety, public welfare, and taxation; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, economic development, and manpower services; to three in the departments of aeronautics, public service, and the planning agency and pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision."

Page 14, line 28, strike "such"

Page 15, line 13, strike "have been"

Page 15, strike lines 14 to 20 and insert in lieu thereof *"are employed for a total of ten months within a twelve month period shall receive for the same civil service status given by this chapter to other classified employees of the state not in the labor service."*

Page 16, line 36, strike "(6)" and reinstate "(7)"

Page 19, line 3, strike "and reinstatement"; after "promotion" insert *"and reinstatement"*

Page 22, line 13, strike "for more"

Page 22, line 14, strike "than 30 days in any one year"

Page 23, line 32, after "pay" strike "for 30 days or less" strike "upon his written request therefor"

Page 24, strike lines 10 to 33

Page 27, line 5, after *"commissioner of"* strike *"administration or any successor in control of budgets"* and insert in lieu thereof *"finance"*

Page 28, line 4, strike *"account for and disburse premium payments,"*

Page 28, line 7, after "43.49." add *"Upon request of the commissioner, the commissioner of finance shall perform necessary accounting and disbursements functions."*

Page 31, line 1, after "law" insert a period, and strike the balance of the line

Page 31, strike line 2

Page 31, lines 5 and 6, strike *"administration and any successor in control of budgets"* and insert in lieu thereof *"finance"*

Page 31, strike lines 29 to 36

Page 32, strike lines 1 to 6

Page 34, line 9, in the headnote, strike "ADMINISTRATION" and insert in lieu thereof "FINANCE"

Page 34, line 10, after *"sioner of"* strike *"administration or any successor in control of budgets"* and insert in lieu thereof *"finance"*

Page 34, line 20, after "43.041" insert "43.08"; in the same line strike "43.30;"

Amend the title in line 3 by deleting "15A.101;," in line 4 by deleting "43.08;," in line 7 after "43.041;" by inserting "43.08;" and in line 7 by deleting "43.30;"

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

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

H. F. No. 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.

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

Page 2, line 3, strike "begin" and insert "plan for"

Page 2, line 12, strike "commence" and insert "plan for"

Page 2, strike lines 14 through 17

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

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

H. F. No. 1042: A bill for a act relating to waters; southern Minnesota river basin commission; appropriating money; amending Laws 1971, Chapter 705, Section 3, Subdivision 1; and Section 5; repealing Laws 1971, Chapter 705, Section 11.

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

Page 3, strike lines 5 through 7

Renumber the sections accordingly

Further amend the title as follows:

Page 1, in the first line of the title strike "appropriating money;"

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

Mr. Novak from the Committee on Finance to which was re-referred

H. F. No. 443: A bill for an act relating to public welfare; appropriating money for The Rochester State Hospital Religious Activity Center, Inc.

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

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

H. F. No. 895: A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

H. F. No. 487: A bill for an act relating to divorce and separate maintenance; appointment of guardians for minor children in actions for; amending Minnesota Statutes 1971, Chapter 518, by adding a section.

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

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

H. F. No. 223: A bill for an act relating to courts; increasing the number of associate justices on the supreme court; appropriating moneys; amending Minnesota Statutes 1971, Section 480.01.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

H. F. No. 221: A bill for an act relating to provisions of Minnesota Statutes; changing various legal provisions relating to age from 21 years of age to 18 years of age; granting 18, 19 and 20 years olds broad powers, duties, rights and obligations; redefining the terms minor, adult, minority, majority and legal or full age; revising certain penalties accordingly; amending Minnesota Statutes 1971, Sections 64A.24, Subdivision 3; 72B.04, Subdivision 2; 82.03, Subdivision 2; 97.83, Subdivision 1; 136.11, Subdivision 1; 144.175, Subdivision 2; 144.51; 144.52; 144.60, Subdivision 1; 144.953, Subdivision 1; 146.06, Subdivision 1; 146.09; 147.16; 147.26, Subdivision 2; 148.37; 148.57, Subdivision 1; 148.70; 148.81, Subdivision 1; 149.03, Subdivision 1; 151.10; 153.04; 156.02, Subdivision 1; 171.07, Subdivision 1; 171.27; 177.02, Subdivisions 6 and 7; 181.41; 183.51, Subdivisions 4, 5, 6, 7, 8, 9, 10 and 11; 184.26, Subdivision 3; 200.02, Subdivision 25; 201.14; 201.15; 202.04, Subdivision 1; 208.22; 242.44; 246.43, Subdivisions 1 and 2; 246.51; 256.871, Subdivision 1; 256B.06; 256B.14; 257.01; 257.05, Subdivision 1; 259.21, Subdivision 2; 260.015, Subdivision 9; 268.04, Subdivision 12; 290.23, Subdivision 11; 290.25, Subdivision 4; 292.04; 299F.77; 326.19, Subdivisions 1 and 2; 330.01, Subdivision 1; 332.36, Subdivision 1; 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; 340.81;

359.01; 471.61, Subdivisions 1, 1a and 2a; 500.13, Subdivision 2; 517.02; 517.08, Subdivision 1; 518.54, Subdivision 2; 518.57; 525.-092, Subdivision 2; 525.80; 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; 527.07, Subdivision 4; 541.15; 609.295 and 645.45; Chapters 501, by adding a section; and 525, by adding a section; repealing Minnesota Statutes 1971, Section 61A.12, Subdivision 3.

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

Pages 18 and 19, strike sections 46 and 47

Page 44, lines 3 through 11, strike section 90

Page 44, line 14, strike "*intervivos*"

Page 44, after line 16, add the following:

"Sec. 92. For purposes of any public assistance program for which benefits are made available to children on the effective date of this act, unless otherwise specifically provided therein, the age of majority shall be 21 years of age.

Sec. 93. Proof of age for purposes of consuming, purchasing, or possessing an alcoholic beverage, the consumption, sale, or possession of which is regulated by age, may only be established by a valid drivers license or a current nonqualification certificate issued pursuant to Minnesota Statutes 1971, Section 171.07."

Page 44, line 18, strike "*August*" and insert in lieu thereof "*June*"

Renumber the remaining sections accordingly

Amend the title by striking "256.871, Subdivision 1; 256B.06;"

And further amend the title by striking "518.57;"

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

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

S. F. No. 878: A bill for an act relating to highways; the establishment of recreational vehicle lanes on state, county and town road rights of way, including bridges and underpasses; appropriating money; amending Minnesota Statutes 1971, Sections 161.20, Subdivision 2; 161.21, Subdivision 1; 165.02; and 167.50, Subdivision 1.

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

Page 1, line 14, strike "*snowmobile*" and insert in lieu thereof "*bicycle*"

Page 1, line 18, strike "*snowmobile*" and insert in lieu thereof "*bicycle*"

Page 1, line 21, strike "*snowmobile*" and insert in lieu thereof "*bicycle*"

Page 5, line 25, strike "*snowmobile*" and insert in lieu thereof "*bicycle*"

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

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

S. F. No. 1845: A bill for an act relating to claims, adjusted compensation for military service.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

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

S. F. No. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority; providing for treatment of persons dependent on alcohol or other drugs; appropriating money; amending Minnesota Statutes 1971, Sections 197.603; 197.64, Subdivision 3; 198.01, 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

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

Page 12, strike lines 20 and 21

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 6, strike "appropriating money;"

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

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

H. F. No. 1978: A bill for an act relating to the Minnesota Historical Society; appropriating money for the acquisition, maintenance, and security of a historic site.

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1038: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Rice Lake state park.

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

Page 1, line 4, after "gift" and before "purchase" strike "," and insert "or"

Page 1, line 4, strike ", or if expressly authorized by law, by condemnation proceedings"

Page 1, line 5, before "Any" insert "No land described in this section may be acquired by eminent domain, notwithstanding any provision of Minnesota Statutes, Section 85.012, as now enacted or hereafter amended, nor any other law, to the contrary."

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1720: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Sibley state park.

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

Page 1, line 4, after "described." and before "Any" insert "No land described in this section may be acquired by eminent domain, notwithstanding any provision of Minnesota Statutes, Section 85.012, as now enacted or hereafter amended, nor any other law, to the contrary."

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1005: A bill for an act relating to agriculture; registration and inspection fees for apiaries; requiring posting of ownership in certain cases; amending Minnesota Statutes 1971, Sections 19.19, Subdivisions 1 and 2; 19.20, by adding subdivisions; and Chapter 19, by adding a section.

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 595: A bill for an act relating to pollution, requiring the pollution control agency to hold public hearings before granting variances; amending Minnesota Statutes 1971, Section 116.07, Subdivision 5.

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 2029: A bill for an act relating to mining; strengthening certain provisions relating to mineland reclamation; providing penalties; amending Minnesota Statutes 1971, Sections 93.46, Subdivision 3; 93.47, Subdivisions 2, 3, and 5; 93.49; 93.51; and Chapter 93, by adding a section; repealing Minnesota Statutes 1971, Section 93.46, Subdivision 4.

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1203: A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

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

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

“Section 1. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.41] [SOLID WASTE DISPOSAL FACILITIES: CLASSIFICATION; TRAINING AND CERTIFICATION OF OPERATORS.] *Subdivision 1. [CLASSIFICATION.] The pollution control agency may classify facilities for the disposal of solid waste according to the degree of hazard to public health or the environment involved in their operation, and according to the volume or hazardous character of solid waste disposed of at the facility. The agency may develop standards of competence for persons operating various classes of facilities for the disposal of solid waste.*

Subd. 2. [TRAINING PROGRAMS.] The agency may conduct training programs for persons operating facilities for the disposal of solid waste, and may charge such fees as are necessary to cover the actual costs of the training programs.

Subd. 3. [CERTIFICATION.] After July 1, 1976, when a facility for the disposal of solid waste, other than an animal feedlot, is operating under a permit from the agency, the agency may require the operator of the facility to obtain from the agency a certificate of his competence to operate the facility. The agency may conduct examinations to test the competence of applicants for certification, and may require that certificates be renewed at reasonable intervals. The agency may charge such fees as are necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates.

Subd. 4. [REGULATIONS.] The agency may adopt, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this section.”

Strike the title and insert in lieu thereof:

“A bill for an act relating to the pollution control agency; providing for the certification of operators of solid waste disposal facilities; amending Minnesota Statutes 1971, Chapter 116, by adding a section.”

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 149: A bill for an act relating to snowmobiles; authorizing the operation of snowmobiles on bridges under certain conditions; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1.

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

Page 2, line 27, strike “upon” and insert “*the day following its*”

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 346: A bill for an act relating to public water and sewer systems; powers of county boards and district courts; amending Minnesota Statutes 1971, Section 116A.01, Subdivision 1.

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 730: A bill for an act authorizing the sale of certain land to the city of Hastings in which the state of Minnesota owns the reversionary interest; providing for appraisals and payment.

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

Page 1, line 3, strike the first “its” and insert “the state’s”

Page 2, line 13, strike “upon” and insert “the day following its”

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which were re-referred the following appointments:

STATE ARTS COUNCIL

Dr. Walter G. Prausnitz, 2614 South 11th Street, Moorhead,

Clay County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Miss Laura Jane Musser, 608 Highland, Little Falls, Morrison County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Louis V. Zelle, 1 Teal Island Road, North Oaks, Ramsey County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Alvin Zelickson, M.D., 101 Ardmore Drive, Minneapolis, Hennepin County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Kenneth Dayton, c/o Dayton-Hudson Corporation, 700 Nicollet Mall, Minneapolis, Hennepin County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Phillip Von Blon, 2121 Dwight Lane, Minneapolis, Minn., Hennepin County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

Maxwell Oie, 2228 Waverly Avenue, Duluth, St. Louis County, appointed effective April 3, 1973, for a term expiring April 1, 1977.

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

Mr. Laufenburger moved that the foregoing Committee report be laid on the table. Which motion prevailed.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1172: A bill for an act relating to motor vehicles; unauthorized use of certain vehicles; repealing Minnesota Statutes 1971, Section 168.83.

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 153: A resolution memorializing Congress to restore November 11 as Veterans Day.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1452: A resolution urging Amtrak to restore Duluth as a regular passenger stop.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 954: A bill for an act relating to elections; providing for the reception and counting of absentee ballots; amending Minnesota Statutes 1971, Section 207.11.

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 241: A resolution memorializing the Interstate Commerce Commission to review transportation rates for recycled material.

Reports the same back with the recommendation that the resolution be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1776: A bill for an act relating to hazardous buildings; amending Minnesota Statutes 1971, Chapter 463, by adding a section.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1184: A bill for an act relating to cities; prohibiting resigning member of city council from voting on his successor.

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

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

H. F. No. 2121 for comparison to companion Senate File, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 2121 to the Committee on Taxes and Tax Laws.

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

H. F. Nos. 2166, 1577, 1718, 1949, 1897, 2365, 2308, 1844, 1578, 1965 and 1465 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2166	2273	2308	2176	1465	1334
1577	1492	1844	1942		
1718	1716	1578	1574		
1949	1978	1965	2036		
1897	1829				
2365	2399				

And that the above Senate Files be indefinitely postponed.

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

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

H. F. Nos. 892, 945, 2164, 1001, 1626, 2238, 1772, 1217, 2179, and 1854 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
892	1040	2164	2145	945	769
1001	984	2238	2178		
1626	857	2179	2269		
1772	1808				
1217	1397				
1854	1753				

Pursuant to Rule 49 the Committee recommends that H. F. No. 892 be amended as follows:

Page 2, line 3, after "occur" strike the period and insert in lieu thereof "; and"

Page 2, after line 3, insert the following:

"(3) To file a quarterly report with the local office of the department of manpower services indicating separately the total number of persons hired and the number of Vietnam-era veterans hired during the calendar quarter; or

(b) That the contractor has not, at any time during six months prior to award of the contract employed 25 or more employees within this state for purposes of doing business in this state."

And when so amended, H. F. No. 892 will be identical to S. F. No. 1040 and further recommends that H. F. No. 892 be given its

second reading and substituted for S. F. No. 1040 and S. F. No. 1040 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1001 be amended as follows:

Page 1, line 30, delete the semicolon and insert in lieu a comma

Page 1, line 33, delete "*measures,*" and insert in lieu "*measure*"

Page 2, line 11, after "*programs*" insert a comma

Page 3, line 1, after "*degradation*" insert a semicolon

Page 7, line 15, delete ", *including the time and manner*"

Page 7, delete line 16

Page 9, line 21, after "*water,*" insert "*land*"

And when so amended, H. F. No. 1001 will be identical to S. F. No. 984 and further recommends that H. F. No. 1001 be given its second reading and substituted for S. F. No. 984 and S. F. No. 984 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1626 be amended as follows:

Page 7, line 22, after "of" strike "the"

Page 7, line 23, delete "*employee*" and insert in lieu "*his total*"

Page 7, strike line 25 after the period

Page 7, strike lines 26 and 27

Page 8, line 1, delete "*regular fund*"

Page 8, line 5, after "of" strike "the"

Page 8, line 6, delete the word "*employee*" and insert in lieu "*his total*"

Page 14, after line 16, insert the following:

"Subd. 7. One-tenth of one percent of salary shall be deducted from the employee contributions authorized by section 352.04, subdivision 2, and one-tenth of one percent of salary from the employer contributions authorized by section 352.04, subdivision 3 (1) to pay the administrative expenses of the unclassified program."

And when so amended, H. F. No. 1626 will be identical to S. F. No. 857 and further recommends that H. F. No. 1626 be given its second reading and substituted for S. F. No. 857 and S. F. No. 857 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1772 be amended as follows:

Page 1, line 10, after "painting," insert "or planning for such painting,"

Page 1, line 14, after the period, insert "Such planning shall be

in cooperation and consultation with the capitol area architectural and planning commission."

Page 1, delete lines 15 and 16

And when so amended, H. F. No. 1772 will be identical to S. F. No. 1808 and further recommends that H. F. No. 1772 be given its second reading and substituted for S. F. No. 1808 and S. F. No. 1808 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1217 be amended as follows:

Page 1, line 23, after the semicolon, insert "or"

Further, amend the title by striking all of lines 2 through 5 and inserting in lieu thereof: "relating to state employees; prohibiting the receipt of gratuities or other advantages by state employees or their families because of state business;"

And when so amended, H. F. No. 1217 will be identical to S. F. No. 1397 and further recommends that H. F. No. 1217 be given its second reading and substituted for S. F. No. 1397 and S. F. No. 1397 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H.F. No. 1854 be amended as follows:

Page 4, lines 18 and 19, restore the stricken language

Page 4, lines 26, 27, and 28, restore the stricken language and delete the underscored language

Page 5, line 1, restore the stricken language

Page 7, delete lines 12 through 28

Page 8, delete lines 1 through 6 and insert in lieu thereof the following:

"Subd. 5. The commission shall purchase ~~all necessary~~ goods, and materials ~~and services commonly used by governmental agencies such as fuels, stationery and office supplies~~ through the purchasing agent of the city of Saint Paul pursuant to the joint purchasing agreement including the reimbursement provision between said city and said county and the laws applicable thereto. ~~Purchases for said commission in amounts less than \$2,000 may be made by the purchasing agent of the city of Saint Paul by informal bid procedure.~~ *In addition to presently authorized methods, the commission may purchase directly or utilize the services of the city of Saint Paul, the state, the University of Minnesota or any other political subdivision or agency of the state in the purchase of all medical and scientific goods, materials and services related to the care of patients and the conduct of educational and research activities. These purchases shall be made in compliance with the laws of the state.*"

Page 9, delete lines 3 through 7 and insert in lieu thereof the following:

"Sec. 9. Laws 1969, Chapter 1104, Section 11, is amended to read:

Sec. 11. [EFFECTIVE DATE.] This act is effective upon its approval by the board of county commissioners of Ramsey county and by the city council of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021.

~~The powers vested by this act in the Ramsey County Hospital and Sanitorium Commission shall automatically revert to the welfare board of Ramsey County January 1, 1974, unless the legislature shall otherwise provide by law."~~

Further, amend the title by deleting lines 8 and 9 and inserting in lieu thereof "11."

And when so amended, H. F. No. 1854 will be identical to S. F. No. 1753 and further recommends that H. F. No. 1854 be given its second reading and substituted for S. F. No. 1753 and S. F. No. 1753 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2164 be amended as follows:

Page 1, line 10, delete ", the salary"

Page 1, line 11, delete "of the assessor at a sum not to exceed \$150 per month"

Further, amend the title in line 4, by deleting ", assessor"

And when so amended, H. F. No. 2164 will be identical to S. F. No. 2145 and further recommends that H. F. No. 2164 be given its second reading and substituted for S. F. No. 2145 and S. F. No. 2145 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2238 be amended as follows:

Page 1, line 8, strike "county of Dakota" and insert in lieu "counties of the metropolitan area as defined in Minnesota Statutes, Section 473B.02, Subdivision 1"

Page 1, line 12, after "effective" insert "as to each county"

Page 1, line 13, after "by the" insert "affected"

Page 1, line 13, strike "of the county of Dakota"

Further, amend the title in line 2 by deleting "Dakota county" and inserting in lieu "metropolitan counties"

And when so amended, H. F. No. 2238 will be identical to S. F. No. 2178 and further recommends that H. F. No. 2238 be given its second reading and substituted for S. F. No. 2178 and S. F. No. 2178 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2179 be amended as follows:

Page 1, line 11, delete "city" and insert in lieu thereof "village"

And when so amended, H. F. No. 2179 will be identical to S. F. No. 2269 and further recommends that H. F. No. 2179 be given its second reading and substituted for S. F. No. 2269 and S. F. No. 2269 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 945 be amended as follows:

Page 1, line 27, after "*watercraft operator's permit*" and before the period, insert "*, unless there is a person 18 years of age or over in the motorboat*"

Page 2, line 7, delete "*The commissioner shall*"

Page 2, delete lines 8 through 12

Page 2, line 24, before "*his*" insert a new comma, and after "*guardian*" insert a new comma

Page 2, delete lines 26 through 28

Page 3, delete lines 1 through 28

Page 4, delete lines 1 through 13 and insert in lieu thereof the following:

"Sec. 3. Minnesota Statutes 1971, Section 361.22, Subdivision 2, is amended to read:

Subd. 2. ~~In addition to any other penalties authorized by sections 361.01 to 361.28, any operator may, in the discretion of the court, upon conviction for a violation of any provision or regulation relating to the manner of operation of a watercraft, be prohibited from operating a watercraft for a period of not more than 90 days. Upon a second conviction for any such violation within a period of one year, the court shall prohibit the operator from operating a watercraft for 90 days. An operator 13 years of age or older but less than 18 years of age, adjudicated by a juvenile court as having violated sections 361.05, or 361.12, or 361.13 shall have his operator's permit revoked by the commissioner. The commissioner shall issue a new permit to the operator one year after the revocation upon successful completion by the operator of a watercraft safety course. The judge of a juvenile court, which adjudicates an operator of violating any of the laws or regulations listed above, shall require the surrender of the person's watercraft operator's permit and shall forward the operator's permit to the commissioner, together with a record of the adjudication.~~

And when so amended, H. F. No. 945 will be identical to S. F. No. 769 and further recommends that H. F. No. 945 be given its second reading and substituted for S. F. No. 769 and S. F. No. 769 be indefinitely postponed. Amendments adopted.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1314, 1355, 1357, 2122, 2231, 878, 1845 and 1455 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1550, 1047, 1042, 443, 895, 487, 221, 1978, 1038, 1720, 1005, 595, 2029, 1203, 149, 346, 730, 1172, 954, 1776, 1184, 2166, 1577, 1718, 1949, 1897, 2365, 2308, 1844, 1578, 1965, 1465, 892, 945, 2164, 1001, 1626, 2238, 1772, 1217, 2179 and 1854 were read the second time.

MOTIONS AND RESOLUTIONS**SUSPENSION OF RULES**

Mr. Purfeerst moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2365 and that the rules of the Senate be so far suspended as to give H. F. No. 2365 now on General Orders its third reading and placed on final passage. Which motion prevailed.

H. F. No. 2365: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

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

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Schrom
Arnold	Dunn	Kirchner	Novak	Solon
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bang	Gearty	Knutson	Olhoft	Stassen
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Blatz	Hansen, Mel	Krieger	Olson, H. D.	Tennessen
Borden	Hanson, R.	Larson	Olson, J. I.	Thorup
Brown	Hughes	Laufenburger	Patton	Ueland
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Wegener
Coleman	Jensen	Lord	Pillsbury	Willet
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Moe	Renneke	

Mr. Frederick voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 1257, No. 24 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1257: A bill for an act relating to taxation; providing a method of determining the percentage of gross earnings assignable to Minnesota for railroad gross earnings tax; amending Minnesota Statutes 1971, Section 295.01, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 1259, No. 25 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1259: A bill for an act relating to taxes on and measured by net income; nondeductible items; amending Minnesota Statutes 1971, Section 290.10.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 2016, No. 188 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2016: A bill for an act relating to regional development commissions; authorizing the issuance of certificates of indebtedness; clarifying sales tax exemptions; amending Minnesota Statutes 1971, Sections 462.39, Subdivision 1; and 462.396, Subdivision 1; and Chapter 462, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 16, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Olhoff	Solon
Bang	Frederick	Krieger	Olson, A. G.	Spear
Blatz	Gearty	Larson	Olson, H. D.	Stassen
Borden	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	Milton	Pillsbury	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	Ogdahl	Schaaf	

Those who voted in the negative were:

Anderson	Chmielewski	Hansen, Mel	Kowalczyk	Olson, J. L.
Ashbach	Dunn	Kirchner	McCutcheon	Schrom
Berg	Hansen, Baldy	Knutson	Novak	Thorup
Bernhagen				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 1941, No. 185 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1941: A bill for an act relating to sales and use taxes imposed by the city of Duluth; restricting the applicability of certain laws in relation thereto.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Spear
Arnold	Dunn	Kleinbaum	Olhoff	Stassen
Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Stokowski
Bang	Frederick	Krieger	Olson, J. L.	Tennessee
Berg	Gearty	Larson	O'Neill	Thorup
Bernhagen	Hansen, Mel	Laufenburger	Patton	Ueland
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Borden	Hughes	Lord	Pillsbury	Willet
Brown	Humphrey	McCutcheon	Purfeerst	
Chenoweth	Jensen	Milton	Renneke	
Chmielewski	Keefe, J.	Moe	Schaaf	
Conzemius	Keefe, S.	Nelson	Solon	

Those who voted in the negative were:

Coleman	Hansen, Baldy	Knutson	Olson, A. G.	Schrom
Davies	Josefson	Novak		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 1166, No. 12 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1166: A bill for an act relating to inheritance taxes; providing for certain deductions; amending Minnesota Statutes 1971, Section 291.08.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 843, No. 11 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 843: A bill for an act relating to taxes on and measured by net income; declaration of estimated tax; amending Minnesota Statutes 1971, Section 290.93, Subdivisions 1 and 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 1305, No. 183 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1305: A bill for an act relating to taxation; distribution of property tax revenues by county treasurer; amending Minnesota Statutes 1971, Section 276.11.

Mr. Conzemius moved to amend S. F. No. 1305, as follows:

Page 2, line 3, strike "15" and insert "30"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1305 was then progressed as amended.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. No. 1711, No. 180 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1711: A bill for an act relating to independent school district No. 94; assumption of bonded indebtedness of former independent school district No. 98 by independent school district No. 94.

Mr. Chmielewski moved that the amendment made to H. F. No. 1711 by the Committee on Rules and Administration in the report adopted May 2, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1711 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that, Pursuant to Rule 40, House Concurrent Resolution No. 9 be withdrawn from the Committee on Rules and Administration.

The Chair ruled Mr. Krieger's motion was out of order.

CALL OF THE SENATE

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

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

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

Mr. Krieger moved that the rules of the Senate be so far suspended as to withdraw House Concurrent Resolution No. 9 from the Committee on Rules and Administration and made an item for immediate consideration.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, H. D.	Tennesen
Arnold	Gearty	Lord	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	Milton	Purfeerst	Wegener
Chenoweth	Hughes	Moe	Schaaf	Willet
Chmielewski	Humphrey	North	Schrom	
Coleman	Keefe, S.	Novak	Solon	
Conzemius	Kleinbaum	Olhoff	Spear	
Davies	Laufenburger	Olson, A. G.	Stokowski	

Which motion did not prevail.

SPECIAL ORDER—CONTINUED

The question recurred on S. F. No. 1305.

S. F. No. 1305: A bill for an act relating to taxation; distribution of property tax revenues by county treasurer; amending Minnesota Statutes 1971, Section 276.11.

Mr. Conzemius moved to amend S. F. No. 1305, as follows:

Page 2, line 1, strike "If"

Page 2, line 2, strike "fails to" and insert "*shall*"

Page 2, line 3, strike "15" and insert "45"

Page 2, line 4, after "settlement" strike the comma and insert "*All*"

Page 2, line 4, strike "thereafter"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 34 and nays 26, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	North	Schrom
Berg	Hansen, Baldy	Larson	Novak	Solon
Borden	Hughes	Laufenburger	Olhoff	Spear
Chmielewski	Humphrey	Lewis	Olson, H. D.	Stokowski
Coleman	Jensen	Lord	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Pillsbury	Willet
Doty	Keefe, S.	Moe	Purfeerst	

Those who voted in the negative were:

Anderson	Frederick	Knutson	Olson, A. G.	Thorup
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Ueland
Blatz	Hansen, Mel	Krieger	O'Neill	
Brown	Hanson, R.	McCutcheon	Patton	
Chenoweth	Keefe, J.	Nelson	Renneke	
Fitzsimons	Kirchner	Ogdahl	Stassen	

Which motion prevailed. So the amendment was adopted.

S. F. No. 1305 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,
And the roll being called, there were yeas 34 and nays 28, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Larson	Novak	Schrom
Borden	Hansen, Baldy	Laufenburger	Olhoft	Solon
Chenoweth	Hughes	Lewis	Olson, A. G.	Spear
Coleman	Humphrey	Lord	Olson, H. D.	Stokowski
Conzemius	Josefson	McCutcheon	Perpich, A. J.	Tennessee
Doty	Keefe, S.	Moe	Purfeerst	Wegener
Dunn	Kleinbaum	North	Schaaf	

Those who voted in the negative were:

Anderson	Brown	Keefe, J.	Ogdahl	Stassen
Ashbach	Chmielewski	Kirchner	Olson, J. L.	Thorup
Bang	Frederick	Knutson	O'Neill	Ueland
Berg	Gearty	Kowalczyk	Patton	Willett
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Blatz	Hanson, R.	Nelson	Renneke	

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 962, No. 187 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 962: A bill for an act relating to taxation; real estate taxes upon state owned residential property.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Olson, H. D.	Stassen
Arnold	Gearty	Lord	O'Neill	Stokowski
Berg	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hughes	Milton	Pillsbury	Thorup
Brown	Humphrey	Moe	Purfeerst	Wegener
Chmielewski	Jensen	North	Renneke	Willett
Coleman	Keefe, S.	Novak	Schaaf	
Davies	Kleinbaum	Olhoft	Solon	
Doty	Larson	Olson, A. G.	Spear	

Those who voted in the negative were:

Ashbach	Hansen, Mel	Knutson	Nelson	Patton
Bernhagen	Josefson	Kowalczyk	Ogdahl	Schrom
Frederick	Kirchner	Krieger	Olson, J. L.	Ueland
Hansen, Baldy				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No.

2085, No. 218 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2085: A bill for an act relating to tax assessments; instruction courses for assessors and deputies; appropriating money to pay the cost thereof; amending Minnesota Statutes 1971, Section 273.075.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 847, No. 10 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 847: A bill for an act relating to taxes on and measured by net income; net capital gain defined; amending Minnesota Statutes 1971, Section 290.16, Subdivision 3.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 2090, No. 184 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2090: A bill for an act relating to the sales and use tax; defining sale and purchase; amending Minnesota Statutes 1971, Section 297A.01, Subdivision 3.

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

CALL OF THE SENATE

Mr. Perpich, A. J. imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, A. G.	Spear
Arnold	Gearty	Lord	Olson, H. D.	Stokowski
Borden	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Brown	Humphrey	Milton	Pillsbury	Thorup
Chenoweth	Jensen	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	Willet
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Krieger	O'Neill
Bang	Fitzsimons	Keefe, J.	Larson	Patton
Berg	Frederick	Kirchner	Nelson	Renneke
Bernhagen	Hansen, Baldy	Knutson	Ogdahl	Ueland
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Calendar of Ordinary Matters at this

time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 1859: A bill for an act relating to courts; prescribing times for general terms of district court, fifth judicial district; amending Minnesota Statutes 1971, Section 484.13.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1972: A bill for an act relating to public welfare; submission of budget estimates; amending Minnesota Statutes 1971, Section 393.08, Subdivision 1.

Was read the third time.

With the unanimous consent of the Senate, Mr. North moved to amend S. F. No. 1972 as follows:

Page 2, line 22, strike everything after the period

Page 2, strike lines 23 through 26

Which motion prevailed. So the amendment was adopted.

S. F. No. 1972 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hansen, Baldy	Josefson
Arnold	Brown	Doty	Hansen, Mel	Keefe, J.
Ashbach	Chenoweth	Dunn	Hanson, R.	Keefe, S.
Bang	Chmielewski	Fitzsimons	Hughes	Kirchner
Berg	Coleman	Frederick	Humphrey	Kleinbaum
Bernhagen	Conzemius	Gearty	Jensen	Knutson

Kowalczyk	Milton	Olson, A. G.	Purfeerst	Tennessee
Krieger	Moe	Olson, H. D.	Renneke	Thorup
Larson	Nelson	Olson, J. L.	Schaaf	Ueland
Laufenburger	North	O'Neill	Schrom	Wegener
Lewis	Novak	Patton	Solon	Willet
Lord	Ogdahl	Perpich, A. J.	Spear	
McCutcheon	Olhoft	Pillsbury	Stokowski	

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

S. F. No. 2317: A bill for an act relating to Independent School District No. 709, St. Louis county; the payment of the net salary or wages of the employees; authorizing the "direct deposit" of said sums in a bank account in the name of the individual employee of the school district.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2139: A bill for an act relating to the city of St. Cloud; payment of retirement benefits in certain instance by firemen's relief association.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1514: A bill for an act relating to elections; providing for certain certificates of election; amending Minnesota Statutes 1969, Section 203.53, Subdivision 11.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1750: A bill for an act relating to Crow Wing county welfare board and the county nursing home board; providing for increased compensation.

Was read the third time.

With the unanimous consent of the Senate, Mr. Borden moved to amend H. F. No. 1750 the typewritten bill, as follows:

Page 1, line 16, strike "including" and insert "except"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1750 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 1472: A bill for an act relating to Hennepin county; abolishing board of tax levy; repealing Special Laws 1879, Chapter 338, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1903: A bill for an act authorizing the commissioner of administration to convey the water system at the Brainerd state hospital to the city of Brainerd, Crow Wing county, Minnesota.

Was read the third time.

With the unanimous consent of the Senate, Mr. Borden moved to amend H. F. No. 1903 the typewritten bill, as follows:

Page 2, after line 6, add:

"Sec. 4. This act shall be effective the day following its final enactment."

Which motion prevailed. So the amendment was adopted.

H. F. No. 1903 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 1841: A bill for an act authorizing the commissioner of administration to convey the water system at the St. Peter state hospital to the city of St. Peter, Nicollet County, Minnesota.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1467: A bill for an act relating to elections; providing for the time of elections and taking office in the city of Duluth and Independent School District No. 709, Duluth.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Nelson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 748: A bill for an act relating to the city of Minneapolis; policemen's pension fund, uses and membership; amending Laws 1949, Chapter 406, Sections 7 and 10, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1579: A bill for an act relating to police pensions in the city of Saint Paul; amending Laws 1955, Chapter 151, Section 9, Subdivision 6.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1510: A bill for an act relating to the city of Anoka; fire department relief association benefits; amending Laws 1971, Chapter 184, Section 1, Subdivisions 2, 3, 4, 5, and 6; Section 2, Subdivision 2; and Sections 4 and 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1968: A bill for an act relating to the city of Saint Paul, authorizing the issuance of bonds and the appropriation of revenues and taxes to finance the acquisition, betterment, and operation of swimming pools for the municipal program of public recreation and playgrounds.

Was read the third time.

With the unanimous consent of the Senate, Mr. Coleman moved to amend H. F. No. 1968 the printed bill, as follows:

Page 2, line 10, strike "Summit" and insert "Lincoln"

Page 2, line 17, strike "Dale" and insert "Como"

Page 2, line 20, strike "one half (1/2)" and insert "one (1)"

Page 2, after line 20 insert the following:

"(5) Battle Creek Boundary

Within a one mile radius of Battle Creek School.

West of: McKnight"

Which motion prevailed. So the amendment was adopted.

Mr. Coleman then moved to strike the Rules Committee amendments made under Rule 49 to H. F. No. 1968 and adopted May 3, 1973.

Which motion prevailed. So the amendments were stricken.

H. F. No. 1968 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Frederick	Hughes
Arnold	Borden	Davies	Gearty	Humphrey
Bang	Chenoweth	Doty	Hansen, Baldy	Jensen
Berg	Chmielewski	Dunn	Hansen, Mel	Josefson
Bernhagen	Coleman	Fitzsimons	Hanson, R.	Keefe, J.

Keefe, S.	Lewis	Ogdahl	Pillsbury	Tennessee
Kirchner	Lord	Olhoft	Purfeerst	Thorup
Kleinbaum	McCutcheon	Olson, A. G.	Renneke	Ueland
Knutson	Milton	Olson, H. D.	Schaaf	Wegener
Kowalczyk	Moe	Olson, J. L.	Schrom	Willet
Krieger	Nelson	O'Neill	Solon	
Larson	North	Patton	Spear	
Laufenburger	Novak	Perpich, A. J.	Stokowski	

Mr. Brown voted in the negative.

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

H. F. No. 1873: A bill for an act authorizing the city of Saint Paul to utilize certain power and authority to provide automobile parking facilities; amending Minnesota Statutes 1971, Section 459.14, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1671: A bill for an act relating to the fire department relief association and firemen's service pensions in the city of Bemidji.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Mel	Knutson	Nelson
Arnold	Coleman	Hanson, R.	Kowalczyk	North
Ashbach	Conzemius	Hughes	Krieger	Novak
Bang	Davies	Humphrey	Larson	Ogdahl
Berg	Doty	Jensen	Laufenburger	Olhoft
Bernhagen	Dunn	Josefson	Lewis	Olson, A. G.
Blatz	Fitzsimons	Keefe, J.	Lord	Olson, H. D.
Borden	Frederick	Keefe, S.	McCutcheon	Olson, J. L.
Brown	Gearty	Kirchner	Milton	O'Neill
Chenoweth	Hansen, Baldy	Kleinbaum	Moe	Patton

Perpich, A. J.	Renneke	Solon	Tennessee	Wegener
Pillsbury	Schaaf	Spear	Thorup	Willet
Purfeerst	Schrom	Stokowski	Ueland	

So the bill passed and its title was agreed to.

H. F. No. 1727: A bill for an act relating to retirement; volunteer firemen's service pensions; amending Minnesota Statutes 1971, Section 69.06.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Schaaf
Arnold	Dunn	Kirchner	North	Schrom
Ashbach	Fitzsimons	Kleinbaum	Novak	Solon
Bang	Frederick	Knutson	Ogdahl	Spear
Berg	Gearty	Kowalczyk	Olhofs	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, H. D.	Thorup
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Ueland
Chenoweth	Hughes	Lewis	Patton	Wegener
Chmielewski	Humphrey	Lord	Perpich, A. J.	Willet
Coleman	Jensen	McCutcheon	Pillsbury	
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1214: A bill for an act relating to the village of McKinley; authorizing division and distribution of the assets of its volunteer fire department relief association among existing members thereof.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1319: A bill for an act relating to the city of Stillwater; firemen's service pensions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1580: A bill for an act relating to the firemen's relief association in the city of Saint Paul; amending Laws 1955, Chapter 375, Section 22.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2241: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for the acquisition and betterment of parklands; authorizing a levy, within existing park levy limits, and limited to specific purposes, without a referendum.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2240: A bill for an act relating to Dakota county; plats and surveys contiguous with any county road in Dakota county; providing for approval thereof by the Dakota county board of commissioners.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows.

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 964: A bill for an act relating to the city of Thief River Falls; payment of firemen's service pensions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Chmielewski	Doty	Gearty
Arnold	Borden	Coleman	Dunn	Hansen, Baldy
Ashbach	Brown	Conzemius	Fitzsimons	Hansen, Mel
Bang	Chenoweth	Davies	Frederick	Hanson, R.

Hughes	Knutson	Moe	Olson, J. L.	Schrom
Humphrey	Krieger	Nelson	O'Neill	Solon
Jensen	Larson	North	Patton	Stokowski
Josefson	Laufenburger	Novak	Perpich, A. J.	Tennessee
Keefe, J.	Lewis	Ogdahl	Pillsbury	Thorup
Keefe, S.	Lord	Olhoft	Purfeerst	Ueland
Kirchner	McCutcheon	Olson, A. G.	Renneke	Wegener
Kleinbaum	Milton	Olson, H. D.	Schaaf	Willet

So the bill passed and its title was agreed to.

H. F. No. 1853: A bill for an act relating to Morrison county; providing for increased compensation for county welfare board; amending Laws 1967, Chapter 818, Section 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2206: A bill for an act relating to Mille Lacs county; permitting the county attorney to also act as village, city and school attorney.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Bernhagen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 217: A bill for an act relating to the village of Roseville; firemen's relief association service pensions; amending Laws 1965, Chapter 598, Section 1, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1666: A bill for an act relating to elections; providing for the joint nomination and election of the governor and lieutenant governor; amending Minnesota Statutes 1971, Sections 202.04, by adding a subdivision; 202.11, Subdivision 1; 203.28, Subdivision 1, as amended; and 206.07, Subdivision 1, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1960: A bill for an act relating to the Duluth transit authority of the city of Duluth; amending Laws 1969, Chapter 720, Section 11, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2178: A bill for an act relating to the city of Saint Paul; authorizing the condemnation of real property pursuant to the procedures set forth in its home rule charter.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1948: A bill for an act relating to the town of Ramsey in Anoka county; providing certain powers.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2132: A bill for an act relating to civil service in Ramsey county; inclusion of employees of Ramsey county welfare board.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 703: A bill for an act relating to probate proceedings; partial distribution of probate estates; amending Minnesota Statutes 1971, Section 525.482.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 759: A bill for an act relating to probate proceedings; bond in summary administration; amending Minnesota Statutes 1971, Section 525.51; Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 11: A bill for an act relating to human rights; forbidding discrimination in the extension of credit because of sex; amending Minnesota Statutes 1971, Section 363.03, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Doty	Hanson, R.	Kirchner
Arnold	Brown	Dunn	Hughes	Kleinbaum
Ashbach	Chenoweth	Fitzsimons	Humphrey	Knutson
Bang	Chmielewski	Frederick	Jensen	Kowalczyk
Berg	Coleman	Gearty	Josefson	Krieger
Bernhagen	Conzemius	Hansen, Baldy	Keefe, J.	Larson
Blatz	Davies	Hansen, Mel	Keefe, S.	Lewis

Lord	Novak	Patton	Schrom	Ueland
McCutcheon	Ogdahl	Perpich, A. J.	Solon	Wegener
Milton	Olhoft	Pillsbury	Spear	Willet
Moe	Olson, A. G.	Purfeerst	Stokowski	
Nelson	Olson, H. D.	Renneke	Tennessee	
North	O'Neill	Schaaf	Thorup	

So the bill passed and its title was agreed to.

H. F. No. 904: A bill for an act relating to divorce; reciprocal enforcement of support; amending Minnesota Statutes 1971, Section 518.42, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Kowalczyk moved that the vote whereby S. F. No. 1514 was passed by the Senate on May 7, 1973 be now reconsidered. Which motion prevailed.

S. F. No. 1514: A bill for an act relating to elections; providing for certain certificates of election; amending Minnesota Statutes 1971, Section 203.53, Subdivision 11.

Mr. Kowalczyk moved to amend S. F. No. 1514, as follows:

Page 1, line 7, strike "1969" and insert "1971"

Amend the title as follows:

Line 4, strike "1969" and insert "1971"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1514 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the remainder of business on May 7, 1973.

The following Senators answered to their names:

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

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

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. Which motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

SUSPENSION OF RULES

Mr. Conzemius moved that the following bills be designated as Special Orders to be heard immediately, remaining on the order of Business of Motions and Resolutions. Which motion prevailed.

S. F. Nos. 1242, 1029, 520, 47, 1824, 2244, 2050, 1896 and 568.

SPECIAL ORDER

S. F. No. 1242: A bill for an act relating to insurance; requiring employers and insurers to continue group accident and health policy benefits to disabled employees.

Mr. Laufenburger moved to amend S. F. No. 1242 as follows:

Page 1, line 29, after "payments" insert "for reimbursement of expenses"

Page 2, line 20, after "disability." insert "If the employee is required to pay all or any part of the premium for the extension of coverage, payment shall be made to the employer, by the employee."

Which motion prevailed. So the amendment was adopted.

S. F. No. 1242 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 48 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Larson	Olhoft	Solon
Arnold	Fitzsimons	Laufenburger	Olson, A. G.	Spear
Bang	Gearty	Lewis	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Lord	Patton	Stokowski
Bernhagen	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hughes	Milton	Perpich, G.	Thorup
Brown	Humphrey	Moe	Purfeerst	Wegener
Chenoweth	Keefe, J.	Nelson	Renneke	Willet
Chmielewski	Keefe, S.	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	

Those who voted in the negative were:

Ashbach	Hansen, Mel	Kirchner	Kowalczyk	Pillsbury
Blatz	Josefson	Knutson	Olson, J. L.	Ueland
Dunn				

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

SPECIAL ORDER

S. F. No. 1029: A bill for an act relating to local water and related land resources management; granting counties authority to undertake water and related land resource management programs; granting counties authority to establish subordinate service areas to finance water and related land resource management programs; granting authority to county boards to construct sewage systems in unincorporated areas; requiring municipalities and counties to recover the local share of the cost of constructing, operating and maintaining sewage disposal systems through an equitable system of user charges; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision, 361.25; 361.26, Subdivision 1, and by adding a subdivision; Chapter 378, by adding sections;

429.011, Subdivision 2a; 444.075; and Chapter 459, by adding a section; repealing Minnesota Statutes 1971, Sections 110.121 to 110.126; 115.15 to 115.17; 115.61 to 115.67; 440.33 to 440.36; 443.02; 444.09 to 444.14; 456.24 to 456.28; 457.03 to 457.08; 457.085; and Chapter 445.

Mr. Milton moved to amend S. F. No. 1029, as follows:

Page 8, line 15, strike "20" and insert in lieu thereof "21"

Page 14, after line 23, insert:

"Sec. 18. Minnesota Statutes 1971, Chapter 378, is amended by adding a section to read:

[378.53] [REVIEW OF VARIANCES.] *When a county receives an application for a variance from any shoreland conservation ordinance, wild and scenic river ordinance, or flood plain management ordinance, and the application relates to lands within a lake conservation district, the county shall notify the board of directors of the lake conservation district, if a board of directors has been established, and furnish them with a copy of the application and such other information as the directors may require in order to review the application. The directors shall have 60 days after notice to review the application. If, within the time for review, the directors find that granting the variance would be detrimental to the purposes for which the lake conservation district was established, they may recommend changes in the proposed project or they may direct that the variance be denied."*

Renumber the remaining sections

Which motion prevailed. So the amendment was adopted.

S. F. No. 1029 was read the third time as amended, and placed on its final passage.

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

And the roll being called, there were yeas 57 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Ogdahl	Solon
Arnold	Fitzsimons	Kowalczyk	Olhoff	Spear
Ashbach	Frederick	Krieger	Olson, A. G.	Stassen
Bang	Gearly	Larson	Olson, H. D.	Stokowski
Berg	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Bernhagen	Hanson, R.	Lewis	O'Neill	Thorup
Blatz	Hughes	Lord	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Josefson	Milton	Perpich, G.	Willet
Coleman	Keefe, S.	Nelson	Pillsbury	
Conzemius	Kirchner	North	Purfeerst	
Doty	Kleinbaum	Novak	Renneke	

Those who voted in the negative were:

Borden	Hansen, Baldy	Keefe, J.	Moe	Schrom
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 520: A bill for an act relating to intoxicating liquor; for damages resulting from intoxication; requiring proof of financial responsibility; amending Minnesota Statutes 1971, Sections 340.95 and 340.951; and 340.11, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Solon
Arnold	Frederick	Kowalczyk	Olson, H. D.	Spear
Ashbach	Gearty	Krieger	Olson, J. L.	Stassen
Bang	Hansen, Baldy	Larson	O'Neill	Stokowski
Berg	Hanson, R.	Laufenburger	Patton	Tennessee
Bernhagen	Hughes	Lewis	Perpich, A. J.	Thorup
Chenoweth	Josefson	McCutcheon	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Moe	Pillsbury	Wegener
Coleman	Keefe, S.	Nelson	Purfeerst	Willet
Conzemius	Kirchner	Novak	Renneke	
Dunn	Kleinbaum	Olhoft	Schrom	

Those who voted in the negative were:

Borden	Doty	Humphrey	Lord	North
Brown	Hansen, Mel			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 47: A bill for an act relating to psychologists; providing for the licensure and regulation of the private practice of psychology; establishing a board of examiners and prescribing the powers and duties thereof; providing penalties; appropriating money; amending Minnesota Statutes 1971, Section 595.02; and repealing Minnesota Statutes 1971, Sections 148.79 to 148.86.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Mel and Olson, H. D. voted in the negative.
So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Renneke
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Brown	Hanson, R.	Lewis	Patton	Thorup
Chenoweth	Hughes	Lord	Perpich, A. J.	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Wegener
Coleman	Keefe, J.	Milton	Pillsbury	Willet
Conzemius	Keefe, S.	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2244: A bill for an act relating to securities and usury; exemption from usury for margin accounts maintained by broker-dealers; amending Minnesota Statutes 1971, Chapter 334, by adding a section; repealing Minnesota Statutes 1971, Section 80.122.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Olhoft	Solon
Ashbach	Frederick	Knutson	Olson, A. G.	Spear
Bang	Gearty	Kowalczyk	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lewis	O'Neill	Tennessee
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Pillsbury	Willet
Conzemius	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2050: A bill for an act relating to child support; requiring the employer of certain persons required to pay support to withhold, upon order, from the pay of such person and pay the money so withheld over to the department of public welfare; prohibiting certain acts by an employer; amending Minnesota Statutes 1971, Section 256.873.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1896: A bill for an act relating to courts, Ramsey county; providing for creation and the operation and functioning of the Ramsey county municipal court; abolishing certain courts and merging certain courts with the Ramsey county municipal courts; transferring certain duties, functions, and jurisdictions; amending Minnesota Statutes 1971, Sections 488A.18, Subdivisions 1, 7, 10, and by adding a subdivision; 488A.19, Subdivisions 1, 2, 3, and 10; 488A.20, Subdivisions 1, 2, 4, 5, and 6; 488A.21, Subdivision 2; 488A.22, Subdivisions 1 and 3; 488A.24, Subdivision 6; 488A.25, Subdivisions 1 and 2; 488A.27, Subdivisions 6, 11, 12 and by adding a subdivision; 488A.28, by adding a subdivision; 488A.29, Subdivisions 1 and 2; 488A.30, Subdivisions 1, 2, and 4; and 488A.33, Subdivision 7; repealing Minnesota Statutes 1971, Sections 488A.18, Subdivision 5; 488A.19, Subdivision 4; and 488A.23, Subdivision 2.

Mr. O'Neill moved to amend S. F. No. 1896, as follows:

Page 5, strike lines 35 through 40

Page 6, strike lines 1 through 3

Renumber the remaining sections accordingly

Amend the title as follows:

Line 12, after "2," insert "and"

Line 13, strike “, and 10”

Which motion prevailed. So the amendment was adopted.

S. F. No. 1896: A bill for an act relating to courts, Ramsey county; providing for creation and the operation and functioning of the Ramsey county municipal court; abolishing certain courts and merging certain courts with the Ramsey county municipal courts; transferring certain duties, functions, and jurisdictions; amending Minnesota Statutes 1971, Sections 488A.18, Subdivisions 1, 7, 10, and by adding a subdivision; 488A.19, Subdivisions 1, 2, and 3; 488A.20, Subdivisions 1, 2, 4, 5, and 6; 488A.21, Subdivision 2; 488A.22, Subdivisions 1 and 3; 488A.24, Subdivision 6; 488A.25, Subdivisions 1 and 2; 488A.27, Subdivisions 6, 11, 12 and by adding a subdivision; 488A.28, by adding a subdivision; 488A.29, Subdivisions 1 and 2; 488A.30, Subdivisions 1, 2, and 4; and 488A.33, Subdivision 7; repealing Minnesota Statutes 1971, Sections 488A.18, Subdivision 5; 488A.19, Subdivision 4; and 488A.23, Subdivision 2.

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

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

And the roll being called, there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Schrom
Arnold	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearty	Kowalczyk	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Krieger	O'Neill	Stassen
Borden	Hanson, R.	Larson	Patton	Stokowski
Chenoweth	Humphrey	Laufenburger	Perpich, A. J.	Tenessen
Chmielewski	Jensen	Lewis	Pillsbury	Thorup
Coleman	Keefe, J.	McCutcheon	Purfeerst	Ueland
Doty	Keefe, S.	Moe	Renneke	Wegener
Dunn	Kirchner	Novak	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Conzemius	Josefson	Nelson	Perpich, G.
Berg	Hansen, Baldy	Lord	North	
Brown	Hughes	Milton	Olson, H. D.	

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

SPECIAL ORDER

S. F. No. 568: A bill for an act relating to public welfare; providing for an extension of review board responsibilities and the right of a patient to treatment under the hospitalization and commitment act; amending Minnesota Statutes 1971, Sections 253A.16, Subdivision 4; and 253A.17, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Nelson	Renneke
Arnold	Frederick	Knutson	North	Schaaf
Ashbach	Gearty	Kowalczyk	Novak	Solon
Bang	Hansen, Mel	Krieger	Olhoff	Spear
Bernhagen	Hanson, R.	Larson	Olson, A. G.	Stassen
Brown	Hughes	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Lewis	Olson, J. L.	Tennessee
Chmielewski	Jensen	Lord	Perpich, A. J.	Thorup
Coleman	Josefson	McCutcheon	Perpich, G.	Ueland
Doty	Keefe, J.	Milton	Pillsbury	Wegener
Dunn	Keefe, S.	Moe	Purfeerst	Willet

Messrs. Berg; Hansen, Baldy and Patton voted in the negative.
So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

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

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

Senate File No. 1626 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

Mr. Anderson moved that the Senate do not concur in the amendments by the House to S. F. No. 1626 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 1:30 o'clock p.m., Tuesday, May 8, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-FIFTH DAY

St. Paul, Minnesota, Tuesday, May 8, 1973.

The Senate met at 1:30 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Willet imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Frederick	Knutson	North	Renneke
Bang	Gearty	Kowalczyk	Novak	Schrom
Coleman	Hansen, Mel	Larson	Olhott	Solon
Conzemius	Hanson, R.	Laufenburger	Olson, A. G.	Spear
Davies	Humphrey	Lewis	Patton	Stassen
Doty	Keefe, S.	Lord	Perpich, A. J.	Stokowski
Dunn	Kirchner	McCutcheon	Perpich, G.	Ueland
Fitzsimons	Kleinbaum	Milton	Pillsbury	Willet

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Sillers was excused from the Session of today. Mr. Keefe, J. was excused from the early part of this afternoon's Session. Mr. Gearty was excused from the Session of today from 5:00 o'clock

p.m. until 8:00 o'clock p.m. Mr. Stassen was excused from the Session of today from 6:00 o'clock p.m. until 8:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 7, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 104, An act relating to public welfare; permitting county welfare boards to charge fees for services; amending Minnesota Statutes 1971, Chapter 393, by adding a section.

S. F. No. 117, An act relating to welfare; defining "continuous absence from the home" as used in sections 256.72 to 256.87; amending Minnesota Statutes 1971, Section 256.12, Subdivision 15.

S. F. No. 425, An act relating to the state; authorizing the sale of certain state lands to, and the development of that land for industrial purposes by, the city of Owatonna; amending Laws 1965, Chapter 216, Section 1.

S. F. No. 489, An act relating to highway traffic regulations; pedestrians rights in absence of signals; amending Minnesota Statutes 1971, Section 169.21, Subdivision 2.

S. F. No. 688, An act relating to highway traffic regulations; prescribing tuition fees for driver improvement clinics; amending Minnesota Statutes 1971, Section 169.972, Subdivision 2.

S. F. No. 778, An act relating to public welfare; extending the duration of foster care and day care licenses; amending Minnesota Statutes 1971, Section 257.101, Subdivision 2.

S. F. No. 783, An act authorizing the city of Red Wing to create development districts within the corporate boundaries of the city; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

S. F. No. 790, An act relating to redevelopment; including rural areas in redevelopment programs; amending Minnesota Statutes

1971, Sections 472.02; 472.03, by adding a subdivision; and 472.04, Subdivision 1.

S. F. No. 1249, An act authorizing the village of Rushford to establish cartways in the manner prescribed for establishing town roads.

S. F. No. 1277, An act relating to child welfare; powers and duties of county welfare boards; authorizing all county welfare boards to compel certain persons to pay child support; amending Minnesota Statutes 1971, Section 393.07, Subdivision 9.

S. F. No. 1327, An act relating to natural resources; directing the release of certain easements and conveyance of certain land in Kandiyohi county.

S. F. No. 1490, An act relating to municipalities; authorizing municipalities to acquire and develop storm water holding areas and ponds; amending Minnesota Statutes 1971, Section 429.021, Subdivision 1.

S. F. No. 1501, An act relating to the registration of snowmobiles and watercraft; amending Minnesota Statutes 1971, Sections 84.82, Subdivision 2; and 361.03, Subdivision 2.

Sincerely,

Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
145		Chapter 144	May 3, 1973	May 3, 1973
197		Chapter 145	May 3, 1973	May 3, 1973
236		Chapter 146	May 3, 1973	May 3, 1973
274		Chapter 147	May 3, 1973	May 3, 1973
277		Chapter 148	May 3, 1973	May 3, 1973
317		Chapter 149	May 3, 1973	May 3, 1973
395		Chapter 150	May 3, 1973	May 3, 1973
436		Chapter 151	May 3, 1973	May 3, 1973
442		Chapter 152	May 3, 1973	May 3, 1973
460		Chapter 153	May 3, 1973	May 3, 1973
801		Chapter 154	May 3, 1973	May 3, 1973
819		Chapter 155	May 3, 1973	May 3, 1973

823	Chapter 156	May 3, 1973	May 3, 1973
829	Chapter 157	May 3, 1973	May 3, 1973
895	Chapter 158	May 3, 1973	May 3, 1973
922	Chapter 159	May 3, 1973	May 3, 1973
1009	Chapter 160	May 3, 1973	May 3, 1973
1010	Chapter 161	May 3, 1973	May 3, 1973
1072	Chapter 162	May 3, 1973	May 3, 1973
1114	Chapter 163	May 3, 1973	May 3, 1973
1211	Chapter 164	May 3, 1973	May 3, 1973
1599	Chapter 165	May 3, 1973	May 3, 1973

Sincerely,

Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Mr. Milton introduced—

S. F. No. 2460: A bill for an act relating to conservation, energy; creating an energy conservation fund and energy conservation program development body; authorizing interstate research agreements; providing for certain penalties and appropriations.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Chmielewski introduced—

S. F. No. 2461: A bill for an act relating to taxation; excise tax on gasoline and gasoline substitutes; refunds; amending Minnesota Statutes 1971, Section 296.18, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Bang; Hansen, Baldy and Perpich, A. J. introduced—

S. F. No. 2462: A bill for an act relating to insurance; surplus line coverages; regulating authorized nonadmitted insurers; amending Minnesota Statutes 1971, Sections 60A.20, Subdivisions 1, 2, 4, 5, 7, 9, 14, 16 and 17; and 60A.21, Subdivisions 1, 2, 3, 4 and 6.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius, Brown and Lewis introduced—

S. F. No. 2463: A bill for an act relating to corrections; establishing an independent school district for correctional institutions under the supervision of a school board; appropriating money; amending Minnesota Statutes 1971, Sections 241.27, Subdivision 1; 242.20; 242.32; 242.43; 242.44; 243.51, Subdivision 1; 243.80; 243.84; and 243.85.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2437.

H. F. No. 2437: A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

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

Smith, Faricy, Fugina, Enebo and Searle have been appointed as such committee on the part of the House.

House File No. 2437 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 7, 1973

Mr. Davies moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2437 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1109, 1341, 1930, and 2157.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 8, 1973

Mr. President:

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

S. F. No. 160: A bill for an act relating to public health; dating of perishable foods; providing a penalty.

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

Connors, Vento and Ferderer.

Senate File No. 160 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2275.

H. F. No. 2275: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

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

Samuelson, Hanson, Rice, McCarron and McCauley have been appointed as such committee on the part of the House.

House File No. 2275 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 7, 1973

Mr. Novak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2275 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1271, 1508, 1765, 1839, 1845, 2007, 2129, 1729, 2148 and 2189.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 7, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 147 and 1940.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

Mr. President:

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

S. F. No. 690: A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

Senate File No. 690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

Mr. Olson, A. G. moved that the Senate do not concur in the amendments by the House to S. F. No. 690 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

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

S. F. No. 122: A bill for an act relating to public records; accessibility for research; amending Minnesota Statutes 1971, Section 15.17, Subdivision 4.

Senate File No. 122 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

CONCURRENCE AND REPASSAGE

Mr. Perpich, G. moved that the Senate do now concur in the amendments by the House to S. F. No. 122 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 122 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Ogdahl	Solon
Arnold	Dunn	Knutson	Olhoft	Spear
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Stassen
Bang	Frederick	Krieger	Olson, H. D.	Stokowski
Blatz	Gearty	Larson	Patton	Tennessee
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Brown	Hanson, R.	Lewis	Perpich, G.	Ueland
Chenoweth	Hughes	Lord	Pillsbury	Willet
Chmielewski	Humphrey	McCutcheon	Purfeerst	
Coleman	Jensen	Milton	Renneke	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kirchner	Novak	Schrom	

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

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1156: A bill for an act relating to the interpretation of Minnesota Statutes, definitions; defining "public member"; amending Minnesota Statutes 1971, Section 645.44, by adding a subdivision.

Senate File No. 1156 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 7, 1973

CONCURRENCE AND REPASSAGE

Mr. McCutcheon moved that the Senate do now concur in the amendments by the House to S. F. No. 1156 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1156 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olhoft	Solon
Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bang	Frederick	Krieger	Olson, H. D.	Stassen
Berg	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Laufenburger	Patton	Tennesen
Borden	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Brown	Hughes	Lord	Perpich, G.	Ueland
Chenoweth	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Milton	Purfeerst	
Conzemius	Keefe, S.	Moe	Rerneke	
Davies	Kirchner	North	Schaaf	
Doty	Kleinbaum	Novak	Schrom	

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

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 677, 1702, 1716, 2072, 2096, 1473, 1506, 1807, 2111, 2150, 553, 1104, 2173, 805, 1326, 1410, 1612, 1662, 890, 1354, 1531, 2145, 2397 and 2224.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 7, 1973

FIRST READING OF HOUSE BILLS

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.

H. F. No. 1702: A bill for an act relating to agriculture; providing for the investigation of the complaints of food producers, processors and handlers licensed by the state.

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.

H. F. No. 2072: A bill for an act relating to insurance; reinsurance by life insurance companies of aircraft risks; amending Minnesota Statutes 1971, Section 60A.09, Subdivision 5.

H. F. No. 2096: A bill for an act relating to county extension service; removing limitations on the levy and appropriation for extension activities; amending Minnesota Statutes 1971, Section 38.36.

H. F. No. 1473: A bill for an act abolishing the legislative buildings commission; transferring the commission's functions, powers and duties to the legislative advisory committee; repealing Minnesota Statutes 1971, Sections 3.421 to 3.471.

H. F. No. 1506: A bill for an act relating to elections; providing for the appointment of volunteer deputies; providing for the regis-

tration of the elderly and disabled at their residences, and for the registration of other eligible voters at various locations; amending Minnesota Statutes 1971, Sections 201.05; and 201.20, by adding subdivisions.

H. F. No. 1807: A bill for an act relating to agriculture, dairy promotion act; promotion of milk products; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Sections 32B.04, Subdivision 4; 32B.06, Subdivision 2; and 32B.09.

H. F. No. 2111: A bill for an act relating to elections; permitting voting compartments when electronic voting systems are in use; amending Minnesota Statutes 1971, Sections 203.10, Subdivision 2; and 206.026, Subdivision 1.

H. F. No. 2150: A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

H. F. No. 553: A bill for an act relating to income tax on corporations; providing for an income tax on railroad companies; amending Minnesota Statutes 1971, Section 290.02.

H. F. No. 1104: A bill for an act relating to the cities of St. Louis Park and Winona; permitting city council to direct or serve on housing and redevelopment authority or to contract with other governmental units for services provided by such authority.

H. F. No. 2173: A bill for an act relating to taxation; levy limitations; amending Minnesota Statutes 1971, Sections 275.11, by adding a subdivision; and 412.251.

H. F. No. 805: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

H. F. No. 1326: A bill for an act relating to professional licensing boards; providing for the assumption of certain clerical and administrative functions of various health profession licensing boards by the state board of health; amending Minnesota Statutes 1971; Section 45.16, Subdivision 3.

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1, and 176.051.

H. F. No. 1612: A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

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 pollu-

tion; 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.

H. F. No. 890: A bill for an act relating to the police department, the policemen's relief association, and policemen's pension fund in the city of Minneapolis.

H. F. No. 1354: A bill for an act relating to intoxicating liquor; the issuance of on-sale liquor licenses in certain municipalities; amending Minnesota Statutes 1971, Section 340.11, Subdivision 7.

H. F. No. 1531: A bill for an act relating to highway traffic regulation; prescribing weight limitations of a compactor collection vehicle transporting solid waste; amending Minnesota Statutes 1971, Section 169.831.

H. F. No. 2145: A bill for an act relating to the city of Alexandria, the townships of Alexandria, Carlos, Hudson and LeGrand and the sanitary sewer board of the Alexandria lake area sanitary district in the county of Douglas; amending Laws 1971, Chapter 869, Sections 2, Subdivision 2; 4, Subdivision 5; 12, Subdivisions 1 and 2; 13, Subdivision 4; 17, Subdivision 7; and 18, Subdivision 6.

H. F. No. 2397: A bill for an act relating to zoning; authorizing board of appeals to permit variances for use of one family dwellings; amending Minnesota Statutes 1971, Section 462.357, Subdivision 6.

H. F. No. 1271: A bill for an act relating to labor; employment of minors; providing that prohibitions do not apply to employment of farm children on the family farm; amending Minnesota Statutes 1971, Sections 181.40 and 182.09.

H. F. No. 1508: A bill for an act relating to the incorporation of villages; the annexation and detachment of property from municipalities; the consolidation of municipalities; and the powers and duties of the Minnesota municipal commission in relation thereto; amending Minnesota Statutes 1971, Chapter 414, by adding sections; Sections 414.01, Subdivision 14; 414.031, Subdivision 5; 414.032, Subdivisions 1 and 3; 414.041, Subdivisions 3, 4, and by adding a subdivision; 414.061, Subdivision 4; 414.067, by adding a subdivision; and repealing Minnesota Statutes 1971, Section 414.031, Subdivision 2.

H. F. No. 1765: A bill for an act relating to motor vehicles; eliminating the requirement of special markings on motor vehicles owned by the state and operated by a commissioner or head of a state department; amending Minnesota Statutes 1971, Section 168.012, by adding a subdivision.

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.

H. F. No. 1845: A bill for an act relating to courts; authorizing county court judges not learned in the law to dispose of certain uncontested actions; amending Minnesota Statutes 1971, Sections 487.01, Subdivision 9; and 487.04.

H. F. No. 2007: A bill for an act relating to metropolitan government; directing implementation of the transit development program and providing funds therefor; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

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.

H. F. No. 1729: A bill for an act relating to the executive council; providing that the lieutenant governor be a member thereof; amending Minnesota Statutes 1971, Section 9.011, Subdivision 1.

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

H. F. No. 2189: A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association to protect policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota to perform its contractual obligations; amending Minnesota Statutes 1971, Sections 60B.17, by adding a subdivision; 60B.25; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

H. F. No. 2224: A bill for an act establishing the Minnesota outdoor recreation system and prescribing methods and policies for its authorization, acquisition, establishment, management amending Minnesota Statutes 1971, Sections 84.033; 85.04; 85.05, Subdivision 2; 85.20, Subdivisions 1 and 5.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 2013 and 2356.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

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

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

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

Page 2, line 1, after "Minnesota" insert "or his authorized designee"

Page 2, line 6, strike "includes" and insert "means"

Page 2, line 7, strike "includes" and insert "means"

Page 2, line 10, strike "includes" and insert "means"

Page 2, line 12, after "workers" and before the period, insert "and on any given day employing no more than four employees who have reached the age of 18"

Page 2, line 17, strike "in the capacity of outside salesman" and insert "a salesman who conducts no more than 20 percent of his sales on the premises of the employer"

Page 2, strike lines 27 and 28

Page 2, line 33, strike the period and insert a semicolon

Page 2, after line 33, insert:

"(11) any individual employed on a part-time basis in a carnival, circus, fair or theater."

Renumber the clauses

Page 3, line 3, before "Except" insert "Subdivision 1."

Page 3, after line 5, insert:

"Subd. 2. Notwithstanding subdivision 1, the minimum wage rate which an employer whose annual gross income is not more than \$250,000 may pay to an employee is 90 percent of the minimum wage rate established in subdivision 1.

Subd. 3. Notwithstanding subdivisions 1 or 2, the minimum wage rate which an employer may pay to an employee who has not attained the age of 18 is 90 percent of the minimum wage rate established in subdivisions 1 or 2 whichever is applicable to the employer; provided that this subdivision shall not apply to an employer whose proportion of hours of employment in a month by persons who have not attained the age of 18 to total hours of employment of all employees in that month does not exceed the proportion for the corresponding month of the base period of 1973. In the case of an employing establishment which became subject to this act after January 1, 1973, or one which does not have records adequate to establish 1973 as a base period, the base period shall be 1974 or the first 12 consecutive months that the establishment was subject to this act."

Page 5, after "Subd. 3." strike lines 12 through 16 and insert:

"The commissioner may establish regulations which define and govern this act with respect to, salesmen who conduct no more than 20 percent of their sales on the premises of the employer; allowances as part of the wage rates for gratuities and for board, lodging and other facilities or services furnished by the employer and used by the employees."

Page 5, after line 16, insert:

"Subd. 4. An employer who provides meals and lodging to his employees is entitled to a credit against the wages due under sections 4 and 5. The credit may be equivalent to the entire cost of providing the meal or lodging. No profit may be included on meals or lodging for which a credit is taken.

Subd. 5. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit against the wages due under sections 4 and 5 in an amount up to 50 percent of the gratuities which a tipped employee receives. A credit against the wages due for gratuities received by a tipped employee may not be taken unless a signed statement from each tipped employee states that he did receive during the pay period an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records."

Renumber the subdivisions.

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

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

H. F. No. 1675: A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

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

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

"Section 1. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 6, terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Court" means any court of this state established by the Minnesota Constitution and any municipal, county or probate court of record.

Subd. 3. "Judge" means a judge or justice of any court.

Subd. 4. "Year of service" means a whole year, and not any fraction thereof, served as a judge at any time, or served as a referee in probate for all such referees in office prior to January 1, 1974.

Subd. 5. "Judges' retirement fund", "retirement fund" or "fund" means that fund created by section 3 of this act.

Subd. 6. "Annuity" means the payments made each year to an annuitant from the judges' retirement fund, pursuant to the provisions of sections 1 to 6.

Subd. 7. "Annuitant" means a judge, surviving spouse or dependent child entitled to an annuity under the provisions of sections 1 to 6.

Subd. 8. "Normal retirement date" means the last day of the month in which a judge attains the age of 65.

Subd. 9. Except as otherwise provided by this act, "normal retirement annuity" means an annuity to which a judge is entitled under section 4, subdivision 1, upon retirement on or after normal retirement date.

Subd. 10. "Early retirement date" means the last day of any month after a judge attains the age of 62 until normal retirement date.

Subd. 11. "Early retirement annuity" means an annuity to which a judge is entitled under section 4, subdivisions 1 and 3 upon retirement at any early retirement date.

Subd. 12. "Mandatory retirement date" means the last day of the month in which a judge has attained 70 years of age.

Subd. 13. "Disability" means permanent inability to perform the functions of judge by reason of physical or mental impairment resulting from sickness or injury.

Subd. 14. "Disability retirement date" means the last day of the first month after which the governor determines, upon voluntary application by the judge or otherwise, that a judge suffers from a disability.

Subd. 15. "Disability retirement annuity" means an annuity to which a judge is entitled under section 4, subdivisions 1 and 4 after retirement for reason of disability.

Subd. 16. "Surviving spouse" means the surviving husband or wife of a deceased judge.

Subd. 17. "Dependent child" means any natural or adopted child of a deceased judge who has not reached the age of 18 years, or having reached the age of 18, is under age 22 and is a full time student throughout the normal school year, unmarried and actually dependent for more than one-half of his support upon such judge for a period of at least 90 days prior to the judge's death. It also includes any natural child of the judge born after his death.

Subd. 18. "Survivor's annuity" means an annuity to which a surviving spouse or dependent child is entitled under section 4, subdivision 9.

Subd. 19. "Approved actuary" means any actuary who is either a fellow of the society of actuaries or who has at least 15 years of

service to major public employee funds or any firm retaining such an actuary on its staff.

Subd. 20. "Actuarial equivalent" means the annual amount determined by calculations based on mortality tables, purchasable with a given amount at a stated age.

Subd. 21. "Final average compensation" means the total amount of salary payable to a judge in the highest five years of the last ten years prior to the event of maturity of benefits, divided by five; provided, however, that if the number of years of service is less than ten, the highest five shall be counted, and if the number of years is less than five, the aggregate salary in such period shall be divided by the number of months in such period and multiplied by twelve.

Sec. 2. [ADMINISTRATION OF JUDGES' RETIREMENT.] The judges' retirement fund shall be considered a part of the Minnesota state retirement system established by section 352.021 and shall be administered by the board of directors established by section 352.03. Except for section 352.03, and as used herein, judges are not, however, "employees" or "employees covered by the system" within the meaning and for the purposes of Minnesota Statutes, Section 352.01 to 352.73, nor are those sections generally applicable to the judges' retirement fund.

Sec. 3. [JUDGES' RETIREMENT FUND.] Subdivision 1. [CREATION; CONTRIBUTIONS.] There is hereby created a special fund known as the "judges' retirement fund". The fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there are appropriated the payments authorized by this act in the amounts and at times provided herein, including the expenses of administering the fund. Except as provided in section 8, subdivision 2, each judge shall contribute to the fund from each salary payment a sum equal to the salary multiplied by the rate of employee tax under the Federal Insurance Contributions Act as defined in Minnesota Statutes, Section 355.01, Subdivision 9. The balance of all money necessary for administering this act and the judges' retirement fund, including payment of retirement compensation and other benefits under this act, shall be contributed to the fund by the state. The amount required therefor is hereby annually appropriated from the general fund to the judges' retirement fund.

Subd. 2. [TREASURER.] The state treasurer shall be ex officio treasurer of the judges' retirement fund and his general bond to the state shall be so conditioned as to cover all liability for his acts as treasurer of this fund. All moneys received by him pursuant to this section shall be set aside in the state treasury to the credit of the judges' retirement fund. He shall transmit monthly to the executive director described in section 352.03, subdivision 5, a detailed statement of all amounts so received and credited by him to the fund. He shall pay out the fund only on warrants issued by the state auditor, upon vouchers signed by said executive director; provided that vouchers for investment may be signed by the secretary of the state board of investment.

Subd. 3. [INVESTMENT.] The director referred to in subdivision 2 shall, from time to time, certify to the state board of investment such portions of the judges' retirement fund as in his judgment may not be required for immediate use. Assets from the judges' retirement fund shall be transferred to the Minnesota adjustable fixed benefit fund for retirement and disability benefits as provided in section 11.25 and section 352.119. The state board of investment shall thereupon invest and reinvest sums so transferred, or certified, in such securities as are duly authorized legal investments for such purposes under chapter 11.

Sec. 4. [MATURITY OF BENEFITS; RETIREMENT AND SURVIVORS' ANNUITIES.] Subdivision 1. [BASIC RETIREMENT ANNUITY.] Except as qualified hereinafter from and after mandatory retirement date, normal retirement date, early retirement date, or two years from the disability retirement date, as the case may be, a retirement annuity shall be payable to a retiring judge from the judges' retirement fund in an amount equal to two and one half percent of the judge's final average compensation multiplied by the number of years of service rendered, provided that such annuity shall not exceed 60 percent of the judge's annual salary for the year immediately preceding his retirement.

Subd. 2. [YEARS OF SERVICE.] No judge shall be eligible for a normal or early retirement annuity at normal or early retirement date if he has less than ten years of service.

A judge who was in office on December 31, 1973 and thereafter and who, by the date on which his term expires, would not be eligible to retire with full benefits under statutes in effect on December 31, 1973, may apply to the governor for an extension to serve up to three additional years, stating his intention to retire upon such eligibility. Notwithstanding section 5 hereof, the governor shall forthwith make a written order accepting such retirement application, and extending the term of office of such judge for such period of time, not exceeding three years, as may be necessary to make such judge eligible for such retirement, solely for purposes of computing benefits hereunder.

Subd. 3. [EARLY RETIREMENT.] The retirement annuity provided by subdivision 1 of any judge electing to retire at an early retirement date shall be reduced 1/15th for each full year or fraction thereof from his retirement date to normal retirement date.

Subd. 4. [DISABILITY RETIREMENT.] From and after disability retirement date, a disabled judge shall be entitled to (a) continuation of his full salary payable by the judge's employer, as if his office were not vacated by retirement, for a period of two full years, and (b) thereafter a disability retirement annuity computed as provided in subdivision 1, provided that such judge shall receive a minimum annuity of 25 percent of his final average compensation.

Subd. 5. [DEFERRED BENEFITS.] Any benefit to which a judge is entitled under this section may be deferred until early or normal retirement date, notwithstanding termination of such judge's service prior thereto.

Subd. 6. [PART-TIME JUDGES.] Notwithstanding other provisions of this section, except as provided herein service by a judge who was not paid an annual salary or who served in a jurisdiction in which the judge was entitled to practice law while serving as a judge shall be credited only at the rate of 50 percent thereof. All disqualified service may be credited to years of service for the purposes of this act only if:

(a) The judge or his employer pays to the judges' retirement fund a sum equal to 5.85 percent of one half of the average salary earned during such period of part time service, plus accrued interest thereon at the rate of five percent per year compounded annually from the period of service so credited to the date payment is made;

(b) Such payment is made in not more than 36 monthly installments; and

(c) Such judge or his employer shall elect to make such payment and shall commence doing so within 60 days after the effective date of this act or after the commencement of such judge's first term in office, whichever is later.

Subd. 7. [PRACTICE OF LAW PROHIBITED.] No retired judge or his spouse or children shall receive a retirement annuity while such judge is practicing law in Minnesota. For the purposes of this subdivision, "practicing law" does not mean service as a retired judge, as counsel for an indigent accused of committing a misdemeanor or felony, or service without compensation in connection with any legal assistance or legal aid program for indigents.

Subd. 8. [EXCLUSIVE NORMAL RETIREMENT BENEFITS.] Any judge who retires after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under this act.

Subd. 9. [SURVIVORS' ANNUITY.] Upon the death of a judge prior to retirement, his surviving spouse or, if there be no surviving spouse, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge had the date of his death been the normal retirement date, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's final average compensation.

Subd. 10. [PRIOR SURVIVORS' BENEFITS; LIMITATION.] Benefits provided under Minnesota Statutes, Sections 490.102, Subdivision 6, and 490.12, Subdivision 7, for a surviving spouse of a retired judge, payable after the death of the judge, shall be limited to:

(a) Spouses of judges who have retired prior to January 1, 1974; and

(b) Spouses of judges in office on December 31, 1973 and thereafter who elect to continue contributions under said sections 490.102, subdivision 6 or 490.12, subdivision 7. Such contributions shall be in addition to contributions under section 3, and upon retirement such judge may not elect to receive any of the optional annuities under subdivision 11 of this section 5 unless such judge and his spouse shall waive any benefits under said sections 490.102, subdivision 6 or 490.12, subdivision 7.

No other judge in office on or after January 1, 1974, shall be required to contribute under said section 490.102, subdivision 6 or 490.12, subdivision 7.

Subd. 11. [OPTIONAL ANNUITIES.] There shall be no survivor or death benefits in connection with the death of a judge who retires after December 31, 1973, except as otherwise provided herein. Within 30 days prior to such retirement, except as provided in section 4, subdivision 10, a judge may elect to receive, in lieu of the normal retirement annuity, optional annuities which shall take the form of an annuity payable for a period certain and for life thereafter or a joint and survivor annuity. Such optional annuities shall be actuarially equivalent to an annuity for life, with no term certain, and shall be established by the governing body of the Minnesota state retirement system upon the recommendation of an approved actuary.

Subd. 12. [REFUND.] Any person who ceases to be a judge but who does not qualify for a retirement annuity or other benefit under this act shall be entitled to a refund of all his contributions to the judges' retirement fund with interest computed on the basis of interest assumption under the provisions of section 356.21. No refund shall be payable upon the death of a judge prior to retirement if no benefits shall be payable under section 4, subdivision 9.

Sec. 5. [MANDATORY RETIREMENT.] Subdivision 1. Except as otherwise provided in this act, each judge shall retire on his mandatory retirement date.

Subd. 2. Except as provided by sections 490.025, subdivision 3, 490.102, subdivisions 3 and 3a and 490.12, subdivision 2, any judge in office on December 31, 1973 who shall have attained 70 years of age on or prior to such date shall retire upon the expiration of the term of office of such judge.

Subd. 3. This section takes effect December 31, 1973.

Sec. 6. [PROCEDURES.] Subdivision 1. [COMPULSORY RETIREMENT.] Proceedings for compulsory retirement of a judge, if necessary, shall be conducted in accordance with the provisions of sections 490.04 to 490.09.

Subd. 2. [VACANCIES.] Any judge may make written application to the governor for retirement. The governor thereupon shall direct the judge's retirement by written order which, when filed in the office of the secretary of state, shall effect a vacancy in the office to be filled as provided by law.

Subd. 3. [APPLICATION FOR ANNUITY OR REFUND.] Application for an annuity or refund under this act may be made by the annuitant or by someone authorized to act in his behalf. Every application for an annuity or refund, with proof of age and years of service when required, shall be submitted to the governing body of the Minnesota state retirement system in a form prescribed by it.

Subd. 4. [MANNER OF PAYMENT.] Unless otherwise specifically provided by statute or agreed upon by the annuitant and the governing body of the state retirement system, annuities payable under this act shall be paid in the manner and at the intervals as prescribed by the executive director of the state retirement system. The annuity shall cease with the last payment received by the annuitant in his or her lifetime.

Sec. 7. [SOCIAL SECURITY COVERAGE; DEFINITIONS.] Subdivision 1. For the purposes of sections 7 to 9, the terms defined in this section shall have the meanings given them, and terms defined in Minnesota Statutes, Section 355.01, Subdivisions 2, 5, 8, and 9, shall have the meanings there given them.

Subd. 2. "Enabling act" means Minnesota Statutes, Sections 355.01 to 355.08.

Subd. 3. "Employee" means any judge, as defined in section 1 of this act.

Subd. 4. "Employing unit" means the state, county, or municipality by which a judge is employed.

Sec. 8. [AGREEMENTS.] Subdivision 1. Pursuant to the enabling act, the state agency, with the approval of the governor, shall supervise a referendum for the employees at a date set by the governor in accordance with the requirements of the social security act.

Subd. 2. The referendum shall decide the question of whether or not the employment of each such employee should be excluded from or included in an agreement.

Subd. 3. Notice of referendum as required by the social security act shall contain a statement in such form as the state agency shall deem necessary and sufficient to inform the employees of the rights which accrue to them under the social security act and the effect that coverage under the social security act will have on their retirement benefits.

Subd. 4. If the governor or an official of the state designated by him for the purpose receives satisfactory evidence that the conditions specified in section 218(d) (7) of the social security act have been met, he shall so certify to the secretary of health, education and welfare.

Subd. 5. The state agency, with the approval of the governor, may enter into an agreement with the secretary of health, education and welfare, or modify any such agreement previously made, to obtain the benefits of the federal old age survivors insur-

ance system in respect to services performed by employees of any employing unit.

Subd. 6. In accordance with section 218(d) (6) (C) of the social security act, the retirement system for judges is divided into two parts:

(a) The first part is composed of judges in office on and after December 31, 1973, and who do not desire coverage under an agreement pursuant to section 218(d) of the social security act;

(b) The second part is composed of judges in office on and after December 31, 1973, who desire such coverage and judges first in office after December 31, 1973, whose service shall constitute "employment" as defined in the social security act.

Subd. 7. Effective with respect to services performed after December 31, 1973, by employees referred to in subdivision 6, clause (b), each employing unit shall pay into the contribution fund established by section 355.04, contributions with respect to wages equal to the sum of taxes which be imposed by the federal insurance contribution act if the services covered by the agreement constituted employment within the meaning of that act.

Subd. 8. Effective January 1, 1974, as to employees referred to in subdivision 6, clause (b), contributions shall not be paid into the judges' retirement fund by such employees to the extent of the employee contribution under the federal insurance contribution act.

Subd. 9. Delinquent payments due under this section, with interest at the rate of six percent per annum, may be recovered by action in a court of competent jurisdiction against each and every employing unit liable therefor or may, at the request of the state agency, be deducted from any other moneys payable to such employing unit by any department or agency of the state.

Subd. 10. Each and every employing unit shall reimburse the state agency for its pro rata share of the cost of the administration of said agency in accordance with the rules and regulations of the state agency pertaining thereto. Such reimbursements shall be paid into the state agency revolving fund.

Subd. 11. Each and every employing unit shall make such reports in such form and containing such information as the state agency may from time to time require, and comply with such provisions as the state agency or the secretary of health, education and welfare may from time to time find necessary to assure the correctness and verification of such reports.

Sec. 9. [BENEFITS OFFSET.] Upon any event of maturity of benefits for any judge referred to in section 8, subdivision 6, clause (b), or for such judge's surviving spouse or dependent children, the amount payable from the judges' retirement fund shall be reduced by 75 percent of the amount of the employee's primary benefit payable upon such event of maturity of benefits under the social security act.

Sec. 10. [PAST SERVICE.] On or before October 31, 1973, on such forms as may be prescribed by the executive director of the state retirement system, each employing unit shall certify to the state retirement system the years of service and age of each judge.

Sec. 11. The executive director of the Minnesota state retirement fund shall cause valuations, surveys and financial reports of this fund to be made in accordance with Minnesota Statutes, Chapter 356.

Sec. 12. Sections 1 through 4 and section 6 of this act take effect January 1, 1974. Sections 7 through 10 of this act take effect July 1, 1973."

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

Mr. Hughes from the Committee on Education, to which was referred

H. F. No. 1196: A bill for an act relating to education; the function of the principal in the public schools in the state of Minnesota; amending Minnesota Statutes 1971, Section 123.34, by adding a subdivision.

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

Line 2, after "120.05" and before "in", insert ", *Subdivision 1, (1) (2) and (3).*"

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1983: A bill for an act relating to education; advisory board on handicapped, gifted and exceptional children; amending Minnesota Statutes 1971, Section 121.34.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "nine"

Page 1, line 14, strike "three" and insert "four"

Page 1, line 29, after "time" and before "for" insert "*at the discretion of the commissioners of education and welfare and the executive secretary of the state board of health*"

Page 1, line 30, strike "who shall serve at the"

Page 2, line 1, strike "*pleasure of the board*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1058: A bill for an act relating to education; extending the program of instruction review authority of the Minnesota higher education coordinating commission to include private collegiate and non-collegiate institutions offering post-secondary education; amending Minnesota Statutes 1971, Section 136A.04.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1712: A bill for an act relating to Independent School District No. 659 and Area Vocational-Technical School District No. 917; authorizing Independent School District No. 659 to join Area Vocational-Technical School District No. 917.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 879: A bill for an act relating to education; authorizing school boards to pay insurance premiums for retired officers and employees between the ages of 60 and 65.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 877: A bill for an act relating to education; interscholastic athletics and other extracurricular activities; amending Minnesota Statutes 1971, Chapter 129 by adding a section; repealing Minnesota Statutes 1971, Section 129.12.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 926: A bill for an act establishing the Minnesota environmental education council; and describing the powers and duties thereof.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1438: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.03, Subdivisions 1 and 3; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding a subdivision; 352.116, Subdivision 1; 352.118; 352.119, Subdivision 2; 352.12, Subdivision 1; 352.22, Subdivisions 1 and 2; 352.23; 352.27; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, strike "\$50" and reinstate the stricken "\$35" in line 7

Page 19, line 12, after the word "after" insert "*the nominee has achieved permanent or probationary civil service status in the class occupied at the time nomination is made and after*"

Page 19, line 13, after "director" strike the comma and insert in lieu thereof a period

Page 19, line 13, strike "*except that incumbents of positions designated in*"

Page 19, strike lines 14 through 17

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2367: A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1653: A bill for an act relating to education; the establishment of a pilot educational service area in southwest and west central Minnesota to provide educational services and programs on a regional basis; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 1, strike "74,800" and insert in lieu thereof "50,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2119: A bill for an act relating to welfare; implementing provisions of the social security amendments of 1972; repealing certain obsolete statutory provisions; providing for the centralized disbursement of medical assistance payments; appropriating money; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 6.20; 98.47, Subdivision 8; 245.0313; 253A.15, Subdivision 11; 256.01, Subdivision 2; 256.12, Subdivision 10; 256.462, Subdivision 3; 256.935; 256.98; 256B.02, Subdivision 3; 256B.06; 256B.09; 256B.22; 260.38; 261.03; 261.063; 261.07, Subdivision 2; 275.50, Subdivision 5; 393.06; 393.07, Subdivisions 2 and 6; 462.485; 573.02, Subdivision 1; and Chapter 256B, by adding sections; repealing Minnesota Statutes 1971, Sections 245.033; 256.11; 256.12, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 16, and 17; 256.13 to 256.23; 256.26; 256.27 to 256.461; 256.462, Subdivisions 1, 4, 5, 6, and 7; 256.463 to 256.64; 256.66 to 256.71; and 256.73, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 13, after "*authorized*" and before "*to*" strike the comma

Page 4, line 14, after "*act,*" and before "*to*" insert "*and*"

Page 14, line 18, after "*256.71,*" and before "*256.72*" insert "*and Sections*"

Page 18, line 23, strike "*shall*" and insert "*may*"

Page 26, strike all of section 32 and renumber sections accordingly

Page 27, line 10, after "*31,*" and before "*32,*" insert "*and*"

Page 27, line 10, strike "*, and 33*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1110: A bill for an act relating to commerce; providing for the registration and regulation of franchises by the commissioner of securities; requiring certain disclosures; defining and prohibiting unfair practices; providing penalties.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 889: A bill for an act relating to health; payment of medical and hospital benefits to governmental institutions in certain instances.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1893: A bill for an act relating to public welfare; authorizing the commissioner of public welfare, and certain counties and municipalities to make grants for child care service and for certain programs for child care; amending Minnesota Statutes 1971, Sections 245.83, Subdivisions 2 and 3, and by adding a subdivision; 245.84; 245.85; 245.86; and 245.87.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1979: A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, strike "*revenue*" and insert in lieu thereof "*general*"

Page 2, line 6, strike *of the Minnesota state college board*" and insert in lieu thereof "*in the state treasury*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1702, 1716, 2096, 1506, 2111, 2150, 553, 1326, 1410, 1612, 1662, 1354, 1531, 2397 and 2160 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 2150 and 1326 to the Committee on Governmental Operations.

H. F. Nos. 1410 and 1354 to the Committee on Labor and Commerce.

H. F. Nos. 2096 and 2397 to the Committee on Local Government.

H. F. Nos. 1702, 1716, 1612 and 1662 to the Committee on Natural Resources and Agriculture.

H. F. No. 553 to the Committee on Taxes and Tax Laws.

H. F. Nos. 1506, 2111 and 1531 to the Committee on Transportation and General Legislation.

The following House File was found not identical with its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F.No.	S.F. No.	H.F. No.	S.F. No.
2160	2259				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2160 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Notwithstanding the provisions of Minnesota Statutes 1971, Section 8.06 and Section 136.11 to the contrary or any rules or regulations adopted pursuant thereto, the Mankato state student association may expend money for the purpose of funding a program to provide legal counseling and services to the students of Mankato state college. The money to be expended shall be from that certain account of the college activity fund of Mankato state college allocated to the Mankato state student association.”

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

“A bill for an act relating to Mankato state college; authorizing Mankato state student association to expend money assigned to it from the college activity fund of Mankato state college for funding a legal counseling and service program for students.”

And when so amended, H. F. No. 2160 will be identical to S. F. No. 2259 and further recommends that H. F. No. 2160 be given its second reading and substituted for S. F. No. 2259 and S. F. No. 2259 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1271, 1839, 1845, 2007, 2129, 2148, 2189 and 2224 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be referred to their respective Committees as follows:

H. F. No. 1845 to the Committee on Judiciary.

H. F. Nos. 1271, 1839, 2129, 2148 and 2189 to the Committee on Labor and Commerce.

H. F. No. 2007 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 2224 to the Committee on Natural Resources and Agriculture.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 873 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
873	740				

Pursuant to Rule 49 the Committee recommends that H. F. No. 873 be amended as follows:

Page 15, line 19, delete "the offering of"

Page 32, line 25, delete the period and insert in lieu thereof a semicolon

And when so amended, H. F. No. 873 will be identical to S. F. No. 740 and further recommends that H. F. No. 873 be given its second reading and substituted for S. F. No. 740 and S. F. No. 740 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2356, 926, 1438, 2367, 1653, 2119, 1893 and 1979 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 9, 1675, 1196, 1058, 1712, 879, 877, 1110, 889, 873 and 2160 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Novak moved that H. F. No. 1355 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1438, now on General Orders. Which motion prevailed.

Mr. North moved that S. F. No. 34 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 34

A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

May 4, 1973

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. 34, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 34 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Chapter 149, is amended by adding a section to read:

[149.09] [STATEMENTS; PRICES; CREMATION WITHOUT CASKET.] *Subdivision 1. [ITEMIZED STATEMENT TO BE FURNISHED.] Every person licensed or granted a permit pursuant to this chapter, including funeral directors and funeral establishments, shall furnish at the time funeral arrangements are made for the care and disposition of the body of a deceased person, an itemized statement in compliance with rules adopted by the board of health pursuant to Minnesota Statutes, Chapter 15. The rules shall require a separate listing of cost in the following categories: casket; burial vault; use of facilities for funeral services; use of facilities for reviewal; specifically itemized transportation costs; specifically itemized funeral service merchandise; embalming; preparation of the body; other professional services; and a statement of all anticipated cash advances and expenditures.*

Subd. 2. [REQUIRING RETAIL PRICE OF CASKET TO BE DISPLAYED.] Every funeral director or operator who offers a casket for sale shall display the retail price of the casket in a conspicuous place on the casket.

Subd. 3. [AUTHORIZING CREMATION OR CALCINATION WITHOUT A CASKET.] A person operating a crematory or calcinatory shall not require that human remains be placed in a casket before cremation or calcination or that human remains be cremated or calcinated in a casket or refuse to accept human remains for cremation or calcination for the reason that human remains are not in a casket. This subdivision does not prohibit the requiring of a container or disposal unit to protect the physical health or safety of any individual. The listing of costs statement required in subdivisions 1 to 3 shall include the following statement for which a charge is made in conspicuously legible print: Minnesota law does not require that remains be placed in a casket before or at the time of cremation.

Subd. 4. [PENALTY.] Any violation of subdivisions 1 to 3 shall constitute unprofessional conduct within the meaning of section 149.05, subdivision 1, clause (5).”

Further, delete the title and insert in lieu thereof the following:

“A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; requiring the retail price of burial caskets to be clearly marked; authorizing cremation or calcination without a casket; providing a penalty; amending Minnesota Statutes 1971, Chapter 149, by adding a section.”

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (signed) Robert D. North, Howard A. Knutson, and John Milton.

House Conferees: (signed) Donald M. Moe, William R. Ojala, and James L. Adams.

Mr. McCutcheon moved that H. F. No. 2353 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. McCutcheon moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2353 and that the rules of the Senate be so far suspended as to give H. F. No. 2353 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2353 was read the second time.

Mr. McCutcheon moved to amend H. F. No. 2353, the typewritten bill, as follows:

Page 1, strike all of section 2, and insert in lieu thereof:

“Sec. 2. The county board of commissioners may levy a tax for the purposes of the plans and designs which power is in addition to all other taxing powers of the county and independently of any restrictions upon the power of the county to levy taxes for other purposes.

Sec. 3. The final report shall be submitted to the county board on or before December 15, 1973. An interim progress report shall be submitted to the county board not later than October 1, 1973. This act becomes effective upon enactment.”

Which motion prevailed. So the amendment was adopted.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Milton	Pillsbury
Arnold	Doty	Keefe, S.	Moe	Purfeerst
Ashbach	Dunn	Kirchner	Nelson	Renneke
Bang	Fitzsimons	Kleinbaum	North	Schrom
Berg	Frederick	Knutson	Novak	Solon
Blatz	Gearty	Kowalczyk	Ogdahl	Spear
Borden	Hansen, Baldy	Krieger	Olhoft	Stassen
Brown	Hansen, Mel	Larson	Olson, A. G.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Tennessen
Chmielewski	Hughes	Lewis	Patton	Ueland
Coleman	Humphrey	Lord	Perpich, A. J.	Willet
Conzemius	Jensen	McCutcheon	Perpich, G.	

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the Senate Calendar.

The following Senators answered to their names:

Anderson	Doty	Kleinbaum	Ogdahl	Solon
Arnold	Dunn	Knutson	Olhoft	Spear
Ashbach	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bang	Gearty	Larson	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Borden	Hanson, R.	Lord	Patton	Ueland
Brown	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Milton	Perpich, G.	Willet
Chmielewski	Jensen	Moe	Pillsbury	
Coleman	Josefson	Nelson	Purfeerst	
Conzemius	Keefe, S.	North	Renneke	
Davies	Kirchner	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

THIRD READING OF HOUSE BILLS

H. F. No. 835: A bill for 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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Milton	Perpich, G.
Arnold	Doty	Kleinbaum	Moe	Pillsbury
Blatz	Dunn	Krieger	Nelson	Schaaf
Borden	Gearty	Laufenburger	North	Solon
Chenoweth	Hughes	Lewis	Ogdahl	Spear
Coleman	Humphrey	Lord	Olson, A. G.	Stokowski
Conzemius	Keefe, S.	McCutcheon	Perpich, A. J.	Tennessee

Those who voted in the negative were:

Ashbach	Fitzsimons	Josefson	Olson, H. D.	Schrom
Bang	Frederick	Knutson	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Thorup
Bernhagen	Hansen, Mel	Larson	Patton	Ueland
Brown	Hanson, R.	Novak	Purfeerst	Wegener
Chmielewski	Jensen	Olhoff	Renneke	Willet

So the bill passed and its title was agreed to.

H. F. No. 295: A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63; Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4 and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Thorup moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 57 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Schaaf
Arnold	Doty	Kirchner	North	Schrom
Ashbach	Dunn	Kleinbaum	Novak	Solon
Bang	Fitzsimons	Knutson	Ogdahl	Spear
Bernhagen	Frederick	Kowalczyk	Olhoff	Stassen
Blatz	Gearty	Krieger	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Thorup
Brown	Hansen, Mel	Lewis	O'Neill	Wegener
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Willet
Chmielewski	Hughes	McCutcheon	Perpich, G.	
Coleman	Humphrey	Milton	Pillsbury	
Conzemius	Josefson	Moe	Purfeerst	

Those who voted in the negative were:

Berg Jensen	Larson Olson, H. D.	Patton	Renneke	Ueland
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So the bill passed and its title was agreed to.

H. F. No. 945: A bill for an act relating to safety in the use of waters of this state; establishing a watercraft safety program; increasing certain license fees; providing penalties; amending Minnesota Statutes 1971, Sections 361.055; 361.22, Subdivision 2; and Chapter 361, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Milton moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Humphrey	McCutcheon	Schaaf
Bang	Doty	Keefe, S.	Milton	Solon
Borden	Dunn	Kirchner	Moe	Spear
Brown	Fitzsimons	Kleinbaum	North	Stokowski
Chenoweth	Gearty	Laufenburger	Novak	Tennessee
Coleman	Hansen, Mel	Lewis	Olson, H. D.	Thorup
Conzemius	Hughes	Lord	O'Neill	

Those who voted in the negative were:

Arnold	Frederick	Kowalczyk	Patton	Schrom
Ashbach	Hansen, Baldy	Larson	Perpich, A. J.	Stassen
Berg	Hanson, R.	Nelson	Perpich, G.	Ueland
Bernhagen	Jensen	Olhoff	Pillsbury	Wegener
Blatz	Josefson	Olson, A. G.	Purfeerst	Willet
Chmielewski	Knutson	Olson, J. L.	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1465: A bill for an act relating to water resources; modifying and strengthening certain powers of the commissioner of natural resources in connection therewith; providing penalties; amending Minnesota Statutes 1971, Sections 105.37, by adding subdivisions; 105.38; 105.39, by adding a subdivision; 105.41; 105.42; 105.43; 105.44, Subdivisions 1, 3, 5, 6; 105.45; 105.47; 105.51, Subdivision 1; and Chapter 105, by adding sections; repealing Minnesota Statutes 1971, Section 105.54.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Purfeerst
Arnold	Doty	Kirchner	North	Renneke
Ashbach	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Knutson	Ogdahl	Solon
Berg	Frederick	Kowalczyk	Olhoft	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Brown	Hansen, R.	Lewis	O'Neill	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Jensen	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that S. F. No. 2318, No. 161 on General Orders be stricken and re-referred to the Committee on Finance. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1353, No. 236 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1353: A bill for an act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Arnold	Dunn	Kleinbaum	Olhoft	Solon
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Larson	O'Neill	Thorup
Blatz	Hansen, R.	Lewis	Patton	Ueland
Borden	Hughes	Lord	Perpich, A. J.	Wegener
Brown	Humphrey	McCutcheon	Perpich, G.	Willet
Chenoweth	Jensen	Milton	Pillsbury	
Chmielewski	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2118, No. 240 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2118: A bill for an act relating to human services; providing for the rendering of human services by a single board; permitting the joint exercise of powers by counties in the provisions of human services; appropriating money.

Mr. Knutson moved to amend S. F. No. 2118, as follows:

Page 8, line 2, strike "7" and insert "8"

Which motion prevailed. So the amendment was adopted.

S. F. No. 2118 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Kowalczyk	Olhoft	Schrom
Berg	Hansen, Mel	Krieger	Olson, A. G.	Solon
Blatz	Hanson, R.	Larson	Olson, H. D.	Spear
Borden	Hughes	Laufenburger	Olson, J. L.	Stassen
Brown	Humphrey	Lewis	O'Neill	Stokowski
Chenoweth	Jensen	Lord	Patton	Tennessee
Conzemius	Josefson	Milton	Perpich, A. J.	Thorup
Davies	Keefe, J.	Moe	Perpich, G.	Ueland
Doty	Keefe, S.	Nelson	Pillsbury	Wegener
Dunn	Kirchner	North	Purfeerst	Willet
Frederick	Kleinbaum	Novak	Renneke	
Gearty	Knutson	Ogdahl	Schaaf	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 929, No. 232 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 929: A bill for an act relating to natural resources; prescribing a stream maintenance program; setting forth powers and duties of the commissioner of natural resources; amending Minnesota Statutes 1971, Chapter 105, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoff	Schrom
Ashbach	Frederick	Knutson	Olson, H. D.	Solon
Bang	Gearty	Kowalczyk	Olson, J. L.	Spear
Berg	Hansen, Mel	Krieger	O'Neill	Stassen
Bernhagen	Hanson, R.	Laufenburger	Patton	Stokowski
Blatz	Hughes	Lewis	Perpich, A. J.	Tennessee
Brown	Humphrey	McCutcheon	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Pillsbury	Willet
Davies	Josefson	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1224, No. 234 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1224: A bill for an act relating to public health; venereal disease; requiring instruction and training in venereal disease in junior and senior high schools and for teachers; providing for the establishment of venereal disease treatment centers; relating to the sale of articles for the prevention of conception or disease; removing a restriction on certain medical advertisements; providing a penalty; appropriating funds; amending Minnesota Statutes 1971, Sections 126.02, Subdivision 2, and by adding a subdivision; 151.01, by adding a subdivision; 151.37, by adding a subdivision; 617.28, Subdivision 1; and Chapter 144, by adding a section; repealing Minnesota Statutes 1971, Section 617.251.

Mr. Tennessee moved to amend S. F. No. 1224, as follows:

Page 4, line 25, strike "\$50,000" and insert "\$100,000"

Which motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend S. F. No. 1224, as follows:

Page 2, line 22, after "high" insert "*in the area of health*"

Page 2, line 23, after "*student*" insert "*preparing to teach in the area of health*"

Which motion prevailed. So the amendment was adopted.

Mr. Hughes moved to amend S. F. No. 1224, as follows:

Page 1, strike lines 23 through 38

Page 2, strike lines 1 through 6

Renumber the sections in sequence

Page 2, line 10, strike "all"

Page 2, strike lines 11 through 15

Amend the title as follows:

Lines 15 and 16, strike “, and by adding a subdivision”

Which motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend S. F. No. 1224 as follows:

Page 3, strike lines 14 through 28

Page 5, strike lines 1 and 2

Amend the title as follows:

Line 8, strike “relating to the sale”

Strike line 9

Line 10, strike “conception or disease;”

Line 16, strike “151.01, by adding a”

Strike line 17

Line 18, strike “subdivision;”

Line 19, after “section” strike the semicolon and insert a period

Strike lines 20 and 21

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 33 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Jensen	McCutcheon	Purfeerst
Ashbach	Fitzsimons	Keefe, J.	Novak	Renneke
Berg	Gearty	Knutson	Olhoft	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Willet
Brown	Hanson, R.	Larson	O'Neill	
Chmielewski	Hughes	Laufenburger	Patton	

Those who voted in the negative were:

Borden	Humphrey	Lord	Olson, A. G.	Solon
Chenoweth	Josefson	Milton	Perpich, A. J.	Spear
Coleman	Keefe, S.	Moe	Perpich, G.	Tennessee
Davies	Kirchner	Nelson	Pillsbury	Thorup
Doty	Lewis	North	Schaaf	Wegener

Which motion prevailed. So the amendment was adopted.

S. F. No. 1224: A bill for an act relating to public health; venereal disease; requiring instruction and training in venereal disease in junior and senior high schools and for teachers; providing for the establishment of venereal disease treatment centers; removing a restriction on certain medical advertisements; providing a penalty; appropriating funds; amending Minnesota Statutes 1971, Sections 126.02, Subdivision 2; 617.28, Subdivision 1; and Chapter 144, by adding a section.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Fitzsimons	Hansen, Mel
Arnold	Chenoweth	Doty	Frederick	Hughes
Bang	Coleman	Dunn	Gearty	Humphrey

Jensen	Larson	Nelson	O'Neill	Solon
Josefson	Lewis	North	Perpich, A. J.	Spear
Keefe, J.	Lord	Novak	Perpich, G.	Stassen
Keefe, S.	McCutcheon	Ogdahl	Pillsbury	Stokowski
Kirchner	Milton	Olhoff	Purfeerst	Tennessee
Knutson	Moe	Olson, A. G.	Schaaf	Thorup

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Olson, H. D.	Patton	Schrom
Brown	Kowalczyk	Olson, J. L.	Renneke	Willet
Chmielewski	Laufenburger			

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 148, No. 85 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 148: A bill for an act relating to public welfare; appropriating money for the Duluth United Day Activity Center.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lewis	Olson, H. D.	Tennessee
Arnold	Doty	Lord	Perpich, A. J.	Thorup
Bernhagen	Fitzsimons	McCutcheon	Perpich, G.	Wegener
Borden	Gearty	Milton	Schaaf	Willet
Chenoweth	Hughes	Moe	Schrom	
Chmielewski	Humphrey	Novak	Solon	
Coleman	Keefe, S.	Olhoff	Spear	
Conzemius	Kleinbaum	Olson, A. G.	Stokowski	

Those who voted in the negative were

Ashbach	Frederick	Keefe, J.	Nelson	Purfeerst
Bang	Hansen, Baldy	Kirchner	North	Renneke
Berg	Hansen, Mel	Knutson	Ogdahl	Stassen
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Ueland
Brown	Jensen	Krieger	O'Neill	
Dunn	Josefson	Larson	Patton	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Stokowski was excused from the Session of today until 7:30 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Dunn	Kirchner	Olson, J. L.	Spear
Ashbach	Frederick	Kowalczyk	O'Neill	Stassen
Berg	Gearty	Larson	Patton	Tennessee
Blatz	Hansen, Baldy	McCutcheon	Perpich, A. J.	Ueland
Borden	Hansen, Mel	Nelson	Perpich, G.	Willet
Brown	Hanson, R.	Novak	Pillsbury	
Coleman	Humphrey	Olhoft	Purfeerst	
Davies	Jensen	Olson, A. G.	Renneke	
Doty	Keefe, S.	Olson, H. D.	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Coleman moved that the rules of the Senate be so far suspended that the following bills be designated as Special Orders, to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

S. F. Nos. 1923, 1141, 1781, 925, 1954, 496, 1708, 1128, 1712, 1364, 938, 1825, 2275, 2058, 1994. H. F. Nos. 1854 and 1949.

SPECIAL ORDER

S. F. No. 1923: A bill for an act relating to tax forfeited lands in Beltrami county; providing for the disposition of proceeds from sales of tax forfeited lands; amending Laws 1967, Chapter 558, Section 1, Subdivisions 3 and 7.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	North	Purfeerst
Berg	Fitzsimons	Keefe, S.	Novak	Renneke
Bernhagen	Frederick	Kirchner	Olhoft	Schrom
Blatz	Gearty	Knutson	Olson, A. G.	Solon
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Brown	Hansen, Mel	Krieger	Olson, J. L.	Stassen
Chenoweth	Hanson, R.	Larson	O'Neill	Tennessee
Chmielewski	Hughes	Lewis	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Davies	Jensen	Moe	Perpich, G.	Willet
Doty	Josefson	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1141: A bill for an act relating to the Hennepin county municipal court; increasing the number of judges; amending Minnesota Statutes 1971, Section 488A.021, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, S.	Olhoff	Schrom
Berg	Frederick	Kirchner	Olson, A. G.	Solon
Bernhagen	Gearty	Kleinbaum	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Mel	Larson	O'Neill	Tennessee
Brown	Hanson, R.	Lewis	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Moe	Perpich, G.	Wegener
Davies	Jensen	Nelson	Pillsbury	Willet
Doty	Josefson	North	Purfeerst	
Dunn	Keefe, J.	Novak	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1182, pursuant to the request of the Senate, Messrs. Larson, Chmielewski and Olhoff.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2275, pursuant to the request of the House, Messrs. Moe; Tennessee; Perpich, G.; Ogdahl and Kirchner.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2417, pursuant to the request of the Senate, Messrs. Chenoweth, Willet, Novak, Josefson and Fitzsimons.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 910, pursuant to the request of the Senate, Messrs. Tennessen; Keefe, J. and Humphrey.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 690, pursuant to the request of the Senate, Messrs. Olson, A. G; Hanson, R., and Lewis.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2437, pursuant to the request of the House, Messrs. Davies, Hughes, Arnold, Ashbach, and Olson, J. L.

Mr. Davies moved that the foregoing appointments be approved.

Mr. Davies moved that the foregoing Committee reports be laid on the table. Which motion prevailed.

SPECIAL ORDER

S. F. No. 1781: A bill for an act relating to the Hennepin county municipal court and the city of Saint Paul municipal court; amending Minnesota Statutes 1971, Sections 488A.01, Subdivision 6; and 488A.18, Subdivision 7.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Ashbach	Dunn	Keefe, S.	Novak	Schrom
Berg	Fitzsimons	Kirchner	Olhoff	Solon
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Spear
Blatz	Gearty	Knutson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessen
Brown	Hansen, Mel	Krieger	O'Neill	Ueland
Chenoweth	Hanson, R.	Larson	Patton	Wegener
Chmielewski	Hughes	Lewis	Perpich, A. J.	Willet
Coleman	Humphrey	McCutcheon	Perpich, G.	
Conzemius	Jensen	Moe	Pillsbury	
Davies	Josefson	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 925: A bill for an act relating to the city of Chisholm; placing new employees of the department of public safety under the public employees police and fire fund.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Novak	Schrom
Ashbach	Dunn	Keefe, S.	Olhoff	Solon
Berg	Fitzsimons	Kirchner	Olson, A. G.	Spear
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Stassen
Blatz	Gearty	Knutson	Olson, J. L.	Tennessee
Borden	Hansen, Baldy	Krieger	O'Neill	Ueland
Brown	Hansen, Mel	Larson	Patton	Wegener
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Willet
Chmielewski	Hughes	McCutcheon	Perpich, G.	
Coleman	Humphrey	Moe	Pillsbury	
Conzemius	Jensen	Nelson	Purfeerst	
Davies	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1954: A bill for an act relating to the city of St. Cloud; providing for the continuance of a retirement program for police officers employed by the city.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kirchner	Novak	Solon
Bang	Fitzsimons	Kleinbaum	Ogdahl	Spear
Berg	Frederick	Knutson	Olhoff	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Tennessee
Blatz	Hansen, Baldy	Krieger	Olson, J. L.	Ueland
Borden	Hansen, Mel	Larson	O'Neill	Wegener
Brown	Hanson, R.	Laufenburger	Patton	Willet
Chenoweth	Hughes	Lewis	Perpich, A. J.	
Chmielewski	Humphrey	McCutcheon	Perpich, G.	
Coleman	Jensen	Milton	Pillsbury	
Conzemius	Josefson	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 496: A bill for an act relating to the city of Gilbert; placing new police officers of the city of Gilbert under the public employee retirement association.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	McCutcheon	Pillsbury
Arnold	Davies	Josefson	Moe	Purfeerst
Ashbach	Doty	Keefe, J.	Nelson	Renneke
Bang	Dunn	Keefe, S.	North	Schrom
Berg	Fitzsimons	Kirchner	Olhoff	Solon
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Spear
Blatz	Gerty	Knutson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Krieger	O'Neill	Ueland
Chenoweth	Hanson, R.	Larson	Patton	Wegener
Chmielewski	Hughes	Laufenburger	Perpich, A. J.	Willet
Coleman	Humphrey	Lewis	Perpich, G.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1708: A bill for an act relating to the firemen's relief association in the city of Red Wing; membership in the public employees fire fund; repealing Laws 1953, Chapter 348, Sections 12, 17, and 20; Laws 1957, Chapter 10; Laws 1961, Chapter 300, Sections 2, 3, and 4; and Laws 1965, Chapter 604.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schrom
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoff	Spear
Berg	Gerty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, J. L.	Ueland
Borden	Hanson, R.	Laufenburger	O'Neill	Wegener
Brown	Hughes	Lewis	Patton	Willet
Chenoweth	Humphrey	Lord	Perpich, A. J.	
Chmielewski	Jensen	McCutcheon	Perpich, G.	
Coleman	Josefson	Milton	Pillsbury	
Conzemius	Keefe, J.	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1128: A bill for an act relating to the policemen's relief association in the city of Red Wing; membership in the public employees police and fire fund.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schrom
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoff	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, J. L.	Thorup
Borden	Hanson, R.	Laufenburger	O'Neill	Ueland
Brown	Hughes	Lewis	Patton	Wegener
Chenoweth	Humphrey	Lord	Perpich, A. J.	Willet
Chmielewski	Jensen	McCutcheon	Perpich, G.	
Coleman	Josefson	Milton	Pillsbury	
Conzemius	Keefe, J.	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1712: A bill for an act relating to water resources in Chicago and Pine counties.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Olhoff	Schrom
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Mel	Krieger	O'Neill	Stassen
Brown	Hanson, R.	Larson	Patton	Thorup
Chenoweth	Hughes	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Lewis	Perpich, G.	Wegener
Coleman	Jensen	Lord	Pillsbury	Willet
Davies	Keefe, J.	McCutcheon	Purfeerst	

Those who voted in the negative were:

Bang	Hansen, Baldy	Moe	Olson, J. L.	Tennessee
Borden	Josefson	North		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1364: A bill for an act relating to the Dover, Eyota and St. Charles sanitary district; permitting the advance of moneys in the general fund of the state treasury to the sanitary sewer board for said district; providing for repayment thereof; and appropriating money therefor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schaaf
Arnold	Doty	Keefe, S.	Novak	Schrom
Ashbach	Dunn	Kirchner	Olhoff	Solon
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Berg	Frederick	Knutson	Olson, H. D.	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Tennessen
Blatz	Hansen, Baldy	Krieger	O'Neill	Thorup
Borden	Hansen, Mel	Larson	Patton	Wegener
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Willet
Chenoweth	Hughes	Lewis	Perpich, G.	
Chmielewski	Humphrey	Lord	Pillsbury	
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Renneke	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 938: A bill for an act relating to zoning; providing notice and procedures for amending ordinances in cities of the first class; amending Minnesota Statutes 1971, Section 462.357, Subdivisions 3 and 5.

Mr. Tennessen moved to amend S. F. No. 938, as follows:

Page 1, line 20, strike "500" and insert "350"

Page 2, line 14, strike "of" and insert "preceding"

Which motion prevailed. So the amendment was adopted.

S. F. No. 938 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Ogdahl	Schrom
Bang	Gearty	Kowalczyk	Olhoff	Solon
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Tennessen
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet
Davies	Keefe, J.	Moe	Pillsbury	
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1825: A bill for an act relating to the Minnesota historical society; appropriating money for repairs to the Ness Memorial Cemetery Association.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoff	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Coleman	Jensen	McCutcheon	Perpich, G.	Willet
Conzemius	Josefson	Milton	Pillsbury	
Davies	Keefe, J.	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1949: A bill for an act relating to Ramsey county; authorization of the county to appropriate and expend moneys in the improvements of lakes and acquiring land in the vicinity of such lakes for recreational grounds; repealing annual expenditure limitation; amending Laws 1927, Chapter 209, Section 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Moe	Renneke
Arnold	Doty	Keefe, S.	Nelson	Schaaf
Ashbach	Dunn	Kirchner	North	Schrom
Bang	Fitzsimons	Kleinbaum	Novak	Solon
Berg	Frederick	Knutson	Olhoff	Spear
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Larson	Olson, J. L.	Thorup
Brown	Hanson, R.	Laufenburger	O'Neill	Ueland
Chenoweth	Hughes	Lewis	Patton	Wegener
Chmielewski	Humphrey	Lord	Perpich, A. J.	Willet
Coleman	Jensen	McCutcheon	Perpich, G.	
Conzemius	Josefson	Milton	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2275: A bill for an act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Subdivision 3.

Mr. Schaaf moved to amend S. F. No. 2275, as follows:

Page 4, line 1, strike "The"

Page 4, strike all of lines 2, 3, 4

Page 4, line 5, strike everything before "For"

Page 6, line 13, strike "50"

Page 6, strike line 14

Page 6, line 15, strike everything before "Provided" and insert: *"A lump sum in the amount of 50 percent of the basic service pension times 12, times the number of years of service."*

Which motion prevailed. So the amendment was adopted.

S. F. No. 2275 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Novak	Renneke
Ashbach	Fitzsimons	Knutson	Ogdahl	Schaaf
Bang	Frederick	Kowalczyk	Olhoft	Solon
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Blatz	Hanson, R.	Lewis	Olson, J. L.	Tennessee
Brown	Hughes	Lord	O'Neill	Thorup
Chenoweth	Humphrey	McCutcheon	Patton	Ueland
Chmielewski	Jensen	Milton	Perpich, A. J.	Wegener
Coleman	Josefson	Moe	Perpich, G.	Willet
Davies	Keefe, J.	Nelson	Pillsbury	
Doty	Keefe, S.	North	Purfeerst	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2058: A bill for an act relating to Independent School District No. 1; restoring employees salary and retirement benefits with held under law.

Mr. Spear moved to amend S. F. No. 2058, the printed bill, as follows:

Page 1, line 7, strike "Independent" and insert "Special"

Page 1, line 11, strike "Independent" and insert "Special"

Page 1, line 16, strike "Independent" and insert "Special"

Page 1, line 23, strike "Independent" and insert "Special"

Further amend the title as follows:

Page 1, line 2, strike "Independent" and insert "Special"

Which motion prevailed. So the amendment was adopted.

S. F. No. 2058 was then progressed as amended.

SPECIAL ORDER

S. F. No. 1994: A bill for an act relating to certain buildings and facilities; providing that plans and specifications for construction or remodeling of certain buildings and facilities provide for accessibility and usability for physically handicapped and aged persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivisions 2, 4 and 5; 471.466; 471.467, Subdivision 3; and 471.468.

Mr. Willet moved to amend S. F. No. 1994 as follows:

Strike everything after the enacting clause and insert:

"Section 1. The provisions of Minnesota Statutes, Sections 471.465 to 471.469 shall not apply to Independent School District No. 306 between the effective date of this act and December 31, 1976.

Sec. 2. This act is effective upon its approval by the governing body of Independent School District No. 306 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 Independent School District No. 306; exempting the district from certain building requirements."

Which motion prevailed. So the amendment was adopted.

S. F. No. 1994: A bill for an act relating to Independent School District No. 306; exempting the district from certain building requirements.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Schrom
Bang	Frederick	Kowalczyk	Olson, A. G.	Solon
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Thorup
Blatz	Hanson, R.	Laufenburger	O'Neill	Ueland
Borden	Hughes	Lewis	Patton	Wegener
Brown	Humphrey	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Jensen	Milton	Perpich, G.	
Coleman	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Purfeerst	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1854: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

Mr. O'Neill moved to amend H. F. No. 1854, the typewritten bill, as amended under Rule 49 and adopted by the Senate May 7, 1973, as follows:

Page 1, line 25, reinstate the stricken words " , all of whom"

Page 1, line 28, strike the comma

Which motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend H. F. No. 1854, the typewritten bill, as amended under Rule 49 and adopted by the Senate May 7, 1973, as follows:

Page 2, line 4, after "49" and before the comma insert "*and 46 considered for purposes of this act as one district*"

Page 3, line 3, after "49" insert "*and 46 combined*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1854 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Renneke
Arnold	Dunn	Kirchner	Ogdahl	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Olhof	Schrom
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Stassen
Brown	Hanson, R.	Larson	O'Neill	Tennessee
Chenoweth	Hughes	Laufenburger	Patton	Thorup
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Ueland
Coleman	Jensen	Lord	Perpich, G.	Wegener
Conzemius	Josefson	Nelson	Pillsbury	Willet
Davies	Keefe, J.	North	Purfeerst	

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. Which motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Chenoweth was excused from the Session of this evening.

CALL OF THE SENATE

Mr. Tennesen imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Krieger	North	Renneke
Ashbach	Fitzsimons	Larson	Novak	Schrom
Berg	Hansen, Mel	Laufenburger	Olhoff	Spear
Bernhagen	Hanson, R.	Lewis	Olson, A. G.	Tennesen
Borden	Hughes	Lord	Olson, J. L.	Ueland
Chmielewski	Humphrey	McCutcheon	Patton	Willet
Conzemius	Kirchner	Milton	Perpich, G.	
Davies	Knutson	Moe	Pillsbury	
Doty	Kowalczyk	Nelson	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended as to revert to Messages From the House and First Reading of House Bills remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 961, 1896, 827, 830, 1065, 1635, and 1659.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 8, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1673.

H. F. No. 1673: A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding a subdivision; 353.31, Subdivisions 1 and 8; 353.32,

Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3, and by adding a subdivision; 353.656, Subdivisions 1, 3 and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 3, 4, 5, 6, 7, and 10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Parish, Quirin, Moe, Larson and Patton have been appointed as such committee on the part of the House.

House File No. 1673 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 8, 1973

Mr. Davies moved that H. F. No. 1673 be laid on the table. Which motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 961: A bill for an act relating to professions and occupations regulated by the state; providing lay membership on professional and occupational boards; amending Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 147.01; 148.03; 148.52; 148.67; 148.68; 148.79; 150A.02, Subdivision 1; 151.02; 151.03; 151.04; 153.02; 154.22; 155.05; 156.01, Subdivisions 1 and 2; 326.04; 326.05; 326.17; 326.241; 326.541; 386.63, Subdivision 1; and 481.01.

H. F. No. 1896: A bill for an act relating to telephone companies; costs to be charged to telephone companies for investigative procedures initiated by the department of public service; amending Minnesota Statutes 1971, Section 237.29, Subdivision 1; and repealing Minnesota Statutes 1971, Section 237.32.

H. F. No. 827: A bill for an act relating to retirement; directing a study of private pension funds; appropriating money.

H. F. No. 830: A bill for an act relating to education; authorizing establishment of a higher education consortium to serve Rochester, Minnesota, and its surrounding area; appropriating money.

H. F. No. 1065: A bill for an act relating to probate; regulating

the availability of summary proceedings; amending Minnesota Statutes 1971, Section 525.51, Subdivision 5.

H. F. No. 1635: A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

H. F. No. 1659: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

Which were read the first time and referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 225 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT

Mr. Anderson moved that the Conference Committee Report on H. F. No. 225 be now adopted. Which motion prevailed.

So the recommendations and Conference Committee Report were adopted.

H. F. No. 225: A bill for an act relating to municipalities; powers; providing for severance pay to employees; amending Minnesota Statutes 1971, Chapter 465, by adding a section.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report.

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Mce	Purfeerst
Arnold	Doty	Kleinbaum	Nelson	Renneke
Ashbach	Dunn	Knutson	North	Schrom
Bang	Fitzsimons	Kowalczyk	Novak	Spear
Berg	Gearty	Krieger	Olhoft	Stokowski
Bernhagen	Hansen, Mel	Larson	Olson, A. G.	Tennezen
Blatz	Hanson, R.	Lewis	Olson, J. L.	Thorup
Borden	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Conzemius	Keefe, S.	Milton	Pillsbury	

So the bill, as amended by the Conference Committee Report, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that S. F. No. 342 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 342

A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

May 2, 1973

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. 342, 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 168.011, Subdivision 13, is amended to read:

Subd. 13. [TRAILER.] “Trailer” means any vehicle designed for carrying property or passenger on its own structure and for being drawn by a motor vehicle *but shall not include a trailer drawn by a truck-tractor semitrailer combination.*

Sec. 2. Minnesota Statutes 1971, Section 168.011, Subdivision 14, is amended to read:

Subd. 14. [SEMI-TRAILER.] “Semi-trailer” means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor *and shall include a trailer drawn by a truck-tractor semitrailer combination.*

Sec. 3. Minnesota Statutes 1971, Section 168.011, Subdivision 16, is amended to read:

Subd. 16. [GROSS WEIGHT.] “Gross weight” means the actual unloaded weight of the vehicle, either a truck or tractor, or the actual unloaded combined weight of a truck-tractor and semitrailer, *or of the truck-tractor, semitrailer and one additional semitrailer, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles.* The term gross weight applied to a truck occasionally used for towing a trailer means the unloaded weight of the truck, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such truck, but not including the weight of

such part of the trailer and its load as may rest upon the truck. The term gross weight applied to school buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of the passengers and their baggage computed at the rate of 100 pounds per passenger seating capacity, including that for the driver. The term gross weight applied to other buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of passengers and their baggage computed at the rate of 150 pounds per passenger seating capacity, including that for the driver. For bus seats designed for more than one passenger, but which are not divided so as to allot individual seats for the passengers that occupy them, allow two feet of its length per passenger to determine seating capacity. The term gross weight applied to a truck-tractor used exclusively by the owner thereof for towing an equipment dolly shall be the actual weight of the truck-tractor alone, and the equipment dolly shall be separately licensed and taxed as a trailer, as provided in section 168.013, subdivision 1, paragraph 7. The term "equipment dolly" as used in this subdivision means a heavy semi-trailer used solely by the owner thereof to transport his construction machinery, equipment, implements and other objects used on a construction project, but not to be incorporated in or to become a part of a completed project. The term gross weight applied to a truck-tractor or a truck used as a truck-tractor transporting unfinished forest products or used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner, as described in section 168.011, subdivision 17, shall be the unloaded weight of the truck-tractor or converted truck plus the weight of the maximum load which the applicant has elected to carry on the truck, but in no case shall this be less than 21,000 pounds, whether hauling a semitrailer or not, and the semitrailer used for such hauling in conjunction with such truck-tractor or converted truck shall be registered and taxed separately as provided by section 168.013, subdivision 1, paragraph 7.

Sec. 4. Minnesota Statutes 1971, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMI-TRAILERS AND TRAILERS.] (a) No combination of vehicles coupled together unladen or with load, including truck trailers and semitrailers, shall ~~consist of more than two units and no such combination of vehicles shall exceed a total length of 55 feet,~~ provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to ~~(1)~~ vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon

the extreme ends of any projecting load to clearly mark the dimensions of such load; (2) house trailers or mobile homes when coupled with a motor vehicle but such combinations shall not exceed 56 feet in length. Provided further that two vehicles in transit by the drive away method in saddle. Mount combinations may be drawn but such combinations may not exceed 55 feet in length. The state, as to state trunk highways, and any city, village, borough or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries.

(b) No single semitrailer or trailer shall have an overall length, inclusive of rear bumper, in excess of 40 feet, provided any semitrailer or trailer especially constructed and used to transport livestock or any unenclosed semitrailer or trailer especially constructed and used to transport boats or motor vehicles may exceed the length limitation set forth in this paragraph by not more than five feet. Any single semitrailer or trailer registered in this state which exceeded the length limitations set forth in this paragraph as of April 1, 1967, shall be entitled to a permit authorizing its operation within this state provided application therefor is made within 120 days from April 22, 1967. The state, as to state trunk highways, and any city, village, borough, or town, as to roads or streets located therein may issue such permits for highways, roads or streets within their jurisdictions.

Sec. 5. Minnesota Statutes 1971, Chapter 169, is amended by adding a section to read:

[169.861.] [PERMITS FOR CERTAIN COMBINATIONS.]
Subdivision 1. [APPLICATION.] The commissioner shall issue an annual permit to enable a combination of vehicles between 55 and 65 feet in length to operate on the public highways. The permit shall entitle the combination of vehicles to operate only on divided highways having four or more lanes of travel, and on such other highways as may be designated by the commissioner of highways subject to Minnesota Statutes, Section 169.87, Subdivision 1, and subject to the approval of the authority having jurisdiction over such highway, for the purpose of providing access between such divided highways of four or more lanes of travel and truck terminals and marshalling yards or for the purpose of providing continuity of route. All vehicles operated under the provisions of this section shall conform to the standards for such vehicles as prescribed by the United States Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, and as may be amended.

Subd. 2. [DISPLAY.] The permit issued under this section shall be displayed on the left side of the truck-tractor of the combination of vehicles, in the immediate vicinity of the painted, printed, stenciled, or decalcomanic, numbering showing the gross registered weight of the combination of vehicles.

Subd. 3. [FEES.] The commissioner is authorized to charge a fee of \$75 for an annual permit for each combination exceeding

55 but not more than 60 feet in length; and \$200 for each combination exceeding 60 but not more than 65 feet in length. All such fees for permits issued by the commissioner shall be deposited in the state treasury and credited to the highway user tax distribution fund. This fee may be prorated in the same manner as registration fees are prorated pursuant to section 168.187 and for those vehicles not covered by section 168.187, a trip fee of \$10 for combinations exceeding 55 but not more than 60 feet in length and \$20 for combinations exceeding 60 but not more than 65 feet in length.

Sec. 6. *This act is effective July 1, 1973.*"

Further amend by striking the title in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, Subdivision 3; and Chapter 169, by adding a section."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (signed) Harold G. Krieger, Clarence M. Purfeerst and Sam G. Solon.

House Conferees: (signed) Jack H. LaVoy, Bernard O. Carlson and Verne E. Long.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Lewis moved that S. F. No. 118 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 118

A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

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. 118, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendments to S. F. No. 118 and that the bill be further amended as follows:

Page 1, line 12, after "services" and before "purchased" insert "by a seller who regularly engages in transactions of the same kind,"

Page 2, line 25, strike the period and insert "; or (e) a sale of insurance, securities, or real property; or a sale by public auction."

Page 3, strike line 11 and insert "the home solicitation sale occurs."

Page 3, line 23, strike "is arranged" and insert "occurs"

Page 5, line 32, after "2." and before "Until" insert "In lieu of the notice of cancellation required by subdivision 1, the seller may provide a notice which conforms to applicable federal law or regulation so long as it provides the information required by subdivision 1."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) B. Robert Lewis, Winston Borden and Otto Bang.

House Conferees: (Signed) Michael Sieben, Stephen Wenzel and Neil Wohlwend.

SUSPENSION OF RULES

Mr. Conzemius moved that the rules of the Senate be so far suspended that the following bills be designated as Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 1001, 1718, 1217, 1772 and 1053. S. F. Nos. 1351, 2221, 737, 948, 1120, 2232, 1655, 871, 2230, 2233, 1160, and 900.

SPECIAL ORDER

H. F. No. 1001: A bill for an act relating to the environment; establishing a state environmental policy and a program for the systematic review of environmental effects of various projects and actions; requiring an annual environmental report; and amending Minnesota Statutes 1971, Sections 4.12, Subdivision 2; 40.02; 104.01, Subdivision 3; 115.03, Subdivision 1; 116.07, Subdivision 2.

Mr. Dunn moved that the amendment made to H. F. No. 1001 by the Committee on Rules and Administration in the report adopted May 7, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

Mr. Dunn then moved to amend H. F. No. 1001, the printed bill, as follows:

Page 4, line 3, strike "governor" and insert in lieu thereof "*Minnesota environmental quality council*"

Page 4, strike line 8

Page 4, line 9, strike "section."

Page 4, line 9, strike "*governor*" and insert in lieu thereof "*council*"

Page 4, line 30, strike "*governor*" and insert in lieu thereof "*council*"

Page 4, line 32, strike "*governor*" and insert in lieu thereof "*council*"

Page 4, line 33, strike "*governor*" and insert in lieu thereof "*council*"

Page 5, line 5, strike "*governor*" and insert in lieu thereof "*council*"

Page 5, line 32, strike "*governor*" and insert in lieu thereof "*council*"

Page 6, line 1, strike "*governor*" and insert in lieu thereof "*council*"

Page 6, line 2, strike "*governor*" and insert in lieu thereof "*council*"

Page 6, line 6, strike "*governor*" and insert in lieu thereof "*council*"

Page 6, line 7, strike "*governor*" and insert in lieu thereof "*council*"

Page 6, line 8, strike "*he*" and insert in lieu thereof "*it*"

Which motion prevailed. So the amendment was adopted.

Mr. Dunn then moved to amend H. F. No. 1001, the typewritten bill, as follows:

Page 1, line 30, delete the semicolon and insert in lieu thereof a comma

Page 4, line 5, delete "*and*"

Page 4, line 12, after the semicolon, insert "*and*"

Page 5, line 15, delete "*recommend*" and insert in lieu thereof "*recommended*"

Page 9, line 21, after "*water,*" insert "*land*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1001 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Spear
Arnold	Frederick	Kowalczyk	Olson, H. D.	Stassen
Ashbach	Gearty	Krieger	Olson, J. L.	Stokowski
Bang	Hansen, Baldy	Larson	O'Neill	Tennessee
Berg	Hansen, Mel	Lewis	Patton	Thorup
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Ueland
Blatz	Hughes	McCutcheon	Perpich, G.	Wegener
Borden	Humphrey	Moe	Pillsbury	Willet
Chmielewski	Jensen	Nelson	Purfeerst	
Conzemius	Josefson	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	
Doty	Kirchner	Ogdahl	Schrom	
Dunn	Kleinbaum	Olhoft	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1718: A bill for an act relating to public water and sewer systems, improvements, and extensions established by counties and district courts; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 116A.02, Subdivision 1; 116A.09; 116A.12, Subdivisions 2 and 3a, and by adding subdivisions; 116A.15, Subdivisions 1 and 2; 116A.16; 116A.17, Subdivisions 1, 2, and 4; 116A.18, Subdivision 1; 116A.19, Subdivision 2; 116A.20, Subdivisions 1, 2, and 5; 116A.21; 116A.22; 116A.24, Subdivision 1, and by adding subdivisions; and 273.111, Subdivision 14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Purfeerst
Arnold	Dunn	Kirchner	Novak	Renneke
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schaaf
Bang	Gearty	Knutson	Olhoft	Spear
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Larson	Olson, J. L.	Tennessee
Borden	Hughes	Lord	O'Neill	Thorup
Chmielewski	Humphrey	McCutcheon	Patton	Ueland
Coleman	Jensen	Milton	Perpich, A. J.	Wegener
Conzemius	Josefson	Moe	Perpich, G.	Willet
Davies	Keefe, J.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1351: A bill for an act relating to the duty of a landowner to warn of dangers; amending Minnesota Statutes 1971, Section 87.022.

Mr. Krieger moved to amend S. F. No. 1351, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Chapter 87, is amended by adding a section to read:

[87.022] [OWNER'S DUTY OF CARE OR DUTY TO GIVE WARNINGS.] *Except as specifically recognized by or provided in section 87.025, an owner of land (a) owes no duty of care to render or maintain his land safe for entry or use by other persons with a motorized recreational vehicle for recreational purposes, (b) owes no duty to warn those persons of any dangerous condition on the land, whether patent or latent, (c) owes no duty of care toward those persons except to refrain from willfully taking action to cause injury, and (d) owes no duty to curtail his use of his land during its use for recreational purposes.*

Sec. 2. *This act is in effect the day following its final enactment.*”

Further, amend the title, line 4, after “1971,” strike “Section 87.022” and insert in lieu thereof “Chapter 87, by adding a section”.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kleinbaum	Novak	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Solon
Berg	Frederick	Kowalczyk	Olhoff	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Brown	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	McCutcheon	Patton	Ueland
Coleman	Humphrey	Milton	Perpich, A. J.	Wegener
Conzemius	Jensen	Moe	Perpich, G.	Willet
Davies	Keefe, S.	Nelson	Pillsbury	
Doty	Kirchner	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

Mr. Krieger moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Moe	Pillsbury
Arnold	Doty	Kirchner	North	Purfeerst
Ashbach	Dunn	Kleinbaum	Novak	Renneke
Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoff	Solon
Bernhagen	Gearty	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Brown	Hanson, R.	Lewis	O'Neill	Ueland
Chmielewski	Hughes	Lord	Patton	Wegener
Coleman	Jensen	McCutcheon	Perpich, A. J.	Willet
Conzemius	Josefson	Milton	Perpich, G.	

Messrs. Humphrey; Keefe, J.; Nelson; Stokowski and Thorup voted in the negative.

Which motion prevailed. So the amendment was adopted.

S. F. No. 1351: A bill for an act relating to the duty of a landowner to warn of dangers; amending Minnesota Statutes 1971, Chapter 87, by adding a section.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 51 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Renneke
Arnold	Dunn	Kleinbaum	Olhoff	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Larson	O'Neill	Wegener
Blatz	Hansen, Mel	Laufenburger	Patton	Willet
Brown	Hanson, R.	Lewis	Perpich, A. J.	
Chmielewski	Hughes	McCutcheon	Perpich, G.	
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Josefson	Novak	Purfeerst	

Those who voted in the negative were:

Borden	Keefe, J.	Milton	Spear	Thorup
Davies	Keefe, S.	Nelson	Stokowski	
Humphrey	Lord	North	Tennessee	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2221: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Afton state park.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Nelson	Pillsbury
Arnold	Dunn	Kirchner	North	Purfeerst
Ashbach	Fitzsimons	Kleinbaum	Novak	Renneke
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Krieger	Olhoff	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, H. D.	Tennessee
Brown	Hanson, R.	Lewis	Olson, J. L.	Thorup
Chmielewski	Hughes	Lord	O'Neill	Ueland
Coleman	Humphrey	McCutcheon	Patton	Wegener
Conzemius	Jensen	Milton	Perpich, A. J.	Willet
Davies	Josefson	Moe	Perpich, G.	

Messrs. Schrom and Stokowski voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 737: A bill for an act relating to water and related land resources planning; imposing certain duties in relation thereto on the governor, the Minnesota resources commission, the commissioner of natural resources, counties, municipalities, regional development commissions, the metropolitan council, the state planning agency, sanitary districts, watershed districts, lake conservation districts and soil and water conservation districts; setting the terms for state participation in state-federal river basin commissions; providing for the development of state, regional, and local water and related land resources plans; appropriating money; amending Minnesota Statutes 1971, Sections 105.485, Subdivision 3, and by adding a subdivision; 112.48, Subdivisions 1 and 3; and 394.25, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schaaf
Ashbach	Fitzsimons	Kirchner	North	Solon
Bang	Frederick	Kleinbaum	Othoft	Spear
Berg	Hansen, Baldy	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Krieger	Olson, J. L.	Tennessee
Brown	Hughes	Larson	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Conzemius	Jensen	McCutcheon	Perpich, G.	Wegener
Davies	Josefson	Milton	Pillsbury	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 948: A bill for an act relating to health; requiring the reporting of injuries incurred as a result of physical abuse to persons being cared for in hospitals, nursing homes or related institutions; providing a penalty; amending Minnesota Statutes 1971, Chapter 626, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Hansen, Mel	Keefe, S.	Lord
Bang	Doty	Hanson, R.	Kirchner	McCutcheon
Berg	Dunn	Hughes	Kleinbaum	Milton
Bernhagen	Fitzsimons	Humphrey	Knutson	Moe
Borden	Frederick	Jensen	Krieger	Nelson
Chmielewski	Gearty	Josefson	Larson	North
Conzemius	Hansen, Baldy	Keefe, J.	Lewis	Olhft

Olson, A. G.	Perpich, G.	Schrom	Stokowski	Wegener
Olson, J. L.	Pillsbury	Solon	Tennessee	Willet
O'Neill	Renneke	Spear	Thorup	
Patton	Schaaf	Stassen	Ueland	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state services; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Moe	Renneke
Ashbach	Fitzsimons	Kirchner	Nelson	Schaaf
Bang	Frederick	Kleinbaum	North	Solon
Berg	Hansen, Baldy	Knutson	Novak	Spear
Bernhagen	Hansen, Mel	Kowalczyk	Olhoft	Stassen
Blatz	Hanson, R.	Larson	Olson, H. D.	Stokowski
Borden	Hughes	Laufenburger	Olson, J. L.	Tennessee
Brown	Humphrey	Lewis	O'Neill	Thorup
Chmielewski	Jensen	Lord	Patton	Ueland
Conzemius	Josefson	McCutcheon	Perpich, G.	Wegener
Doty	Keefe, J.	Milton	Pillsbury	Willet

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1217: A bill for an act relating to state employees; prohibiting the receipt of gratuities or other advantages by state employees or their families because of state business; providing a penalty; repealing Minnesota Statutes 1971, Sections 16.11, 241.12 and 246.20

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Schaaf
Ashbach	Frederick	Kirchner	Novak	Schrom
Bang	Gearty	Kleinbaum	Olhoft	Solon
Berg	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Brown	Hughes	Lewis	O'Neill	Tennessee
Chmielewski	Humphrey	Lord	Patton	Thorup
Conzemius	Jensen	Milton	Perpich, G.	Ueland
Doty	Josefson	Moe	Pillsbury	Wegener
Dunn	Keefe, J.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2232: A bill for an act relating to state employees; deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, Subdivision 8.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Nelson	Schaaf
Ashbach	Frederick	Kleinbaum	North	Schrom
Bang	Gearty	Knutson	Novak	Spear
Berg	Hansen, Baldy	Larson	Olhoff	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, H. D.	Stokowski
Brown	Hansen, R.	Lewis	Olson, J. L.	Tennessee
Chmielewski	Hughes	Lord	O'Neill	Thorup
Conzemius	Humphrey	McCutcheon	Patton	Ueland
Doty	Josefson	Milton	Pillsbury	Wegener
Dunn	Keefe, S.	Moe	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1655: A bill for an act relating to highway traffic regulations; prescribing weight limitations of a compactor collection vehicle transporting solid waste; amending Minnesota Statutes 1971, Section 169.831.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, J.	Moe	Schaaf
Ashbach	Frederick	Keefe, S.	Nelson	Schrom
Berg	Gearty	Kleinbaum	North	Stassen
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Larson	Olson, J. L.	Thorup
Brown	Hansen, R.	Laufenburger	O'Neill	Ueland
Chmielewski	Hughes	Lord	Patton	Wegener
Conzemius	Humphrey	McCutcheon	Pillsbury	Willet
Dunn	Jensen	Milton	Renneke	

Those who voted in the negative were:

Bang	Josefson	Lewis	Spear	Tennessee
Doty	Kirchner	Olhoff		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 871: A bill for an act relating to the state building code;

directing certain amendments concerning lighting and heat loss; amending Minnesota Statutes 1971, Section 16.86, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	North	Schaaf
Arnold	Frederick	Knutson	Novak	Spear
Ashbach	Gearty	Kowalczyk	Olhoft	Stassen
Bang	Hansen, Mel	Krieger	Olson, A. G.	Stokowski
Berg	Hanson, R.	Larson	Olson, H. D.	Tennessen
Bernhagen	Hughes	Laufenburger	Olson, J. L.	Thorup
Blatz	Humphrey	Lewis	O'Neill	Ueland
Brown	Jensen	Lord	Patton	Wegener
Chmielewski	Josefson	McCutcheon	Perpich, A. J.	Willet
Conzemius	Keefe, J.	Milton	Perpich, G.	
Doty	Keefe, S.	Moe	Pillsbury	
Dunn	Kirchner	Nelson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 13, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Novak	Spear
Ashbach	Fitzsimons	Kirchner	Olhoft	Stokowski
Bang	Frederick	Kleinbaum	Olson, A. G.	Tennessen
Blatz	Gearty	Larson	Olson, J. L.	Thorup
Borden	Hansen, Baldy	Lewis	O'Neill	Wegener
Brown	Hansen, Mel	Lord	Perpich, A. J.	Willet
Chmielewski	Hanson, R.	Milton	Perpich, G.	
Coleman	Hughes	Moe	Pillsbury	
Davies	Humphrey	Nelson	Schaaf	
Doty	Keefe, J.	North	Schrom	

Those who voted in the negative were:

Anderson	Jensen	Kowalczyk	Patton	Ueland
Berg	Josefson	McCutcheon	Renneke	
Bernhagen	Knutson	Olson, H. D.	Stassen	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2230: A bill for an act relating to the application of the state mobile homes building code; amending Minnesota Statutes 1971, Section 327.31, Subdivision 6.

Mr. Schaaf moved to amend S. F. No. 2230 as follows:

Page 1, line 12, after "be" insert "*a relocatable structure or structures*"

Page 1, line 13, strike "*purpose*" and insert "*occupancy*"

Page 1, line 14, strike "*travel trailers*" and insert "*motor vehicles as defined in Minnesota Statutes 1971, Section 169.01, Subdivision 3. or recreational camping vehicles*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 2230 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schaaf
Ashbach	Dunn	Kirchner	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoff	Stassen
Berg	Gearty	Knutson	Olson, A. G.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Larson	Olson, J. L.	Thorup
Brown	Hanson, R.	Lewis	O'Neill	Ueland
Chmielewski	Hughes	McCutcheon	Patton	Wegener
Coleman	Humphrey	Milton	Perpich, G.	Willet
Conzemius	Jensen	Moe	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2233: A bill for an act relating to tax-forfeited lands; imposing limitations on the sale of tax-forfeited land which borders on or is adjacent to certain waters, and on the timber growing on such land; amending Minnesota Statutes 1971, Chapter 282, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schaaf
Ashbach	Dunn	Kirchner	Novak	Schrom
Bang	Gearty	Kleinbaum	Olhoff	Stassen
Berg	Hansen, Baldy	Knutson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Mel	Kowalczyk	Olson, H. D.	Tennessee
Blatz	Hanson, R.	Larson	Olson, J. L.	Thorup
Borden	Hughes	Lewis	O'Neill	Ueland
Brown	Humphrey	Lord	Patton	Wegener
Chmielewski	Jensen	McCutcheon	Perpich, G.	Willet
Coleman	Josefson	Milton	Pillsbury	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1160: A bill for an act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money.

Mr. Novak moved to amend S. F. No. 1160, as follows:

Page 2, strike lines 21, 22 and 23

Which motion prevailed. So the amendment was adopted.

Mr. Moe moved to amend S. F. No. 1160 as follows:

Page 3, line 11, strike "shall" and insert "may"

Page 3, line 14, strike "environmental programs, regulations, permits,"

Page 3, line 15, strike "and procedures" and insert "programs, regulations, permits and procedures significantly affecting the environment,"

Page 3, line 20, strike "indicating approval or"

Page 3, line 21, strike "disapproval of" and insert "with comments on"

Page 3, line 22, after "agencies" insert a period and strike the balance of the line

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 1160, as follows:

Page 3, line 20, after "legislature" insert "on or before December 31 of each year"

Page 6, line 27, after "recommendations" insert "within 60 days"

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend S. F. No. 1160, as follows:

Page 4, line 6, after "governor" insert "at his request"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 46, as follows:

Those who voted in the affirmative were:

Brown	Jensen	Nelson	Patton	Stassen
Frederick	Josefson	O'Neill	Renneke	Ueland
Hanson, R.	Keefe, J.			

Those who voted in the negative were:

Anderson	Conzemius	Kirchner	North	Spear
Arnold	Davies	Kleinbaum	Novak	Stokowski
Ashbach	Doty	Knutson	Olhoff	Tennessen
Berg	Dunn	Kowalczyk	Olson, A. G.	Thorup
Bernhagen	Gearty	Larson	Olson, H. D.	Wegener
Blatz	Hansen, Baldy	Lewis	Olson, J. L.	Willet
Borden	Hansen, Mel	Lord	Perpich, A. J.	
Chenoweth	Hughes	McCutcheon	Perpich, G.	
Chmielewski	Humphrey	Milton	Schaaf	
Coleman	Keefe, S.	Moe	Schraaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend S. F. No. 1160, as follows:

Page 2, line 25, after "problems" insert "require more than a single agency to implement and are"

Page 3, line 9, after "those" insert "requiring more than a single agency to implement and which"

Page 6, line 7, before the period insert "and of interdepartmental concern"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 11 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Josefson	Nelson	Patton	Stassen
Brown	Kowalczyk	O'Neill	Renneke	Ueland
Dunn				

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olhoff	Stokowski
Arnold	Fitzsimons	Knutson	Olson, A. G.	Tennessen
Berg	Gearty	Larson	Olson, H. D.	Thorup
Bernhagen	Hansen, Baldy	Lewis	Olson, J. L.	Wegener
Borden	Hansen, Mel	Lord	Perpich, A. J.	Willet
Chmielewski	Hughes	Milton	Perpich, G.	
Coleman	Humphrey	Moe	Pillsbury	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kirchner	Novak	Schrom	

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 1160 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hansen, Mel	Keefe, J.
Arnold	Brown	Dunn	Hanson, R.	Keefe, S.
Ashbach	Chenoweth	Fitzsimons	Hughes	Kirchner
Bang	Chmielewski	Frederick	Humphrey	Kleinbaum
Berg	Coleman	Gearty	Jensen	Knutson
Bernhagen	Conzemius	Hansen, Baldy	Josefson	Larson

Lewis	Novak	O'Neill	Renneke	Thorup
Lord	Ogdahl	Patton	Schaaf	Ueland
McCutcheon	Olhoff	Perpich, A. J.	Spear	Wegener
Milton	Olson, A. G.	Perpich, G.	Stassen	Willet
Moe	Olson, H. D.	Pillsbury	Stokowski	
North	Olson, J. L.	Purfeerst	Tennessee	

Mr. Nelson voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 900: A bill for an act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over sewage disposal systems and sanitary districts; providing for certain tax levies and bond issues; providing penalties; amending Minnesota Statutes 1971, Sections 115.01, Subdivisions 1, 2, 5, and by adding subdivisions; 115.03, Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivisions 3, 4, and 6; 115.18, Subdivisions 3 and 9; 115.19; 115.20, Subdivisions 1, 3, 4, 5, 6, 7, and 9; 115.21, Subdivisions 1 to 4; 115.23, Subdivisions 1, 3, and 8; 115.24, by adding a subdivision; 115.25, Subdivisions 1 and 6; 115.28; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.075, Subdivision 2; 116.08, by adding a subdivision; 414.01, Subdivision 1; and Chapter 414, by adding a section; repealing Minnesota Statutes 1971, Sections 115.07, Subdivision 2; 115.18, Subdivision 10; 115.20, Subdivision 2; 115.33, Subdivisions 1, 3 and 4; 115.34; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.61; 115.62; 115.63; 115.64; 115.65; 115.66; and 115.67.

Mr. Nelson moved to amend S. F. No. 900, as follows:

Page 19, line 4, after "to" insert "vegetation,"

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson then moved to amend S. F. No. 900, as follows:

Page 17, after line 11, insert:

"As a defense to any of said criminal penalties, the defendant may prove that the violation was caused solely by (1) an act of God, (2) an act of war, (3) negligence on the part of the state of Minnesota, or (4) an act or failure to act which constitutes sabotage or vandalism, or any combination of the foregoing clauses."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 10 and nays 39, as follows:

Those who voted in the affirmative were:

Frederick	Jensen	Keefe, J.	O'Neill	Renneke
Hanson, R.	Josefson	Nelson	Patton	Ueland

Those who voted in the negative were:

Anderson	Borden	Conzemius	Hansen, Baldy	Kirchner
Arnold	Chenoweth	Davies	Hughes	Kleinbaum
Berg	Chmielewski	Dunn	Humphrey	Knutson
Bernhagen	Coleman	Gearty	Keefe, S.	Larson

Lewis	North	Olson, J. L.	Schrom	Thorup
Lord	Novak	Perpich, A. J.	Spear	Wegener
Milton	Olhoff	Purfeerst	Stokowski	Willet
Moe	Olson, A. G.	Schaaf	Tennessee	

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson then moved to amend S. F. No. 900, as follows:

Page 18, line 2, after "officers," insert "*the attorney general at the request of the governor,*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 38, as follows:

Those who voted in the affirmative were:

Bernhagen	Jensen	Kowalczyk	Patton	Stassen
Borden	Keefe, J.	Nelson	Renneke	Ueland
Hansen, Mel	Kirchner			

Those who voted in the negative were:

Anderson	Gearty	Larson	Olhoff	Spear
Arnold	Hanson, R.	Lewis	Olson, H. D.	Stokowski
Berg	Hughes	Lord	Olson, J. L.	Tennessee
Chmielewski	Humphrey	McCutcheon	O'Neill	Thorup
Coleman	Josefson	Milton	Perpich, A. J.	Wegener
Conzemius	Keefe, S.	Moe	Purfeerst	Willet
Davies	Kleinbaum	North	Schaaf	
Dunn	Knutson	Novak	Schrom	

Which motion did not prevail. So the amendment was not adopted.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Spear
Ashbach	Frederick	Knutson	Olhoff	Stassen
Bang	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Berg	Hansen, Mel	Krieger	Olson, H. D.	Tennessee
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Thorup
Blatz	Hughes	Lewis	O'Neill	Ueland
Borden	Humphrey	Lord	Patton	Wegener
Brown	Jensen	McCutcheon	Perpich, A. J.	Willet
Chenoweth	Josefson	Milton	Pillsbury	
Coleman	Keefe, J.	Moe	Purfeerst	
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1053: A bill for an act relating to workmen's compensation; providing certain exemptions from liability; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Min-

nesota Statutes 1971, Sections 176.031; 176.101, Subdivisions 1, 2 and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

Mr. Thorup moved to amend H. F. No. 1053, the printed bill, as follows:

Page 6, after line 1, insert:

“Sec. 4. Minnesota Statutes 1971, Section 176.101, Subdivision 4, is amended to read:

Subd. 4. [PERMANENT TOTAL DISABILITY.] For permanent total disability, as defined in subdivision 5, the compensation shall be 66 $\frac{2}{3}$ percent of the daily wage at the time of the injury, subject to a maximum compensation of \$80 \$100 per week and a minimum compensation of \$17.50 per week. If the wages of the employee at the time of the injury are \$17.50 or less per week, he shall receive the full amount of his wages per week. This compensation shall be paid during the permanent total disability of the injured employee but after a total of \$25,000 of weekly compensation has been paid, the amount of the weekly compensation benefits being paid by the employer shall be reduced by the amount of any disability benefits being paid by any government disability benefit program if such disability benefits are occasioned by the same injury or injuries which give rise to payments under this subdivision. Such reduction shall also apply to any old age and survivor insurance benefits. Payments shall be made at the intervals when the wage was payable, as nearly as may be. In case an employee who is permanently and totally disabled becomes an inmate of a public institution, no compensation shall be payable during the period of his confinement in such institution, unless he has wholly dependent on him for support some person named in section 176.111, subdivisions 1, 2 or 3, in which case the compensation provided for in section 176.111, during the period of such confinement, shall be paid for the benefits of such dependent person during dependency. The dependency of such persons shall be determined as though the employee were deceased.”

Renumber the sections in sequence.

Amend the title as follows:

Fourth line of the title, after “2”, strike “and” and after “3” insert “, and 4”

Which motion prevailed. So the amendment was adopted.

H. F. No. 1053 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Moe	Purfeerst
Arnold	Davies	Keefe, S.	Nelson	Renneke
Ashbach	Dunn	Kirchner	North	Schaaf
Bang	Fitzsimons	Kleinbaum	Novak	Schrom
Berg	Frederick	Knutson	Olhoff	Spear
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Krieger	Olson, H. D.	Stokowski
Borden	Hanson, R.	Larson	Olson, J. L.	Tennessee
Brown	Hughes	Lewis	O'Neill	Thorup
Chenoweth	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Wegener
Coleman	Josefson	Milton	Pillsbury	Willet

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the reports from the Committee on Committees pertaining to H. F. No. 2437, S. F. No. 690, S. F. No. 910, S. F. No. 2417, H. F. No. 2275 and S. F. No. 1182 be taken from the table. Which motion prevailed.

Mr. Davies moved that the foregoing reports from the Committee on Committees be adopted. Which motion prevailed. Reports adopted.

Mr. Chenoweth moved that H. F. No. 1673 be taken from the table. Which motion prevailed.

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1673 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, May 9, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, May 9, 1973.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Dunn	Kirchner	Ogdahl	Spear
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Stokowski
Berg	Gearty	Kowalczyk	Olson, A. G.	Tennessee
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Thorup
Brown	Hansen, Mel	Lewis	Olson, J. L.	Ueland
Chmielewski	Hanson, R.	Lord	O'Neill	Willet
Coleman	Hughes	McCutcheon	Perpich, A. J.	
Conzemius	Humphrey	Moe	Perpich, G.	
Davies	Jensen	North	Purfeerst	
Doty	Keefe, S.	Novak	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Ashbach	Fitzsimons	Knutson	Olhoft	Spear
Bang	Frederick	Kowalczyk	Olson, A. G.	Stassen
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Borden	Hanson, R.	Lewis	Patton	Ueland
Brown	Hughes	Lord	Perpich, A. J.	Wegener
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Willet
Chmielewski	Jensen	Milton	Pillsbury	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Sillers was excused from the Session of today.

INTRODUCTION OF BILLS

Messrs. Keefe, S.; Solon and Novak introduced—

S. F. No. 2464: A bill for an act relating to education; authorizing the establishment of programs to enhance school-community interaction in high transiency areas; appropriating money.

Which was read the first time and referred to the Committee on Education.

Messrs. Keefe, S.; Kirchner and Perpich, G. introduced—

S. F. No. 2465: A bill for an act relating to child welfare; foster care and day care facilities; providing penalties for certain violations; amending Minnesota Statutes 1971, Section 257.123, Subdivision 1.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. North, Ashbach and Hughes introduced—

S. F. No. 2466: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to create a revolving tort liability fund.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Humphrey, O'Neill and Tennessen introduced—

S. F. No. 2467: A bill for an act relating to real estate; actions to quiet title, to determine adverse claims or for partition; curative act.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Stassen introduced—

S. F. No. 2468: A bill for an act appropriating money to pay for the destruction of property of patients from a fire at the Hastings State hospital.

Which was read the first time and referred to the Committee on Finance.

Messrs. Krieger, Laufenburger and Ogdahl introduced—

S. F. No. 2469: 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; appropriating money.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Spear introduced—

S. F. No. 2470: A bill for an act relating to intoxicating liquors; sales forbidden in certain places; amending Minnesota Statutes 1971, Section 340.14, Subdivision 3.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. O'Neill introduced—

S. F. No. 2471: A bill for an act relating to real property; mechanics liens; removing the acreage limitations; amending Minnesota Statutes 1971, Section 514.03.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Novak for the Committee on Finance introduced—

S. F. No. 2472: A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund appropriating moneys in connection therewith.

Which was read the first time and, under the rules of the Senate, laid over one day.

Mr. Novak for the Committee on Finance introduced—

S. F. No. 2473: A bill for an act relating to the organization and operation of state government; Providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said building, the equipping and the replacement of equipment of certain said buildings; appropriating money therefor.

Which was read the first time and, under the rules of the Senate, laid over one day.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1134: A bill for an act relating to the organization and

operation of state government; the powers and duties of the commissioner of iron range resources and rehabilitation; creation, powers and duties of advisory commission; appropriation of funds; amending Minnesota Statutes 1971, Sections 298.22 and 298.221.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 4, after line 4, add a new section 3 to read as follows:

"Sec. 3. This act is effective the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2115: A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality council; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 25, after "utilities," strike the rest of the line

Page 6, strike line 26

Page 6, line 27, strike "and type of facility." and insert in lieu thereof "a utility must apply to the council in a form and manner prescribed by the council for designation of a specific site or corridor for a specific size and type of facility. No large electric power generating plant or high voltage transmission line shall be constructed except on a site or route designated by the council pursuant to this act."

Page 16, after line 8, add a new section 18 to read as follows:

"Sec. 18. [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 for the first offense and a gross misdemeanor for the second and each subsequent offense. 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 council.

Subd. 3. When the court finds that any person has violated this act, any rule or regulation hereunder, knowingly submitted false information in any report required by this act or has violated any court order issued under this chapter, 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."

Page 16, line 24, after "transmission" insert "line"

Page 16, line 26, after "Accounts." strike "However, the fee"

Page 16, line 27, strike "shall not be less than \$5,000 for each application."

Page 17, line 10, after "transmission" insert "line"

Page 17, line 11, after "\$1,000,000)" and before the period insert "except that the minimum application fee shall not be less than \$5,000"

Page 17, line 18, after "applicant." add the following sentence: "This annual appropriation shall not exceed the fees to be paid during such period."

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 5, before the period, insert "; providing penalties"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "40 percent of his salary" and insert in lieu thereof "\$250"

Page 1, line 6, strike "shall" and insert in lieu thereof "may"

Page 1, line 6, strike "\$100" and reinstate the stricken "\$50"

Page 1, line 8, strike "The following schedule is a guide for such salary increases:"

Page 1, strike lines 9 through 14

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1326: A bill for an act relating to education; authorizing and directing the higher education coordinating commission to establish and supervise a student loan program; appropriating money; amending Minnesota Statutes 1971, Sections 136A.14; 136A.15, Subdivisions 5 and 7; 136A.16, Subdivisions 3 and 8; and 136A.17, Subdivisions 1, 3, 4 and 10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 8, strike "*fifth*" and insert in lieu thereof "*tenth*"

Page 7, line 16, after "*bonds*" insert "*in an aggregate amount not to exceed \$30,000,000*"

Page 16, strike line 5 after the headnote

Page 16, strike lines 6 and 7

Page 16, line 8, strike "*this appropriation*" and insert in lieu thereof "*the appropriation made for the purpose of this act*"

Page 16, line 11, strike "*this*" and insert in lieu thereof "*the*"

Page 16, line 20, strike "*this*" and insert in lieu thereof "*the*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2272: A bill for an act authorizing the county of Anoka to establish subordinate service areas in order to provide and finance governmental services.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "AREAS" and insert "DISTRICTS"

Line 12, strike "area" and insert "district"

Line 13, strike "area" and insert "district"

Line 16, strike "area" and insert "district"

Line 17, strike "AREAS" and insert "DISTRICTS"

Line 21, strike "areas" and insert "districts"

Line 26, strike "area" and insert "district"

Line 30, strike "area" and insert "district"

Page 2, line 2, strike "area" and insert "district"

Line 3, strike "area" and insert "district"

Line 8, strike "area" and insert "district"

Line 11, strike "area" and insert "district"

Line 17, strike "area" and insert "district"

Line 22, strike "area" and insert "district"

Line 23, strike "area" and insert "district"

Line 24, strike "area's" and insert "district's"

Line 28, strike "area" and insert "district"

Page 3, line 3, strike "area" and insert "district"

Line 4, strike "area" and insert "district"

Line 8, strike "area" and insert "district"

Line 13, strike "area" and insert "district"

Line 17, strike "area" and insert "district"

Line 21, strike "area" and insert "district"

Line 23, strike "area" and insert "district"

Line 25, strike "area" and insert "district"

Page 4, line 1, after "service" strike "area" and insert "district"
after "the" strike "area" and insert "district"

Line 6, strike "AREA" and insert "DISTRICT"

Line 8, strike "area" and insert "district"

Line 9, strike "area" and insert "district"

Line 12, strike "area" and insert "district"

Line 14, strike "area" and insert "district"

Line 17, strike "area" and insert "district"

Line 19, strike "area" and insert "district"

Line 21, strike "area" and insert "district"

Line 22, strike "area" and insert "district"

Line 26, strike "area" and insert "district"

Line 27, strike "area" and insert "district"

Page 5, line 4, strike "area" and insert "district"

Line 6, strike "area" and insert "district"

Line 7, strike "area" and insert "district"

Line 9, strike "area" and insert "district"

Line 13, strike "area" and insert "district"

Amend the title in line 3 strike "areas" and insert "districts"

And when so amended the bill do pass. Amendments adopted.
Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 294: A bill for an act relating to labor; prescribing penalties for employers who fail to pay certain benefits and wage supplements required by law or agreement.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, after "who" strike "fails, neglects or"

Page 1, line 7, after the period insert "The institution of bankruptcy proceedings according to law shall be a defense to any criminal action under this section."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 534: A bill for an act relating to workmen's compensation; compensation for permanent partial disability; amending Minnesota Statutes 1971, Section 176.101, Subdivision 3.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 4, line 2, strike "*during*" and insert "*for that proportion of*"

Page 4, line 2, before the semicolon insert "*which is represented by the percentage of such permanent partial disability as is determined from competent testimony adduced at a hearing before a compensation judge, a commissioner, or the commission*"

Page 4, line 4, after "*for*" insert "*that proportion of*"

Page 4, line 4, before the semicolon insert "*which is represented by the percentage of such permanent partial disability as is determined from competent testimony adduced at a hearing before a compensation judge, a commissioner, or the commission*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1558: A bill for an act relating to commerce; clarifying rule making power of the consumer services section, department of commerce; amending Minnesota Statutes 1971, Section 45.16, Subdivision 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 14, after "*Adopt*" insert "*, pursuant to the administrative procedures act,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1840: A bill for an act relating to bicycles; providing for a statewide bicycle registration system; providing penalties for violation thereof; appropriating money annually.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [STATEMENT OF PURPOSE.] The growth in popularity of the bicycle as a mode of transportation and as a recreational vehicle has led to an increase in the number of bicycle thefts. To more effectively deal with the problems associated with theft and to aid in the recovery of stolen bicycles, a statewide bicycle registration system is hereby created.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 19 the terms defined in this section shall have the meanings given them.

Subd. 2. “Bicycle” means every device propelled by human power upon which a person may ride, having two tandem wheels either of which is over 14 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Subd. 3. “Bicycle dealer” means a person, firm, partnership, or corporation which is engaged, wholly or partly, in the business of selling bicycles, or buying or taking in trade bicycles for the purpose of resale, selling, or offering for sale, or otherwise dealing in bicycles, whether or not the bicycles are owned by the person or entity. The term also includes agents or employees of the person or entity.

Subd. 4. “Department” means the department of public safety.

Subd. 5. “License plate” means a tag, plate, seal or other device which can be permanently attached to a bicycle and is issued by the department upon registration of the bicycle.

Sec. 3. Every person purchasing a bicycle from a bicycle dealer on or after July 1, 1974 shall register the bicycle with the department by giving the name and address of the owner, the signature of the owner, the name and address of the person from whom purchased, the date of purchase, the date of registration, the make, serial number, model number, and any additional information as the department may require. The department shall provide a suitable registration form to each registrant. No bicycle purchased from a bicycle dealer on or after July 1, 1974 shall be released by the dealer unless the bicycle has a serial number and the bicycle's registration has been obtained or applied for. A violation of this section is a petty misdemeanor.

Sec. 4. [REGISTRATION FEE.] The registration fee for bicycles having a wheel diameter of 26 inches or more shall be \$3. The registration fee for all other bicycles shall be \$2. These fees shall be paid at the time of registration. The registration shall be without limitation as to time but shall not be transferable from

person to person or from bicycle to bicycle. All fees so collected shall be deposited in the general fund.

Sec. 5. [REPORT OF TRANSFERS.] Subdivision 1. Every person other than a bicycle dealer, who sells or transfers ownership of any bicycle registered pursuant to this act shall report the sale or transfer to the department, indicating the name and address of the person to whom the bicycle was sold or transferred. The report shall be made within seven days of the sale or transfer. Within seven days of the purchase or transfer, the new owner of the bicycle, if other than a bicycle dealer, shall obtain a new registration from the department and pay the applicable fee.

Subd. 2. Every bicycle dealer shall report to the department, in a manner determined by the department, every bicycle purchased, sold or traded by the dealer on or after July 1, 1974, giving the name and address of the person from whom purchased or to whom sold, a description of the bicycle by name or make, the serial number thereof, the registration number, if any, and any additional information required by the department. The report shall be made within seven days of the purchase, sale, or trade. A violation of this subdivision is a petty misdemeanor.

Sec. 6. [NOTIFICATION OF ADDRESS CHANGE.] Whenever the owner of a bicycle registered pursuant to this act moves or changes address, he shall notify the department in writing of the new address within seven days.

Sec. 7. [LICENSE PLATES.] The department shall provide to the registrant a suitable registration card having the registration number stamped thereon and indicating the date of registration, the make, serial number, and model number of the bicycle, the owner's name and address, and any additional information as the department may require. Information concerning each registration shall be retained by the department. The department shall issue a license plate which shall be permanently attached to the bicycle covered by the registration. Upon a satisfactory showing that the license plate or registration card has been lost or destroyed the department shall issue a replacement license plate or registration card upon payment of a fee of \$1. All fees so collected shall be deposited to the general fund.

Sec. 8. [MUTILATION.] No person shall willfully remove, destroy, mutilate or otherwise alter the serial number of any bicycle. No person shall willfully remove, destroy, mutilate, or otherwise alter any license plate during the time in which the license plate is operative. A violation of this section is a misdemeanor.

Sec. 9. [THEFT.] Subdivision 1. The local law enforcement agency shall report the theft of all bicycles registered pursuant to this act to the department within five days. Reports of the stolen bicycles shall be entered in the national crime information center of the department. When the stolen bicycle has been recovered by a local law enforcement agency, the agency shall report the recovery to the department within five days of the recovery.

Subd. 2. The department of public safety shall maintain a record of

all bicycles registered pursuant to this act in the state in an automated system. The records shall be available to all authorized law enforcement agencies through the Minnesota crime information center.

Sec. 10. [TAMPERING WITH A BICYCLE.] No person, other than the owner or the owner's authorized agent shall tamper with any bicycle which has been locked or placed in a rack or otherwise secured. A violation of this section is a misdemeanor.

Sec. 11. [APPOINTMENT OF DEPUTY REGISTRARS.] The department shall appoint deputy registrars as required to fulfill provisions of this act. The deputies shall act as agents of the department and may accept registrations as provided in this act. Agents may charge an additional 50 cents per registration granted for their services.

Sec. 12. [EXCEPTIONS.] Bicycles sold in Minnesota and normally subject to registration which will not be operated within the state are exempt from registration. Bicycles operated in Minnesota for a period of not more than 30 consecutive days and owned by nonresidents are exempt from registration. Registration provisions of this act do not apply to bicycle manufacturers or bicycle dealers transporting bicycles in the normal course of business.

Sec. 13. [ADMINISTRATION OF ACT.] Subdivision 1. The department shall adopt rules and regulations for the implementation and administration of this act no later than July 1, 1974. The department shall begin to accept registrations and implement this act on July 1, 1974.

Sec. 14. [PENALTIES.] A person charged with a petty misdemeanor shall not be entitled to a jury trial but shall be tried by a judge without a jury. If convicted, he shall be punished by a fine of not more than \$25.

Sec. 15. [APPROPRIATION.] There is appropriated to the department of public safety from the general fund \$250,000 for the biennium ending June 30, 1975, for carrying out the purposes of this act.

Sec. 16. [APPROPRIATION.] There is appropriated to the commissioner of natural resources the sum of \$50,000 from the general fund for the development of a plan to be submitted to the legislature by January 15, 1974, for the acquisition, obtaining of easements, design, construction and maintenance of bicycle laws or multipurpose trail systems. The plan shall include a proposal for a system of state aid to localities. This appropriation is for the biennium ending June 30, 1975."

Strike the title and insert in lieu thereof:

"A bill for an act relating to bicycles; providing for a statewide bicycle registration system; providing penalties for violation thereof; fixing and limiting the amount of fees to be collected in certain cases; appropriating money annually."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1825: A bill for an act relating to insurance; the merger and consolidation of insurance companies; permitting the issuance of securities of a corporation which is not a merging or consolidating corporation or the payment of cash; amending Minnesota Statutes 1971, Section 60A.16, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1617: A bill for an act relating to insurance; cancellation of automobile insurance policies; setting requirements for cancellation of collision and comprehensive coverages; amending Minnesota Statutes 1971, Sections 65B.14, 65B.17, and 65B.18.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1288: A bill for an act relating to motor vehicles; manufacturers and dealers; the sale of mobile homes; exempting certain persons from licensing requirements; amending Minnesota Statutes 1971, Section 168.27.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1309: A bill for an act relating to financial institutions; regulating the investments of savings banks and insurance companies; amending Minnesota Statutes 1971, Sections 50.14, Subdivision 15, and by adding subdivisions; 60A.11, Subdivisions 2 and 5; and 61A.28, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1940: A bill for an act relating to insurance; automobile insurance plan governing committee; revising the membership of said committee; amending Minnesota Statutes 1971, Section 65B.03.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 827, 830, 1065, 1635, 1896, 2072, 890, 2145, 1104, 1807 and 677 for comparison to companion Senate Files, reports the following House Files were found to have

no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 830 to the Committee on Finance.

H. F. No. 827 to the Committee on Governmental Operations.

H. F. Nos. 1065 and 1635 to the Committee on Judiciary.

H. F. No. 1896 to the Committee on Labor and Commerce.

The following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2072	2041				
890	798				

And that the above Senate Files be indefinitely postponed.

The following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2145	2225				
1104	1357				
1807	1729				
677	1002				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2145 be amended as follows:

Page 7, line 13, reinstate the stricken "all" and delete the words "*only those*"

And when so amended, H. F. No. 2145 will be identical to S.F. No. 2225 and further recommends that H. F. No. 2145 be given its second reading and substituted for S. F. No. 2225 and S. F. No. 2225 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1104 be amended as follows:

Page 1, line 13, after "Park" delete the comma

Page 1, line 14, after "may" insert "provide that the respective city councils shall constitute the housing and redevelopment authority of the respective cities or may"

Page 1, line 21, strike "of the cities" and insert in lieu "city"

Page 1, line 28, strike "of the cities" and insert in lieu "city"

And when so amended, H. F. No. 1104 will be identical to S. F. No. 1357 and further recommends that H. F. No. 1104 be given its second reading and substituted for S. F. No. 1357 and S. F. No. 1357 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1807 be amended as follows:

In the title, page 1, line 3, after "milk" insert "and milk"

And when so amended, H. F. No. 1807 will be identical to S. F. No. 1729 and further recommends that H. F. No. 1807 be given its second reading and substituted for S. F. No. 1729 and S. F. No. 1729 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 677 be amended as follows:

Page 1, line 18, strike "*all terrain-vehicle*" and insert in lieu thereof "*all-terrain vehicle*"

Page 1, line 21, strike "*Minnesota Statutes,*"

Page 1, line 23, delete the hyphen between the word "*seven*" and the word "*county*"

Page 2, line 25, after "*mutilate*" insert a comma

And when so amended, H. F. No. 677 will be identical to S. F. No. 1002 and further recommends that H. F. No. 677 be given its second reading and substituted for S. F. No. 1002 and S. F. No. 1002 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2115, 1326 and 1840 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1134, 611, 294, 534, 1558, 1825, 1617, 1288, 1309, 1940, 2145, 1104, 677, 1807, 890 and 2072 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lord moved that his name be stricken as chief author and the name of Mr. Willet be added as chief author to S. F. No. 288. Which motion prevailed.

Mr. Coleman moved that the following letter from the Attorney General be printed in the Journal. Which motion prevailed.

May 8, 1973

The Honorable Nicholas D. Coleman
Chairman, Senate Committee on Rules
and Administration

The Honorable Martin O. Sabo
Chairman, Joint Coordinating Committee

State Capitol
Saint Paul, Minnesota 55155

Gentlemen:

In your letters relating to the regular and special sessions of the Minnesota Legislature, you ask substantially the following questions.

QUESTION NO. 1

During which adjournments of a regular session of the legislature are bills subject to a pocket veto?

OPINION

The 1972 "flexible session" amendment to article IV, section 1 of the constitution authorizes the legislature to meet in regular session in both years of a biennium. Article IV, section 11 subjects bills to a pocket veto after the "adjournment" of a legislative "session." (Hereinafter, the adjournment of a regular session from the first year of a biennium to the second year is referred to as the "interim adjournment," and short adjournments during a regular session, such as from one day to the next, during weekends and at Easter, are referred to as "temporary adjournments." Unless otherwise stated, all references to sections of the constitution are to those sections which are part of article IV thereof.)

It is my opinion that the 1972 constitutional amendment provides for a single regular session in each biennium. It is also my opinion that the word "session" as used in the pocket veto provisions of section 11 refers to this biennial session, and that the word "adjournment" as used in section 11 refers to the final adjournment or adjournment *sine die*, of the biennial session. Thus, the pocket veto provisions of section 11 are applicable only following the final adjournment of the biennial session, and not following an interim or temporary adjournment.

Section 11 provides in part as follows:

"Every bill which shall have passed the Senate and the House of Representatives . . . shall, before it becomes a law, be presented to the governor of the state. If he approves, he shall sign and deposit it in the office of secretary of state. . . . But if not, he shall return it, with his objections, to the house in which it shall have originated; . . . and the house shall proceed to reconsider the bill. . . . If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, *unless the legislature, by adjournment within that time, prevents its return.* Bills 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. The governor may approve, sign and file 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 is not signed and filed within 14 days after the adjournment, it shall not become a law.*"

(Emphasis added.)

Both of the provisions of section 11 emphasized above provide for the pocket veto of bills. The second provision expressly pertains to bills passed during the last three days of a session and the first provision by implication pertains to bills passed prior to the last three days. See *Burns v. Sewell*, 48 Minn. 425, 51 N.W. 224 (1892) and Op. Atty. Gen. 280, April 17, 1939 (passage of bill for purposes of this provision not complete until bill delivered to Governor).

Thus, if a bill is passed during the last three days of a biennial session and is not signed and filed by the Governor by the end of the 14 day period after adjournment, the bill fails to become law by reason of a pocket veto pursuant to the second provision emphasized above. If a bill is passed prior to the last three days of a biennial session and has not been signed or returned by the Governor by the end of the three day period after presentment, and if the legislature has prevented such a bill's return by adjournment within three days of presentment, then the bill fails by reason of a pocket veto pursuant to the first provision emphasized above.

a. *The Single Regular Session in Each Biennium*

Section 1 was amended in the following manner by the voters at the November, 1972 general election:

"The legislature shall meet at the seat of government in regular session in each odd numbered year ~~biennium~~ at the time ~~times~~ prescribed by law for ~~a term~~ not exceeding a total of 120 legislative days; ~~and no new bill shall be introduced in either branch, except on the written request of the Governor, during the last 30 days of such sessions.~~ 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."

(Additions are indicated by *underline*, deletions by ~~strikeout~~.)

Prior to the 1972 amendment, this provision stated that the legislature shall meet "in regular session in each odd numbered year . . . for a term not exceeding 120 legislative days." As amended, this section provides that the legislature shall meet "in regular session in each biennium . . . for not exceeding a total of 120 legislative days." The phrase "regular session" was continued in its

singular sense. The word "biennium" means "a period of two years"¹ and a period of two years is a single unit of time. The amendment retained the provision limiting the number of legislative days in each regular session of the legislature to 120.

The language of this amendment indicates that it was intended to provide for a single regular session in each two year period. If the amendment had been intended to provide for one regular session in each year or to provide that each year in which the legislature meets shall constitute a separate regular session, it seems clear that it would have so provided. When the language of the constitution is clear and unambiguous, it is the best evidence of what the provision was intended to mean and must be given its ordinary meaning. *State ex rel. Gardner v. Holm*, 241 Minn. 125, 62 N.W.2d 52 (1954).

Furthermore, it appears that the legislature has been meeting in what may be termed biennial sessions ever since 1877. Prior to 1877, the constitution provided that the legislature shall meet at such times as shall be prescribed by law. During that period the legislature met in each year. In 1877, section 1 was amended to provide that the legislature "shall meet biennially." In 1887, the Attorney General issued a statement explaining the effect of a proposed amendment. It read in part:

"The constitution at present provides for biennial sessions, and the effect of this last amendment will be to continue biennial sessions, but instead of such sessions being limited to sixty days, as they are now, they would be limited to ninety days, and no bill could be introduced during the last twenty days except as provided for in such amendment."

See *Knapp v. O'Brien*, 288 Minn. 103, 111, 179 N.W.2d 88, 93 (1970).

The legislature itself has also referred to its sessions as "biennial sessions." Minn. Stat. § 648.11, which was enacted in 1945 and provides for the publication of Minnesota laws, states that "after the end of the biennial session of the Legislature in 1945," the revisor of statutes shall prepare printer's copy for "Minnesota Statutes 1945." Section 648.31, also enacted in 1945, provides that "after the end of the biennial session of the Legislature in 1947 and each biennial session thereafter," the revisor shall prepare printer's copy of the laws.

A consideration of the foregoing compels the conclusion that the 1972 amendment was intended to provide for a single regular session in each biennium.

b. *The Meaning of "Adjournment" and "Session" in Section 11*

Prior to 1968, section 11 provided for a three day rather than a 14 day period during which the Governor could sign bills following adjournment of the legislature. It stated:

¹Webster's Third New International Dictionary (1964) at 213.

"If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature, by adjournment within that time, prevents its return; in which case it shall not be a law. The governor may approve, sign and file in the office of the secretary of state, within three 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."

The Minnesota Supreme Court held that this section provided that "[a]n adjournment which 'prevents its return' and works a 'pocket veto' of a bill is a final or sine die adjournment of the legislative session." (Emphasis added.) *State ex rel. Putnam v. Holm*, 172 Minn. 162, 168, 215 N.W. 200, 203 (1927). The court added:

"The prevailing rule is that a temporary adjournment of the legislature, or of the house in which a bill originated, does not prevent the return of the bill. . . . The constitution contemplated temporary legislative adjournments. In art. 4, § 6, it expressly provides that neither house shall adjourn for more than three days without the consent of the other.

"There is no substantial reason for a bill's being returned to the house while in actual session. It is in existence until the final adjournment regardless of whether it is in session or not. The presiding officer, secretary (or clerk), and members of either house are its authorized representatives. There is no reason why a return cannot be made to any one of them. It is the official duty of the one to whom the bill is returned promptly to report to the house when in session."

172 Minn. at 169, 215 N.W. at 203.

Therefore, the long-established rule has been that the pocket veto provision of section 11 refers to the final adjournment of a biennial session, and that a bill is subject to a pocket veto following only such adjournment. The 1968 constitutional amendment neither expressly nor impliedly alters this rule. A reading of the provision as amended in 1968 indicates that its purpose was to provide the legislature with a period of three days after final adjournment to present bills to the Governor and to provide the Governor with a period of 14 days after final adjournment to approve bills passed during the last three days of the session. The statement of the purpose and effect of the 1968 amendment prepared by the Attorney General pursuant to Minn. Stat. § 3.21 states in part:

"The purpose and effect of this amendment is:

1. To give the legislature more time to prepare and the governor more time to study and sign the large number of bills passed during the last three days of the legislative session by:
 - (a) Allowing the legislature three days after adjournment within which to present bills to the Governor.
 - (b) Giving the governor 14 days after adjournment of the legislature to approve bills passed during the last three days of the legislative session.

2. To provide that a bill passed during the last three days of the legislature which is not signed and filed by the governor within 14 days after the adjournment shall not become a law. At present a bill does not become a law if the governor does not sign and file it within three days after adjournment."

The 1972 constitutional amendment authorizes each legislature to meet in regular session in the second year of the biennium as well as the first. Therefore, each legislature which meets in regular session in both years of the biennium will adjourn for the relatively lengthy period between the spring of the first year and presumably January of the second year. This adjournment is not, however, a final adjournment of the session but is an adjournment during the session just as is an adjournment at Easter time. Nothing in the 1972 constitutional amendment expressly or impliedly indicates that it was intended to provide for a pocket veto either during a temporary adjournment or during an interim adjournment.

Based upon the foregoing, it is my opinion that the word "session" as used in the quoted provision of section 11 means the biennial session,² and that the word "adjournment" as used therein means the final adjournment of the biennial session. Therefore, bills are not subject to pocket veto following a temporary or interim adjournment.

QUESTION NO. 2

Is the constitutional provision which gives the Governor 14 days to approve bills passed near the end of a session applicable in the first year of a biennium as well as in the second year?

OPINION

Section 11 provides:

"The governor may approve, sign and file 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 is not signed and filed within 14 days after the adjournment, it shall not become a law."

As noted in the answer to question number 1, this provision refers to the final adjournment of a biennial session. See also Op. Atty. Gen. 280-j, May 26, 1969 (purpose of this portion of section 11 is to facilitate processing the larger number of bills passed just prior to "actual adjournment *sine die*.") It is therefore not applicable to an adjournment in the first year.

²The conclusion with respect to the meaning of the word "session" in the quoted portions of sections 1 and 11 should not be interpreted as an expression of an opinion on the meaning of that word as it is used in section 8, which provides that the members of each house shall be privileged from arrest in certain circumstances "during the session of their respective houses."

QUESTION NO. 3

What is the last day in 1973 and 1974 on which the legislature may be in session?

OPINION

Section 1 as amended in 1972 provides in part:

“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.”

There are, therefore, two limitations that apply. First, as to the whole biennium, the legislature may not meet in regular session after the 120th “legislative day” as that term is defined by the legislature. See Minn. Laws 1973, ch. 1 § 2. Second, the legislature may not meet in regular session in either year of the biennium after the first Monday following the third Saturday in May. Therefore, the legislature may not meet in regular session in 1973 after Monday, May 21, it may not meet in regular session in 1974 after Monday, May 20, and in any event it may not meet in regular session after the 120th legislative day of the biennial session.

QUESTION NO. 4

What is the last day in 1973 and 1974 on which new bills may be introduced in either house?

OPINION

Prior to the adoption of the constitutional amendment in 1972, section 1 provided that new bills could not be introduced in either house during the last 30 days of a regular session except upon request of the Governor. The 1972 amendment removed this prohibition. Therefore, the constitution no longer prohibits the introduction of bills on certain days of the regular session. Neither does any statute establish such a prohibition. It is therefore my opinion that new bills may be introduced on any day on which the legislature is in session unless prohibited by legislative rule.

QUESTION NO. 5

What is the last day in 1973 and 1974 on which bills may be passed by either house?

OPINION

Article IV, section 22 provides in part:

“No bill shall be passed by either house of the legislature upon the day prescribed for the adjournment of the two houses.”

It is my opinion that the word “adjournment” as used in section 22 means final adjournment (or adjournment *sine die*) of the

biennial session and that May 20, 1974 and the 120th legislative day of the 1973-74 regular session (whether or not that day is May 20, 1974) are days prescribed for such adjournment of the two houses. It is also my opinion that a date for final adjournment set in advance by resolution or act of the legislature (whether or not that day is the 120th legislative day or May 20, 1974) is a day prescribed for such adjournment of the two houses. Section 22 therefore prohibits the passage of bills by either house of the legislature on any of these days. I will treat the foregoing prescribed days separately.

a. *The 120th Legislative Day*

The 120th legislative day has consistently been held to be a "day prescribed for the adjournment of the two houses." See, e.g., *Knapp v. O'Brien*, 288 Minn. 103, 179 N.W.2d 88 (1970); Ops. Atty. Gen. 280-J, March 24, 1905, Feb. 16, 1933, Jan. 16, 1969. In *Knapp v. O'Brien*, the court stated that the legislature must adjourn on the 120th calendar day, exclusive of Sundays, and that a bill passed on the last day is void under section 22. Although the 1972 constitutional amendment authorizes the legislature to define the term "legislative day," the constitution as amended retains the provision restricting each session to 120 such days. Since the legislature must adjourn its regular session no later than the 120th legislative day in this session just as it was required to do before the 1972 amendment, it is my opinion that the 120th legislative day is a day prescribed for the adjournment of the two houses and that no bill may be passed on that day.

b. *Date for Adjournment Set by Resolution or Act*

It has been consistently ruled that a date for *final adjournment* established in advance by resolution or other act constitutes "a day prescribed for the adjournment of the two houses" and that no bill may be passed on such a day. Ops. Atty. Gen. 280-b, May 21, 1963; 280-o, April 24, 1951; 280-b, March 10, 1944; and 280-o, Oct. 28, 1916. Op. Atty. Gen. 280-b, May 21, 1963, stated:

"If the legislature does not fix a time of adjournment by previous resolution or act, then it may pass legislation *on the same day that the legislature adjourns sine die* except it may not do so if it adjourns on the 120th day."

(Emphasis added.) Op. Atty. Gen. 280-o, Oct. 28, 1916, stated:

"[Section 22] relates to the prohibition of the passage of acts either the ninetieth day of a legislative session or *the day* which has been fixed by some previous resolution or act as *the time of adjournment*."

(Emphasis added.)

Other opinions of this office have dealt with the calculation of the date of the 120th legislative day and with the application of section 22 to the result as calculated. See, e.g., Ops. Atty. Gen. 280-J, Feb. 26, 1971, Feb. 25, 1941, and March 17, 1909. None of these opinions has indicated that section 22 is applicable to an adjournment other than a final adjournment.

At issue in *Knapp v. O'Brien*, 288 Minn. 103, 179 N.W.2d 88 (1970) was the validity of a statute passed on the 120th calendar day of the session (exclusive of Sundays). The opinion headnote, written by the court pursuant to Minn. Stat. § 480.06, states in part:

“Inasmuch as the Legislature *must adjourn on the 120th calendar day*, exclusive of Sundays, after convening, any bill passed *on the day of adjournment* is void under art. 4, § 22, which provides ‘[n]o bill shall be passed by either house of the Legislature upon the date prescribed for the adjournment of the two houses.’”

(Emphasis added.) Although the Court was not faced with the issue presented here, its language indicates that it considered section 22 to be applicable only to final adjournments.

Therefore, I find no indication, whether in a court decision or opinion of the Attorney General or in practical construction, that section 22 was intended to apply to adjournments during a session.

c. *The Established Monday in May*

Section 1 as amended provides that the legislature shall not meet in regular session after the first Monday following the third Saturday in May of any year. Section 22 provides that bills may not be passed on the day prescribed for the adjournment of the two houses. The word “prescribed” has not been given a limited, specific meaning³ and in my opinion the above stated portion of section 1 “prescribes” dates beyond which the legislature may not meet. The word “adjournment” as used in section 22, however, means final adjournment. See part b. *supra*.

It is therefore my opinion that the first Monday following the third Saturday in May of the first year is not a day “prescribed” for the “adjournment” of the two houses, but that said Monday in the second year is such a day. Thus, the last day on which bills may be passed in regular session in 1973 is Monday, May 21, (or such earlier day as is specified in part a. or b. *supra*), and the last day on which bills may be passed in regular session in 1974 is Saturday, May 18⁴ (or such earlier day as is specified in part a. or b. *supra*).

QUESTION NO. 6

Does the constitution prescribe a deadline for the presentation of bills to the Governor following the end of the 1973 portion of the regular Session or following the end of the biennial session in 1974?

³See part b. *supra* and accompanying text (day of adjournment may be “prescribed” by resolution or act of the legislature). In addition, “prescribe” is defined as “to lay down authoritatively as a guide, direction, or rule of action; . . . to dictate; appoint; direct.” State ex rel. Smiley v. Holm, 184 Minn. 228, 235, 238 N.W. 494, 498 (1931). See also Webster’s Third New International Dictionary (1964) at 1792.

⁴Sunday is not a legislative day. *Knapp v. O'Brien*, 288 Minn. 103, 179 N.W.2d 88 (1970). Ops. Atty. Gen. 280-J, Feb. 26, 1971, Jan. 25, 1961, and Feb. 19, 1957.

OPINION

Section 11 provides in part:

“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. . . . Bills 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.”

The phrase “final adjournment” as used in the above-quoted portion of section 11 means the final, or *sine die*, adjournment of the biennial session. See part b. of the discussion answering question no. 1, *supra*. Therefore, the three day presentment provision refers to the final adjournment of the biennial session, but not to an interim adjournment and the constitution does not prescribe a deadline for presentation of bills to the Governor upon adjournment at the end of the first year of the biennial session.

QUESTION NO. 7

Does the day on which a bill is presented to the Governor count as one of the three days during which the Governor may sign or veto bills?

OPINION

Section 11 establishes the general rule that the Governor shall have three days in which to sign or veto a bill “after it shall have been presented to him.” In *State ex rel. Putnam v. Holm*, 172 Minn. 162, 215 N.W. 200 (1927), the Supreme Court held that the day on which a bill is presented to the Governor is excluded in computing the running of the three day period. I therefore answer your seventh question in the negative.

QUESTION NO. 8

Which is the proper motion to make at the adjournment of the 1973 portion of this regular session; a motion to adjourn to 1974 or a motion to adjourn to a day certain in 1974?

OPINION

The present legislature is meeting in the 1973-74 regular session. Since an adjournment from 1973 to 1974 is not a final adjournment of the session, it is my opinion that this adjournment should be handled as are other adjournments during the session. An adjournment until a day certain in 1974 would therefore be the proper motion to make upon adjourning in 1973.

QUESTION NO. 9

Does a bill not passed by both houses before adjournment of the legislature in the first year of a biennium carry over so that it may be acted upon during the second year?

OPINION

Each regular session of the legislature may now be held in both years of a biennium and an adjournment from the first year of a regular session to the second year does not constitute a final adjournment of the session. See *supra*. No constitutional or statutory provision prohibits the carry-over of a bill from the first year of a session to the second year. Therefore, such bills may be carried over if this procedure is not inconsistent with legislative rules.

QUESTION NO. 10

Does the Governor have the power to call the legislature into special session during the interim period between the last day on which the legislature meets in regular session in the first year of a biennium and the first day on which it meets in regular session in the second year of a biennium?

OPINION

Article IV, section 1 provides that a special session of the legislature may be called as otherwise provided by the Constitution. Article V, section 4 provides that the Governor "may on extraordinary occasions convene both houses of the legislature." These provisions do not restrict the power to call a special session to certain periods during a year or biennium. In addition, article IV, section 1 only provides that 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." (Emphasis added.)⁵

Nothing in these or other provisions of the constitution expressly or impliedly prohibits the calling of a special session during the interim period described in the question. Furthermore, a basic purpose of our constitution is to provide for an orderly and effective method for the people and their elected representatives to govern themselves. To interpret the constitution as prohibiting the calling of a special session during this interim could severely undermine the processes of government.

Based upon the foregoing, it is my opinion that the Governor has the power to call the legislature into special session during the interim between the first and second year segments of a regular session. I therefore answer your tenth question in the affirmative.

Very truly yours,

WARREN SPANNAUS
Attorney General

CURTIS D. FORSLUND
Chief Deputy
Attorney General

⁵I also note that Minn. Laws 1973, ch. 1 § 1, provides in part that the legislature shall assemble at the seat of government at such times as it may be called by the Governor to meet in special session.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 400, No. 13 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 400: A bill for an act relating to corrections; regulating the use of the revolving fund at the state prison; amending Minnesota Statutes 1971, Section 243.43.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Spear
Arnold	Frederick	Knutson	Olhoft	Stassen
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bang	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Berg	Hansen, Mel	Larson	Olson, J. L.	Thorup
Bernhagen	Hanson, R.	Lewis	O'Neill	Ueland
Brown	Hughes	Lord	Patton	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Willet
Conzemius	Jensen	Milton	Perpich, G.	
Davies	Josefson	Moe	Pillsbury	
Doty	Keefe, S.	North	Purfeerst	
Dunn	Kirchner	Novak	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 794, No. 14 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 794: A bill for an act relating to corrections; regulating the compensation paid to inmates of state correctional institutions; amending Minnesota Statutes 1971, Section 243.23.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Renneke
Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Fitzsimons	Knutson	Olhoft	Spear
Bang	Frederick	Kowalczyk	Olson, A. G.	Stassen
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Borden	Hanson, R.	Lewis	O'Neill	Thorup
Brown	Hughes	Lord	Patton	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Jensen	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, S.	North	Purfeerst	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 190, No. 12 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 190: A bill for an act relating to public health; prescribing registration fees for x-ray and radium sources of ionizing radiation; requiring periodic safety inspections of such sources; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Mr. Anderson moved to amend S. F. No. 190, as follows:

Page 1, line 24, after "to" strike "15" and insert "125"

Page 1, line 27, strike "\$275" and insert "\$1500"

Which motion prevailed. So the amendment was adopted.

S. F. No. 190 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 48 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kowalczyk	Ogdahl	Spear
Arnold	Fitzsimons	Krieger	Olhoft	Stassen
Bang	Gearty	Larson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Mel	Lewis	Olson, H. D.	Tennessen
Borden	Hughes	Lord	O'Neill	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Jensen	Milton	Perpich, G.	Wegener
Chmielewski	Kirchner	Moe	Pillsbury	Willet
Conzemius	Kleinbaum	North	Purfeerst	
Davies	Knutson	Novak	Solon	

Those who voted in the negative were:

Berg	Frederick	Hanson, R.	Olson, J. L.	Renneke
Dunn	Hansen, Baldy	Josefson	Patton	Schrom

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 474, No. 87 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 474: A bill for an act to establish a foster grandparents program; amending Minnesota Statutes 1971, Section 256.976, Subdivisions 1 and 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Spear
Arnold	Frederick	Knutson	Olhoft	Stassen
Bang	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Bernhagen	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Lewis	Patton	Ueland
Brown	Hughes	Lord	Perpich, G.	Wegener
Chenoweth	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1582, No. 119 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1582: A bill for an act relating to agriculture, beef industry promotion board; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Moe	Spear
Arnold	Frederick	Kirchner	North	Stassen
Bang	Gearty	Kleinbaum	Novak	Stokowski
Berg	Hansen, Baldy	Knutson	Ogdahl	Thorup
Bernhagen	Hansen, Mel	Kowalczyk	Olhoft	Ueland
Brown	Hanson, R.	Krieger	Olson, J. L.	Wegener
Chenoweth	Hughes	Larson	O'Neill	Willet
Chmielewski	Humphrey	Lewis	Perpich, G.	
Conzemius	Jensen	Lord	Purfeerst	
Doty	Josefson	McCutcheon	Renneke	
Dunn	Keefe, J.	Milton	Solon	

Messrs. Olson, A. G.; Olson, H. D.; Pillsbury and Tennessee voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1767, No. 120 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1767: A bill for an act relating to natural resources; establishing the volunteers in parks program and specifying the powers and duties of the commissioner of natural resources in relation thereto; appropriating money; amending Minnesota Statutes 1971, Chapter 85, by adding a section; and Section 176.011, Subdivision 9.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olhoft	Spear
Arnold	Frederick	Kleinbaum	Olson, A. G.	Stassen
Bang	Gearty	Knutson	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Lewis	Perpich, G.	Ueland
Brown	Hughes	Lord	Pillsbury	Wegener
Chenoweth	Humphrey	McCutcheon	Purfeerst	Willet
Chmielewski	Jensen	Milton	Renneke	
Conzemius	Josefson	Moe	Schaaf	
Doty	Keefe, J.	North	Schrom	
Dunn	Keefe, S.	Novak	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1031, No. 121 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1031: A bill for an act relating to education; vocational rehabilitation work activity centers; amending Minnesota Statutes 1971, Sections 121.71; 121.711; 121.712; 121.713; and 121.714.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Arnold	Fitzsimons	Kirchner	Novak	Schrom
Bang	Frederick	Kleinbaum	Ogdahl	Solon
Berg	Gearty	Knutson	Olhoft	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Mel	Krieger	Olson, H. D.	Stokowski
Brown	Hanson, R.	Larson	Olson, J. L.	Tennessee
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Perpich, G.	Ueland
Conzemius	Jensen	McCutcheon	Pillsbury	Wegener
Davies	Josefson	Milton	Purfeerst	Willet
Doty	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 793, No. 139 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 793: A bill for an act relating to corrections; voluntary uncompensated services to the department of corrections; amending Minnesota Statutes 1971, Section 241.01, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Novak	Solon
Arnold	Gearty	Kirchner	Olhoft	Spear
Borden	Hansen, Mel	Kleinbaum	Olson, A. G.	Stassen
Chenoweth	Hanson, R.	Larson	Olson, H. D.	Stokowski
Chmielewski	Hughes	Lewis	O'Neill	Tennessee
Conzemius	Humphrey	Lord	Perpich, G.	Thorup
Davies	Jensen	Moe	Purfeerst	Ueland
Doty	Keefe, J.	North	Schaaf	Wegener

Those who voted in the negative were:

Bang	Dunn	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olson, J. L.	Willet
Bernhagen	Hansen, Baldy	Krieger	Pillsbury	
Brown	Josefson	McCutcheon	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1037, No. 197 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1037: A bill for an act relating to water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; providing for the orderly maintenance, repair or reconstruction of dams serving the public interest; prescribing powers and duties of the commissioner of natural resources; authorizing the commissioner to make grants to local governmental units; amending Minnesota Statutes 1971, Sections 105.37, by adding a subdivision; 105.38; 105.42; 105.52; and Chapter 105, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Solon
Arnold	Frederick	Knutson	Olhoff	Spear
Bang	Gearty	Kowalczyk	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Tennessen
Borden	Hughes	Lewis	O'Neill	Thorup
Brown	Humphrey	Lord	Patton	Ueland
Chenoweth	Jensen	McCutcheon	Perpich, G.	Wegener
Chmielewski	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Renneke	
Doty	Keefe, S.	North	Schaaf	
Dunn	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

Mr. Conzemius moved that the rules of the Senate be so far suspended as to make H. F. No. 873 a Special Order to be heard immediately. Which motion prevailed.

SPECIAL ORDER

H. F. No. 873: A bill for an act relating to subdivided lands; the regulation of the disposition of lots, parcels, units or interests in lands within real estate subdivisions; to require registration; to protect the purchaser from unfair and deceptive trade practices; to provide for the filing of bonds and performance assurances; to regulate advertising, promotion and sales contracts; to provide for the payment of fees; and to provide penalties; repealing Minnesota Statutes 1971, Sections 83.01 to 83.19.

Mr. Thorup moved that the amendment made to H. F. No. 873 by the Committee on Rules and Administration in the report adopted May 8, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

Mr. Stassen moved to amend H. F. No. 873, the printed bill, as follows:

Page 8, line 6, before the period insert “, or within the seven county metropolitan area”

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Jensen	Krieger	Pillsbury
Bernhagen	Hansen, Baldy	Josefson	Larson	Renneke
Borden	Hansen, Mel	Keefe, J.	O'Neill	Stassen
Brown	Hanson, R.	Kirchner	Patton	Ueland

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	Olson, A. G.	Spear
Arnold	Humphrey	Milton	Olson, H. D.	Stokowski
Chmielewski	Keefe, S.	Moe	Perpich, A. J.	Tennessen
Coleman	Kleinbaum	North	Perpich, G.	Thorup
Conzemius	Knutson	Novak	Purfeerst	Wegener
Davies	Lewis	Ogdahl	Schaaf	Willet
Doty	Lord	Olhoff	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Keefe, J., moved to amend H. F. No. 873, the printed bill, as follows:

Page 8, line 6, after the period, strike the remainder of the line

Page 8, strike lines 7 through 9

Which motion did not prevail. So the amendment was not adopted.

Mr. Ogdahl moved to amend H. F. No. 873, the printed bill, as follows:

Page 5, line 8, after "distribution." and before "The" insert the following new language:

"Such advertising shall be considered as approved by the commissioner if no action has been taken after 30 days from the date received by the commissioner."

Which motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend H. F. No. 873, the printed bill, as follows:

Page 8, line 6, after the word "second" insert "or third"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Nelson	Ueland
Berg	Dunn	Josefson	Olson, J. L.	
Bernhagen	Fitzsimons	Keefe, J.	Patton	
Blatz	Hansen, Baldy	Knutson	Renneke	
Borden	Hanson, R.	Kowalczyk	Stassen	

Those who voted in the negative were:

Anderson	Gearty	Lord	Olhoft	Purfeerst
Arnold	Hughes	McCutcheon	Olson, A. G.	Spear
Chmielewski	Humphrey	Milton	Olson, H. D.	Tennessee
Coleman	Keefe, S.	Moe	O'Neill	Thorup
Conzemius	Kirchner	North	Perpich, A. J.	Wegener
Davies	Laufenburger	Novak	Perpich, G.	Willet
Doty	Lewis	Ogdahl	Pillsbury	

Which motion did not prevail. So the amendment was not adopted.

Mr. Olson, H. D. moved to amend H. F. No. 873, the printed bill, as follows:

Page 8, strike lines 3 through 9

Which motion did not prevail. So the amendment was not adopted.

Mr. Stassen moved to amend H. F. No. 873, the printed bill, as follows:

Page 8, Line 6, after "class," insert "or within two miles of the city limits of a city of the third or fourth class."

CALL OF THE SENATE

Mr. Thorup imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Keefe, S.	Novak	Schrom
Arnold	Doty	Kirchner	Ogdahl	Solon
Ashbach	Dunn	Kleinbaum	Olhoff	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Ueland
Borden	Hanson, R.	Lewis	Patton	Wegener
Brown	Hughes	Lord	Perpich, A. J.	Willet
Chenoweth	Humphrey	McCutcheon	Perpich, G.	
Chmielewski	Jensen	Moe	Pillsbury	
Coleman	Josefson	Nelson	Purfeerst	
Conzemius	Keefe, J.	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

Mr. Thorup moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 39 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jensen	Larson	Purfeerst
Ashbach	Dunn	Josefson	Lord	Renneke
Bang	Fitzsimons	Keefe, J.	Moe	Schrom
Berg	Frederick	Keefe, S.	Nelson	Stassen
Bernhagen	Gearty	Kirchner	Ogdahl	Tennessee
Blatz	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Borden	Hansen, Mel	Kowalczyk	Patton	Willet
Brown	Hanson, R.	Krieger	Pillsbury	

Those who voted in the negative were:

Arnold	Doty	Lewis	Olson, A. G.	Solon
Chenoweth	Hughes	McCutcheon	Olson, H. D.	Stokowski
Coleman	Humphrey	North	O'Neill	Thorup
Conzemius	Kleinbaum	Novak	Perpich, A. J.	Wegener
Davies	Laufenburger	Olhoff	Perpich, G.	

Which motion prevailed. So the amendment was adopted.

H. F. No. 873 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Purfeerst
Arnold	Doty	Kirchner	Novak	Renneke
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoff	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Borden	Hughes	Lewis	O'Neill	Ueland
Brown	Humphrey	Lord	Patton	Wegener
Chenoweth	Jensen	McCutcheon	Perpich, A. J.	Willet
Coleman	Josefson	Moe	Perpich, G.	
Conzemius	Keefe, J.	Nelson	Pillsbury	

Those who voted in the negative were:

Chmielewski Dunn Hansen, Baldy Krieger Schrom

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that S. F. No. 96, No. 73 on the General Orders calendar be designated as a special order to be heard immediately. Which motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate on S. F. No. 96.

The following Senators answered to their names:

Anderson	Davies	Keefe, J.	North	Schaaf
Arnold	Doty	Keefe, S.	Novak	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Solon
Bang	Fitzsimons	Kleinbaum	Olhoff	Spear
Berg	Frederick	Knutson	Olson, A. G.	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	O'Neill	Tennessee
Borden	Hansen, Mel	Laufenburger	Patton	Thorup
Brown	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Chenoweth	Hughes	Lord	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

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.

Mr. Hansen, Baldy moved that S. F. No. 96 be re-referred to the Committee on Labor and Commerce.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 23 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Laufenburger	O'Neill
Bang	Gearty	Keefe, J.	Lewis	Patton
Berg	Hansen, Mel	Kirchner	Lord	Renneke
Bernhagen	Hanson, R.	Kleinbaum	Olson, H. D.	
Fitzsimons	Jensen	Krieger	Olson, J. L.	

Those who voted in the negative were:

Anderson	Davies	Larson	Olson, A. G.	Stassen
Arnold	Doty	McCutcheon	Perpich, A. J.	Stokowski
Blatz	Dunn	Milton	Perpich, G.	Tennesen
Borden	Hansen, Baldy	Moe	Pillsbury	Thorup
Brown	Hughes	Nelson	Purfeerst	Ueland
Chenoweth	Humphrey	North	Schaaf	Wegener
Chmielewski	Keefe, S.	Novak	Schrom	Willet
Coleman	Knutson	Ogdahl	Solon	
Conzernius	Kowalczyk	Olhoft	Spear	

Which motion did not prevail.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 2166 and S. F. No. 2167:

Messrs. Arnold; Willet; Ogdahl; Hansen, M. and Doty. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. Which motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman introduced—

Senate Resolution No. 28: A senate resolution authorizing Mr. John St. Marie and an attendant to attend the President's Conference on Employment of the Handicapped and to pay the expenses thereof.

WHEREAS, John St. Marie, a member of the Senate Research staff, was invited to attend a meeting of the President's Committee on Employment of the Handicapped held in Washington, D. C. on May 3 and 4, 1973, and

WHEREAS, it has been the policy of the Senate to have members of the office of the Senate Research attend conferences and training programs relative to their responsibilities to the Senate, and

WHEREAS, John St. Marie and an attendant selected by him were authorized to attend such conference, now, therefore,

BE IT RESOLVED, by the Senate of the state of Minnesota, that the Secretary of the Senate is hereby authorized and directed to pay from Senate funds all ordinary and necessary expenses, in the amount paid to state employees, incurred by John St. Marie and his attendant in making such trip to Washington, D. C.

Mr. Coleman moved the adoption of the foregoing resolution.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Lewis	Perpich, A. J.
Arnold	Doty	Josefson	McCutcheon	Perpich, G.
Ashbach	Dunn	Keefe, J.	Milton	Purfeerst
Bang	Fitzsimons	Keefe, S.	Novak	Renneke
Berg	Frederick	Kirchner	Ogdahl	Schaaf
Bernhagen	Gearty	Kleinbaum	Olhoft	Solon
Blatz	Hansen, Baldy	Knutson	Olson, A. G.	Stassen
Borden	Hansen, Mel	Kowalczyk	Olson, H. D.	Stokowski
Brown	Hanson, R.	Krieger	Olson, J. L.	Thorup
Coleman	Hughes	Larson	O'Neill	Ueland
Conzemius	Humphrey	Laufenburger	Patton	Willet

Which motion prevailed. So the resolution was adopted.

SPECIAL ORDER—CONTINUED

The question recurred on S. F. No. 96.

Mr. Olson, A. G. moved to amend S. F. No. 96, as follows:

Page 1, strike lines 31 and 32 and insert in lieu thereof the following:

“a maximum payment of \$46,000 for loss arising out of injury to a person and a maximum payment of \$10,000 for loss arising out of the death of a person.”

The question being taken on the adoption of the amendment,

Mr. Olson, A. G. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Keefe, J.	Milton	Perpich, A. J.	Tennessee
Arnold	Keefe, S.	Moe	Perpich, G.	Thorup
Ashbach	Knutson	North	Purfeerst	Wegener
Chenoweth	Kowalczyk	Novak	Schaaf	Willet
Chmielewski	Larson	Ogdahl	Schrom	
Coleman	Laufenburger	Olhoft	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	
Hughes	McCutcheon	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Bang	Doty	Hansen, Mel	Krieger	Pillsbury
Berg	Dunn	Hanson, R.	Lord	Renneke
Bernhagen	Fitzsimons	Humphrey	Nelson	Stassen
Blatz	Frederick	Josefson	Olson, J. L.	Ueland
Borden	Gearty	Kirchner	O'Neill	
Brown	Hansen, Baldy	Kleinbaum	Patton	

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend S. F. No. 96, as follows:

Pages 10 and 11, strike Sec. 6 and insert in lieu thereof the following:

“Sec. 6. [SUBROGATION AND ARBITRATION BETWEEN OBLIGORS.] Subdivision 1. Except as otherwise provided in this section where a reparation obligor has paid benefits provided under this act to an injured person, the obligor paying such benefits is, to

the extent of such payments, subrogated to any right of action for damages by the injured person against the alleged wrongdoer. However, where such wrongdoer is covered by a policy of liability insurance or other plan of security underwritten by another reparation obligor, the right of the subrogated obligor shall be exercisable only as provided in subdivision 2.

Subd. 2. Every company licensed to write insurance in this state is deemed to have agreed, as a condition of doing business in the state or maintaining its license after the effective date of this act, that (a) where its insured is or would be held legally liable for damages or injuries sustained by any person to whom basic or added reparation benefits have been paid by another obligor or person, it will reimburse such other obligor or person to the extent of such benefits, but not in excess of the amount of damages so recoverable for the types of loss covered by such benefits, or in excess of the limits of its liability under its contract of insurance, or other plan of reparation security; (b) where its insured is or would be held legally liable for property damage or destruction sustained by any claimant to whom payment has been made by another person, it will reimburse such other person to the extent of such payment, but not in excess of the amount of damages so recoverable for the types of loss covered by such reparation security or insurance or in excess of the limits of its liability under its contract of insurance or plan of reparation security; and (c) that the issue of liability for such reimbursement and the amount thereof must be decided by mandatory, good faith, and binding inter-obligor arbitration procedures approved by the commissioner of insurance. Such procedures shall utilize determinations of the comparative negligence of those insureds represented by a reparation obligor at the arbitration proceeding.

Subd. 3. Any evidence or decision in the arbitration proceedings is privileged and is not admissible in any action at law or in equity by any party.

Subd. 4. If any reparation obligor in such an arbitration proceeding also has provided coverage to the same policyholder for collision or upset arising out of the same occurrence, such obligor shall also submit the issue of recovery of any payments thereunder to the same mandatory and binding arbitration proceedings as herein provided.

Subd. 5. 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."

Pages 48 to 54, strike Sections 38 and 39 and renumber subsequent sections accordingly.

Page 56, line 6, after "to" and before "may" strike "45" and insert "43"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Jensen	Laufenburger	Purfeerst
Berg	Frederick	Josefson	Nelson	Renneke
Bernhagen	Gearty	Keefe, J.	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Kirchner	Olson, J. L.	Thorup
Doty	Hansen, Mel	Kleinbaum	O'Neill	Ueland
Dunn	Hanson, R.	Krieger	Patton	

Those who voted in the negative were:

Anderson	Conzemius	Lewis	Olhoft	Spear
Arnold	Davies	Lord	Olson, A. G.	Stokowski
Ashbach	Hughes	McCutcheon	Perpich, A. J.	Tennessen
Blatz	Humphrey	Milton	Perpich, G.	Wegener
Brown	Keefe, S.	Moe	Pillsbury	Willet
Chenoweth	Knutson	North	Schaaf	
Chmielewski	Kowalczyk	Novak	Schrom	
Coleman	Larson	Ogdahl	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Hansen, Baldy, moved to amend S. F. No. 96, as follows:

Page 9, strike line 28

Page 10, strike lines 1 through 6 and insert in lieu thereof the following: "(7) Damages for noneconomic detriment if the injured person (a) dies; (b) sustains permanent disfigurement or permanent loss of a bodily function; or (c) sustains an injury resulting in disability which, for not less than ninety (90) days, renders him incapable of performing his principal activity and a substantial portion of his other daily activities."

Mr. Lord moved to amend the amendment offered by Mr. Hansen, Baldy, as follows:

In clause (b) strike "loss of a bodily function" and insert "injury"

Which motion prevailed. So the amendment was adopted.

The question recurring on the Hansen, Baldy amendment as amended,

Mr. O'Neill moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 43 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Jensen	Moe	Purfeerst
Ashbach	Fitzsimons	Josefson	North	Renneke
Bang	Frederick	Keefe, J.	Ogdahl	Schrom
Berg	Gearty	Kirchner	Olhoft	Solon
Bernhagen	Hansen, Baldy	Kleinbaum	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Krieger	Olson, H. D.	Thorup
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Wegener
Coleman	Hughes	Lewis	O'Neill	
Doty	Humphrey	Lord	Patton	

Those who voted in the negative were:

Brown	Knutson	Milton	Pillsbury	Tennessen
Chmielewski	Kowalczyk	Nelson	Schaaf	Ueland
Davies	Larson	Novak	Spear	Willet
Keefe, S.	McCutcheon	Perpich, G.	Stokowski	

Which motion prevailed. So the Hansen, Baldy amendment, as amended, was adopted.

Mr. O'Neill moved to amend S. F. No. 96, as follows:

Amend the Olson, A. G., amendment adopted May 9, 1973, as follows:

Strike "\$46,000" and insert in lieu thereof "\$10,000"

After "to a person" insert a period and strike the remaining language.

The question being taken on adoption of the amendment,

Mr. Olson, A. G., moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Hanson, R.	Kleinbaum	O'Neill
Bang	Fitzsimons	Humphrey	Krieger	Renneke
Berg	Frederick	Jensen	Laufenburger	Solon
Bernhagen	Gearty	Josefson	Lord	Stassen
Blatz	Hansen, Baldy	Keefe, J.	Nelson	Thorup
Borden	Hansen, Mel	Kirchner	Olson, J. L.	Ueland

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Olson, A. G.	Schrom
Arnold	Hughes	Milton	Olson, H. D.	Spear
Chenoweth	Keefe, S.	Moe	Perpich, A. J.	Stokowski
Chmielewski	Knutson	North	Perpich, G.	Tennessee
Coleman	Kowalczyk	Novak	Pillsbury	Wegener
Conzemius	Larson	Ogdahl	Purfeerst	Willet
Davies	Lewis	Olhoff	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend S. F. No. 96, as follows:

Page 10, line 3, after "90" and before "days", insert "consecutive"

Which motion did not prevail. So the amendment was not adopted.

Mr. Laufenburger moved to amend S. F. No. 96, as follows:

Page 53, line 16, strike "20" and insert "50"

Page 53, line 27, strike "20" and insert "50"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Baldy	Kirchner	Lewis
Arnold	Davies	Hansen, Mel	Kleinbaum	Lord
Ashbach	Doty	Hanson, R.	Knutson	Milton
Bang	Dunn	Hughes	Kowalczyk	Nelson
Bernhagen	Fitzsimons	Humphrey	Krieger	North
Blatz	Frederick	Josefson	Larson	Olhoff
Borden	Gearty	Keefe, S.	Laufenburger	Olson, A. G.

Olson, H. D.	Perpich, A. J.	Schaaf	Stokowski	Willet
Olson, J. L.	Perpich, G.	Solon	Thorup	
O'Neill	Pillsbury	Spear	Ueland	
Patton	Renneke	Stassen	Wegener	

Those who voted in the negative were:

Berg	Conzemius	McCutcheon	Novak	Tennessee
Coleman				

Which motion prevailed. So the amendment was adopted.

S. F. No. 96 was read the third time, as amended, and placed on its final passage.

The question taken on the passage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Larson	Olson, A. G.	Spear
Arnold	Fitzsimons	Lewis	Olson, J. L.	Stassen
Ashbach	Hanson, R.	Lord	O'Neill	Stokowski
Bang	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Bernhagen	Humphrey	Milton	Perpich, G.	Thorup
Blatz	Keefe, J.	Moe	Pillsbury	Ueland
Chenoweth	Keefe, S.	Nelson	Purfeerst	Wegener
Chmielewski	Kirchner	North	Renneke	Willet
Coleman	Kleinbaum	Novak	Schaaf	
Conzemius	Knutson	Ogdahl	Schrom	
Davies	Kowalczyk	Oihoft	Solon	

Those who voted in the negative were:

Berg	Frederick	Hansen, Baldy	Josefson	Olson, H. D.
Borden	Gearty	Hansen, Mel	Laufenburger	Patton
Doty				

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, May 10, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, May 10, 1973.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Dunn	Keefe, S.	Olhoft	Sillers
Berg	Fitzsimons	Kirchner	Olson, A. G.	Stassen
Bernhagen	Frederick	Kleinbaum	Olson, J. L.	Stokowski
Borden	Gearty	Knutson	Patton	Ueland
Brown	Hansen, Baldy	Larson	Pillsbury	Willet
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	
Chmielewski	Hughes	Lewis	Renneke	
Coleman	Jensen	Moe	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Keefe, S.	Nelson	Purfeerst
Arnold	Dunn	Kirchner	North	Renneke
Ashbach	Fitzsimons	Kleinbaum	Novak	Schaaf
Bang	Frederick	Knutson	Ogdahl	Schrom
Berg	Gearty	Kowalczyk	Olhoft	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Borden	Hansen, Mel	Larson	Olson, H. D.	Spear
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Chenoweth	Hughes	Lewis	O'Neill	Stokowski
Chmielewski	Humphrey	Lord	Patton	Tennessee
Coleman	Jensen	McCutcheon	Perpich, A. J.	Thorup
Conzernius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. McCutcheon, Wegener, and Blatz were excused from the Session of this morning.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	78	Chapter 166	May 7, 1973	May 7, 1973
	205	Chapter 167	May 7, 1973	May 7, 1973
	212	Chapter 168	May 7, 1973	May 7, 1973
	256	Chapter 169	May 7, 1973	May 7, 1973
	263	Chapter 170	May 7, 1973	May 7, 1973
	345	Chapter 171	May 7, 1973	May 7, 1973
	362	Chapter 172	May 7, 1973	May 7, 1973
	425	Chapter 173	May 7, 1973	May 7, 1973
	591	Chapter 174	May 7, 1973	May 7, 1973
	610	Chapter 175	May 7, 1973	May 7, 1973
	660	Chapter 176	May 7, 1973	May 7, 1973
	707	Chapter 177	May 7, 1973	May 7, 1973
	821	Chapter 178	May 7, 1973	May 7, 1973
	869	Chapter 179	May 7, 1973	May 7, 1973
	955	Chapter 180	May 7, 1973	May 7, 1973
	1130	Chapter 181	May 7, 1973	May 7, 1973
	1137	Chapter 182	May 7, 1973	May 7, 1973
	1164	Chapter 183	May 7, 1973	May 7, 1973
	1167	Chapter 184	May 7, 1973	May 7, 1973
	1170	Chapter 185	May 7, 1973	May 7, 1973
	1171	Chapter 186	May 7, 1973	May 7, 1973
	1429	Chapter 187	May 7, 1973	May 7, 1973
	1435	Chapter 188	May 7, 1973	May 7, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	1548	Chapter 189	May 7, 1973	May 7, 1973
104		Chapter 190	May 7, 1973	May 7, 1973
117		Chapter 191	May 7, 1973	May 7, 1973
425		Chapter 192	May 7, 1973	May 7, 1973
489		Chapter 193	May 7, 1973	May 7, 1973
688		Chapter 194	May 7, 1973	May 7, 1973
778		Chapter 195	May 7, 1973	May 7, 1973
783		Chapter 196	May 7, 1973	May 7, 1973
790		Chapter 197	May 7, 1973	May 7, 1973
1249		Chapter 198	May 7, 1973	May 7, 1973
1277		Chapter 199	May 7, 1973	May 7, 1973
1327		Chapter 200	May 7, 1973	May 7, 1973
1490		Chapter 201	May 7, 1973	May 7, 1973
1501		Chapter 202	May 7, 1973	May 7, 1973
	681	Chapter 203	May 7, 1973	May 7, 1973
	479	Resolution #5	May 8, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

INTRODUCTION OF BILLS

Mr. Schaaf introduced—

S. F. No. 2474: A bill for an act relating to health; providing for regulation on abortion; providing definitions therefor; providing penalties.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Thorup questioned the reference thereon, and under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Willet introduced—

S. F. No. 2475: A bill for an act relating to game and fish; use of certain vehicles in checking traps and transporting beaver or otter carcasses or pelts during open season; exceptions; amending Minnesota Statutes 1971, Section 100.29, Subdivision 30.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, G. introduced—

S. F. No. 2476: A bill for an act relating to state government; transferring certain funds.

Which was read the first time and referred to the Committee on Finance.

Mr. Arnold introduced—

S. F. No. 2477: A bill for an act adding a new route to the trunk highway system.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Chenoweth introduced—

S. F. No. 2478: A bill for an act relating to courts; providing pensions for spouses of deceased judges of probate or county courts; establishing a probate and county judges survivor fund to replace the special survivor retirement account and providing for investment of assets of such fund; appropriating money; amending Minnesota Statutes 1971, Section 490.12, Subdivisions 7 and 8.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Novak, Krieger and Gearty introduced—

S. F. No. 2479: A bill for an act relating to insurance; regulating conversion privileges on certain group policies; amending Minnesota Statutes 1971, Sections 62A.10, by adding a subdivision; and 62C.14, by adding a subdivision.

Which was read the first time and referred to the Committee on Labor and Commerce.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 942, 1155, 1165, 1655, 551, 60, 697, 1278 and 2125.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 9, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 636, 1478, 1581 and 1821.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 8, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1000, 1192, and 1779.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 9, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDÉD by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 452: A bill for an act relating to the city of St. Paul; providing for a change in the election of members of the council.

Senate File No. 452 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 452 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 755, 1381, 1293, 1316, 1575 and 2297.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 9, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File.

S. F. No. 1182: A bill for an act relating to county government, providing for county license bureaus.

There has been appointed as such committee on the part of the House:

Myrah, Quirin and Haugerud.

Senate File No. 1182 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File.

S. F. No. 690: A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

There has been appointed as such committee on the part of the House:

Lindstrom, J.; Salchert and Weaver.

Senate File No. 690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File.

S. F. No. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

There has been appointed as such committee on the part of the House:

Hanson, Samuelson and McCauley.

Senate File No. 910 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File.

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

There has been appointed as such committee on the part of the House:

Haugerud; Eken; Voss; Andersen, R., and Erdahl.

Senate File No. 2417 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1316: A bill for an act relating to insurance; providing continuing group accident and health coverage for survivors of a deceased employee.

Senate File No. 1316 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Hansen, Baldy moved that the Senate do now concur in the amendments by the House to S. F. No. 1316 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1316 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoff	Spear
Bang	Frederick	Knutson	Olson, A. G.	Stassen
Berg	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	O'Neill	Thorup
Borden	Hansen, Mel	Larson	Patton	Ueland
Brown	Hanson, R.	Laufenburger	Perpich, G.	Willet
Chenoweth	Hughes	Lewis	Purfeerst	
Chmielewski	Jensen	Lord	Renneke	
Coleman	Josefson	Milton	Schaaf	
Cenzemius	Keefe, S.	Moe	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the

following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1317: 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.

Senate File No. 1317 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Hansen, Baldy moved that the Senate do now concur in the amendments by the House to S. F. No. 1317 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1317 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Lord	Schaaf
Arnold	Dunn	Keefe, J.	Milton	Schrom
Ashbach	Fitzsimons	Keefe, S.	Novak	Sillers
Bang	Frederick	Kirchner	Olhoft	Spear
Berg	Gearty	Kleinbaum	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Kowalczyk	Olson, J. L.	Tennessee
Brown	Hanson, R.	Krieger	Patton	Thorup
Chenoweth	Hughes	Larson	Perpich, G.	Ueland
Chmielewski	Humphrey	Laufenburger	Purfeerst	Willet
Coleman	Jensen	Lewis	Renneke	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1731: A bill for an act relating to courts; establishing salary for court reporters in fourth judicial district; amending Laws 1969, Chapter 568, Section 1, Subdivision 1, as amended.

Senate File No. 1731 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Tennessen moved that the Senate do now concur in the amendments by the House to S. F. No. 1731 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1731 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Renneke
Arnold	Doty	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Spear
Borden	Hanson, R.	Larson	Olson, J. L.	Stassen
Brown	Hughes	Laufenburger	O'Neill	Stokowski
Chenoweth	Humphrey	Lewis	Patton	Tennessen
Chmielewski	Jensen	Lord	Perpich, G.	Thorup
Coleman	Josefson	Milton	Pillsbury	Ueland
Conzemius	Keefe, J.	Moe	Purfeerst	Willet

Messrs. Dunn and Hansen, Baldy voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1782: A bill for an act relating to the county of McLeod; tax levy for road and bridge purposes.

Senate File No. 1782 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Renneke moved that the Senate do now concur in the amendments by the House to S. F. No. 1782 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1782 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Arnold	Fitzsimons	Kirchner	Novak	Sillers
Ashbach	Frederick	Kleinbaum	Olhoft	Spear
Bang	Gearty	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Krieger	Olson, J. L.	Tennessee
Brown	Hanson, R.	Larson	O'Neill	Thorup
Chenoweth	Hughes	Laufenburger	Patton	Ueland
Chmielewski	Humphrey	Lewis	Perpich, G.	Willet
Coleman	Jensen	Lord	Pillsbury	
Conzemius	Josephson	Milton	Purfeerst	
Doty	Keefe, J.	Moe	Renneke	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

Senate File No. 1147: A bill for an relating to motor vehicles; registration and taxation; providing charges for filing applications; amending Minnesota Statutes 1971, Section 168.33, by adding a subdivision.

Senate File No. 1147 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate do now concur in the amendments by the House to S. F. No. 1147 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1147 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Moe	Pillsbury
Arnold	Dunn	Kirchner	Nelson	Purfeerst
Ashbach	Fitzsimons	Kleinbaum	North	Renneke
Bang	Frederick	Knutson	Novak	Schaaf
Berg	Gearty	Kowalczyk	Ogdahl	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olhoft	Solon
Borden	Hansen, Mel	Larson	Olson, A. G.	Stassen
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Hughes	Lewis	Olson, J. L.	Tennessee
Chmielewski	Humphrey	Lord	O'Neill	Thorup
Coleman	Jensen	McCutcheon	Patton	Ueland
Conzemius	Keefe, J.	Milton	Perpich, G.	Willet

Messrs. Josefson and Schrom voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 399, and repassed said bill in accordance with the report of the Committee so adopted.

H. F. No. 399: A bill for an act relating to claims against the state; providing for payment of claims approved by the claims commission; appropriating money.

H. F. No. 399 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 8, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 399

A bill for an act relating to claims against the state; providing for payment of claims approved by the claims commission; appropriating money.

May 5, 1973

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. 399, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and the bill be further amended as follows:

Amend the amendment as added by the Senate as follows:

In the new subdivision 12, as added by the amendment, strike the figure "43,525.00" and insert in lieu thereof "21,762.50"

In the new subdivision 4, as added by the amendment, strike the figure "1,000.00" and insert "750.00"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Ray W. Faricy, Willard M. Munger and Arlan I. Stangeland.

Senate Conferees: (Signed) Clarence M. Purfeerst, Joseph T. O'Neill and Ed Schrom.

Mr. Purfeerst moved that the foregoing recommendation and Conference Committee Report on H. F. No. 399 be now adopted. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 399: A bill for an act relating to claims against the state; providing for payment of claims approved by the claims commission; appropriating money.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Novak	Schrom
Bang	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Borden	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lewis	O'Neill	Tennessee
Chmielewski	Humphrey	Lord	Patton	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Josefson	Milton	Pillsbury	Willet
Davies	Keefe, J.	Moe	Purfeerst	

So the bill, as amended by the Conference Committee Report, was repassed and its title agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 347, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 347: A bill for an act relating to wild animals; taking of small game by an owner or lessee of the land; amending Minnesota Statutes 1971, Section 98.47, Subdivision 10.

H. F. No. 347 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 8, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 347

A bill for an act relating to wild animals; taking of small game by an owner or lessee of the land; amending Minnesota Statutes 1971, Section 98.47, Subdivision 10.

May 1, 1973

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. 347, 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. 347 be amended as follows:

Page 1 line 13, after "and" and before "trap" insert "may"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Douglas St. Onge, Glen Sherwood and Henry J. Savelkoul.

Senate Conferees: (Signed) Clarence M. Purfeerst, Earl W. Renneke and Hubert H. Humphrey III.

Mr. Purfeerst moved that the foregoing recommendation and Conference Committee Report on H. F. No. 347 be now adopted. Which motion prevailed. So the recommendation and Conference Committee Report were adopted.

H. F. No. 347: A bill for an act relating to wild animals; taking of small game by an owner or lessee of the land; amending Minnesota Statutes 1971, Section 98.47, Subdivision 10.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Sillers
Ashbach	Fitzsimons	Knutson	Ogdahl	Solon
Bang	Gearty	Kowalczyk	Olhoff	Spear
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stokowzki
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Brown	Hughes	Lewis	O'Neill	Thorup
Chenoweth	Humphrey	Lord	Perpich, G.	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Willet
Coleman	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kirchner	North	Schrom	

So the bill, as amended by the Conference Committee Report, was repassed and its title agreed to.

FIRST READING OF HOUSE BILLS

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.

H. F. No. 1478: A bill for an act relating to highways; the establishment of recreational vehicle lanes on state, county and town road rights of way, including bridges and underpasses; and appropriating money; amending Minnesota Statutes 1971, Sections 161.20, Subdivision 2; 161.21, Subdivision 1; 165.02; and 167.50, Subdivision 1.

H. F. No. 1581: A bill for an act relating to the Minnesota housing finance agency; prescribing its powers and duties; providing for the financing thereof; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, Subdivisions 2, 4, 7, 9, and 10, and adding subdivisions; 462A.05, Subdivisions 2, 3, 4, 5, 9, 10, and adding subdivisions; 462A.06, Subdivisions 11 and 12; 462A.07, Subdivision 5; 462A.08, Subdivisions 1, 2 and 3; 462A.09; 462A.10, Subdivisions 2, 3, 4, 5, and 9; 462A.16; 462A.17, Subdivision 1; 462A.18, Subdivision 2; 462A.20, Subdivision 2; 462A.21, Subdivisions 2, 3, and 4; and 462A.22; repealing Minnesota Statutes 1971, Sections 462A.06, Subdivisions 13, 14, 15 and 16; and 462A.23.

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

H. F. No. 1000: A bill for an act creating a commission on Minnesota's future; describing its duties and functions; and appropriating funds for its operation; repealing Minnesota Statutes 1971, Section 4.14.

H. F. No. 1192: A bill for an act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

H. F. No. 1779: A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

H. F. No. 755: A bill for an act relating to unemployment compensation; benefits; eligibility; time of receiving claim; amending Minnesota Statutes 1971, Section 268.08, Subdivision 1.

H. F. No. 1381: A bill for an act relating to natural resources; imposing certain duties on the commissioner of natural resources and counties; providing standards and enforcement of permits for utility crossings; establishing state policy providing for the establishments of standards and criteria governing drainage systems as they affect lakes, wetlands, wildlife lands, related natural resources, and erosion and flood control; amending Minnesota Statutes 1971, Sections 84.415, Subdivisions 1 and 5; 92.46 by adding a subdivision; 106.021, Subdivisions 1, 2, and 4 and by adding a subdivision; 106.081, Subdivisions 1, 3, and 4; 106.091, Subdivision 2; 106.101, Subdivisions 2, 4, and 5; 106.121, Subdivision 4; 106.131; 106.201; 106.221, Subdivision 2; and 106.631, Subdivision 1.

H. F. No. 1293: A bill for an act relating to adult corrections; parole; changing certain limitations on parole; amending Minnesota Statutes 1971, Section 243.05.

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.

H. F. No. 1575: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes 1971, Sections 61A.13, Subdivision 1; 61A.14, Subdivision 5; 61A.15; 61A.17; 61A.19; 61A.21; and 61A.22.

H. F. No. 2297: A bill for an act relating to the county of Hennepin; granting authority to acquire, construct, operate and maintain a correctional facility, work farm, or detention facilities.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Joint Rule 20, together with the committee report thereon, S. F. No. 2272,

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1742: A bill for an act relating to the credentialing of allied health manpower under the state board of health; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, strike "144.962" and insert in lieu thereof "144.952"

Page 2, line 2, strike "146.03" and insert in lieu thereof "146.02"

Page 4, line 13, strike "144.96" and insert in lieu thereof "144.52"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

H. F. No. 1327: A bill for an act relating to the state college board; authorizing the board to apply and receive federal funds for the planning and construction of an emergency driving and research facility and for the construction and operation of the facility; appropriating money for the operation and maintenance thereof.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1404: A bill for an act relating to veterans; the enforcement of veterans' preference rights by the commissioner of veterans affairs; authorizing the attorney general to represent veterans in certain cases; appropriating money; amending Minnesota Statutes 1971, Chapter 197, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, strike "*corporation,*"

Page 1, line 17, after "*197.47,*" insert "*and*"

Page 1, line 17, strike "*or any other law,*"

Page 3, line 24, after "*affairs*" insert "*for the biennium ending June, 1975*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2002: A bill for an act relating to education; appropriating money to cover reimbursement deficiencies for vocational aid programs.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "\$2,920,931.24" and insert in lieu thereof "\$4,420,931.24"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1409: A bill for an act relating to education; providing that members of the Minnesota higher education coordinating commission shall be reimbursed for expenses incurred in the performance of their duties; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 4.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 534: A bill for an act relating to education; providing compensation for expenses for members of Minnesota education council; amending Minnesota Statutes 1971, Section 121.83.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

H. F. No. 178: A bill for an act relating to peace officers; providing benefits to survivors of peace officers killed in the line of duty; establishing a peace officers' benefit account in the state treasury; providing an appropriation.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 7, after "or" insert "full-time"

Page 1, line 11, strike "state penal" and insert in lieu thereof "correctional"

Page 1, line 13, after "employed" insert "on a full-time basis"

Page 2, line 2, after ";" insert "and"

Page 2, line 4, strike " ; and" and insert in lieu thereof a period

Page 2, strike line 5

Page 2, line 15, after "OFFICERS" strike the " ' "

Page 2, line 15, strike "ACCOUNT" and insert in lieu thereof "FUND"

Page 2, line 16, after "benefit" strike "account" and insert in lieu thereof "fund"

Page 2, line 17, after "fit" strike "account" and insert "fund"

Page 2, line 17, after "that" strike "account" and insert "fund"

Page 2, line 28, strike "50,000" and insert in lieu thereof "25,000"

Page 2, line 36, strike "account." and insert in lieu thereof "fund. For the purpose of this act, killed in the line of duty shall not include any peace officer who dies as a result of a heart attack."

Page 3, line 2, strike "account in the state treasury" and insert in lieu thereof "fund"

Amend the title in the second line by striking "account" and inserting "fund"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1566: A bill for an act appropriating money to the state department of education for deficiencies and future needs in state aid for education programs for adults.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "\$100,000" and insert in lieu thereof "\$90,000"

Page 1, line 11, strike "\$95,975.58" and insert in lieu thereof "\$90,000"

Page 1, line 16, strike "section" and insert in lieu thereof "act"

Page 1, strike lines 18 through 27

Further amend the title as follows:

Page 1, line 4, strike "and future needs"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1557: A bill for an act relating to education; establishing a work-study program for post-secondary education students; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 25, strike "\$45,000" and insert in lieu thereof "\$15,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1418: A bill for an act relating to education; transportation aids; appropriating money to cover certain deficiencies for fiscal year 1972-73.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 30, add a new section 2 to read as follows:

"Sec. 2. This act takes effect the day following its final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1091: A bill for an act relating to health; authorizing the commissioner of public welfare to make grants to aid in the purchase, construction or remodeling of community residential facilities for the mentally retarded and cerebral palsied; directing the commissioner of public welfare to establish an advisory board on community residential facilities for the mentally retarded and cerebral palsied; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 18, strike "\$500,000" and insert in lieu thereof "\$50,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1509: A bill for an act relating to public health; providing for composition of state board of health, compensation; appropriating money; amending Minnesota Statutes 1971, Sections 144.01 and 144.04.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 9, line 21, strike "\$50" and insert in lieu thereof "\$35"

Page 15, line 10, strike "\$50" and insert in lieu thereof "\$35"

Page 19, after line 24, insert:

"Sec. 26. Minnesota Statutes 1971, Section 175.16, is amended to read:"

Page 19, line 25, delete "Sec. 26."

Underline all new language in the bill

Amend the title as follows:

Fourth line, after "penalties;" insert "amending Minnesota Statutes 1971, Section 175.16;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1699: A bill for an act relating to education; veteran farmer cooperative training program; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "grants" insert "within appropriated amounts"

Page 1, line 17, strike "sum of \$2,400,000 is" and insert in lieu thereof "sums of \$66,000 for the year ending June 30, 1974 and \$726,000 for the year ending June 30, 1975 are"

Page 1, line 19, strike ", division of vocational education,"

Page 1, line 20, strike "participation in" and insert "reimbursement, in addition to amounts otherwise appropriated for the purpose, for"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; and 15A.085.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 19 and 20 and insert in lieu thereof: "*department of civil service is abolished by other law.*"

Page 2, line 22, strike "20,700" and insert in lieu thereof "23,500"

Page 2, line 22, strike "22,800" and insert in lieu thereof "25,900"

Page 5, line 25, strike "33,200" and insert in lieu thereof: "30,300"

Page 5, reinstate line 28; on line 29 reinstate "public examiner" and add: "25,100 - 27,600"; before line 30 insert: "*(This salary is authorized only until August 31, 1973.)*"

Page 6, strike lines 26 through 32 entirely.

Page 7, strike lines 1 through 5 entirely.

Page 7, strike lines 8 through 23 entirely.

Page 12, line 18, strike "18" and insert in lieu thereof "12"

Page 12, after line 20, add a section to read:

"Sec. 5. Minnesota Statutes 1971, Section 15A.101, is amended to read:

15A.101 [DEPARTMENT HEAD EXPENSES.] ~~The chancellor of the state college system and the presidents of the state colleges are authorized to expend annually a sum not to exceed \$3,000; Heads of departments in the executive branch who receive a fixed salary of, or whose range midpoint is, \$21,000 \$23,000 annually or more, and constitutional officers, are authorized to expend annually a sum not to exceed \$1,000 \$3,000; and the heads of all other state departments are authorized to expend a sum not to exceed \$500 \$1,000 annually from their supply and expense funds for expenses necessary for the normal performance of their duties for which no other reimbursement is provided. The expenditures are subject to the statutes and rules and regulations of the state governing budgeting, allotment and encumbrance, preaudit, and post audit.~~

The commissioner of ~~administration~~ *finance* may promulgate rules and regulations as necessary to assure the proper expenditure of these funds, and to provide for reimbursement."

Renumber the remaining section.

Amend the title as follows:

Line 7, strike "and"

Line 8, before the period insert "; and 15A.101"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. [CITATION.] Sections 1 to 4 may be cited as the Minnesota free flow of information act.

Sec. 2. [PUBLIC POLICY.] In order to protect the public interest and the free flow of information, the news media should have the benefit of a substantial privilege not to reveal sources of information or to dis-

close unpublished information. To this end, the freedom of press requires protection of the confidential relationship between the news gatherer and the source of information. The purpose of this act is to insure and perpetuate, consistent with the public interest, the confidential relationship between the news media and its sources.

Sec. 3. [DISCLOSURE PROHIBITED.] No person who is or has been directly engaged in the gathering, procuring, compiling, editing, or publishing of information for the purpose of transmission, dissemination or publication to the public shall be required by any court, grand jury, agency, department or branch of the state, or any of its political subdivisions or other public body, or by either house of the legislature or any committee, officer, member, or employee thereof, to disclose in any proceeding the person or means from or through which information was obtained, or to disclose any unpublished information procured by him in the course of his work or any of his notes, memoranda, recording tapes, film or other reportorial data which would tend to identify the person or means through which the information was obtained.

Sec. 4. [EXCEPTION AND PROCEDURE.] Subdivision 1. A person seeking disclosure may apply to the district court of the county where the person employed by or associated with a news media resides, has his principal place of business or where the proceeding in which the information sought is pending.

Subd. 2. The application shall be granted only if the court determines after hearing the parties that the person making application, by clear and convincing evidence, has met all three of the following conditions:

(1) that there is probable cause to believe that the source has information clearly relevant to a specific violation of the law other than a misdemeanor,

(2) that the information cannot be obtained by any alternative means or remedy less destructive of first amendment rights, and

(3) that there is a compelling and overriding interest requiring the disclosure of the information where the disclosure is necessary to prevent injustice.

Subd. 3. The district court shall consider the nature of the proceedings, the merits of the claims and defenses, the adequacies of alternative remedies, the relevancy of the information sought, and the possibility of establishing by other means that which the source is expected or may tend to prove. The court shall make its appropriate order after making findings of fact, which order may be appealed directly to the supreme court according to the appropriate rule of appellate procedure. The order is stayed and nondisclosure shall remain in full force and effect during the pendency of the appeal."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 159: A bill for an act relating to attorneys at law; providing that graduates of Minnesota law schools approved by the American Bar Association need not take a bar examination to be

admitted to practice; amending Minnesota Statutes 1971, Sections 480.05 and 481.01.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 11, after "EXAMINATIONS.]" insert "*Subdivision 1.*"

Page 1, lines 15 to 17, strike all the new language

Page 2, lines 1 to 3, strike all the new language

Page 2, after line 21, insert:

"Subd. 2. Notwithstanding subdivision 1 of this section, the supreme court may permit applicants to be admitted to the bar on the basis of the diploma privilege. To be admitted on the diploma privilege, every applicant must present to the clerk of the supreme court his diploma and a certificate of a law school located in this state which has been approved by the council of legal education and admission to the bar of the American Bar Association. The certificate must state that the applicant has completed his formal law studies, show the courses completed and the semester credits earned and state that according to the official academic records of the school the applicant has satisfactorily completed at least the minimum of legal studies required for the first degree in law. If the school is on the semester system, the applicant must have completed at least 96 semester hours. If the school is on the quarter system, the applicant must have completed 133 hours. At least 70 semester hours or 100 quarter hours must consist of accredited study, satisfactorily completed in regular courses having as their primary and direct subject matters the study of rules and principles of substantive and procedural law as they may arise in the courts and administrative agencies of the United States and this state in the areas generally known as: administrative law, commercial transactions, conflict of laws, constitutional law, contracts, corporations, creditors' rights, criminal law and procedure, damages, domestic relations, equity, evidence, future interests, insurance, jurisdiction of courts, labor law, ethics and legal responsibility of the profession, partnership, personal property, pleading and practice, public utilities, quasi-contracts, real property, taxation, torts, trade regulation, trusts, wills and estates. At least 35 semester hours or 50 quarter hours must cover the following subject matters: constitutional law, contracts, criminal law and procedure, evidence, jurisdiction of courts, ethics and legal responsibilities of the legal profession, pleading and practice, real property, torts, wills and estates. These requirements may be satisfied by combinations of the curricular courses. The dean of each law school in the state shall file with the clerk of the supreme court upon its request a certified statement setting forth the courses taught in his law school which are accredited for a first degree in law and their semester or quarter hours. In addition to these requirements a law school may require other courses or practical training, for which credit toward a degree may or may not be given, as a prerequisite to its certification of eligibility on the diploma privilege.

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 5, after "*status*," insert "*homosexual orientation*"

Page 1, after line 8, insert:

"*Subd. 27. [STATUS WITH REGARD TO PUBLIC ASSISTANCE.] "Status with regard to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, or of being a tenant receiving federal, state or local subsidies, including rental assistance or rent supplements.*"

Page 1, line 9, strike "Subdivision 2,"

Page 1, after line 9, insert:

"363.02 [EXEMPTIONS.] Subdivision 1. [EMPLOYMENT.] The provisions of section 363.03, subdivision 1, shall not apply to:

(1) The employment of any individual

- (a) by his parent, grandparent, spouse, child, or grandchild, or
- (b) in the domestic service of any person.

(2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment.

(3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice.

It is not an unfair employment practice for an employer, employment agency or labor organization:

(i) to require a person to undergo physical examination for purpose of determining the person's capability to perform available employment; or

(ii) to conduct an investigation as to the person's medical history for the purpose of determining the person's capability to perform available employment."

Page 1, line 10, strike "*relating to sex*"

Page 2, line 1, after "*organization*," insert "*if the discrimination is by sex*"

Page 2, line 2, after "*owner*" insert "*or occupier*"

Page 2, line 3, after "*persons*" insert "*if the discrimination is by sex*,

marital status, status with regard to public assistance, disability or homosexual orientation"

Page 2, line 3, strike everything after the period

Page 2, strike lines 4 to 6

Page 2, after line 6, insert: *"Nothing in this chapter shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this chapter be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract."*

Page 2, strike line 7

Page 2, line 15, after the period insert *"Nothing in this chapter shall prohibit an educational institution from discriminating on the basis of academic qualifications or achievements or requiring from applicant's information which relates to academic qualifications or achievements."*

Page 2, strike line 16

Page 2, strike lines 19 to 22

Page 2, after line 22, insert:

"Subd. 5. [DISABILITY.] Nothing in this chapter shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate or accommodate that person. It is a defense to a complaint or action brought under this chapter that the person bringing the complaint or action suffers from a mental disability which poses a serious threat to the safety of others. The burden of proving this defense is upon the respondent."

Renumber the remaining sections.

Page 2, line 27, strike "age,"; after "status," insert *"status with regard to public assistance, homosexual orientation"*

Page 2, line 36, strike "age,"

Page 3, line 1, after "status," insert *"status with regard to public assistance, homosexual orientation"*

Page 3, line 8, strike "age,"; after "status," insert *"status with regard to public assistance, homosexual orientation"*

Page 3, line 17, strike "age,"; after "status," insert *"status with regard to public assistance, homosexual orientation"*

Page 3, line 20, strike the second comma and insert in lieu thereof *"or any rule, regulation or laws of the United States or of this state requiring"*

Page 3, line 22, strike "age,"; after "status," insert *"status with regard to public assistance, homosexual orientation"*

Page 3, line 26, strike "age,;" after "status," insert "status with regard to public assistance, homosexual orientation"

Page 3, line 32, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 3, line 35, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 6, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 11, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 15, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 17, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 23, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 4, line 30, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 5, line 1, strike "age,;" after "status," insert "status with regard to public assistance, homosexual orientation"

Page 5, line 6, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 5, line 11, strike everything after the period

Page 5, strike lines 12 to 17

Page 5, line 21, after "origin" strike the comma and insert in lieu thereof "or"; strike "or disabil-" and insert in lieu thereof a period

Page 5, strike lines 22 and 23

Page 5, after line 23 insert: "It is an unfair discriminatory practice for a taxicab company to discriminate in the access to, full utilization of or benefit from service because of a person's disability."

Page 5, line 26, strike "or disabil-" and insert in lieu thereof "status with regard to public assistance or homosexual orientation."

Page 5, strike lines 27 and 28

Page 5, line 32, after "status," insert "status with regard to public assistance, homosexual orientation"

Page 5, line 35, strike "age" and insert in lieu thereof "status with regard to public assistance, homosexual orientation"

Page 6, line 2, strike "age," and insert in lieu thereof "homosexual orientation"

Page 6, line 4, strike "REPRISALS;"

Page 6, line 5, strike ", employer, labor organization, or employment agency"

Page 6, strike lines 6 to 9

Page 6, line 10, strike "(2)" and insert in lieu thereof "(1)"

Page 6, line 12, strike "(3)" and insert in lieu thereof "(2)"

Page 6, line 14, strike "(4)" and insert in lieu thereof "(3)"

Page 6, strike lines 17 to 19

Page 6, after line 19 insert:

"Subd. 7. [REPRISALS.] It is an unfair discriminatory practice for any employer, labor organization, employment agency, lessor, public accommodation, public service or educational institution to intentionally engage in any reprisal against any person because that person:

(1) Opposed a practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any matter in an investigation, proceeding or hearing under this chapter; or

(2) Associated with a person or group of persons of a different race, color, creed, religion, national origin or sexual orientation."

Page 8, line 15, strike "age,"

Page 8, line 16, after "status," insert "homosexual orientation"

Page 8, line 35, after "charge" insert the following:

"stating an alleged violation of a particular section of Minnesota Statutes 366.03, Subdivisions 1, 2, 3, 4, 5, 6 and 7"

Page 11, line 36, strike "age,"

Page 12, line 1, after "assistance," insert "homosexual orientation"

Page 12, line 6, strike "age,"

Page 12, line 7, after "tance," insert "homosexual orientation"

Page 12, line 24, strike everything after "discrimination" and insert in lieu thereof a colon

Page 12, strike lines 25 to 33 and insert in lieu thereof:

"(1) In employment because of race, color, creed, religion, national origin, sex, marital status, disability, status in regard to public assistance and homosexual orientation;

(2) In housing and real property because of race, color, creed, religion, national origin, sex, marital status, disability, status in regard to public assistance and homosexual orientation;

(3) In public accommodations because of race, color, creed, religion, national origin, sex and disability;

(4) In public services because of race, color, creed, religion, national origin, sex, marital status, disability, status in regard to public assistance and homosexual orientation; and

(5) In education because of race, color, creed, religion, national origin, sex, marital status, disability, status in regard to public assistance and homosexual orientation."

Page 12, line 34, strike "*erty, public accommodations and public services.*"

Page 13, line 12, strike "*, or subject to the provisions of section 363.03, subdivisions 1, 2, 4, and 5,*"

Page 13, line 24, strike "*180*" and insert in lieu thereof "*90*"

Page 14, line 2, strike "*district*" the second time it appears and insert in lieu thereof "*county*"

Amend the title as follows:

In the second and third lines, strike "*, Subdivisions 2 and 3 and by adding subdivisions*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1729, 636, 1821, 1000, 1192 and 1779 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 1000 and 1779 to the Committee on Finance.

H. F. No. 1192 to the Committee on Labor and Commerce.

H. F. No. 636 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1821 to the Committee on Natural Resources and Agriculture.

The following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS	ORDINARY MATTERS		CALENDAR		
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1729	1733				

And that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1765, 1659, 1508, 1355 and 961 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS	ORDINARY MATTERS		CALENDAR		
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1765	1682				
1659	1775				
1508	1543				
1355	1438				
961	381				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1765 be amended as follows:

Page 1, line 15, after "*department*" insert "*or agency*"

Further, amend the title in line 6, after "*department*" insert "*or agency*"

And when so amended, H. F. No. 1765 will be identical to S. F. No. 1682 and further recommends that H. F. No. 1765 be given its second reading and substituted for S. F. No. 1682 and S. F. No. 1682 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1659 be amended as follows:

Page 6, line 1, delete "consistent with the policies of this"

Page 6, line 2, delete "act"

Page 6, after line 2, insert the following:

"(c) The order designating an area of critical concern shall be effective for no longer than one year pending approval by the legislature of such designation. A designated area, or any part of the area, not receiving the necessary legislative approval may not be redesignated by the governor for a period of less than five years from the date of the governor's order."

Page 8, delete lines 3 through 7 and insert in lieu thereof the following:

"(c) Plans or regulations prepared pursuant to this section shall become effective when enacted by the local unit of government or, following legislative approval of the designation, upon such date as the council may provide in its order approving said plans and regulations."

Page 10, line 26, in the headnote, delete "PERMITS" and insert in lieu thereof "PERMISSION"

Page 11, line 22, delete "no"

Page 11, line 23, delete "; or" and insert in lieu thereof a period

Page 11, delete lines 24 through 26

Page 12, line 15, after "date of" insert "the"

Page 13, delete lines 2 through 6 and insert in lieu thereof the following:

"Sec. 14. [PLANNING GRANTS.] The council shall prepare guidelines for dispersing funds to local units of government or regional development commissions for as much as 100 percent but not less than 50 percent of the non-federal cost of preparing, adopting and enforcing plans and regulations for areas of critical concern pursuant to section 7 of this act, for a period not to exceed five years from such date as the legislature may approve the designation of an area of critical concern.

Sec. 15. [SPECIAL LEVY.] The governing body of any local unit

of government may levy a tax in such amount as may be required for the purpose of complying with the provisions of this act. Such tax shall be in addition to any tax or levy limitations otherwise imposed by law or home rule charter or the provisions of Minnesota Statutes, Sections 275.50 to 275.56."

And when so amended, H. F. No. 1659 will be identical to S. F. No. 1775 and further recommends that H. F. No. 1659 be given its second reading and substituted for S. F. No. 1775 and S. F. No. 1775 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1508 be amended as follows:

Page 2, line 14, delete "of" and insert in lieu thereof "on"

Page 4, delete all of lines 5 through 9

Page 5, after line 9, insert the following sections:

"Sec. 5. Minnesota Statutes 1971, Section 414.041, Subdivision 3, is amended to read:

Subd. 3. [COMMISSION'S ORDER.] If the commission finds that consolidation will be for the best interests of the municipalities, it shall order the consolidation ~~but no consolidation ordered shall be effective without resolutions of the governing bodies of the affecting municipalities approving such consolidation orders~~. As a guide in arriving at a determination, the commission shall consider the following factors:

(a) Present population, past population growth and projected population of the included municipalities;

(b) Quantity of land within the included municipalities;

(c) Present pattern of physical development in the included municipalities including residential, industrial, commercial and institutional land uses;

(d) Comprehensive plans for development of the area including development as projected by the metropolitan council or state planning agency;

(e) Type and degree of control presently being exercised over development in the included municipalities including zoning ordinances, subdivision regulations, and

(f) Natural terrain of the area including general topography, major watersheds, soil conditions, and such natural features as rivers, lakes, and major bluffs;

(g) Present governmental services being provided to the area including water and sewer service, fire and police protection, street improvements and maintenance, and recreational facilities;

(h) Existing and potential problems of environmental pollution and the need for additional services to avoid or minimize these problems;

(i) Fiscal data of the included municipalities including assessed

valuation trends, mill rate trends (state, county, and school district) and present bonded indebtedness;

(j) Relationship and effect of the proposed consolidation on adjacent communities and school districts within and adjacent to the municipalities proposed for consolidation;

(k) Analysis of whether services needed by each included municipality could better be provided by an adjacent but not included municipality;

(l) Availability of space within the included municipalities to accommodate growth;

(m) Plans and programs under consideration for providing needed governmental services to the proposed new municipality; and

(n) Degree of contiguity of the boundaries of the included municipalities.

The order shall provide for election of new municipal officers in accordance with section 414.09. If the most populous of the included municipalities is a village, the new municipality shall be a village and ~~the plan of government shall be Optional Plan A, provided that an alternate plan may be adopted pursuant to Minnesota Statutes 1967, Section 412.551, at any time shall operate under the statutory plan of government in operation in that village unless otherwise ordered by the commission.~~ If the most populous of the included municipalities is a city, the new municipality shall be governed by its home rule charter or the statutory form under which it is governed except that any ward system for the election of councilmen shall be ~~inoperable reviewed by the commission, and if necessary to provide substantially equal representation to the residents of the new municipality, the commission shall in its order redistrict the wards and adjust ward boundaries. The number of councilmen shall be as prescribed in the charter or law applicable to the most populous municipality or such other number as agreed to by the included municipalities. The commission may, as an alternative, abolish the ward system.~~ The ordinances of all of the included municipalities shall continue in effect within their former boundaries until repealed by the governing body of the new municipality.

Notwithstanding any other provision of law to the contrary, the commission may in its order establish a ward system in the new municipality, in which event it shall establish not less than three nor more than seven wards, each of which shall elect one councilman. When more than two years have elapsed after consolidation, the governing body may, by a four-fifths vote, abolish the ward system.

The new municipality shall assume the name of the most populous municipality unless previous to the election another name is chosen by joint resolution of a majority of the included municipalities.

The number of license privileges existing in the included municipi-

palties prior to consolidation and pursuant to state law shall not be diminished as a result of the consolidation.

If the consolidation is denied, no proceeding for the consolidation of the same municipalities may be initiated within two years from the date of the commission's order unless authorized by the commission.

Sec. 6. Minnesota Statutes 1971, Section 414.041, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any other provision of law to the contrary, no consolidation order of the commission involving existing municipalities shall become effective unless adopted by the council of each affected municipality by a majority vote and unless the consolidation order of the commission is approved by the qualified voters of the affected municipalities at a general or special election set according to law. The form of the ballot shall be fixed by the commission; and, if a majority of the votes cast on the question in each municipality in the entire area are in favor of its adoption, the order of the commission shall become effective as provided herein."

Page 5, line 26, delete "*metropolitan council*" and insert in lieu thereof "*regional development commissions*"

Page 8, delete all of lines 13 through 28

Page 9, delete all of lines 1 through 28

Page 10, delete all of lines 1 through 5

Renumber the sections in sequence

Further, amend the title in line 11, by deleting "414.031, Subdivision 5;"

And when so amended, H. F. No. 1508 will be identical to S. F. No. 1543 and further recommends that H. F. No. 1508 be given its second reading and substituted for S. F. No. 1543 and S. F. No. 1543 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1355 be amended as follows:

Page 2, line 6, restore the stricken "\$35"

Page 2, line 7, delete "\$50"

Page 3, line 6, delete "*Nothing in*"

Page 3, delete lines 7 and 8

Page 15, line 11, strike "branch" and insert thereafter "*and judicial branches*"

Page 15, line 24, strike "branch" and insert thereafter "*and judicial branches*"

Page 19, delete lines 12 through 17 and insert in lieu thereof: "*made only after the nominee has achieved permanent or probationary civil service status in the class occupied at the time nomi-*

nation is made and after meeting requirements as determined by the director."

Page 32, line 22, delete "*hospital-medical*"

Page 32, line 28, delete "*The provisions of this subdivision shall not*"

Page 33, delete lines 1 and 2

Page 33, line 3, delete "*Minnesota senate until January 1, 1977.*"

Page 37, line 25, delete "(6)"

Page 38, delete lines 5 through 28

Page 39, delete lines 1 through 28

Page 40, delete lines 1 through 43

Page 41, delete lines 1 through 28

Page 42, delete lines 1 through 28

Page 43, delete lines 1 through 28

Page 44, delete lines 1 through 28

Page 45, delete lines 1 through 28

Page 46, delete lines 1 through 28

Page 47, delete lines 1 through 28

Page 48, delete lines 1 through 28

Page 49, delete lines 1 through 28

Page 50, delete lines 1 through 28

Page 51, delete lines 1 through 3 and insert in lieu thereof the following:

"Sec. 17. Minnesota Statutes 1971, Section 352.03, Subdivision 1, is amended to read:

352.03 [BOARD OF DIRECTORS, COMPOSITION, EXECUTIVE DIRECTOR; DUTIES, POWERS.] Subdivision 1. [MEMBERSHIP OF BOARD; ELECTION; TERM.] The policy making function of the system is hereby vested in a board of seven members, who shall be known as the board of directors, hereinafter called the board. This board shall consist of ~~the state auditor, the state treasurer, the insurance commissioner, three public members~~ appointed by the governor and four state employees who shall be elected by state employees covered by the system at a time and in a manner to be fixed by the board. Two board members, whose terms of office shall begin on the first Monday in March next succeeding their election, shall be elected biennially. The term of the two board members whose terms expire in 1968 shall terminate on the first Monday in March, 1968, and the terms of the two board members whose terms expire in 1970 shall terminate on the first Monday in March, 1970. The members of the board so elected

shall hold office for a term of four years and until their successors are elected, and have qualified. A state employee on leave of absence shall not be eligible for election or re-election to membership on the board of directors; and the term of any board member who is on leave for more than six months shall automatically terminate upon the expiration of such period.

Sec. 18. Minnesota Statutes 1971, Section 352.03, Subdivision 3, is amended to read:

Subd. 3. [DIRECTORS SERVE WITHOUT COMPENSATION.] The members of the board *employed by the state* shall serve without compensation, but shall be reimbursed out of the retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties, and shall suffer no loss of salary or wages through service on the board. *The public members of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.*

Sec. 19. Minnesota Statutes 1971, Section 352.04, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS.] The employee contribution to the fund ~~(a) by those employees whose state service is covered by the federal social security act~~ shall be an amount equal to three *and one-half* percent of salary, and ~~(b) by those employees whose state service is not covered by the federal social security act~~ shall be an amount equal to six percent of salary *beginning with the first full pay period after June 30, 1973*. These contributions shall be made by deduction from salary in the manner provided in subdivision 4.

Sec. 20. Minnesota Statutes 1971, Section 352.04, Subdivision 3, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTIONS.] The employer contribution to the fund shall be ~~(1)~~ an amount equal to the total amount deducted from the salaries of employees on each payroll abstract; ~~plus (2) (a) an additional one-half of the amount of such deductions beginning with the first full pay period after June 30, 1970, for employees paying three percent contributions, such amount to be reduced to one-third of such deductions beginning with the first full pay period after June 30, 1970; or (b) an additional one-sixth of the amount of such deductions for employees paying six percent contributions.~~ The employer contribution shall be made in the manner provided in subdivisions 5 and 6.

Sec. 21. Minnesota Statutes 1971, Section 352.115, Subdivision 2, is amended to read:

Subd. 2. [AVERAGE SALARY.] The retirement annuity hereunder payable at age 65 or thereafter shall be computed in accordance with the applicable provisions of the formula stated in subdivision 3 hereof, on the basis of the employee's average salary for the period of his allowable service. Such retirement annuity is known as the "normal" retirement annuity.

(a) For years prior to July 1, 1957, "average salary" for the purpose of determining an employee's retirement annuity means the average of his highest salary upon which deductions were based for any five consecutive years prior to that date.

(b) For each year of allowable service subsequent to June 30, 1957, "average salary" of an employee for the purpose of determining his retirement annuity means the average of his the highest five successive years of salary upon which he has made contributions to the retirement fund by payroll deductions.

Sec. 22. Minnesota Statutes 1971, Section 352.115, Subdivision 3, is amended to read:

Subd. 3. [RETIREMENT ANNUITY FORMULA.] The employee's average salary, as defined in subdivision 2 multiplied by the applicable percentages indicated below 1 percent per year of allowable service for the first ten years and 1.5 percent for each subsequent year of allowable service and pro rata for completed months less than a full year shall determine the amount of the retirement annuity to which the employee qualifying therefor is entitled:

(1) For Years of Allowable Service Rendered Prior to July 1, 1960	Percentages at the Rate of:
(a) First ten years	1 percent per year of service
(b) Second ten years of completed months of service less than such period	1.1 percent per year of service
(c) Third ten years of completed months of service less than such period	1.7 percent per year of service
(d) Subsequent years or completed months of service less than such period	2 percent per year of service
(2) For years of Allowable Service Rendered Subsequent to June 30, 1960	Percentage at the Rate of
(a) First ten years of	1 percent per year of service
(b) Second ten years of completed months of service less than such period	1.3 percent per year of service

- (c) Third ten years of completed months of service less than such period 2 percent per year of service
- (d) Subsequent years of completed months of service less than such period 2.5 percent per year of service

(3) If a combination of the above formulas is used, the formula percentages used shall be those percentages in each formula as continued for the respective years of allowable service from one formula to the next.

Sec. 23. Minnesota Statutes 1971, Section 352.115, is amended by adding a subdivision to read:

Subd. 13. [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Any employee who prior to July 1, 1973, was less than 60 years of age when entering covered state service who, due to the lowering of the mandatory retirement age, does not qualify for an annuity at the time he is required to retire, shall be entitled upon application to a proportionate annuity based upon his allowable service credit at time of mandatory retirement.

Sec. 24. Minnesota Statutes 1971, Section 352.116, Subdivision 1, is amended to read:

352.116 [ANNUITIES UPON RETIREMENT.] Subdivision 1. [REDUCED ANNUITY BEFORE AGE 65.] Any employee who retires prior to age 65 shall be paid the normal retirement annuity provided in sections 352.115, subdivisions 2 and 3, or 352.715, subdivision 2, as the case may be, reduced by one-half of one percent for each month that the employee is under age 65 on the last day for which he is entitled to service credit as provided in section 352.01, subdivision 11, clause (3), or the date state service terminated, or the date the application for the annuity is filed with the director, whichever is later, *provided however that if an employee is entitled to credit for not less than 30 years allowable service, such reduction shall be applied only for each month the employee is under age 62.*

Sec. 25. Minnesota Statutes 1971, Section 352.118, is amended to read:

352.118 [INCREASE IN BENEFITS.] The retirement annuities and disability benefits authorized and in effect on June 30, ~~1969~~ 1973 shall be increased in the same ratio that the actuarially computed reserve for such benefits determined by using an interest assumption of three *and one-half* percent bears to the actuarially computed reserve for such benefits determined by using an interest assumption of ~~three and one-half~~ *five* percent. The reserves upon which such increase shall be based shall be the actuarially determined reserve for benefits in effect at ~~December 31, 1969~~ *June 30, 1972*, in accordance with the mortality assumptions then in effect and at interest assumptions of three *and one-half* per-

cent and ~~three and one-half~~ five percent. Such ratio of increase computed to the last full one one-hundredth of one percent shall be applied to benefits in effect on June 30, ~~1969~~ 1973 and shall begin to accrue July 1, ~~1969~~ 1973. Notwithstanding section 356.18, increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the Minnesota state retirement system requesting that the increase shall not be made.

Sec. 26. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.1182] [INCREASE IN ANNUITIES AND BENEFITS.] *Any person who was receiving an annuity or benefit as of July 1, 1973, shall be entitled to an increase in such monthly annuity or benefit effective July 1, 1973, in an amount that, when added to amounts received under sections 352.118 and 352.119 equals 30 percent of the annuity or benefit in effect on December 31, 1971 or first authorized thereafter. Said increase shall be made and the transfer of required assets to the adjustable fixed benefit fund in the same manner and at the same time retirement annuities and other benefits are paid and shall be included in each warrant on which each annuity or benefit is so paid. Notwithstanding the provisions of section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the Minnesota state retirement system requesting that the increase shall not be made.*

Sec. 27. Minnesota Statutes 1971, Section 352.119, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] (1) ~~As of June 30, 1969, the present value of all annuities in force as of June 30, 1969 and as amended in accordance with Laws 1969, Chapter 893, shall be determined in accordance with the 1937 standard annuity table of mortality, calculated separately as to sex, with an interest assumption of three and one-half percent and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with the procedures specified by law for the Minnesota adjustable fixed benefit fund.~~

~~(2) (1) Effective July 1, 1969, for those employees commencing to receive benefits pursuant to chapter 352, and acts amendatory thereof, the required reserves as determined in accordance with this section the interest assumption then in effect and appropriate mortality table based on experience of the fund as recommended by the system's actuary shall be transferred to the Minnesota adjustable fixed benefit fund as of the date benefits begin to accrue.~~

~~(3) (2) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.~~

Sec. 28. Minnesota Statutes 1971, Section 352.12, Subdivision 1, is amended to read:

352.12 [REFUNDMENT AFTER DEATH OF EMPLOYEE OR FORMER EMPLOYEE.] Subdivision 1. [DEATH BEFORE TERMINATION OF SERVICE.] If an employee dies before his state service has terminated and neither a survivor annuity nor a reversionary annuity is payable or if an employee who has filed a valid application for an annuity or disability benefit prior to the termination of his state service dies before the benefit has become payable, the director shall make a refundment to his last designated beneficiary or, if there be none, to his surviving spouse or, if none, to the representative of his estate in an amount equal to his accumulated contributions plus interest thereon *after the first year of coverage* to the date of death at the rate of ~~three and one-half~~ *five* percent per annum compounded annually. In the event an employee dies who has received a refundment which he had subsequently repaid in full, interest shall be paid on such repaid refundment only from the date of repayment. If the repayment was made in installments, interest shall be paid only from the date installment payments began. The designated beneficiary, surviving spouse or representative of the estate of an employee who had received a disability benefit shall not be entitled to interest upon any balance remaining to his credit in the fund at the time of death.

Sec. 29. Minnesota Statutes 1971, Section 352.22, Subdivision 1, is amended to read:

352.22 [REFUNDMENTS OR DEFERRED ANNUITIES.] Subdivision 1. [SERVICE TERMINATION.] Any employee who ceases to be a state employee by reason of termination of state service, shall be entitled to a refundment provided in subdivision 2 or a deferred retirement annuity as provided in subdivision 3. Application for a refundment may be made 60 or more days after the termination of state service if the applicant has not again become a state employee required to be covered by the system; except that employees of the University of Minnesota, having attained the age of 68 years or more, and employees of other departments and agencies of the state having attained the age of 70 years or more, whose state service is terminated by operation of law, or by direction of the appointing authority, who attain mandatory retirement age and are required to retire and who are not eligible to receive an annuity under sections 352.115 or 352.72, may apply for refundment without any waiting period.

Sec. 30. Minnesota Statutes 1971, Section 352.22, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT OF REFUNDMENT.] Except as provided in subdivision 3, any person who ceased to be a state employee *after June 30, 1973*, by reason of termination of state service shall receive a refundment in an amount equal to his accumulated contributions without interest, except that an employee terminating state service at the age of 65 or more shall receive a refundment in an amount equal to his accumulated contributions plus interest thereon to the date of termination at the rate of three and one-half percent per annum compounded annually if the employee due to age could not qualify for an annuity upon reaching compulsory

retirement age had he continued in covered employment after one year of coverage to the date of termination of state service at the rate of five percent per annum compounded annually. Interest shall not be paid on any contributions for service rendered prior to age 58.

Sec. 31. Minnesota Statutes 1971, Section 352.23, is amended to read:

352.23 [TERMINATION OF RIGHTS.] When any employee accepts a refundment as provided in section 352.22, all existing service credits and all rights and benefits to which the employee was entitled prior to the acceptance of such refundment shall terminate and shall not again be restored until the former employee acquires not less than one year's allowable service credit subsequent to taking his last refundment. In that event, he may repay all refundments which he had taken from the retirement fund. Repayment of refundments will entitle the employee only to credit for service covered by (a) salary deductions, (b) payments made in lieu of salary deductions, and (c) payments made to obtain credit for service as permitted by laws in effect at the time payment was made. If an employee before taking one or more refundments had credit for prior service or for military service without payment in either case, he may obtain credit for such forfeited service prior to July 1, 1929, and for such forfeited military service by making payments at a contribution rate of three percent of his average salary upon which deductions for the retirement fund were based, for the three year period immediately preceding repayment of refundment for service credit prior to July 1, 1929, and on the salary received by him at the time of entering military service to restore his military service credit. All such payments and repayment of refundments are to be paid with interest at ~~four~~ six percent per annum compounded annually.

Sec. 32. Minnesota Statutes 1971, Section 352.27, is amended to read:

352.27 [CREDIT FOR MILITARY SERVICE.] Any employee given a leave of absence to enter military service who returns to state service upon discharge from military service as provided in section 192.262, may obtain credit for his period of military service but he shall not be entitled to credit for any voluntary extension of military service at the instance of the employee beyond the initial period of enlistment, induction or call to active duty, nor to credit for any period of service following a voluntary return to military service. Such employee may obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of this contribution shall be the applicable amounts required in section 352.04, subdivision 2, plus interest at ~~four~~ six percent per annum compounded annually. In such cases the matching employer contribution and additional contribution provided in section 352.04 shall be paid by the department employing such employee upon his return to state service from funds available to such department at the time and in the manner provided in section 352.04.

Sec. 33. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.90] [CORRECTIONAL EMPLOYEES.] *It is the policy of the legislature to provide special retirement benefits and contributions for certain correctional employees who, because of the nature of their employment, are required to retire at an early age. For the purpose of Minnesota Statutes, Chapter 356, the actuary shall make separate reports with respect to these employees. Except as otherwise provided, the provisions of Minnesota Statutes, Chapter 352, apply to covered correctional employees.*

Sec. 34. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.91] [COVERED CORRECTIONAL SERVICE.] *Covered correctional service means: (a) services performed before or after July 1, 1973, by a state employee, as defined in section 352.01, as an attendant guard, attendant guard supervisor, correctional captain, correctional counselor I, correctional counselor II, correctional counselor III, correctional counselor IV, correctional lieutenant, correctional officer, correctional sergeant, director of attendant guards and guard farmer garden, provided the employee was employed in such position on July 1, 1973 or thereafter; (b) services performed before July 1, 1973 by an employee covered under clause (a) in a position classified as a houseparent or guard instructor; and (c) services performed before July 1, 1973 in a position listed in clause (a) and positions classified as houseparent, guard instructor and guard farmer dairy, by a person employed on July 1, 1973 in a position classified as a license plant manager, prison industry foreman (general, metal fabricating and foundry), prison industry supervisor, food service manager, prison farmer supervisor, prison farmer assistant supervisor or rehabilitation therapist employed at the Minnesota security hospital.*

Sec. 35. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.92] [CORRECTIONAL EMPLOYEE CONTRIBUTIONS.] *Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973, in lieu of employee contributions payable under section 352.04, subdivision 2, contributions by covered correctional employees shall be in an amount equal to six percent of salary.*

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973, in lieu of employer contributions payable under section 352.04, subdivision 3, the employer shall contribute for covered correctional employees (1) an amount equal to 1½ times the deduction from salaries of covered correctional employees on each payroll abstract, plus (2) an additional amount of five percent of salaries of covered correctional employees on each payroll abstract.

Sec. 36. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.93] [RETIREMENT ANNUITY.] *Subdivision 1. After separation from state service an employee covered under section 34 of this act who has attained the age of at least 55 years and has credit for not*

less than a total of ten years of covered correctional service and regular Minnesota state retirement system service shall be entitled upon application to a retirement annuity under this section based only on covered correctional employees' service.

For the purpose of this section, average salary means the average of the monthly salary during the employees' highest five successive years of salary as a correctional employee.

Subd. 2. The monthly annuity under this section shall be determined by multiplying the average monthly salary by the number of years, or completed months, of covered correctional service by 2.5 percent for the first 20 years of correctional service and two percent for each year thereafter; provided however, the monthly annuity shall not exceed 75 percent of the average monthly salary.

Subd. 3. The annuity under this section shall begin to accrue as provided in section 352.115, subdivision 8, and shall be paid for an additional 84 full calendar months and then be reduced to the amount as calculated under section 352.115, except that if this amount, when added to the social security benefit based on state service the employee is eligible to receive at such time, is less than the benefit payable under subdivision 2, the retired employee shall receive an amount that when added to such social security benefit will equal the amount payable under subdivision 2. When an annuity is reduced under this subdivision, the percentage adjustments, if any, that have been applied to the original annuity under Minnesota Statutes, Section 11.25, prior to the reduction, shall be compounded and applied to the reduced annuity.

Subd. 4. A former employee who has both regular and correctional service shall, if qualified, receive an annuity based on both periods of service under applicable sections of law but no period of service shall be used more than once in calculating the annuity.

Subd. 5. Notwithstanding the provisions of subdivision 1 an employee who was in a covered correctional position on July 1, 1973; was employed in a position covered by Minnesota Statutes, Chapter 352, prior to reaching age 60; and was required to retire because of the lowering of the mandatory age, shall be entitled to an annuity under this section even though he does not have ten years of covered service under Minnesota Statutes, Chapter 352.

Subd. 6. This section shall apply to qualified employees who retire on or after July 1, 1973, but the annuity payable hereunder shall not begin to accrue until July 1, 1974.

Sec. 37. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.94] [AUGMENTATION.] *Subdivision 1. An employee who becomes a correctional employee after serving as a regular employee shall be covered under section 352.72, subdivision 2, with respect to the regular service.*

Subd. 2. An employee who becomes a regular employee after serving as a correctional employee shall be covered under Section 352.72, subdivision 2, with respect to his correctional service.

Sec. 38. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.95] [DISABILITY BENEFITS.] *An employee who becomes totally and permanently disabled while in a covered correctional position shall have his disability benefit rights determined under section 352.113 except that when such person becomes 55 years of age he shall be deemed to be retired and shall be entitled to receive the benefit provided under section 352.113, subdivision 3, whether or not disabled at such age. An employee who receives a disability benefit shall not be entitled to an annuity under section 36 of this act, even though otherwise qualified, until reemployed in a covered correctional position for a period of at least one year.*

Renumber the remaining sections in sequence

Further, amend the title in line 15, after "Subdivision 2;" by inserting "352.03, Subdivisions 1 and 3;" and in line 19, after "352.118;" by inserting "352.119, Subdivision 2; 352.12, Subdivision 1;"

Line 19 of the title, delete "Subdivision 1; 356.21," and insert in lieu thereof "Subdivisions 1 and 2; 352.23; 352.27;"

Line 20, delete "Subdivision 5;"

And when so amended, H. F. No. 1355 will be identical to S. F. No. 1438 and further recommends that H. F. No. 1355 be given its second reading and substituted for S. F. No. 1438 and S. F. No. 1438 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 961 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 144.01, is amended to read:

144.01 [MEMBERSHIP.] The department of health as created and constituted under Laws of Minnesota 1925, Chapter 426, is hereby continued under the supervision and control of the state board of health. The state board of health shall consist of ~~nine~~ 15 members, ~~learned in sanitary science, who~~ nine of whom shall be broadly representative of the licensed health professions and six of whom shall be public members as defined for purposes of this act. The members of the board of health shall be appointed by the governor with the advice and consent of the senate. The licensed health professionals shall be appointed by the governor ~~for such periods that the terms of three members will end on the first Monday of January in each year so that the initial terms of three members will end the first Monday in January of each second year. Thereafter the terms shall be four years. The public members shall be appointed by the governor for like terms. Vacancies there-~~ ~~in~~ on the board shall be filled by like appointment for the unexpired term. Each member shall serve until his successor qualifies.

Sec. 2. Minnesota Statutes 1971, Section 144.04, is amended to read:

144.04 [EXPENSES.] The members of the board shall receive ~~no compensation as such, but the necessary expenses of their attendance upon its meetings shall be reimbursed~~ *compensation of the sum of \$35 per day for attendance at board meetings and ordinary and necessary expenses in the same amount and manner as state employees*. Subject to the provisions of Laws 1939, Chapter 441, the board may employ, and at pleasure dismiss, such agents, experts, and other assistants as it may deem necessary and fix their compensation, prescribe their duties, and allow their necessary expenses. All such salaries, compensation, and expenses shall be paid by the state upon vouchers approved by at least two members of the board; but the total for any year shall not exceed the appropriation of the year therefor.

Sec. 3. Minnesota Statutes 1971, Section 144.952, is amended to read:

144.952 [COMPOSITION OF THE BOARD.] Subdivision 1. There is hereby created the state board of examiners for nursing home administrators which shall consist of the following members:

(a) A designee of the state board of health who shall be a non-voting member;

(b) the commissioner of public welfare, or his designee who shall be a non-voting member; and the following members appointed by the governor;

(c) two members actively engaged in the management, operation, or ownership of proprietary nursing homes;

(d) two members actively engaged in the management or operation of nonprofit nursing homes or hospitals caring for chronically ill or infirm-aged patients;

(e) one member actively engaged in the practice of medicine;

(f) one member actively engaged in the practice of professional nursing; and

(g) ~~three members from the general public who are not engaged in the management, ownership, operation or supervision of any nursing home or hospital~~ *public members as defined for purposes of this act.*

Subd. 2. The three *public* members appointed from the general public shall serve until July 1, 1974 or until their successors shall be appointed and qualify; the two members appointed from those actively engaged in the management, operation or ownership of nursing homes shall serve until July 1, 1973 or until their successors are appointed and qualify; the two members appointed from those actively engaged in the management or operation of hospitals or nursing homes caring for the chronically ill or infirmed, aged patients, shall serve until July 1, 1972, or until their successors are appointed and qualify; the member appointed from those actively engaged in the practice of medicine shall serve until July 1, 1971 or until his successor is appointed and qualifies; the member appointed from those actively engaged in the profession of nursing shall serve until July 1, 1970 or until her successor is

appointed and qualifies. Thereafter, any appointment to fill a vacancy shall be for a term of five years. Any vacancy occurring in the position of any appointed member shall be filled by the governor for the unexpired term. Appointed members may be removed by the governor for misconduct, incapacity, incompetence or negligence of duty after being served with a written statement of charges and after the completion of a hearing on such charges.

Sec. 4. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.9555] [COMPENSATION OF BOARD MEMBERS.] *Members of the board shall receive as compensation \$35 per day for attendance at board meetings and they shall also receive their ordinary and necessary expenses in the same amount and manner as state employees; provided that the nonvoting members of the board, the designee of the state board of health and the commissioner of public welfare or his designee, shall receive no per diem payment.*

Sec. 5. Minnesota Statutes 1971, Section 146.11, is amended to read:

146.11 [FEES; DISPOSITION; REPORTS.] All fees received by the state board of examiners in the basic sciences under this chapter shall be paid to the secretary-treasurer thereof, who shall forthwith deposit the same with the state treasurer to be kept in a separate fund, which shall be under the control, and for the use, of the board. All expenditures of the board and all expenses necessarily paid or incurred thereby in the exercise of its powers or the performance of its duties under this chapter shall be paid out of this fund. Payments out of this fund shall be made only upon written orders issued and signed by the president and secretary-treasurer of the board credited to the general fund in the state treasury and the unexpended balance of any special fund of the board as of July 1, 1973 shall also be credited to the general fund. Such secretary-treasurer shall give a bond to the state of Minnesota in such sum as the board shall determine, with sureties approved by the board, conditioned upon the faithful performance by him of the duties of his office and his accounting for all moneys of the board in his custody or under his control as such secretary-treasurer. No expense shall be incurred by the board in excess of the revenue derived from such fees. On or before October 1 in each even numbered year the board shall report to the governor concerning its receipts and disbursements and proceedings for the two preceding fiscal years. The expenses of administering sections 146.01 to 146.22 shall be paid from the appropriations made to the state board of examiners in the basic sciences.

Sec. 6. Minnesota Statutes 1971, Section 147.01, is amended to read:

147.01 [BOARD OF MEDICAL EXAMINERS.] The Minnesota state board of medical examiners shall consist of eight 13 members, residents of the state of Minnesota, appointed by the

governor as hereinafter provided (a) seven of whom shall hold a degree of doctor of medicine and be licensed to practice medicine under chapter 147 , and (b) one of whom shall hold a degree of doctor of osteopathy and either be licensed to practice osteopathy under Minnesota Statutes 1961, Sections 148.11 to 148.16; prior to May 1, 1963, or be licensed to practice medicine under chapter 147 and (c) *five of whom shall be public members as defined for purposes of this act* . The term of office of each of the seven members who shall be serving on the board on May 1, 1963, shall continue for the term for which each was appointed and until his successor shall qualify, one such member's term continuing until May 1, 1963; one such member's term continuing until May 1, 1964; one such member's term continuing until May 1, 1965; one such member's term continuing until May 1, 1966; one such member's term continuing until May 1, 1967; one such member's term continuing until May 1, 1968; and one such member's term continuing until May 1, 1969. The term of the initial member of the board appointed pursuant to clause (b) of the first sentence of this section shall expire on May 1, 1970. *The terms of the initial member of the board appointed pursuant to clause (c) shall expire as follows: two on May 1, 1977; two on May 1, 1978; and one on May 1, 1981, from the date of appointment.* The term of office of each member appointed to the board on the expiration of each of the foregoing terms shall commence as of May 1 and shall continue for a period of eight years and until his successor shall qualify. Upon the expiration of the term of any member, the governor shall appoint a successor to the member whose term expires. Each year the council of the Minnesota state medical association, at least 30 days prior to May first, shall recommend to the governor three doctors of medicine qualified to serve on the board with respect to each membership which is then filled by a doctor of medicine and the term of which shall expire on May 1 of such year. Each year in which the term of a doctor of osteopathy expires, the Minnesota state osteopathic association shall recommend to the governor three doctors of osteopathy qualified to serve on the board. From the list of persons so recommended the governor may appoint one member to the board for the above prescribed term of eight years. Within 60 days after the occurrence of any vacancy in the board, the council of the Minnesota state medical association, if the vacancy be with respect to a membership vacated by a doctor of medicine, or the Minnesota state osteopathic association, if the vacancy be with respect to a membership vacated by a doctor of osteopathy, shall recommend to the governor three doctors of medicine qualified to serve on the board if the recommendation be by the Minnesota state medical association or three doctors of osteopathy qualified to serve on the board if the recommendation be by the Minnesota state osteopathic association. From the list of persons so recommended the governor, within 30 days after receiving such recommendation, may appoint one member to the board for the unexpired term occasioned by such vacancy and any appointment thereto to fill a vacancy shall be made within 90 days after the occurrence of such vacancy for the balance of the unexpired term. The board shall elect from among its number a president, a vice-president, and a secretary-treasurer, who shall each serve for

one year, or until his successor is elected and qualifies. The board shall have authority to adopt such rules and regulations as may be found necessary to carry out the purposes of chapter 147. The members of the board shall have authority to administer oaths and the board, in session, to take testimony as to matters pertaining to the duties of the board. In the administration of this chapter the board shall have the power to compel the attendance of witnesses and the production of documents by subpoena, to investigate complaints of violations of this chapter or the rules and regulations of the board, and to institute injunctive proceedings to restrain violations upon a showing of injury or potential injury to the public health or welfare. Six members of the board shall constitute a quorum for the transaction of business. The board shall have a common seal, which shall be kept by the secretary, whose duty it shall be to keep a record of all proceedings of the board, including a register of all applicants for license under this chapter, giving their names, addresses, ages, educational qualifications, and the result of their examination. These books and registers shall be prima facie evidence of all the matters therein recorded. All communications or information received by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction, and all records of any action or proceedings thereon, except only a final decision of the board, which shall state the specific reason therefor shall be confidential and privileged within the meaning of section 595.02, clause 5, and shall not be public records within the meaning of section 15.17, subdivision 4; provided that upon application of a party in a proceeding before the board pursuant to section 147.02, subdivision 3, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota rules civil procedure. The board shall hold examinations at least once each year.

Sec. 7. Minnesota Statutes 1971, Section 147.05, is amended to read:

147.05 [SUPPLIES; SECRETARY, EXECUTIVE SECRETARY, BOND, COMPENSATION; BOARD MEMBER'S COMPENSATION.] The state board of medical examiners shall provide blanks, books, certificates, and such stationery and assistance as is necessary for the transaction of the business pertaining to the duties of such board and all money received by the secretary shall be paid into the state treasury ~~as provided for by law, to be kept in a separate fund which shall be under the control, and for the use, of the board and credited to the general fund and the unexpended balance in any special account of the board in the state treasury as of July 1, 1973 shall also be credited to the general fund.~~ *The expenses of administering sections 147.01 to 147.29 shall be paid from the appropriations made to the Minnesota state board of medical examiners.* The board may employ, discharge, and fix the compensation of an executive secretary, in the unclassified service, to perform duties prescribed by the board. The secretary and executive secretary of the board shall each give a bond in the sum of \$10,000 to the state of Minnesota for the

faithful performance of his duties. Each member of the board shall receive as compensation for his services the sum of \$50 per day, to be fixed by the board for each day spent in the execution of duties imposed on the board by chapter 147, and rules and regulations adopted pursuant thereto, including attendance at meetings of the Federation of State Medical Boards, and, regular and special meetings of the board, and the secretary and other members of the board shall receive all expenses actually and necessarily incurred by them in connection therewith, subject to the regulations of the department of administration adopted pursuant to section 16.02, subdivision 20. The secretary shall receive a salary of not to exceed \$9,600 per annum, the amount thereof to be fixed by the board. The salary and expenses of the members of the board shall be paid as determined by the board by the state treasurer on warrants signed by the president or secretary, or other authorized person, drawn by the state auditor on the state treasurer on the funds of *appropriated to said board.*

Sec. 8. Minnesota Statutes 1971, Section 148.03, is amended to read:

148.03 [APPOINTMENT.] The governor shall appoint a state board of chiropractic examiners consisting of *two public members as defined for purposes of this act* and five resident chiropractors who shall have practiced chiropractic in this state for at least three years immediately prior to the time of appointment, all of whom shall be graduates of a course of chiropractic, but no more than two of whom shall be graduates of the same school or college of chiropractic; one *resident chiropractor* to be appointed each year to serve five years and until his successor is appointed and qualifies to the end that each member shall serve five years after the first appointment. *The terms of the initial public members shall be for three and five years from the date of appointment respectively.* The board shall have the authority to prescribe rules and regulations relative to the examination of applicants for license to practice chiropractic and for the annual renewal of licenses. Vacancies caused by death or otherwise shall be filled by the governor within 60 days. No member of the board shall be financially interested in any chiropractic school or college or be in any way affiliated with the practice of other methods of healing as are now regulated by law in this state.

Sec. 9. Minnesota Statutes 1971, Section 148.07, Subdivision 2, is amended to read:

Subd. 2 [MANAGEMENT OF FUNDS.] All fees received by the board under sections 148.01 to 148.10 shall be paid to the secretary-treasurer, who shall forthwith deposit the same with the state treasurer in a separate fund of the state board of chiropractic examiners for their use, and shall pay the same out only upon written orders issued and signed by the secretary-treasurer and president of the board. All expenses incurred and authorized by the board in carrying out the provisions of sections 148.01 to 148.10 shall be paid out of this fund and not otherwise to be credited along with any outstanding balance in the special fund of the board as of July 1, 1973 to the general revenue. *The expenses*

of administering sections 148.01 to 148.101 shall be paid from the appropriation made to the state board of chiropractic examiners .

Sec. 10. Minnesota Statutes 1971, Section 148.07, Subdivision 3, is amended to read:

Subd. 3. [REPORT.] The secretary-treasurer shall, on the first Tuesday of October of each even numbered year, file with the governor a report of all receipts and disbursements and proceedings of the board for the preceding two years. He shall give bond in such sum and with such sureties as the board shall deem necessary. Each member of the board shall receive a fee of ~~\$25~~ \$35 per day and ~~mileage at the rate of seven and one-half cents per mile, and other necessary incidentals~~ ordinary and necessary expenses in the same amount and manner as state employees, in attending the meetings of the board and for such other times as he may actually be engaged in business of the board.

Sec. 11. Minnesota Statutes 1971, Section 148.181, is amended to read:

148.181 [BOARD OF NURSING; MEMBERSHIP, APPOINTMENTS, VACANCIES, REMOVALS.] Subdivision 1. The Minnesota board of nursing shall consist of ~~eight~~ 11 members appointed by the governor, each of whom shall be a resident of this state. Seven members shall be nurses who shall have completed at least an approved four-year high school course of study or its equivalent; shall have graduated from an accredited school of nursing; shall be licensed as a registered nurse in this state; shall have had at least five years experience in nursing following graduation, and four of whom shall have at least two years executive or teaching experience in nursing education and shall have been actively engaged in the practice of nursing within two years of her appointment. The ~~eighth member~~ remaining members shall be a ~~layman~~ public members as defined for purposes of this act who shall serve a five-year ~~term~~ terms; provided that of the initial public members appointed, two shall serve a four-year term and two shall serve a five-year term beginning July 1, 1973. ~~The first lay member shall be appointed for a term beginning on July 1, 1971.~~ Each member of the board shall file with the department of state, the constitutional oath of office before beginning his or her term of office. Provided, however, that the present members of the Minnesota state board holding office under the provisions of the Minnesota nurse practice act shall serve as members of said board until the expiration of their respective terms or until their successors have been appointed and qualified.

Subd. 2. On expiration of the term of a member who is a nurse, the governor may appoint, from a list of members submitted by the Minnesota nurses' association, a nurse to hold office for a term of five years. Such list should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the member is a nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by the Minnesota nurses' association in the manner aforesaid, within a period of 90 days. ~~In the case of the~~

lay member of the board, the governor shall appoint a new lay member to fill any vacancy that may occur.

Subd. 3. The governor may remove any member from the board for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct.

Sec. 12. Minnesota Statutes 1971, Section 148.201, is amended to read:

148.201 [COMPENSATION AND EXPENSES.] Each member of the board shall receive, in addition to necessary traveling and hotel expenses, \$20 \$35 per day for each day actually engaged in the discharge of her duties, including travel time and a reasonable number of days for the preparation of examination questions and grading examination papers, in addition to the time actually spent in conducting examinations and surveys and ordinary and necessary expenses in the same amount and manner as state employees.

Sec. 13. Minnesota Statutes 1971, Section 148.241, is amended to read:

148.241 [DEPOSIT OF MONEY.] Subdivision 1. All moneys received by the board collected under sections 148.171 to 148.285 shall be paid to the treasurer of the board who shall deposit the same each month, with the state treasurer. The state treasurer shall place the money to the credit of the Minnesota Board of Nursing fund deposit the money, together with any outstanding balance in any special fund of the board as of July 1, 1973, in the general fund. The expenses of administering sections 148.171 to 148.285 shall be paid from the appropriation made to the Minnesota board of nursing.

Subd. 2. All amounts paid into this fund appropriated to the board shall be held subject to the order of the board to be used only for the purpose of meeting necessary expenses incurred in the performance of the purposes of sections 148.171 to 148.285, and the duties imposed thereby as well as the promotion of nursing education and standards of nursing care in this state.

Sec. 14. Minnesota Statutes 1971, Section 148.29, Subdivision 2, is amended to read:

Subd. 2. "Board" means "Minnesota Board of Nursing," provided that one registered nurse who is a member of the Minnesota board of nursing, chosen by lot, shall not be a member of the licensed practical nurses board for purposes of this definition, and for the purposes of sections 148.29 to 148.297 and Laws 1971, Chapter 418 only, five additional members shall be appointed by the governor, one of whom shall be a doctor of medicine duly licensed and registered in this state, one of whom shall be an administrator or superintendent of a licensed hospital located outside of a city of the first class, and three of whom shall be duly licensed and registered practical nurses.

Upon May 21, 1971, the governor shall appoint one of the new members for a two year term and one of the new members for a one year term; thereafter each new appointment shall be for a three

year term. Members shall hold office until a successor is appointed and qualifies.

Sec. 15. Minnesota Statutes 1971, Section 148.296, Subdivision 2, is amended to read:

Subd. 2. Each member of the board shall receive ; ~~in addition to necessary traveling and hotel expenses, \$20~~ \$35 per day for each day actually engaged in the discharge of board duties ; ~~including travel time and ordinary and necessary expenses in the same amount and manner as state employees .~~

Sec. 16. Minnesota Statutes 1971, Section 148.45, is amended to read:

148.45 [FEES PLACED IN FUND.] All fees and moneys payable under the provisions of sections 148.33 to 148.51 shall be paid to the secretary-treasurer of the state board of medical examiners and he shall forthwith deposit the same with the state treasurer as provided in section 147.05 ; ~~which shall be under the control and for the use of the board in the administration of sections 148.33 to 148.51.~~ The amount of such fund is hereby annually appropriated to the board for the purpose of defraying its expenses in carrying out the provisions of sections 148.33 to 148.51 . *The expenses of administering sections 148.33 to 148.51 shall be paid from the appropriation made to the state board of medical examiners.*

Sec. 17. Minnesota Statutes 1971, Section 148.52, is amended to read:

148.52 [STATE BOARD OF OPTOMETRY.] The state board of optometry shall consist of *two public members as defined for purposes of this act* and five qualified optometrists appointed by the governor, each for a term of three years and until his successor qualifies. Vacancies in the board shall be filled by like appointments for unexpired terms. *The terms of the initial public members shall expire two and three years from the date of appointment respectively.*

Sec. 18. Minnesota Statutes 1971, Section 148.60, is amended to read:

148.60 [DISPOSAL OF FEES; REPORT.] All fees collected under sections 148.52 to 148.62 shall be received ~~and held~~ by the secretary ~~and devoted to the uses of the state board of optometry and deposited together with any unexpended balance in a special fund of the board as of July 1, 1973 in the general fund~~ . The secretary shall give such bond as the board shall from time to time require. *The expenses of administering sections 148.52 to 148.62 shall be paid from appropriations made to the state board of optometry.* On or before October 1 in each even numbered year, the board shall make a biennial report to the governor of its proceedings, receipts and disbursements for the preceding two fiscal years.

Sec. 19. Minnesota Statutes 1971, Section 148.79, is amended to read:

148.79 [BOARD OF EXAMINERS.] There is hereby created a

state board of examiners of psychologists to be appointed by the governor, consisting of *four public members as defined for purposes of this act* and seven resident psychologists whose qualifications shall be not less than those specified in section 148.81. Of the members of the board first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years; thereafter each member shall be appointed for a term of seven years. *The terms of the initial public members appointed to the board shall commence September 1, 1973 and terminate as follows: one on May 1, 1974, one on May 1, 1975, one on May 1, 1976, and one on May 1, 1977.* Each such term of office expires on May 1. Each member shall hold office until his successor is appointed and qualifies. If a vacancy occurs it shall be filled by appointment for the unexpired portion of the term. Upon the passage of Laws 1951, Chapter 672, the executive council of the Minnesota psychological association shall recommend to the governor 12 psychologists, and the state commissioner of education and the state commissioner of mental health one psychologist each, qualified to serve on the board of examiners. From this list the governor may appoint the board of examiners. Not later than April 1 each year the executive council of the Minnesota psychological association shall recommend to the governor three psychologists qualified to serve on such board. From the list of persons so recommended the governor may appoint one member to the board. The board shall designate its officers, and may prescribe such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 148.79 to 148.86. The members of the board may administer oaths pertaining to the business of the board.

Sec. 20. Minnesota Statutes 1971, Section 148.85, is amended to read:

148.85 [FEES APPROPRIATED TO USE OF BOARD.] All fees charged and collected by the board shall be deposited by it in the state treasury ~~to the credit of the board.~~ All such moneys are hereby appropriated to be used by the board in carrying out the provisions of sections 148.79 to 148.86, including the payment of the salaries of the members of the board and its secretary, clerks, and assistants and the money credited to the board shall remain therein. The state auditor shall draw his warrant on such moneys from time to time in favor of the board for the amounts expended or lawfully incurred by the board or its duly authorized agents, and the state treasurer shall pay the same. The expenditures of the board may be paid only from such moneys. Semiannually the secretary of the board shall certify to the state treasurer the total amounts of the receipts and the expenditures of the board for the six months preceding to be credited along with any unexpended balance in the special fund of the board as of July 1, 1973 to the general fund. *The expenses of administering sections 148.79 to 148.86 shall be paid from appropriations made to the state board of examiners of psychologists .*

Sec. 21. Minnesota Statutes 1971, Chapter 148, is amended by adding a section to read:

[148.85] [COMPENSATION.] *All members of the board shall receive as compensation \$35 per day for attendance at board meetings and shall also receive their necessary expenses in the same manner and amount as state employees.*

Sec. 22. Minnesota Statutes 1971, Section 150A.02, is amended to read:

150A.02 [STATE BOARD OF DENTISTRY.] Subdivision 1. There is hereby created a state board of dentistry whose duty it shall be to carry out the purposes and enforce the provisions of sections 150A.01 to 150A.12. The board shall consist of *two public members as defined for purposes of this act* and five qualified resident dentists appointed by the governor. The terms of office of the members shall be five years; provided, however, board members shall serve until their successor is appointed and qualifies, but such successor term shall be for a period ending five years from the expiration of the previous term, so that one vacancy occurs every year. Each board member *who is a dentist* shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall be eligible for appointment to more than two consecutive five year terms, and members serving on the board at the time of the enactment hereof shall be eligible to reappointment provided they shall not have served more than ten consecutive years at the expiration of the term to which they are to be appointed. The governor shall appoint a successor to the member whose term expires, for a term of five years and until his successor qualifies. Each year the Minnesota state dental association, at least 90 days prior to the expiration of the term of a *dentist* expiring in such year, shall recommend to the governor not less than two dentists for the term qualified to serve on the board, and from the list of dentists so recommended the governor may appoint one member to the board for the term of five years, the appointment to be made within 30 days after the expiration of the term. Within 60 days after the occurrence of *any a dental vacancy*, prior to the expiration of the term, in the board, the Minnesota state dental association shall recommend to the governor not less than two dentists qualified to serve on the board and from the list of dentists so recommended the governor, within 30 days after receiving such list of dentists, may appoint one member to the board for the unexpired term occasioned by such vacancy. Any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy. The present members of the board now in existence shall continue to serve the balance of the term to which they were appointed and until their successors have been appointed and qualified.

Subd. 2. Notwithstanding the provisions of subdivision 1, and in order to establish the five year term provided for in sections 150A.01 to 150A.12, with one member to be appointed each year, the first five appointments following the enactment of sections 150A.01 to 150A.12 shall be made for terms expiring each year in the following order: 1971, 1972, 1973, 1974, and 1975, respectively,

and thereafter the terms shall be for five years. *The terms of the initial public members of the board shall expire four and five years respectively from the date of appointment, and thereafter each term shall be for five years.* In the event of more than one appointment at one time, the governor shall designate the order of expiration dates of the terms.

Sec. 23. Minnesota Statutes 1971, Section 150A.03, Subdivision 2, is amended to read:

Subd. 2. Out of the funds coming into the possession of the board, the members thereof shall receive as compensation a sum of \$50 per day and necessary traveling expenses for each day actually engaged in the duties of their offices. The secretary-treasurer shall, in addition thereto, be paid a salary in the amount to be set by the board, not to exceed \$4,000 per year. The board may expend funds for administrative, consultant, secretarial, clerical, and stenographic services for the board, the amount of such expenditures to be set by the board after consultation with the civil service commission. The board may accept any funds which may be made available to the board from any source. All funds received by the board under sections 150A.01 to 150A.12 shall be paid to the secretary-treasurer thereof, who shall deposit the same each month with the state treasurer, the funds to be kept in a separate fund for the sole use and under the sole control of the board carrying out the purposes of sections 150A.01 to 150A.12. Payments out of this fund shall be made only upon written orders issued and signed by the president of the board and the secretary-treasurer thereof. No expense shall be incurred by the board in excess of the revenue derived from all sources credited to the general fund together with any unexpended balance in the special account of the board as of July 1, 1973. The expenses of administering sections 150A.01 to 150A.12 shall be paid from the appropriation made to the state board of dentistry .

Sec. 24. Minnesota Statutes 1971, Section 151.02, is amended to read:

151.02 [STATE BOARD OF PHARMACY.] The Minnesota state board of pharmacy shall consist of *two public members as defined for purposes of this act and five pharmacists actively engaged in the practice of pharmacy in this state* ; . Each of ~~whom~~ *said pharmacists* shall have had at least five consecutive years of practical experience as a pharmacist immediately preceding his appointment.

Sec. 25. Minnesota Statutes 1971, Section 151.03, is amended to read:

151.03 [APPOINTMENT OF MEMBERS.] The members of the state board of pharmacy shall be appointed by the governor, ~~one in each year~~, each to serve for a term of five years and until his successor shall have been appointed and has qualified , *provided that the initial public members shall serve terms of four and five years respectively* . Vacancies shall be filled by the appointment for the unexpired term. Any ~~member of~~ *pharmacist on* the board who, during his incumbency, ceases to be actively engaged in the

practice of pharmacy in this state shall be automatically disqualified from membership. Any member may be removed from office by the governor upon proof of malfeasance or misfeasance in office. The members of the board heretofore appointed and now holding office shall continue until their respective terms expire.

Sec. 26. Minnesota Statutes 1971, Section 151.04, is amended to read:

151.04 [RECOMMENDED NAMES.] The Minnesota state pharmaceutical association ~~shall may~~ recommend five names for each ~~appointment pharmacist to be made, from which list the governor may select~~ appointed .

Sec. 27. Minnesota Statutes 1971, Section 151.27, is amended to read:

151.27 [DEPOSIT OF FEES.] All fees received by the board under this chapter shall be forthwith deposited with the state treasurer to be kept in a separate fund, which shall be ~~under the control and for the use of the board~~ *deposited in the general fund in the state treasury together with any unexpended balance in the special fund of the board as of July 1, 1973* . All expenditures of the board and all expenses necessarily paid or incurred thereby, in the exercise of its powers or the performance of its duties under this chapter, shall be paid out of this fund. Payments out of the fund shall be made only upon written orders issued and signed by the secretary of the board. ~~No expense shall be incurred by the board in excess of the revenue derived from such fees~~ *The expenses of administering sections 151.01 to 151.40 shall be paid from the appropriations made to the state board of pharmacy* .

Sec. 28. Minnesota Statutes 1971, Section 153.02, is amended to read:

153.02 [GOVERNOR TO APPOINT MEMBERS.] The governor shall appoint a state board of podiatry examiners and registration consisting of *two public members as defined for purposes of this act and five members who shall be resident podiatrists of good standing in their profession; each member shall serve five years and until his successor is appointed and has qualified, provided that the initial two public members shall serve four and five year terms respectively* .

Sec. 29. Minnesota Statutes 1971, Section 153.03, is amended to read:

153.03 [APPLICATION FOR REGISTRATION; FEES.] Application for registration shall be made upon blanks furnished by the board and signed and sworn to by the applicant.

All fees received by the board shall once a month be paid by its secretary into the state treasury and *credited to the general fund together with any unexpended balance in the special fund of the board as of July 1, 1973. The expenses of administering sections 153.01 to 153.15 shall be paid from the appropriations made to the state board of podiatry* .

Sec. 30. Minnesota Statutes 1971, Section 153.12, is amended to read:

153.12 [COMPENSATION AND EXPENSES.] Each member of the board shall receive ~~\$25~~ \$35 for every day actually spent in the performance of his duties in connection with the provisions of this chapter and the ordinary and necessary traveling expenses actually incurred, not exceeding five cents per mile each way in the same amount and manner as state employees. Such compensation and traveling expenses and any incidental expenses necessarily incurred by the board or any members thereof shall, if approved by the board, be paid from the state treasury, but only from the fees received under the provisions of this chapter and paid into the state treasury by the board appropriated funds.

Sec. 31. Minnesota Statutes 1971, Section 154.22, is amended to read:

154.22 [BOARD OF BARBER EXAMINERS CREATED; TERMS.] A board, to be known as the board of barber examiners, is established to consist of ~~three~~ four members appointed by the governor. ~~Each member~~ Three of such members shall be a practical barber barbers who has have followed the occupation of a barber in this state for at least five years immediately prior to his their appointment; ~~Each member~~ shall be a graduate graduates from the eighth grade of a grammar school, or have an equivalent education; ; and ~~must~~ shall have knowledge of the matters to be taught in approved schools of barbering, as set forth in section 154.07; and shall be qualified and competent to pass upon all matters likely to come before the board. The remaining member of the board shall be a public member as defined for purposes of this act. One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, the master barbers association of Minnesota.

The members of the board shall serve for three years. The governor may remove a member for cause.

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors. The present members of the board of barber examiners shall remain in office until the completion of their respective terms.

Sec. 32. Minnesota Statutes 1971, Section 154.23, is amended to read:

154.23 [OFFICERS; COMPENSATION; REPORTS.] The board of barber examiners shall elect a chairman and secretary. It shall adopt and use a common seal for the authentication of its orders and records.

The secretary shall keep a record of all proceedings of the board and turn over to the state treasurer all moneys collected at least once a month and fees collected pursuant to this chapter which shall be credited to the general fund in the state treasury together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 154.01 to 154.26 shall be paid from the appropriations made to the state board of barber examiners.

Each member of the board shall give a bond in the sum of \$5,000, with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties and take the oath provided by law for public officers.

A majority of the board, in meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board.

The secretary shall receive as compensation \$9,000 per annum and the other members of the board shall receive a compensation of \$35 per day for each day of actual service, but not to exceed 20 days in any calendar month nor 100 days in any calendar year, in discharge of their duties as such. All members of the board shall receive necessary traveling expenses incurred in the discharge of their duties. ~~Salaries and expenses are to be paid out of the fund created by fees collected in the administration of this chapter.~~ Each member of the board of barber examiners is entitled to sick leave and vacation leave with pay to be computed in the manner prescribed by the civil service rules. Each member shall file monthly with the secretary a complete report showing his activities during the preceding month, stating in detail the places, shops, or schools visited or inspected by the member. On or before October 1 in each even numbered year the board shall make a biennial report to the governor containing a full statement of the receipts and disbursements of the board and a full statement of its doings and proceedings during the preceding two fiscal years, with such recommendations as it may deem expedient.

The board shall have authority to employ such inspectors, clerks' deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter.

~~Any funds in the state treasury to the credit of the present board of barber examiners shall be transferred to, and made available for use by, the board established under the provisions of this chapter.~~

Sec. 33. Minnesota Statutes 1971, Section 155.04, is amended to read:

155.04 [BOARD OF EXAMINERS.] For the purposes of this chapter, there is hereby created and established a board, to be known by the name and style of the Minnesota state board of cosmetology, which shall consist of ~~three~~ *four* members, *one of whom shall be a public member as defined for purposes of this act, not more than two of whom shall reside in cities of the first class and all of whom shall reside in the state, and have an official seal.*

Sec. 34. Minnesota Statutes 1971, Section 155.05, is amended to read:

155.05 [MEMBERS OF BOARD.] The governor shall appoint the members of the Minnesota state board of cosmetology; ~~each~~ *Three of whom such members shall have an official seal, shall have had five years of experience within the last seven years and practice in this state in the occupation and practices as named within this chapter, and ~~who~~ is a shall be senior instructor instructors or*

has have the qualifications to take the examination therefor, prior to the first appointment, one to serve one year, one to serve two years, and one to serve three years, or until their successors are duly appointed and have qualified, and thereafter the term of each such member shall be three years. The governor may remove any member of the board with or without cause. The board members shall be citizens of this state and not members of, nor affiliated with, any school duly approved and teaching the practices, as defined herein, while a member of the board, nor shall any two members of the board be graduates of the same school, or system of schools, teaching the practices, as defined herein. Each member of the board shall take the oath provided by law for public officers.

Sec. 35. Minnesota Statutes 1971, Section 155.18, Subdivision 1, is amended to read:

155.18 [DISPOSAL OF FEES.] Subdivision 1. All fees, as provided in this chapter, shall be paid in advance to the board and deposited in the state treasury and credited to the ~~board~~ *general fund together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 155.01 to 155.21 shall be paid from the appropriations made to the Minnesota state board of cosmetology.* These funds shall be disbursed by the board only on the order of the president of the board and in payment of expenses lawfully incurred and approved by the board and with the approval of the department of administration in these cases set forth heretofore where such approval is required. On the failure to pass an examination for license the fee paid shall not be returned to the applicant, but any time within one year after such failure such applicant may present himself and take a second examination without the payment of any additional license fee.

Sec. 36. Minnesota Statutes 1971, Section 156.01, Subdivision 1, is amended to read:

156.01 [STATE VETERINARY EXAMINING BOARD.] Subdivision 1. There is hereby created a state veterinary examining board which shall consist of *two public members as defined for purposes of this act and five qualified veterinarians* appointed by the governor. Each appointee shall be a resident of the state of Minnesota, *and the veterinarian members of the board shall have practiced veterinary medicine in this state for at least five years prior to his their appointment ; and shall be a graduate graduates* of a reputable veterinary college. Each member of the board shall be appointed for a term of five years and until his successor is appointed and qualifies; provided, that the first board appointed by the governor pursuant to this chapter shall consist of five members, who shall hold office for one, two, three, four, and five years, respectively. *The initial public members of the board shall be appointed for four and five year terms respectively.* Vacancies occurring during an appointed term shall be filled by the governor for the unexpired term.

Sec. 37. Minnesota Statutes 1971, Section 156.01, Subdivision 2, is amended to read:

Subd. 2. Whenever the occasion arises pursuant to this chapter for the appointment of a *veterinarian* member of the board by the governor the board of trustees of the Minnesota state veterinary medical society ~~shall~~ *may* recommend to the governor, at least 30 days in advance of the date that the appointment is to be made, three veterinarians qualified to serve on the board for each appointment so to be made ~~and the governor may appoint one of these persons so recommended to fill the vacancy.~~

Sec. 38. Minnesota Statutes 1971, Section 156.14, is amended to read:

156.14 [FUNDS PAID TO STATE TREASURER.] All fees collected on behalf of the veterinary examining board, as provided by this chapter, and all receipts of every kind or nature received by the board shall be collected by the treasurer of the board and by him deposited in the state treasury and credited to the ~~board~~ *general fund, together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 156.001 to 156.14 shall be paid from the appropriations made to the state veterinary examining board. Such fund shall be known as the state veterinary examining board fund and shall be under the sole and exclusive jurisdiction of the board for the purposes of carrying out the provisions of this chapter. All money in the state treasury credited to the state veterinary examining board fund is annually appropriated to the board for the purposes of carrying out the provisions of Minnesota Statutes, Chapter 156.*

Sec. 39. Minnesota Statutes 1971, 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 (hereinafter called the board) consisting of ~~nine~~ *fifteen* members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers ~~and~~ , one member shall be a registered land surveyor ~~and~~ *six members shall be public members as defined for purposes of this act.* 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. 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.

Sec. 40. Minnesota Statutes 1971, Section 326.05, is amended to read:

326.05 [QUALIFICATIONS OF BOARD MEMBERS.] Each member of the board shall be a citizen of the United States and a resident of this state at the time of his appointment. ~~Each~~ *Each member except the public members shall have been engaged in the practice of his profession for at least ten years and shall have been in responsible charge of work for at least five years. He* ~~Each such~~ *member shall be a member in good standing of a recognized society of architects, engineers, or land surveyors; and, except as provided in section 326.06, shall be a registered architect, registered engineer, or registered land surveyor.*

Sec. 41. Minnesota Statutes 1971, Section 326.08, Subdivision 1, is amended to read:

326.08 [FEES, DISPOSAL OF; PAY OF BOARD MEMBERS; BONDS.] Subdivision 1. All fees and other moneys accruing from the operation of sections 326.02 to 326.15 shall be paid to the board and shall be used for the purposes of sections 326.02 to ~~326.15~~ *credited to the general fund in the state treasury together with any unexpended balance in a special fund of the board as of July 1, 1973. The expenses of administering sections 326.02 to 326.16 shall be paid from the appropriation made to the state board of registration for architects, engineers and surveyors.* The expenses of the board shall be paid by voucher made by the secretary-treasurer and approved by the chairman. Each member of the board shall receive \$35 for each day or portion thereof that he attends a meeting of the board or is otherwise engaged in performing official business of the board. The members of the board shall be reimbursed for *ordinary and actual expenses incurred in travel to and from meetings and for expenditures for hotel bills, meals, stationery, postage, printing, typewriting, and the like necessary expenses incurred in the performance of their duties in the same amount and manner as state employees.*

Sec. 42. Minnesota Statutes 1971, Section 326.17, is amended to read:

326.17 [STATE BOARD OF ACCOUNTANCY.] A board of examiners, to be known as the state board of accountancy, is hereby created to carry out the purposes and enforce the provisions of sections 326.17 to 326.23. It shall consist of ~~five~~ *seven* citizens of this state to be appointed by the governor, *two of whom shall be*

public members as defined for purposes of this act and ~~who~~ five of whom shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23 ; and . Each member shall hold office until the expiration of their respective terms and until their successors are appointed and have qualified. The members of the state board of accountancy in office on June 30, 1962, shall continue in office for the remainder of their respective unexpired terms, which terms expire on December 31 of successive years. If a member is unable or unwilling to complete the term for which he was appointed, the governor shall appoint a member for the remainder of his term. The initial terms of the public members of the board shall be for four and five years respectively. Upon the expiration of any term, the governor shall appoint a member of the board for a term of five years.

Sec. 43. Minnesota Statutes 1971, Section 326.18, is amended to read:

326.18 [BOARD, DUTIES, OFFICERS, EXAMINATIONS, REPORT.] A majority of the board shall constitute a quorum. The board shall elect one of its number as chairman, another as vice chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. The affirmative vote of ~~three~~ four members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examination conducted thereunder. The board shall make rules and regulations for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the state board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than 20 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board, but not less than once in each year. The board may make further rules and regulations, including but not limited to rules of professional conduct, pertaining to corporations practicing public accounting which it deems consistent with or required by the public welfare.

The board shall keep records of its proceedings, an accurate list of all applications made, certificates issued, certificates registered, and certificates revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate issued or registered under sections 326.17 to 326.23. All records of the board shall be

open to the inspection of the public at the office of its secretary. It shall report biennially, on or before October 1 in each even numbered year to the governor for the two preceding fiscal years, as follows:

- (1) Its receipts and disbursements;
- (2) Names of persons to whom certificates have been issued;
- (3) Names of all persons whose certificates have been revoked;
- (4) Recommendations, if any, for new legislation; and
- (5) Such other matters as the board may deem proper.

Sec. 44. Minnesota Statutes 1971, Section 326.22, Subdivision 3, is amended to read:

Subd. 3. [EXPENSES OF ADMINISTRATION.] ~~From the fees collected under sections 326.17 to 326.23~~ The board shall pay all *ordinary and necessary expenses incident to the examinations, hearings, and expense of issuing certificates, traveling expenses of the board while performing their duties in the same amount and manner as state employees. The fees collected under sections 326.17 to 326.23 shall be paid into the state treasury and credited to the general fund together with the unexpended balance in any special fund of the board as of July 1, 1973. The expenses of administering sections 326.17 to 326.23 shall be paid from appropriations made to the state board of accountancy.* The members of the board of accountancy shall be paid \$35 per day spent in the performance of their duties and all necessary expenses incurred in the performance of their duties .

Sec. 45. Minnesota Statutes 1971, Section 326.241, Subdivision 1, is amended to read:

326.241 [STATE BOARD OF ELECTRICITY.] Subdivision 1. [COMPOSITION.] The state board of electricity shall consist of ~~seven~~ *nine* members, residents of the state, appointed by the governor with the advice and consent of the senate, each for a term of five years, *except that the initial public members shall serve four and five year terms respectively* and until his successor qualifies, of whom at least two shall be representatives of the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, and one a registered consulting electrical engineer and *two public members as defined for purposes of this act.*

Sec. 46. Minnesota Statutes 1971, Section 326.241, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION AND FINANCES.] Each member of the board shall be paid compensation of \$35 per day for each day spent in performance of his duties, plus ~~actual~~ *ordinary and necessary expenses in the same amount and manner as state employees.* Compensation and expenses shall not be paid for more than twenty-four days in any calendar year, exclusive of days spent in actual attendance at required public hearings on matters

before the board in regard to rules and regulations, appeals, or license proceedings. All fees collected under the provisions of Laws 1967, Chapter 602 are annually appropriated to the board for its use and, on or before October 1 of each year, the board shall report, in writing, to the governor and the commissioner of administration its receipts and disbursements for the preceding twelve months to be credited to the general fund in the state treasury along with any unexpended balance in a special fund of the board as of July 1, 1973. The expenses of administering sections 326.241 to 326.339 shall be paid from appropriations made to the state board of electricity.

Sec. 47. Minnesota Statutes 1971, Section 326.541, is amended to read:

326.541 [BOARD OF EXAMINERS IN WATCHMAKING.]

(1) There is created a board to be known as the "Minnesota Board of Examiners in Watchmaking," whose duties it shall be to administer the provisions of Laws 1943, Chapter 474. Such board shall consist of five seven members, appointed by the governor within 60 days after the effective date of Laws 1943, Chapter 474. All persons so appointed shall have been residents of this state and five such members shall have actually engaged in watchmaking, as defined in section 326.01, subdivision 20, for at least five years immediately preceding the time of their appointment. The remaining members shall be public members as defined for purposes of this act. Each member of the board shall hold office for four years and until his successor shall be appointed, and qualifies, except that in the first appointments three members shall be appointed for four years, two for two years, and the term of office in such case shall be designated by the governor at the time of the appointment. The board of five seven to shall consist of not have at least less than two employees as members. The initial public members shall serve terms of three and four years respectively.

(2) The board shall choose annually, one of its members as president and one as secretary, who shall severally have power to administer oaths and take affidavits certifying thereto under the seal of the board. The board shall meet at such times and places as the officers may direct. A majority of the board shall constitute a quorum. The secretary shall give such bond as the board shall determine to be proper. The secretary shall keep a full record of its proceedings, which shall be open to inspection at all reasonable times. The members and officers of the board shall be paid a per diem of \$25 \$35 for time spent in the performance of his their duties but not to exceed in one year the total sum of \$750 \$950; also they shall be paid mileage of 7½ cents per mile, and actual and necessary expenses for lodging and meals and they shall receive ordinary and necessary expenses in the same amount and manner as state employees. The secretary, in addition to such per diem and expenses, may be paid an annual salary not to exceed \$2,500. All expenses connected with the operation of the board shall be defrayed from the revenue derived from the licenses, renewals, and examination fees.

(3) The board shall establish suitable and proper uniform ap-

prenticeship regulations; may retain administrative or legal counsel, if it deems needed or proper; and to appoint one clerk or assistant to the secretary, exempt from civil service, and to fix the salary therefor.

(4) The secretary shall collect the fees and shall pay the same into the state treasury, to be kept by the state treasurer in a fund entitled "~~Watchmakers' fund.~~" *credited to the general fund together with any unexpended balance in a special fund of the board as of July 1, 1973.* The secretary shall draw by warrant for necessary expenses ~~which shall be paid from said fund.~~ *The expenses of administering sections 326.54 to 326.546 shall be paid from appropriations made to the Minnesota board of examiners in watchmaking.*

Sec. 48. Minnesota Statutes 1971, Section 341.01, is amended to read:

341.01 [CREATION.] There is hereby created the state athletic boxing commission, to consist of ~~five~~ *seven* commissioners, citizens of this state, *two of whom shall be public members as defined for purposes of this act*, who shall be appointed by the governor and hold office for a term of three years, except as hereinafter provided, and until their successors are appointed and have qualified.

Sec. 49. Minnesota Statutes 1971, Section 341.02, is amended to read:

341.02 [GOVERNOR TO APPOINT.] The governor shall appoint as members of this commission one commissioner for a term of one year, two commissioners for a term of two years, and two commissioners for a term of three years, such term to commence on the first day of the month following such appointments. *The initial public members appointed to the board shall serve two and three year terms respectively, such terms to commence on the first day of the month following such appointment.* Any vacancy in office shall be filled by appointment by the governor for the unexpired portion of the term. No commissioner shall directly or indirectly promote any boxing or sparring exhibition or directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.

Sec. 50. Minnesota Statutes 1971, Section 341.03, is amended to read:

341.03 [COMPENSATION; EXPENSES.] Each commissioner shall receive ~~€25~~ *\$35* for each meeting of the commission he attends, plus mileage, ~~also expenses actually and necessarily incurred in the performance of his duties ordinary and necessary expenses in the same amount and manner as state employees~~, but he shall not be paid for attending more than 22 such meetings in any calendar year.

Sec. 51. Minnesota Statutes 1971, Section 341.06, is amended to read:

341.06 [MONEYS PAID INTO STATE TREASURY.] The commission shall pay into the state treasury all moneys collected

by it. The sum of \$20,000 is appropriated to the commission annually for the purposes of chapter 341. The expenses of administering sections 341.01 to 341.15 shall be paid for from appropriations made to the state boxing commission.

Sec. 52. Minnesota Statutes 1971, Section 386.63, Subdivision 1, is amended to read:

386.63 [MINNESOTA ABSTRACTERS BOARD OF EXAMINERS.] Subdivision 1. There is hereby created a board to be known as the "Minnesota Abstracters Board of Examiners," whose duties it shall be to administer the provisions of sections 386.61 to 386.76. The board shall consist of five ~~seven~~ members to be appointed by the governor of the state within 60 days after July 1, 1957. Four persons so appointed shall be residents of this state and actually engaged in the business of making abstracts of title to real estate for at least five years immediately preceding the time of their appointment, but no more than one such member shall be from a county containing a city of the first class. The fifth member of the board shall be an attorney at law admitted to practice in the state of Minnesota. *The remaining members shall be public members as defined for purposes of this act.* Each member of the board shall qualify by taking the oath provided by law for public officers and shall hold office for six years until his successor shall be appointed and qualified, except that the first *five* appointments, two members shall be appointed for two years, two for four years, and one for six years, and the term of office in such case shall be designated by the governor at the time of the appointment. *The initial two public members shall serve terms of five and six years respectively.* Vacancies caused by death, resignation, expiration of the term of public office to which a board member has been appointed or elected, or otherwise shall be filled by the governor for the unexpired term of such member.

Sec. 53. Minnesota Statutes 1971, Section 386.63, Subdivision 5, is amended to read:

Subd. 5. Each member of the board shall be paid a per diem of \$5 ~~\$35~~ for attendance of meetings and other service rendered while absent from home upon business connected with and authorized by the board, and in addition mileage net to exceed seven cents for each mile traveled and actual expenses not to exceed \$5 per day, as determined by the board ordinary and necessary expenses in the same amount and manner as state employees.

Sec. 54. Minnesota Statutes 1971, Section 386.64, is amended to read:

386.64 [MINNESOTA ABSTRACTERS BOARD OF EXAMINERS REVOLVING FUND.] Subdivision 1. There is hereby created the Minnesota Abstracters Board of Examiners Revolving Fund, and all moneys therein are hereby appropriated to the Minnesota Abstracters Board of Examiners for the administration and

enforcement of sections 386.61 to 386.76 All receipts derived from the administration of sections 386.61 to 386.76 shall be deposited in the general fund together with any unexpended balance of any special fund of the board as of July 1, 1973. The expenses of administering sections 386.61 to 386.76 shall be paid from appropriations made to the Minnesota abstracters board of examiners .

Subd. 2. Such fund shall consist of any amount appropriated thereto by the legislature from the general fund, together with all receipts derived from the administration of sections 386.61 to 386.76, which the board is hereby directed to deposit in the state treasury to the credit of such fund.

Subd. 3. Such fund shall be in the state treasury and the moneys therein shall be paid out in the manner prescribed by law for moneys in the state treasury.

Subd. 4. If at any time in the future there is a sum in the said revolving fund an amount sufficient to reimburse the general fund of any amounts previously appropriated therefrom in accordance with sections 386.61 to 386.76 over and above any liabilities or encumbered funds, there shall be transferred from such revolving fund an amount sufficient to reimburse the general fund and the state auditor and state treasurer are authorized and directed to make the necessary entries upon their books.

Subd. 5. After the repayment to the general fund referred to in subdivision 4, at the end of any fiscal year thereafter on June 30, there shall be transferred to the general fund from said revolving fund an amount equal to the amount of the unencumbered balance of said revolving fund at midnight of the preceding April 30.

Sec. 55. Minnesota Statutes 1971, Section 481.01, is amended to read:

481.01 [BOARD OF LAW EXAMINERS; EXAMINATIONS.] The supreme court shall, by rule from time to time, prescribe the qualifications of all applicants for admission to practice law in this state, and shall appoint a state board of law examiners, which shall be charged with the administration of such rules and regulations and with the examination of all applicants for admission to practice law. The board shall consist of not less than three, nor more than seven, attorneys at law, who shall be appointed each for the term of three years and until his successor qualifies. The supreme court may fill any vacancy in the board for the unexpired term and in its discretion may remove any member thereof. The board shall have a seal and shall keep a record of its proceedings, of all applications for admission to practice, and of persons admitted to practice upon its recommendation. At least two times a year the board shall hold examinations and report the result thereof, with its recommendations, to the supreme court. Upon consideration of such report, the supreme court shall enter an order in the case of each person examined, directing the board to reject him or to issue to him a certificate of admission to practice. The board shall have such officer as may, from time to time, be prescribed and designated by the supreme court. The fee for examination shall be fixed, from time to time, by the supreme court, but shall not

exceed \$50. Such fees, and any other fees which may be received pursuant to such rules as the supreme court may promulgate governing the practice of law shall be paid to the state treasurer and shall constitute a special fund in the state treasury. The moneys in such fund are appropriated annually to the supreme court for the payment of compensation and expenses of the members of the board of law examiners and for otherwise regulating the practice of law. The moneys in such fund shall never cancel. Payments therefrom shall be made by the state treasurer, upon warrants of the state auditor issued upon vouchers signed by one of the justices of the supreme court be credited to the general fund along with any unexpended balance in a special fund of the board or supreme court as of July 1, 1973. The members of the board shall have such compensation and such allowances for expenses as may, from time to time, be fixed by the supreme court. The expenses of administering the provisions of sections 481.01 to 481.17 shall be paid from appropriations made to the state board of law examiners upon vouchers signed by one of the justices of the supreme court.

Sec. 56. Any board of professional responsibility established by rule of the Minnesota supreme court whose function is recommending the discipline of attorneys at law shall be composed of nine members learned in the law and six public members as defined for purposes of this act. Members shall be appointed by the court for four year terms; provided that of the public members first appointed, two shall serve a one year term, two shall serve a two year term, and two shall serve a three year term. Any funds now collected by the clerk of the Minnesota supreme court from attorneys at law as a registration fee and used to defray the costs of the board of law examiners and the board of professional responsibility shall be paid by the clerk of the Minnesota supreme court into the general fund in the state treasury together with the unexpended balance of any special fund pertaining thereto. The cost of administering the laws and rules of court applicable to the licensing and discipline of attorneys at law shall be paid for by general appropriation made to the supreme court. The members of the board of professional responsibility shall receive a per diem payment of \$35 for activity directly connected with board activity as well as their actual and necessary expenses in the same manner and amount as state employees.

Sec. 57. "Public member" means a person who is not, or never was, a member of the profession or occupation being licensed or regulated or the spouse of any such person, or a person who does not have or has never had, a material financial interest in either the providing of the professional service being licensed or regulated or an activity directly related to the profession or occupation being licensed or regulated.

Sec. 58. All state examining and licensing boards shall use national standardized tests for the objective, nonpractical portion of any examination given to prospective licensees to the extent that such national standardized tests are appropriate, except when the subject matter of the examination relates to the application of Minnesota law to the profession or calling being licensed.

Sec. 59. [DEFINITIONS.] Subdivision 1. The words defined in this section for purposes of sections 59 through 62 have the meanings given them unless the context clearly requires otherwise.

Subd. 2. "Health related licensing board" means the board of examiners of nursing home administration established pursuant to Minnesota Statutes, Sections 144.952, the board of examiners in basic sciences established pursuant to Minnesota Statutes, Section 146.03, the state board of medical examiners created pursuant to Minnesota Statutes, Section 147.01, the Minnesota board of nursing created pursuant to Minnesota Statutes, Section 148.181, the state board of chiropractic examiners established pursuant to Minnesota Statutes, Section 148.02, the licensed practical nurses examining board created pursuant to Minnesota Statutes, Section 148.296, the state board of optometry established pursuant to Minnesota Statutes, Section 148.52, the state examining committee for physical therapists established pursuant to Minnesota Statutes, Section 148.66, the state board of dentistry established pursuant to Minnesota Statutes, Section 150A.02, the state board of pharmacy established pursuant to Minnesota Statutes, Section 151.02, the state board of podiatry examiners and registration established pursuant to Minnesota Statutes, Section 153.02, and the state veterinary examining board, established pursuant to Minnesota Statutes, Section 156.01.

Subd. 3. "Non-health related licensing board" means the state board of examiners of psychologists established pursuant to Minnesota Statutes, Section 148.79 or its successor board, the board of barber examiners established pursuant to Minnesota Statutes, Section 154.22, the state board of cosmetology examiners established pursuant to Minnesota Statutes, Section 155.04, the state board of architects, engineers and land surveyors established pursuant to Minnesota Statutes, Section 326.04, the state board of accountancy established pursuant to Minnesota Statutes, Section 326.17, the state board of electricity established pursuant to Minnesota Statutes, Section 326.241, the Minnesota board of examiners in watchmaking established pursuant to Minnesota Statutes, Section 326.541, the state boxing commission established pursuant to Minnesota Statutes, Section 341.02, the Minnesota abstracters' board of examiners established pursuant to Minnesota Statutes, Section 386.63, the state board of law examiners established pursuant to Minnesota Statutes, Section 481.01, and the board of professional responsibility established by rule of the Minnesota supreme court.

Sec. 60. [SERVICES.] *Subdivision 1. The commissioner of administration at his discretion with respect to the health related licensing boards and non-health related boards may provide at a central location suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. With respect to the health related licensing boards, the commissioner of administration shall consult with the state board of health.*

Subd. 2. The health related licensing boards and the non-health related licensing boards shall be required to provide compensation for the reasonable costs associated with providing the services required by subdivision 1 of this section. Such compensation shall be based upon biennial budgeting statements prepared by each licensing board. Transfers of funds to the account of the depart-

ment of administration with respect to the health related boards and the non-health related boards shall be made on the first day of each quarter of the biennium for services to be furnished, and all funds so transferred shall be deposited to the account of the department of administration.

Sec. 61. *Nothing in sections 59 to 62 shall be construed to limit the powers granted to the health related boards or the non-health related boards in their enabling legislation.*

Sec. 62. *Minnesota Statutes 1971, Section 45.16, Subdivision 3, is repealed.*

Sec. 63. [FEES.] *Notwithstanding any law to the contrary, all health related licensing boards as defined in section 59 of this act and all non-health related licensing boards as defined in section 59 of this act, acting pursuant to the administrative procedures act, may, with the approval of the commissioner of administration, increase the fee for the renewal of a license or certificate a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures.*

Sec. 64. [EFFECTIVE DATE.] *The provisions of this act except section 60 shall be effective July 1, 1973. Section 60 shall be effective January 1, 1974. All provisions relative to depositing fees and other income in the general revenue fund shall be effective July 1, 1976."*

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to licensing boards; providing for public members on professional examination and licensing boards; changing the per diem of board members; undedicating certain dedicated funds; defining public member; amending Minnesota Statutes 1971, Sections 144.01; 144.04; 144.952; 146.11; 147.01; 147.05; 148.03; 148.07, Subdivisions 2 and 3; 148.181; 148.201; 148.241; 148.29, Subdivision 2; 148.296, Subdivision 2; 148.45; 148.52; 148.60; 148.79; 148.85; 150A.02; 150A.03, Subdivision 2; 151.02; 151.03; 151.04; 151.27; 153.02 153.03; 153.12; 154.22; 154.23; 155.04; 155.05; 155.18, Subdivision 1; 156.01, Subdivisions 1 and 2; 156.14; 326.04; 326.05; 326.08, Subdivision 1; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.541; 341.01; 341.02; 341.03; 341.06; 386.63, Subdivisions 1 and 5; 386.64; 481.01; Chapters 144, by adding a section; and 148, by adding a section; repealing Section 45.16, Subdivision 3."

And when so amended, H. F. No. 961 will be identical to S. F. No. 381 and further recommends that H. F. No. 961 be given its second reading and substituted for S. F. No. 381 and S. F. No. 381 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1316, 2297, 755 and 1381 for

comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1316 to the Committee on Governmental Operations.

H. F. No. 755 to the Committee on Labor and Commerce.

H. F. No. 2297 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1381 to the Committee on Natural Resources and Agriculture.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2472, 2473, 2272, 1742, 1404, 2002, 1558, 1409, 534, 1566, 1557, 1418, 1091, 1509, 1699 and 2047 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1327, 178, 491, 624, 159, 377, 1729, 1659, 1355, 1508, 1765 and 961 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lewis moved that S. F. No. 118 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 118

A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

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. 118, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate concur in the House amendment to S. F. No. 118 and that the bill be further amended as follows:

Page 1, line 12 after "services" and before "purchased" insert ", by a seller who regularly engages in transactions of the same kind,"

Page 2, line 25 strike the period and insert "; or (e) a sale of insurance, securities, or real property; or a sale by public auction."

Page 3, strike line 11 and insert "the home solicitation sale occurs."

Page 3, line 23 strike "is arranged" and insert "occurs"

Page 5, line 32 after "2." and before "Until" insert "In lieu of the notice of cancellation required by subdivision 1, the seller may provide a notice which conforms to applicable federal law or regulation so long as it provides the information required by subdivision 1."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) B. Robert Lewis, Winston Borden and Otto Bang.

House Conferees: (Signed) Michael Sieben, Stephen Wenzel and Neil Wohlwend.

Mr. Lewis moved that the foregoing recommendation and Conference Committee Report on S. F. No. 118 be now adopted. Which motion prevailed. So the recommendation and Conference Committee Report were adopted.

S. F. No. 118: A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Sillers
Arnold	Fitzsimons	Knutson	Ogdahl	Solon
Ashbach	Frederick	Kowalczyk	Olhoft	Spear
Bang	Gearty	Krieger	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Humphrey	Lord	Perpich, G.	Ueland
Chenoweth	Jensen	McCutcheon	Pillsbury	Willet
Coleman	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kirchner	North	Schrem	

So the bill, as amended by the Conference Committee Report, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that S. F. No. 342 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 342

A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

May 2, 1973

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. 342, 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 168.011, Subdivision 13, is amended to read:

Subd. 13. [TRAILER.] “Trailer” means any vehicle designed for carrying property or passenger on its own structure and for being drawn by a motor vehicle *but shall not include a trailer drawn by a truck-tractor semitrailer combination.*

Sec. 2. Minnesota Statutes 1971, Section 168.011, Subdivision 14, is amended to read:

Subd. 14. [SEMI-TRAILER.] “Semi-trailer” means a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor *and shall include a trailer drawn by a truck-tractor semitrailer combination.*

Sec. 3. Minnesota Statutes 1971, Section 168.011, Subdivision 16, is amended to read:

Subd. 16. [GROSS WEIGHT.] “Gross weight” means the actual unloaded weight of the vehicle, either a truck or tractor, or the actual unloaded combined weight of a truck-tractor and semitrailer, *or of the truck-tractor, semitrailer and one additional semitrailer*, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such vehicle or combined vehicles. The term gross weight applied to a truck occasionally used for towing a trailer

means the unloaded weight of the truck, fully equipped for service, plus the weight of the maximum load which the applicant has elected to carry on such truck, but not including the weight of such part of the trailer and its load as may rest upon the truck. The term gross weight applied to school buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of the passengers and their baggage computed at the rate of 100 pounds per passenger seating capacity, including that for the driver. The term gross weight applied to other buses means the weight of the vehicle fully equipped with all fuel tanks full of fuel, plus the weight of passengers and their baggage computed at the rate of 150 pounds per passenger seating capacity, including that for the driver. For bus seats designed for more than one passenger, but which are not divided so as to allot individual seats for the passengers that occupy them, allow two feet of its length per passenger to determine seating capacity. The term gross weight applied to a truck-tractor used exclusively by the owner thereof for towing an equipment dolly shall be the actual weight of the truck-tractor alone, and the equipment dolly shall be separately licensed and taxed as a trailer, as provided in section 168.013, subdivision 1, paragraph 7. The term "equipment dolly" as used in this subdivision means a heavy semitrailer used solely by the owner thereof to transport his construction machinery, equipment, implements and other objects used on a construction project, but not to be incorporated in or to become a part of a completed project. The term gross weight applied to a truck-tractor or a truck used as a truck-tractor transporting unfinished forest products or used by the owner thereof to transport agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for such truck is issued, from the farm to market, and to transport property and supplies to the farm of the owner, as described in section 168.011, subdivision 17, shall be the unloaded weight of the truck-tractor or converted truck plus the weight of the maximum load which the applicant has elected to carry on the truck, but in no case shall this be less than 21,000 pounds, whether hauling a semitrailer or not, and the semitrailer used for such hauling in conjunction with such truck-tractor or converted truck shall be registered and taxed separately as provided by section 168.013, subdivision 1, paragraph 7.

Sec. 4. Minnesota Statutes 1971, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMI-TRAILERS AND TRAILERS.] (a) No combination of vehicles coupled together unladen or with load, including truck trailers and semitrailers, shall consist of more than two units and no such combination of vehicles shall exceed a total length of 55 feet, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to ~~(1)~~ vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a suffi-

cient number of clearance lamps and marked lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load; (2) house trailers or mobile homes when coupled with a motor vehicle but such combination shall not exceed 55 feet in length. Provided further that two vehicles in transit by the drive away method in saddle. Mount combinations may be drawn but such combinations may not exceed 55 feet in length. The state, as to state trunk highways, and any city, village, borough or town, as to roads or streets located therein, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained over highways, roads or streets within their boundaries.

(b) No single semitrailer or trailer shall have an overall length, inclusive of rear bumper, in excess of 40 feet, provided any semitrailer or trailer especially constructed and used to transport livestock or any unenclosed semitrailer or trailer especially constructed and used to transport boats or motor vehicles may exceed the length limitation set forth in this paragraph by not more than five feet. Any single semitrailer or trailer registered in this state which exceeded the length limitations set forth in this paragraph as of April 1, 1967, shall be entitled to a permit authorizing its operation within this state provided application therefor is made within 120 days from April 22, 1967. The state, as to state trunk highways, and any city, village, borough, or town, as to roads or streets located therein may issue such permits for highways, roads or streets within their jurisdictions.

Sec. 5. Minnesota Statutes 1971, Chapter 169, is amended by adding a section to read:

[169.861.] [PERMITS FOR CERTAIN COMBINATIONS.] *Subdivision 1. [APPLICATION.] The commissioner shall issue an annual permit to enable a combination of vehicles between 55 and 65 feet in length to operate on the public highways. The permit shall entitle the combination of vehicles to operate only on divided highways having four or more lanes of travel, and on such other highways as may be designated by the commissioner of highways subject to Minnesota Statutes, Section 169.87, Subdivision 1, and subject to the approval of the authority having jurisdiction over such highway, for the purpose of providing access between such divided highways of four or more lanes of travel and truck terminals and marshalling yards or for the purpose of providing continuity of route. All vehicles operated under the provisions of this section shall conform to the standards for such vehicles as prescribed by the United States Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, and as may be amended.*

Subd. 2. [DISPLAY.] The permit issued under this section shall be displayed on the left side of the truck-tractor of the combination of vehicles, in the immediate vicinity of the painted, printed, stenciled, or decalcomanic, numbering showing the gross registered weight of the combination of vehicles.

Subd. 3. [FEES.] The commissioner is authorized to charge a fee of \$75 for an annual permit for each combination exceeding 55 but

not more than 60 feet in length; and \$200 for each combination exceeding 60 but not more than 65 feet in length. All such fees for permits issued by the commissioner shall be deposited in the state treasury and credited to the highway user tax distribution fund. This fee may be prorated in the same manner as registration fees are prorated pursuant to section 168.187 and for those vehicles not covered by section 168.187, a trip fee of \$10 for combinations exceeding 55 but not more than 60 feet in length and \$20 for combinations exceeding 60 but not more than 65 feet in length.

Sec. 6. *This act is effective July 1, 1973.*"

Further amend by striking the title in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, Subdivision 3; and Chapter 169, by adding a section."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Harold G. Krieger, Clarence M. Purfeerst, Sam G. Solon.

House Conferees: (Signed) Jack H. LaVoy, Bernard O. Carlson, Verne E. Long.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	North	Sillers
Arnold	Dunn	Kirchner	Novak	Solon
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bang	Frederick	Knutson	Olhoft	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Larson	O'Neill	Thorup
Brown	Hanson, R.	Laufenburger	Patton	Ueland
Chenoweth	Hughes	Lewis	Perpich, G.	Willet
Chmielewski	Humphrey	Lord	Pillsbury	
Coleman	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Kreiger moved that the foregoing recommendation and Conference Committee Report on S. F. No. 342 be now adopted. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 342: A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report,

And the roll being called, there were yeas 46 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Nelson	Sillers
Arnold	Conzemius	Kirchner	Novak	Solon
Ashbach	Doty	Kowalczyk	Olhoff	Stassen
Bang	Dunn	Krieger	Olson, H. D.	Stokowski
Berg	Fitzsimons	Larson	Olson, J. L.	Thorup
Bernhagen	Frederick	Laufenburger	O'Neill	Ueland
Blatz	Gearty	Lewis	Pillsbury	
Borden	Hanson, R.	Lord	Purfeerst	
Brown	Humphrey	Milton	Renneke	
Chmielewski	Josefson	Moe	Schrom	

Those who voted in the negative were:

Chencoweth	Hughes	Knutson	Patton	Tennessee
Davies	Jensen	North	Perpich, A. J.	Willet
Hansen, Baldy	Keefe, J.	Ogdahl	Perpich, G.	
Hansen, Mel	Kleinbaum	Olson, A. G.	Spear	

So the bill, as amended by the Conference Committee Report, was repassed and its title agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Kowalczyk moved that H. F. No. 1436 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1632 now on General Orders. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2119, No. 237 on the General Orders Calendar, be designated as a Special Order to be heard immediately. Which motion prevailed.

S. F. No. 2119: A bill for an act relating to welfare; implementing provisions of the social security amendments of 1972; repealing certain obsolete statutory provisions; providing for the centralized disbursement of medical assistance payments; appropriating money; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 6.20; 98.47, Subdivision 8; 245.0313; 253A.15, Subdivision 11; 256.01, Subdivision 2; 256.12, Subdivision 10; 256.462, Subdivision 3; 256.935; 256.98; 256B.02, Subdivision 3; 256B.06; 256B.09; 256B.22; 260.38; 261.03; 261.-063; 261.07, Subdivision 2; 275.50, Subdivision 5; 393.06; 393.07, Subdivisions 2 and 6; 462.485; 573.02, Subdivision 1, and Chapter 256B, by adding sections; repealing Minnesota Statutes 1971, Sections 245.033; 256.11; 256.12, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 16, and 17; 256.13 to 256.23; 256.26; 256.27 to

256.461; 256.462, Subdivisions 1, 4, 5, 6, and 7; 256.463 to 256.64; 256.66 to 256.71; and 256.73, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Ogdahl	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoff	Sillers
Ashbach	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearty	Kowalczyk	Olson, H. D.	Spear
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessee
Brown	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Lord	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Willet
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

Mr. Bernhagen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1455, No. 212 on the General Orders calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority; providing for treatment of persons dependent on alcohol or other drugs; appropriating money; amending Minnesota Statutes 1971, Sections 197.603; 197.64, Subdivision 3; 198.01, 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

Mr. Milton moved to amend S. F. No. 1455 as follows:

Page 3, line 12, strike "*state board of health*" and insert in lieu thereof "*governor*"

Which motion prevailed. So the amendment was adopted.

Mr. Perpich, G. moved to amend S. F. No. 1455, as amended, as follows:

Page 1, line 27, strike "*health*" and insert in lieu thereof "*public welfare*"

Page 3, line 9, strike "*state board of*"

Page 3, line 10, strike "health" and insert in lieu thereof "department of public welfare"

Page 3, line 12, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

Page 3, line 23, strike "health" and insert in lieu thereof "public welfare"

Page 3, line 24, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

Page 3, line 25, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

Page 4, line 5, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

Page 5, line 17, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

Page 12, line 17, strike "state board of health" and insert in lieu thereof "commissioner of public welfare"

The question being taken on adoption of the amendment,

Mr. Perpich, G. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Pillsbury
Arnold	Dunn	Kleinbaum	Olson, A. G.	Renneke
Bang	Fitzsimons	Knutson	Olson, J. L.	Schrom
Blatz	Frederick	Kowalczyk	O'Neill	Sillers
Chenoweth	Hanson, R.	Krieger	Patton	Solon
Chmielewski	Josefson	Larson	Perpich, A. J.	Ueland
Coleman	Keefe, S.	Lord	Perpich, G.	Willet

Those who voted in the negative were:

Berg	Gearty	Lewis	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Milton	Olson, H. D.	Tenessen
Borden	Hansen, Mel	Moe	Purfeerst	Thorup
Brown	Hughes	Nelson	Schaaf	
Conzemius	Humphrey	North	Spear	
Davies	Jensen	Novak	Stassen	

Which motion prevailed. So the amendment was adopted.

S. F. No. 1455 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Borden	Chmielewski	Davies
Arnold	Bernhagen	Brown	Coleman	Doty
Bang	Blatz	Chenoweth	Conzemius	Dunn

Fitzsimons	Keefe, S.	Milton	O'Neill	Spear
Frederick	Kirchner	Moe	Patton	Stassen
Gearty	Kleinbaum	Nelson	Perpich, G.	Stokowski
Hansen, Baldy	Knutson	North	Pillsbury	Tennessen
Hansen, Mel	Kowalczyk	Novak	Purfeerst	Thorup
Hanson, R.	Krieger	Ogdahl	Renneke	Ueland
Hughes	Larson	Olhoff	Schaaf	Willet
Humphrey	Laufenburger	Olson, A. G.	Schrom	
Jensen	Lewis	Olson, H. D.	Sillers	
Josefson	Lord	Olson, J. L.	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 526, No. 186 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Gearty	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Larson	O'Neill	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Tennessen
Brown	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hughes	Lord	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1633, No. 159 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1633: A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; appointment, compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes 1971, Sections 1.34, Subdivision 1, and 1.36.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Ogdahl	Schaaf
Arnold	Fitzsimons	Kowalczyk	Olhoft	Sillers
Borden	Frederick	Larson	Olson, A. G.	Solon
Brown	Gearty	Laufenburger	Olson, H. D.	Spear
Chenoweth	Hughes	Lewis	O'Neill	Stassen
Chmielewski	Humphrey	Lord	Patton	Stokowski
Coleman	Jensen	Milton	Perpich, A. J.	Tennessen
Conzemius	Keefe, S.	Mce	Perpich, G.	Thorup
Davies	Kirchner	North	Purfeerst	Ueland
Doty	Kleinbaum	Novak	Renneke	Willet

Those who voted in the negative were:

Bang	Blatz	Hanson, R.	Krieger	Schram
Berg	Hansen, Baldy	Josefson	Nelson	
Bernhagen	Hansen, Mel	Keefe, J.	Olson, J. L.	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2275:

Messrs. Moe; Tennessen; Ogdahl; Perpich, G.; and Kirchner. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that the following bills be designated as Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

S. F. Nos. 1948, 1949, 1679, 2058, 2170, and 1314.

SPECIAL ORDER

S. F. No. 1948: A bill for an act relating to towns in the county of Anoka; conferring certain village powers; amending Laws 1963, Chapter 157, Section 1.

Mr. Anderson moved to amend S. F. No. 1948, as follows:

Page 1, line 28, delete the colon and insert "set"

Page 1, line 29, delete "(1) Set"

Page 1, line 30, delete "; and" and insert a period

Page 2 delete lines 1 through 4

Which motion prevailed. So the amendment was adopted.

S. F. No. 1948 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Nelson	Renneke
Arnold	Doty	Josefson	North	Schaaf
Bang	Dunn	Keefe, J.	Novak	Schrom
Berg	Fitzsimons	Keefe, S.	Olhoft	Sillers
Bernhagen	Frederick	Kirchner	Olson, A. G.	Solon
Blatz	Gearty	Kleinbaum	Olson, H. D.	Spear
Borden	Hansen, Baldy	Knutson	Olson, J. L.	Stassen
Brown	Hansen, Mel	Larson	O'Neill	Stokowski
Chmielewski	Hanson, R.	Laufenburger	Patton	Thorup
Coleman	Hughes	Lord	Perpich, A. J.	Ueland
Conzemius	Humphrey	Milton	Purfeerst	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1949: A bill for an act relating to the Anoka police relief association; membership in the public employees police and fire fund.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Sillers
Arnold	Dunn	Kirchner	Olhoft	Solon
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Frederick	Knutson	Olson, H. D.	Stassen
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Krieger	O'Neill	Thorup
Brown	Hanson, R.	Larson	Patton	Ueland
Chenoweth	Hughes	Laufenburger	Perpich, A. J.	Willet
Chmielewski	Humphrey	Lord	Purfeerst	
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Nelson	Schaaf	
Davies	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Kleinbaum moved that S. F. No. 1679 be stricken from Special Orders and re-referred to the Committee on Governmental Operations. Which motion prevailed.

SPECIAL ORDER

S. F. No. 2058: A bill for an act relating to Special School District No. 1; restoring employees salary and retirement benefits withheld under law.

Mr. Nelson moved to amend S. F. No. 2058, as follows:

Page 2, after line 5, add a section to read:

"Sec. 3. This act shall be in effect upon its approval by a majority of the electors of Special School District No. 1 voting on the question at an annual election or any special election called for such purpose prior to July 1, 1978."

CALL OF THE SENATE

Mr. Spear imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Jensen	Lord	Purfeerst
Arnold	Doty	Josefson	Milton	Renneke
Bang	Dunn	Keefe, J.	Nelson	Schrom
Berg	Fitzsimons	Keefe, S.	Novak	Sillers
Bernhagen	Frederick	Kleinbaum	Olhoft	Solon
Blatz	Gearty	Knutson	Olson, A. G.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Brown	Hansen, Mel	Krieger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Larson	O'Neill	Thorup
Coleman	Hughes	Laufenburger	Patton	Ueland
Conzemius	Humphrey	Lewis	Perpich, A. J.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on adoption of the amendment,

Mr. Nelson moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Jensen	Nelson	Sillers
Berg	Dunn	Josefson	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Knutson	O'Neill	Ueland
Blatz	Frederick	Kowalczyk	Patton	
Brown	Hansen, Baldy	Krieger	Renneke	

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olhoft	Solon
Arnold	Gearty	Larson	Olson, A. G.	Spear
Borden	Hanson, R.	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Coleman	Humphrey	Lord	Purfeerst	Willet
Conzemius	Keefe, J.	Milton	Schaaf	
Davies	Keefe, S.	Novak	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. Gearty moved to amend S. F. No. 2058, as follows:

Page 2, after line 5, insert:

"Sec. 3. This act is effective upon approval by a majority of the school board of the city of Minneapolis, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Which motion prevailed. So the amendment was adopted.

S. F. No. 2058 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 39 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olhoft	Sillers
Arnold	Gearty	Kleinbaum	Olson, A. G.	Solon
Borden	Hansen, Mel	Larson	Olson, H. D.	Spear
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Stassen
Coleman	Hughes	Lewis	Perpich, A. J.	Stokowski
Conzemius	Humphrey	Lord	Purfeerst	Thorup
Davies	Jensen	Milton	Schaaf	Willet
Doty	Keefe, J.	Novak	Schrom	

Those who voted in the negative were:

Bang	Brown	Hansen, Baldy	Krieger	Renneke
Berg	Chmielewski	Josefson	Nelson	
Bernhagen	Dunn	Knutson	Olson, J. L.	
Blatz	Frederick	Kowalczyk	Patton	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	Lord	Purfeerst
Arnold	Davies	Jensen	Milton	Renneke
Bang	Doty	Josefson	Nelson	Schaaf
Berg	Dunn	Keefe, J.	Novak	Schrom
Bernhagen	Fitzsimons	Keefe, S.	Olhoft	Sillers
Blatz	Frederick	Kleinbaum	Olson, A. G.	Solon
Borden	Gearty	Knutson	Olson, H. D.	Spear
Brown	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Chenoweth	Hansen, Mel	Krieger	O'Neill	Thorup
Chmielewski	Hanson, R.	Larson	Patton	Willet
Coleman	Hughes	Laufenburger	Perpich, A. J.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1314: A bill for an act relating to the city of Bloomington; housing and redevelopment authority; amending Laws 1971, Chapter 616, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Milton	Renneke
Arnold	Doty	Josefson	Nelson	Schaaf
Bang	Dunn	Keefe, J.	Novak	Schrom
Berg	Fitzsimons	Keefe, S.	Olhoft	Sillers
Bernhagen	Gearty	Kleinbaum	Olson, A. G.	Solon
Blatz	Frederick	Knutson	Olson, H. D.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Krieger	O'Neill	Thorup
Chenoweth	Hanson, R.	Larson	Patton	Willet
Chmielewski	Hughes	Laufenburger	Perpich, A. J.	
Coleman	Humphrey	Lord	Purfeerst	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:45 o'clock p.m. Which motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Pillsbury and Frederick were excused from the Session of this evening.

CALL OF THE SENATE

Mr. Hughes imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Doty	Kirchner	Olson, A. G.	Spear
Arnold	Dunn	Kowalczyk	Olson, H. D.	Stokowski
Ashbach	Fitzsimons	Larson	Olson, J. L.	Tennessee
Bernhagen	Gearty	Lewis	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	Lord	Perpich, G.	Ueland
Brown	Hansen, Mel	McCutcheon	Pillsbury	Wegener
Chenoweth	Hanson, R.	Milton	Purfeerst	Willet
Chmielewski	Hughes	Moe	Schaaf	
Coleman	Humphrey	Novak	Schrom	
Conzemius	Keefe, S.	Olhoft	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills Special Orders to be considered immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 2352, 1193, 1704, 1557, 1551, 1664, 368, 2208, 1568, 1709, 959, 1959, 1706, 1556, 1681, 535, 2351, 1103, 189, 1186, 632, 314, 1591, 1547, 2246, 1483, 532, 346, 2166, 890, 2160, and 1104.

SPECIAL ORDER

H. F. No. 2352: A bill for an act relating to the county of Ramsey;

tax levy for educational, scientific and artistic purposes; amending Laws 1961, Chapter 583, Section 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Tennessen
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chmielewski	Hughes	Lord	Perpich, G.	Ueland
Coleman	Humphrey	McCutcheon	Pillsbury	Wegener
Conzemius	Keefe, S.	Milton	Purfeerst	Willet
Davies	Kirchner	Nelson	Renneke	
Doty	Kleinbaum	Novak	Schaaf	
Dunn	Knutson	Olhoft	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1193: A bill for an act relating to education; variations in assessed valuations; amending Minnesota Statutes 1971, Section 124.-802, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Fitzsimons	Knutson	Olhoft	Schrom
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Brown	Hanson, R.	Laufenburger	Patton	Thorup
Chmielewski	Hughes	Lewis	Perpich, A. J.	Ueland
Coleman	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Keefe, J.	McCutcheon	Pillsbury	Willet
Davies	Keefe, S.	Milton	Purfeerst	
Doty	Kirchner	Moe	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1704: A bill for an act authorizing the city of Minneapolis to pay costs of street maintenance and street lighting from general revenues.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Olhoff	Sillers
Ashbach	Frederick	Krieger	Olson, A. G.	Solon
Berg	Gearty	Larson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Brown	Hansen, Mel	Lewis	Patton	Stokowski
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Jensen	Nelson	Purfeerst	Wegener
Davies	Keefe, J.	North	Renneke	Willet
Doty	Keefe, S.	Novak	Schaaf	
Dunn	Kirchner	Ogdahl	Schrom	

Messrs. Knutson and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1557: 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 redevelopment purposes; amending Laws 1963, Chapter 881, Section 1, as amended; and by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Fitzsimons	Knutson	Olhoff	Schrom
Berg	Gearty	Kowalczyk	Olson, A. G.	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Solon
Borden	Hansen, Mel	Larson	Olson, J. L.	Spear
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Keefe, J.	Milton	Pillsbury	Wegener
Davies	Keefe, S.	Nelson	Purfeerst	Willet
Doty	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1551: A bill for an act relating to the county of Ramsey and the city of Saint Paul; authorizing the rendering of emergency or lifesaving service by a physician's trained mobile intensive care paramedic; under certain circumstances granting immunity from civil liability for good faith emergency lifesaving services rendered by physician's trained mobile intensive care paramedics and also for physicians who render medical advice and instructions to such paramedics while the paramedics are in the performance of lifesaving services.

Mr. Milton moved that the amendment made to H. F. No. 1551 by the Committee on Rules and Administration in the report adopted April

30, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1551 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Krieger	Olson, A. G.	Solon
Ashbach	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Berg	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Lord	O'Neill	Stokowski
Borden	Hughes	McCutcheon	Patton	Tennessee
Brown	Humphrey	Milton	Perpich, A. J.	Thorup
Chenoweth	Jensen	Moe	Perpich, G.	Ueland
Chmielewski	Keefe, S.	Nelson	Pillsbury	Wegener
Coleman	Kirchner	North	Purfeerst	Willet
Davies	Kleinbaum	Novak	Renneke	
Doty	Knutson	Ogdahl	Schrom	
Dunn	Kowalczyk	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1664: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of William O'Brien state park.

Mr. Brown moved to amend H. F. No. 1664, the printed bill, as follows:

Page 2, Line 15, strike "the Northwest"

Page 2, line 16, strike "Quarter of the Southeast Quarter;"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1664 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hansen, Mel	Knutson	North
Ashbach	Coleman	Hanson, R.	Kowalczyk	Novak
Bang	Conzemius	Hughes	Krieger	Ogdahl
Berg	Davies	Humphrey	Laufenburger	Olhoft
Bernhagen	Doty	Jensen	Lewis	Olson, A. G.
Blatz	Dunn	Josefson	Lord	Olson, H. D.
Borden	Frederick	Keefe, S.	McCutcheon	Olson, J. L.
Brown	Gearty	Kirchner	Moe	O'Neill
Chenoweth	Hansen, Baldy	Kleinbaum	Nelson	Patton

Perpich, A. J.	Renneke	Solon	Tennessee	Willet
Perpich, G.	Schaaf	Spear	Thorup	
Pillsbury	Schrom	Stassen	Ueland	
Purfeerst	Sillers	Stokowski	Wegener	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 368: A bill for an act relating to the state college board; authorizing the establishment of educational television and telecommunication projects at the state college at Bemidji.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	Olson, H. D.	Solon
Ashbach	Gearty	Krieger	Olson, J. L.	Spear
Berg	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Bernhagen	Hansen, Mel	Lewis	Patton	Stokowski
Brown	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Keefe, S.	North	Renneke	
Davies	Kirchner	Novak	Schaaf	
Doty	Kleinbaum	Ogdahl	Schrom	
Dunn	Knutson	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2208: A bill for an act relating to the county of Waseca; authorizing the expenditure of money for hospital purposes.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Novak	Schaaf
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Brown	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Josefson	Nelson	Purfeerst	Wegener
Davies	Keefe, J.	North	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1568: A bill for an act relating to historic sites; designating additional historical sites; redesccribing certain boundaries; amending Minnesota Statutes 1971, Sections 138.53, Subdivisions 7, 8, 12, 16, 20, 21, 43, 46, and by adding subdivisions; 138.54, by adding a subdivision; 138.56, Subdivision 2, and by adding subdivisions; 138.57, Subdivision 13; 138.58, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 138.55, Subdivisions 9, 10, 11, 12, 13, 14, 15, 16, 17, and 20; 138.57, Subdivisions 11, 14 and 15; and 138.58, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Gearty	Knutson	Olhott	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Mel	Laufenburger	Olson, H. D.	Spear
Blatz	Hansen, R.	Lewis	Olson, J. L.	Stassen
Borden	Hughes	Lord	Patton	Stokowski
Brown	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Jensen	Milton	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1709: A bill for an act relating to city, village, or borough programs of public recreation and playgrounds, the acquisition and betterment of land, buildings, and other facilities therefor, including cultural facilities, and the leasing and sale of such facilities to nonprofit corporations engaged in such programs; amending Minnesota Statutes 1971, Section 471.191, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hughes	Knutson	Nelson
Ashbach	Doty	Humphrey	Kowalczyk	North
Bang	Dunn	Jensen	Krieger	Novak
Berg	Fitzsimons	Josefson	Laufenburger	Ogdahl
Bernhagen	Gearty	Keefe, J.	Lord	Olhott
Blatz	Hansen, Baldy	Keefe, S.	McCutcheon	Olson, A. G.
Borden	Hansen, Mel	Kirchner	Milton	Olson, H. D.
Brown	Hanson, R.	Kleinbaum	Moe	Olson, J. L.

Patton	Purfeerst	Sillers	Stokowski	Wegener
Perpich, A. J.	Renneke	Solon	Tennesen	Willet
Perpich, G.	Schaaf	Spear	Thorup	
Pillsbury	Schrom	Stassen	Ueland	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 959: A bill for an act relating to the town of Canosia; authorizing a tax levy for firemen's relief purposes.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Bang	Gearty	Knutson	Ogdahl	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olhoff	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Spear
Blatz	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Borden	Hughes	Lewis	Olson, J. L.	Stokowski
Brown	Humphrey	Lord	Patton	Tennesen
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willet
Dunn	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1959: A bill for an act relating to the city of Duluth; Duluth airport authority; amending Laws 1969, Chapter 577, Section 14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoff	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lord	Patton	Tennesen
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1706: A bill for an act authorizing the city of Minneapolis to levy an assessment against real property for water and sewage disposal services.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Nelson	Schaaf
Ashbach	Fitzsimons	Kirchner	North	Sillers
Bang	Frederick	Kleinbaum	Ogdahl	Solon
Berg	Gearty	Knutson	Olhoft	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessee
Brown	Hughes	Lewis	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Lord	Perpich, G.	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Wegener
Davies	Josefson	Milton	Purfeerst	Willet
Doty	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1556: A bill for an act relating to the city of Saint Paul; amending the provisions relating to the issuance of the license for the sale of intoxicating liquor at the civic center; amending Laws 1969, Chapter 783, Section 1, Subdivision 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Nelson	Solon
Ashbach	Dunn	Kleinbaum	North	Spear
Bang	Fitzsimons	Knutson	Ogdahl	Stassen
Berg	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Patton	Tennessee
Blatz	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Borden	Hanson, R.	Lewis	Perpich, G.	Ueland
Brown	Hughes	Lord	Pillsbury	Wegener
Chenoweth	Humphrey	McCutcheon	Purfeerst	Willet
Chmielewski	Jensen	Milton	Schaaf	
Coleman	Josefson	Moe	Sillers	

Messrs. Keefe, J.; Olhoft; Olson, J. L. and Renneke voted in the negative.

SPECIAL ORDER

H. F. No. 1681: A bill for an act relating to the municipal housing

and redevelopment act, providing for the construction of market rate housing in cities of the first class; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.591, by adding a subdivision; 462.611; 462.621, by adding a subdivision; 462.631; 462.645, Subdivision 6; 462.691; and 462.695, Subdivisions 1 and 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoft	Solon
Arnold	Dunn	Kleinbaum	Olson, A. G.	Spear
Ashbach	Fitzsimons	Knutson	Olson, J. L.	Stassen
Bang	Gearty	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Baldy	Laufenburger	Patton	Tennessee
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Blatz	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Borden	Humphrey	Milton	Pillsbury	Wegener
Brown	Jensen	Moe	Purfeerst	Willet
Chenoweth	Josefson	Nelson	Renneke	
Chmielewski	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 535: A bill for an act relating to the firemen's relief association in the city of Coon Rapids; providing for a tax levy.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Sillers
Arnold	Fitzsimons	Knutson	Olhoft	Solon
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Spear
Bang	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Berg	Hansen, Mel	Larson	O'Neill	Stokowski
Bernhagen	Hanson, R.	Laufenburger	Patton	Tennessee
Blatz	Hughes	Lewis	Perpich, A. J.	Thorup
Borden	Humphrey	McCutcheon	Perpich, G.	Ueland
Brown	Jensen	Milton	Pillsbury	Wegener
Chenoweth	Josefson	Moe	Purfeerst	Willet
Coleman	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2351: A bill for an act relating to Ramsey county; authorizing issuance of bonds for construction and equipping of certain recreational facilities; amending Laws 1969, Chapter 1055, as amended, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, A. G.	Solon
Arnold	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Ashbach	Gearty	Larson	Olson, J. L.	Stokowski
Bang	Hansen, Baldy	Laufenburger	O'Neill	Tennessee
Berg	Hansen, Mel	Lewis	Patton	Thorup
Bernhagen	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Blatz	Hughes	Milton	Perpich, G.	Wegener
Borden	Humphrey	Moe	Pillsbury	Willet
Chenoweth	Jensen	Nelson	Purfeerst	
Chmielewski	Keefe, J.	North	Renneke	
Conzemius	Keefe, S.	Ogdahl	Schaaf	
Doty	Kleinbaum	Olhoft	Sillers	

Messrs. Brown and Josefson voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1103: A bill for an act relating to the city of Mankato; authorizing the issuance of three additional on-sale liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	North	Sillers
Ashbach	Fitzsimons	Knutson	Novak	Solon
Berg	Gearty	Kowalczyk	Ogdahl	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Laufenburger	Olson, H. D.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Perpich, G.	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	
Conzemius	Keefe, S.	Nelson	Schaaf	

Those who voted in the negative were:

Bang	Josefson	Olhoft	Olson, J. L.	Renneke
Dunn				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 189: A bill for an act relating to intoxicating liquor; issuance of on-sale licenses in certain municipalities.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Schaaf
Arnold	Dunn	Kleinbaum	North	Sillers
Bernhagen	Fitzsimons	Knutson	Ogdahl	Solon
Blatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Chenoweth	Hanson, R.	Lewis	Patton	Tennessee
Chmielewski	Hughes	Lord	Perpich, A. J.	Thorup
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet

Those who voted in the negative were:

Bang	Josefson	Olhoff	Olson, J. L.	Renneke
Frederick	Novak			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1186: A bill for an act relating to intoxicating liquor; sale and dispensing at the Minneapolis convention hall-auditorium.

Mr. Ogdahl moved to amend H. F. No. 1186, the printed bill, as follows:

Page 1, line 8, after the period, insert the following:

“Such ordinance may permit any individual, partnership or corporation authorized to cater food pursuant to a license granted by City of Minneapolis to engage any licensee having a legally issued on-sale license for a location within the city to dispense intoxicating liquor to members or guests attending any convention, banquet, conference meeting or social affair at which it provides catering services.”

Which motion prevailed. So the amendment was adopted.

H. F. No. 1186 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Hanson, R.	Kowalczyk	Nelson
Arnold	Davies	Hughes	Krieger	North
Ashbach	Doty	Humphrey	Laufenburger	Ogdahl
Blatz	Dunn	Jensen	Lewis	Olson, A. G.
Borden	Fitzsimons	Josefson	Lord	Olson, H. D.
Brown	Gearty	Keefe, S.	McCutcheon	O'Neill
Chenoweth	Hansen, Baldy	Kleinbaum	Milton	Patton
Coleman	Hansen, Mel	Knutson	Moe	Perpich, A. J.

Perpich, G.	Schaaf	Spear	Tennessee	Wegener
Pillsbury	Sillers	Stassen	Thorup	Willet
Purfeerst	Solon	Stokowski	Ueland	

Those who voted in the negative were:

Bang	Bernhagen	Keefe, J.	Olson, J. L.	Renneke
Berg	Chmielewski	Olhoft		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 632: A bill for an act relating to intoxicating liquor; authorizing the issuance of additional on-sale licenses in the county of Cook.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olson, A. G.	Spear
Arnold	Dunn	Kowalczyk	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Krieger	O'Neill	Stokowski
Berg	Gearty	Laufenburger	Patton	Tennessee
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Thorup
Blatz	Hanson, R.	Lord	Perpich, G.	Ueland
Borden	Hughes	McCutcheon	Pillsbury	Wegener
Brown	Humphrey	Milton	Purfeerst	Willet
Chenoweth	Jensen	Moe	Schaaf	
Chmielewski	Keefe, J.	Nelson	Schrom	
Conzemius	Keefe, S.	North	Sillers	
Davies	Kleinbaum	Ogdahl	Solon	

Those who voted in the negative were:

Bang	Josefson	Olhoft	Olson, J. L.	Renneke
Hansen, Mel				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 314: A bill for an act relating to the village of Grand Marais; authorizing the issuance of on-sale liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hughes	Knutson
Arnold	Brown	Doty	Humphrey	Kowalczyk
Ashbach	Chenoweth	Fitzsimons	Jensen	Krieger
Berg	Chmielewski	Gearty	Keefe, S.	Larson
Bernhagen	Coleman	Hansen, Baldy	Kirchner	Laufenburger
Blatz	Conzemius	Hanson, R.	Kleinbaum	Lewis

Lord	Ogdahl	Pillsbury	Spear	Wegener
McCutcheon	Olson, A. G.	Purfeerst	Stassen	Willet
Milton	Olson, H. D.	Schaaf	Stokowski	
Moe	O'Neill	Schrom	Tennessee	
Nelson	Perpich, A. J.	Sillers	Thorup	
North	Perpich, G.	Solon	Ueland	

Those who voted in the negative were:

Bang	Frederick	Keefe, J.	Olson, J. L.	Renneke
Dunn	Hansen, Mel	Olhoff		

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1591: A bill for an act relating to Hennepin county; establishing powers, duties and rights of the public defender.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Ogdahl	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olhoff	Sillers
Bang	Frederick	Krieger	Olson, A. G.	Solon
Berg	Gearty	Larson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Patton	Tennessee
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Jensen	Moe	Pillsbury	Wegener
Conzemius	Keefe, J.	Nelson	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	
Doty	Kleinbaum	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1547: A bill for an act relating to Hennepin county; permitting county to lease real property for periods up to 15 years; amending Laws 1969, Chapter 476, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Fitzsimons	Humphrey	Larson
Arnold	Chenoweth	Frederick	Jensen	Laufenburger
Ashbach	Chmielewski	Gearty	Keefe, S.	Lewis
Berg	Conzemius	Hansen, Baldy	Kirchner	Milton
Bernhagen	Davies	Hansen, Mel	Kleinbaum	Moe
Blatz	Doty	Hanson, R.	Kowalczyk	Nelson
Borden	Dunn	Hughes	Krieger	North

Novak	Olson, J. L.	Purfeerst	Solon	Thorup
Ogdahl	O'Neill	Renneke	Spear	Ueland
Olhoft	Patton	Schaaf	Stassen	Wegener
Olson, A. G.	Perpich, A. J.	Schrom	Stokowski	Willet
Olson, H. D.	Perpich, G.	Sillers	Tennessee	

Messrs. Bang; Keefe, J.; and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2246: A bill for an act relating to the city of Little Falls; authorizing the issuance of an additional on-sale license for the sale of intoxicating liquor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Olson, A. G.	Spear
Arnold	Doty	Kleinbaum	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Knutson	O'Neill	Stokowski
Berg	Gearty	Kowalczyk	Perpich, A. J.	Tennessee
Bernhagen	Hansen, Baldy	Larson	Perpich, G.	Thorup
Blatz	Hansen, Mel	Laufenburger	Pillsbury	Ueland
Borden	Hanson, R.	Lewis	Purfeerst	Wegener
Brown	Hughes	Milton	Schaaf	Willet
Chenoweth	Humphrey	Moe	Schrom	
Chmielewski	Jensen	Nelson	Sillers	
Conzemius	Keefe, J.	North	Solon	

Those who voted in the negative were:

Bang	Novak	Olhoft	Olson, J. L.	Renneke
Dunn				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1483: A bill for an act relating to the city of St. Cloud; authorizing additional on-sale intoxicating liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Sillers
Arnold	Doty	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Gearty	Kowalczyk	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Blatz	Hanson, R.	Laufenburger	Perpich, G.	Tennessee
Borden	Hughes	Lewis	Pillsbury	Thorup
Brown	Humphrey	Milton	Purfeerst	Ueland
Chenoweth	Jensen	Moe	Schaaf	Wegener
Chmielewski	Keefe, J.	Nelson	Schrom	Willet

Those who voted in the negative were:

Bang	Hansen, Mel	Olhoft	Olson, J. L.	Renneke
Dunn	Novak			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 532: A bill for an act relating to insurance; accident and health insurance policies, and health service plans; requiring health insurance coverage for newborn infants immediately from the moment of birth; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Sections 62A.10, Subdivision 2; and 62C.14, by adding a subdivision.

Mr. Laufenburger moved to amend H. F. No. 532 as follows:

Strike the amendments added by the Senate Labor and Commerce Committee found on page 2300 of the Journal of the Senate, May 5, 1973

Which motion prevailed. So the amendment was stricken.

H. F. No. 532 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Ogdahl	Schrom
Bang	Gearty	Kowalczyk	Olhoft	Sillers
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Spear
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Borden	Hughes	Lewis	O'Neill	Stokowski
Brown	Humphrey	Lord	Patton	Tennessee
Chenoweth	Jensen	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 346: A bill for an act relating to public water and sewer systems; powers of county boards and district courts; amending Minnesota Statutes 1971, Section 116A.01, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Arnold	Frederick	Knutson	Olhoft	Sillers
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Solon
Bang	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stokowski
Blatz	Hughes	Lewis	Patton	Tennessen
Brown	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2166: A bill for an act relating to Anoka county; authorizing issuance of bonds for county park acquisition and development.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Ashbach	Frederick	Knutson	Olhoft	Sillers
Bang	Gearty	Kowalczyk	Olson, A. G.	Solon
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Laufenburger	O'Neill	Tennessen
Borden	Hughes	Lewis	Patton	Ueland
Brown	Humphrey	Lord	Perpich, A. J.	Wegener
Chmielewski	Jensen	McCutcheon	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 890: A bill for an act relating to the police department, the policemen's relief association, and policemen's pension fund in the city of Minneapolis.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Hansen, Mel	Kleinbaum	McCutcheon
Arnold	Davies	Hanson, R.	Knutson	Moe
Ashbach	Doty	Hughes	Kowalczyk	Nelson
Bang	Dunn	Humphrey	Krieger	North
Berg	Fitzsimons	Jensen	Larson	Novak
Bernhagen	Frederick	Keefe, J.	Laufenburger	Ogdahl
Chenoweth	Gearty	Keefe, S.	Lewis	Olhoft
Chmielewski	Hansen, Baldy	Kirchner	Lord	Olson, A. G.

Olson, H. D.	Perpich, A. J.	Schaaf	Stokowzki	Willet
Olson, J. L.	Pillsbury	Schrom	Thorup	
O'Neill	Purfeerst	Sillers	Ueland	
Patton	Renneke	Spear	Wegener	

Messrs. Borden; Josefson; Perpich, G.; Solon and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2160: A bill for an act relating to Mankato state college; authorizing Mankato state student association to expend money assigned to it from the college activity fund of Mankato state college for funding a legal counseling and service program for students.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Solon
Bang	Fitzsimons	Kleinbaum	Novak	Spear
Berg	Frederick	Knutson	Oilhoft	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stokowzki
Blatz	Hansen, Mel	Krieger	O'Neill	Tennesen
Borden	Hanson, R.	Larson	Patton	Thorup
Brown	Hughes	Laufenburger	Perpich, G.	Ueland
Chenoweth	Humphrey	Lewis	Pillsbury	Wegener
Chmielewski	Jensen	Lord	Purfeerst	Willet
Conzemius	Josefson	Mce	Renneke	
Doty	Keefe, S.	Nelson	Schaaf	

Messrs. Ashbach; Hansen, Baldy; McCutcheon; Olson, J. L. and Sillers voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1104: A bill for an act relating to the city of St. Louis Park and Winona; permitting city council to direct or serve on housing and redevelopment authority or to contract with other governmental units for services provided by such authority.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Dunn	Hughes	Kowalczyk
Ashbach	Chenoweth	Fitzsimons	Humphrey	Krieger
Bang	Chmielewski	Frederick	Jensen	Larson
Berg	Coleman	Gearty	Josefson	Laufenburger
Bernhagen	Conzemius	Hansen, Baldy	Kirchner	Lewis
Blatz	Davies	Hansen, Mel	Kleinbaum	Lord
Borden	Doty	Hanson, R.	Knutson	McCutcheon

Moe	Olson, H. D.	Purfeerst	Spear	Wegener
Nelson	Olson, J. L.	Renneke	Stassen	Willet
North	O'Neill	Schaaf	Stokowski	
Novak	Patton	Schrom	Tennessee	
Olhoff	Perpich, G.	Sillers	Thorup	
Olson, A. G.	Pillsbury	Solon	Ueland	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1246, No. 158 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1246: A bill for an act relating to elections; providing for the registration of voters; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 200.02, Subdivisions 22 and 25; 201.11; 201.12; 201.13; 201.14; 201.15; 201.18; 201.26; 201.27; 201.33; 203.27, Subdivision 2; 204.076; 204.08, Subdivision 1; 204.17, Subdivision 3; 207.02; 207.03; 207.08; and 207.19, Subdivision 1; Chapter 201, by adding sections; and Chapter 204, by adding a section; repealing Minnesota Statutes 1971, Sections 201.02 to 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.-25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, Subdivision 3.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate on S. F. No. 1246.

The following Senators answered to their names:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Arnold	Frederick	Knutson	Olhoff	Solon
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Spear
Bang	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Berg	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Bernhagen	Hanson, R.	Lewis	O'Neill	Tennessee
Blatz	Hughes	Lord	Patton	Thorup
Borden	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Brown	Jensen	Milton	Perpich, G.	Wegener
Chmielewski	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Hansen, Mel moved to amend S. F. No. 1246, as follows:

Page 5, line 2, after "vote" insert "only"

Page 5, line 3, after "the" and before "precinct" insert "one"

Page 7, line 6, after "last" strike "residence" and insert "registration and of last residence if different than last registration"

Page 7, line 9, strike "retain" and insert in lieu thereof "affix"

Page 7, line 10, after "notification" insert "to the cancelled registration card"

Page 13, line 25, after "*election*" and before "*including*" insert "*where voter registration cards specified in this chapter are used*"

Page 17, line 24, following "state" insert "*or other county*"

Page 17, line 25, following "residence" and before the comma insert "*or files an affidavit of residence there*"

Page 17, line 26, following "state" insert "*or county*"

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend S. F. No. 1246, as follows:

Page 6, lines 8 and 9, strike "*upon registration I will be an eligible voter on the day of the next election*" and insert in lieu thereof "*the above facts are correct*"

Which motion prevailed. So the amendment was adopted.

Mr. Brown moved to amend S. F. No. 1246 as follows:

Page 3, line 23, after "*person*" insert:

"residing in a voting precinct that does not have registration on the effective date of this act,"

Page 21, strike lines 4 through 13

Amend the title as follows:

Lines 8 and 9, strike "203.27, Subdivision 2;"

The question being taken on adoption of the amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbaen	Fitzsimons	Kirchner	Ogdahl	Stassen
Bang	Frederick	Knutson	Olson, J. L.	Tennesen
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Ueland
Bernhagen	Hansen, Mel	Krieger	Patton	
Blatz	Hanson, R.	Larson	Pillsbury	
Brown	Jensen	McCutcheon	Renneke	
Dunn	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Solon
Arnold	Doty	Lord	Olson, H. D.	Spear
Borden	Gearty	Milton	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Moe	Perpich, G.	Thorup
Chmielewski	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet
Conzemius	Kleinbaum	Olhoft	Schrom	

Which motion did not prevail. So the amendment was not adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. Which motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Keefe, J. was excused from this evening's Session. Mr. Kirchner was excused from the Session of this evening, beginning at 8:30 o'clock p.m. Mr. Kowalczyk was excused from the first hour of tomorrow's Session.

CALL OF THE SENATE

Mr. Olson, J. L. imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Gearty	Laufenburger	Olson, H. D.	Tennessee
Berg	Hansen, Mel	Lewis	Olson, J. L.	Thorup
Bernhagen	Hanson, R.	Lord	Patton	Ueland
Blatz	Hughes	McCutcheon	Perpich, A. J.	Wegener
Borden	Humphrey	Moe	Perpich, G.	Willet
Brown	Jensen	North	Purfeerst	
Coleman	Keefe, S.	Novak	Schrom	
Doty	Knutson	Ogdahl	Sillers	
Fitzsimons	Larson	Olson, A. G.	Stokowski	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1626, pursuant to the request of the Senate,

Messrs. Anderson, Doty, Borden, Sillers, O'Neill.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1673, pursuant to the request of the House,

Messrs. Chenoweth, Kleinbaum, Stokowski, Ogdahl, Gearty.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that

the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 452, pursuant to the request of the Senate,

Messrs. North, Chenoweth, McCutcheon.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

SPECIAL ORDER—CONTINUED

The question recurred on S. F. No. 1246,

Mr. Kowalczyk moved to amend S. F. No. 1246, as follows:

Page 22, line 13, delete "a qualified voter"

Page 22, line 15 after "Law" and before the period insert "*and am voting only in this precinct*"

Which motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend S. F. No. 1246, as follows:

Page 33, after line 8 insert a new section to read as follows:

"Sec. 34. *Effective date of this act for Hennepin County only shall be January, 1975.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Purfeerst
Bang	Fitzsimons	Kirchner	Ogdahl	Renneke
Berg	Hansen, Baldy	Knutson	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Blatz	Hanson, R.	Krieger	Patton	Ueland
Brown	Jensen	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Spear
Arnold	Doty	Lord	Olson, H. D.	Stokowski
Borden	Gearty	Milton	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Moe	Perpich, G.	Thorup
Chmielewski	Humphrey	North	Schaaf	Wegener
Coleman	Keefe, S.	Novak	Schrom	Willet
Conzemius	Kleinbaum	Olhoft	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Hansen, Mel moved to amend S. F. No. 1246, as follows:

Page 2, line 7, after "*Minnesota*" delete "*for 20 days*" and insert in lieu thereof "*and in the precinct for 30 days*"

Page 23, line 13, reinsert the stricken language

Page 23, line 14, strike "*are*" and reinsert the stricken language

Page 23, line 15, reinsert the stricken language

Page 23, lines 17, 18, 19, and 20 reinsert the stricken language

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Knutson	Olson, J. L.	Stassen
Berg	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Bernhagen	Hanson, R.	Krieger	Patton	
Blatz	Jensen	Larson	Pillsbury	
Brown	Josefson	Nelson	Renneke	
Dunn	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Doty	Lord	Perpich, A. J.	Tennesen
Arnold	Gearty	Milton	Perpich, G.	Thorup
Borden	Hansen, Baldy	Moe	Purfeerst	Wegener
Chenoweth	Hughes	North	Schaaf	Willet
Chmielewski	Humphrey	Novak	Schrom	
Coleman	Keefe, S.	Olhoft	Solon	
Conzemius	Kleinbaum	Olson, A. G.	Spear	
Davies	Lewis	Olson, H. D.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Patton moved to amend S. F. No. 1246, as follows:

Page 12, line 2, after "report" insert "*each month*"

Page 12, line 17, after "report" insert "*each month*"

Page 13, line 10, after "report" insert "*each month*"

Which motion did not prevail. So the amendment was not adopted.

Mr. Jensen moved to amend S. F. No. 1246, as follows:

Page 3, line 23, strike everything after "*Subd. 3.*"; strike lines 24 through 28.

Page 4, line 1, strike "*and providing proof of his residence.*"

Page 4, line 7, after "*judge*" insert "*or registration clerk*"

Page 4, line 10, strike everything after the period.

Strike lines 11 through 21

Renumber the subdivisions in sequence

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Nelson	Pillsbury
Bang	Fitzsimons	Knutson	Ogdahl	Renneke
Berg	Hansen, Mel	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Hanson, R.	Krieger	Olson, J. L.	Stassen
Blatz	Jensen	Larson	O'Neill	Ueland
Brown	Josefson	McCutcheon	Patton	

Those who voted in the negative were:

Anderson	Chmielewski	Gearty	Keefe, S.	Lord
Arnold	Coleman	Hansen, Baldy	Kleinbaum	Milton
Borden	Davies	Hughes	Laufenburger	Moe
Chenoweth	Doty	Humphrey	Lewis	North

Novak	Perpich, A. J.	Schaaf	Stokowski	Wegener
Olhoff	Perpich, G.	Schrom	Tennessee	Willet
Olson, A. G.	Purfeerst	Spear	Thorup	

Which motion did not prevail. So the amendment was not adopted.

Mr. Krieger moved to amend S. F. No. 1246, as follows:

Page 8, strike lines 23 through 28

Page 9, strike lines 1 through 4

And renumber the subdivisions in sequence.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	Nelson	Pillsbury
Bang	Dunn	Josefson	Ogdahl	Renneke
Berg	Fitzsimons	Knutson	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Krieger	O'Neill	Ueland
Brown	Hanson, R.	Larson	Patton	

Those who voted in the negative were:

Anderson	Doty	Lord	Olson, A. G.	Spear
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stokowski
Borden	Hughes	Milton	Perpich, G.	Tennessee
Chenoweth	Humphrey	Moe	Purfeerst	Thorup
Coleman	Keefe, S.	North	Schaaf	Wegener
Conzemius	Kleinbaum	Novak	Schrom	Willet
Davies	Lewis	Olhoff	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Stassen moved to amend S. F. No. 1246, as follows:

Page 24, line 14, delete "*or registers on election day*"

Page 24, line 15, delete complete line except for the period.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Ogdahl	Sillers
Bang	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Mel	Krieger	O'Neill	Ueland
Bernhagen	Hanson, R.	Larson	Patton	Willet
Blatz	Jensen	McCutcheon	Pillsbury	
Brown	Josefson	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olson, A. G.	Solon
Arnold	Doty	Lewis	Olson, H. D.	Spear
Borden	Gearty	Lord	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	Milton	Perpich, G.	Tennessee
Chmielewski	Hughes	Moe	Purfeerst	Thorup
Coleman	Humphrey	North	Schaaf	Wegener
Conzemius	Keefe, S.	Olhoff	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend S. F. No. 1246, as follows:

Page 4, lines 18 and 19, after the period strike "*The election judge who registers a person at the polls on*" and insert in lieu thereof the following: "*Two election judges of different political parties shall register persons at the polls on*"

Page 4, line 19, after "*day*" insert "*and*"

Page 4, line 20, strike "*judge*" and insert "*judges*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Sillers
Berg	Hansen, Mel	Krieger	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Larson	O'Neill	Ueland
Blatz	Jensen	McCutcheon	Patton	
Brown	Josefson	Nelson	Pillsbury	
Dunn	Knutson	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olhoft	Spear
Arnold	Gearty	Lewis	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Lord	Perpich, A. J.	Tennessen
Chenoweth	Hughes	Milton	Perpich, G.	Thorup
Chmielewski	Humphrey	Moe	Schaaf	Wegener
Coleman	Keefe, S.	North	Schrom	Willet
Davies	Kleinbaum	Novak	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Keefe, S. moved to amend S. F. No. 1246 as follows:

Page 8, line 20, after "municipality" insert "and the board of supervisors of each town"

Which motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend S. F. No. 1246, as follows:

Page 6, line 22, following "address" insert " , prior residence, prior registration if any"

Page 6, line 23, after "2" strike "and 8" and insert " , 7, 8 and 9"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel, moved to amend S. F. No. 1246, as follows:

Page 4, line 15, delete "*substantially deficient*" and insert in lieu thereof "*lacking information specified in Minnesota Statutes, Section 201.071, Subdivision 1*"

Page 4, line 16, after "*person*" delete "*whose registration is found deficient*" and insert in lieu thereof "*so registering and secure information from the registrant to determine if he is qualified to vote in that precinct and shall so indicate on the registration card*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Knutson	Nelson	Pillsbury
Bernhagen	Hansen, Mel	Kowalczyk	Ogdahl	Renneke
Blatz	Hanson, R.	Krieger	Olson, J. L.	Sillers
Brown	Jensen	Larson	O'Neill	Stassen
Dunn	Josefson	McCutcheon	Patton	Ueland

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olhoff	Solon
Arnold	Gearty	Lewis	Olson, A. G.	Spear
Berg	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Borden	Hughes	Milton	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Moe	Perpich, G.	Thorup
Coleman	Keefe, S.	North	Schaaf	Wegener
Davies	Kleinbaum	Novak	Schrom	Willet

Which motion did not prevail. So the amendment was not adopted.

Mr. Stassen moved to amend S. F. No. 1246, as follows:

Page 3, line 23, after "person" insert:

"residing in a voting precinct that does not have registration"

Page 21, strike lines 4 through 13

Amend the title as follows:

Lines 8 and 9, strike "203.27, Subdivision 2;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Ogdahl	Renneke
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Krieger	O'Neill	Stassen
Blatz	Jensen	Larson	Patton	Ueland
Brown	Josefson	Nelson	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Novak	Spear
Arnold	Doty	Kleinbaum	Olson, H. D.	Stokowski
Borden	Gearty	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hansen, Baldy	Lord	Perpich, G.	Thorup
Chmielewski	Hanson, R.	Milton	Schaaf	Wegener
Coleman	Hughes	Moe	Schrom	Willet
Conzemiuz	Humphrey	North	Solon	

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 1246 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Perpich, A. J.	Tennessee
Arnold	Gearty	Milton	Perpich, G.	Thorup
Borden	Hughes	Moe	Purfeerst	Wegener
Chenoweth	Humphrey	North	Schaaf	Willet
Chmielewski	Keefe, S.	Novak	Schrom	
Coleman	Kleinbaum	Ogdahl	Solon	
Conzemius	Laufenburger	Olhoft	Spear	
Davies	Lewis	Olson, A. G.	Stokowski	

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Nelson	Renneke
Bang	Fitzsimons	Josefson	Olson, H. D.	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Ueland
Blatz	Hansen, Mel	Krieger	Patton	
Brown	Hanson, R.	Larson	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1653, No. 236 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1653: A bill for an act relating to education; the establishment of a pilot educational service area in southwest and west central Minnesota to provide educational services and programs on a regional basis; appropriating money therefor.

Mr. Olson, A. G. moved to amend S. F. No. 1653 as follows:

Page 7, after line 26, insert the following new section:

“Sec. 2 [EVALUATION.] The state board of education, in cooperation with the state planning agency, shall report to the legislature on or before November 15, 1974, regarding the effectiveness of the pilot educational service area established by this act. The report shall include, but not be limited to: applicability of the educational service area structure in other regions of the state; cost comparisons of services delivered, per service and per pupil, in the pilot educational service area and in individual school districts; alternative funding mechanisms available through cost savings and other local, state, and federal sources; relationships of educational service areas to the functions of the state department of education; and relationships of educational service areas to regional development commissions.”

Renumber the sections in order.

Which motion prevailed. So the amendment was adopted.

S. F. No. 1653 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Novak	Schaaf
Arnold	Davies	Kleinbaum	Ogdahl	Schrom
Ashbach	Doty	Knutson	Olhoft	Solon
Bang	Dunn	Krieger	Olson, A. G.	Spear
Berg	Fitzsimons	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Frederick	Lewis	Olson, J. L.	Stokowski
Blatz	Gearty	Lord	O'Neill	Tennessee
Borden	Hanson, R.	McCutcheon	Patton	Thorup
Brown	Hughes	Milton	Perpich, A. J.	Ueland
Chenoweth	Humphrey	Moe	Pillsbury	Wegener
Chmielewski	Jensen	Nelson	Purfeerst	Willet
Coleman	Josefson	North	Renneke	

Messrs. Hansen, Baldy; Hansen, Mel; Kowalczyk; Larson and Perpich, G. voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Friday, May 11, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-EIGHTH DAY

St. Paul, Minnesota, Friday, May 11, 1973.

The Senate met at 10:00 o'clock a. m. and was called to order by the President.

CALL OF THE SENATE

Mr. Pillsbury imposed a call of the Senate. The following Senators answered to their names:

Arnold	Coleman	Hanson, R.	Milton	Pillsbury
Ashbach	Conzemius	Josefson	Moe	Purfeerst
Berg	Davies	Keefe, S.	Ogdahl	Renneke
Bernhagen	Doty	Kirchner	Olhoft	Schrom
Blatz	Fitzsimons	Kleinbaum	Olson, A. G.	Stokowski
Borden	Frederick	Knutson	Olson, J. L.	Tennessen
Brown	Garty	Larson	Patton	Thorup
Chenoweth	Hansen, Baldy	Laufenburger	Perpich, A. J.	Wegener
Chmielewski	Hansen, Mel	McCutcheon	Perpich, G.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Garty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Purfeerst was excused from today's Session, beginning at 12:30 o'clock p.m. Mr. Kowalczyk was excused from the first hour of today's Session.

INTRODUCTION OF BILLS

Messrs. Hanson, R.; Ogdahl and Thorup introduced—

S. F. No. 2480: A bill for an act relating to foreign corporations; limitation on area of operations of certain foreign corporations and associations; providing exceptions under certain conditions; amending Minnesota Statutes 1971, Section 303.04.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Thorup, McCutcheon and North introduced—

S. F. No. 2481: A bill for an act relating to labor; regulating the powers, duties and procedures of certain state agencies and others; regulating the divisions of the department of labor and industry; providing penalties; amending Minnesota Statutes 1971, Sections 175.08; 175.10; 175.16; 175.17; 175.171; 175.20; 175.24; 175.27; and 175.32; repealing Minnesota Statutes 1971, Sections 175.12; 175.13; 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; and 175.29.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Borden, Gearty and Ogdahl introduced—

S. F. No. 2482: 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; repealing Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; and 15A.081.

Which was read the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1030, 1233, 1724, 1943, 753, 695 and 1376.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 736: A bill for an act relating to elections; providing

that certain officers in cities of the first class be elected with party designation; amending Minnesota Statutes 1971, Sections 202.09, Subdivision 1; and 205.17.

Senate File No. 736 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

Mr. Keefe, S. moved that S. F. No. 736 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 523: A bill for an act relating to hearing aids; permitting sales only upon the recommendation of persons licensed to practice medicine; providing a penalty.

Senate File No. 523 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 9, 1973

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 523 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 523 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 12, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	North	Schaaf
Ashbach	Dunn	Kirchner	Novak	Schrom
Berg	Fitzsimons	Kleinbaum	Ogdahl	Solon
Borden	Gearty	Larson	Olhott	Spear
Brown	Hansen, Baldy	Laufenburger	Olson, A. G.	Stassen
Chenoweth	Hansen, Mel	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hanson, R.	Lord	O'Neill	Tennessee
Coleman	Hughes	Milton	Perpich, A. J.	Thorup
Conzemius	Humphrey	Moe	Perpich, G.	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Bernhagen	Jensen	McCutcheon	Pillsbury	Sillers
Blatz	Knutson	Patton	Renneke	Ueland
Frederick	Krieger			

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 507: A bill for an act relating to water pollution; pollution control agency; providing financial assistance to municipalities for the construction of waste disposal systems; amending Minnesota Statutes 1971, Sections 116.16, Subdivisions 2, 3, 4, 6, 7 and 9; 116.17, Subdivision 5; 116.18, Subdivisions 1 and 2; repealing Minnesota Statutes 1971, Sections 116.15; 116.18, Subdivision 3, and cancelling an appropriation.

Senate File No. 507 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 10, 1973

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate do now concur in the amendments by the House to S. F. No. 507 and that the bill be placed on its repassage as amended.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 37 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Perpich, A. J.	Tennessen
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Thorup
Chenoweth	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Humphrey	Moe	Schaaf	Willet
Coleman	Keefe, S.	North	Schrom	
Conzemius	Kleinbaum	Novak	Solon	
Davies	Laufenburger	Olhoff	Spear	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Nelson	Renneke
Bang	Fitzsimons	Keefe, J.	Ogdahl	Sillers
Berg	Frederick	Kirchner	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Knutson	O'Neill	Ueland
Blatz	Hanson, R.	Krieger	Patton	
Brown	Jensen	Larson	Pillsbury	

Which motion prevailed.

S. F. No. 507 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended.

And the roll being called, there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Solon
Arnold	Fitzsimons	Knutson	Olhoff	Spear
Ashbach	Gearty	Krieger	Olson, A. G.	Stassen
Bang	Hansen, Baldy	Larson	O'Neill	Stokowski
Berg	Hansen, Mel	Laufenburger	Patton	Tennessee
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Borden	Hughes	Lord	Perpich, G.	Ueland
Chenoweth	Humphrey	McCutcheon	Pillsbury	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

Messrs. Bernhagen and Brown voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1388: A bill for an act relating to taxation; assessment of low income real property; amending Minnesota Statutes 1971, Section 273.13, Subdivision 17; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 17b.

Senate File No. 1388 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 10, 1973

CONCURRENCE AND REPASSAGE

Mr. Chenoweth moved that the Senate do now concur in the amendments by the House to S. F. No. 1388 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1388 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Novak	Schaaf
Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoff	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Krieger	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Lewis	O'Neill	Stokowski
Borden	Hansen, Mel	Lord	Patton	Tennessee
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill, as amended, passed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.-17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4 and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

There has been appointed as such committee on the part of the House:

Graba; Berg; Johnson, D.; Adams, S. and Esau.

Senate File No. 1626 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 10, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1772:

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Connors, Berglin and DeGroat have been appointed as such committee on the part of the House.

House File No. 1772 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 10, 1973

Mr. Keefe, J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1772 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 835.

H. F. No. 835: A bill for 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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Kahn, Weaver and Bell have been appointed as such committee on the part of the House.

House File No. 835 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 10, 1973

Mr. Spear moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 835 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1053:

H. F. No. 1053: A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Vento; Sieben, H. and Kvam have been appointed as such committee on the part of the House.

House File No. 1053 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 10, 1973

Mr. Thorup moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1053 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 295:

H. F. No. 295: A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5, and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

LaVoy; Quirin; Enebo; Sieben, H. and Bell have been appointed as such committee on the part of the House.

House File No. 295 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 9, 1973

Mr. Thorup moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 295 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1146, 731, 1606 and 2247.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 10, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1642.

H. F. No. 1642: A bill for an act relating to Otter Tail county; authorizing a levy for county extension work.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Larson, Graba and Eken have been appointed as such committee on the part of the House.

House File No. 1642 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 9, 1973

Mr. Olhoft moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1642 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 1146: A bill for an act relating to the city of Bloomington; appropriating funds for special assessments levied by the city against property of the Normandale state junior college.

H. F. No. 731: A bill for an act relating to appointments by the mayor and the city council of the city of Minneapolis.

H. F. No. 1606: A bill for an act relating to the term of office of the comptroller and of the treasurer of the city of Minneapolis.

H. F. No. 2247: A bill for an act authorizing the city of Saint Paul to create development districts within its 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; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35 and Joint Rule 20,

S. F. No. 2097, together with the committee report thereon: A bill for an act relating to the city of Duluth, authorizing the city of Duluth

to create development districts within the city boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35 and Joint Rule 20,

S. F. No. 2182, together with the committee report thereon: A bill for an act authorizing the city of Saint Paul to create development districts within its 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; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1473: A bill for an act abolishing the legislative buildings commission; transferring the commission's functions, powers and duties to the legislative advisory committee; repealing Minnesota Statutes 1971, Sections 3.421 to 3.471.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 565: A bill for an act relating to a tax study commission; amending Extra Session Laws 1971, Chapter 31, Article 13, Section 1.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

S. F. No. 510: A bill for an act establishing an energy policy study commission; appropriating money.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 767: A bill for an act relating to public health; authorizing the state board of health to prescribe fees for certain services provided by the board; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "the"

Page 1, line 14, strike "administrative procedures act" and insert "Minnesota Statutes, Chapter 15"

Page 1, after line 27, add:

"Sec. 2. [APPROPRIATION.] *Subdivision 1. There is hereby appropriated \$3,500,000 to the state board of health for the biennium ending June 30, 1975, for the purpose of continuing services which are the subject of federal fund cutbacks.*

Subd. 2. This appropriation will be available only to the extent of fee income to the general fund under provisions of section 1. The state board of health shall notify the legislative advisory committee and the standing committee on finance of the senate and appropriations of the house of representatives, prior to expenditure of any funds in this appropriation."

Re-number the remaining section

Amend the title as follows:

Page 1, line 5, after the semicolon insert "appropriating money;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1448: A bill for an act relating to parole and probation; creating a single authority; transferring the powers and duties of the adult corrections commission and the youth conservation commission to the Minnesota corrections authority established hereby; abolishing the adult corrections commission and the youth conservation commission as now constituted; amending Minnesota Statutes 1971, Sections 242.03; 242.09; 242.10; 242.18; 242.19; 242.20; 242.21; 242.25; 242.27; 242.29; 242.32; 243.09; repealing Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.-265; 242.54; 243.02; 243.03; and 243.04.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1421: A bill for an act relating to education; community school program; continuing and increasing certain reimbursements to participating school districts; appropriating money therefor; amending Minnesota Statutes 1971, Section 121.89.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 7 through 12

Further amend the title as follows:

Page 1, line 5, strike "appropriating money"

Page 1, line 6, strike "therefor;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1315: A bill for an act relating to the city of Bloomington; providing reimbursement to the city for the cost of platting land for the Normandale state junior college; and appropriating funds for special assessments levied by the city against property of the college.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [APPROPRIATION FOR SPECIAL ASSESSMENTS.] The sum of \$102,557.23 is appropriated from the general fund to the city of Bloomington to pay special assessments levied against those certain properties in the said city upon which is located the Normandale state junior college."

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 city of Bloomington; appropriating funds for special assessments levied by the city against property of the Normandale state junior college."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

H. F. No. 223: A bill for an act relating to courts; increasing the number of associate justices on the supreme court; appropriating moneys; amending Minnesota Statutes 1971, Section 480.01.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2426: A bill for an act authorizing conveyance of certain state lands in Lyon county to the Southwest Minnesota College Foundation.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1486: A bill for an act relating to corrections; industrial enterprises conducted at the state prison and the state reformatory; appropriating money; amending Minnesota Statutes 1971, Sections 243.66 and 243.67; and repealing Minnesota Statutes 1971, Sections 243.65; 243.69; 243.81; 243.82; and 243.86.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1617: A bill for an act relating to public welfare; increasing amounts of income disregarded in computing aid to disabled persons; amending Minnesota Statutes 1971, Section 256.455, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1897: A bill for an act relating to handicapped persons; establishing and prescribing duties of the Minnesota commission for the handicapped; transferring certain powers and duties to the commission; appropriating money; repealing Minnesota Statutes 1971, Sections 4.08 and 121.34.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 26, after "\$" insert "97,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1; and 176.051.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 9, after "to" insert "*persons employed by*"

Page 1, line 10, after "servants," insert "*persons employed by*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2098: A bill for an act relating to St. Louis county; authorizing the issuance of seasonal on-sale intoxicating liquor licenses.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, after "issue" insert "not more than five additional"

Page 1, line 4, strike "number of and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2004: A bill for an act relating to Cass county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2050: A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2207: A bill for an act relating to intoxicating liquor; authorizing one additional on-sale license within Todd county.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2244: A bill for an act relating to the city of Winona; authorizing the issuance of two additional on-sale liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1271: A bill for an act relating to labor; employment of minors; providing that prohibitions do not apply to employment of farm children on the family farm; amending Minnesota Statutes 1971, Sections 181.40 and 182.09.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 140: A bill for an act relating to accident and health insurance; policies to provide for reimbursement for services of osteopath, optometrist or chiropractor; amending Minnesota Statutes 1971, Section 62A.03, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Reported adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2197: A bill for an act relating to the department of public service; authorizing the public service commission to investigate inadequate telephone service; providing for hearings thereon; authorizing the commission to make reasonable orders in connection therewith; amending Minnesota Statutes 1971, Chapter 237, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 731, 1581, 1575, 1293, 1478 and 1436 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 731 to the Committee on Metropolitan and Urban Affairs.

The following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1581	1387				

And that the above Senate File be indefinitely postponed.

The following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1575	1379				
1293	1750				
1478	878				
1436	1632				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1575 be amended as follows:

Page 5, line 24, delete "*for issuance in*" and insert in lieu thereof "*or issued before July 1, 1974,*"

Page 5, line 25, delete "*Minnesota or issued in Minnesota before March 1, 1974,*"

And when so amended, H. F. No. 1575 will be identical to S. F. No. 1379 and further recommends that H. F. No. 1575 be given its second reading and substituted for S. F. No. 1379 and S. F. No. 1379 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1293 be amended as follows:

Page 1, line 13, after "provided that" strike the remainder of the line.

Page 1, lines 14 through 28, strike all the old language and delete all the new language.

Page 1, line 29, strike "shall be eligible for parole; provided further,"

Page 2, line 1, strike "unanimous"

Page 2, line 1, after "unanimous" insert "*the*"

Page 2, line 1, after "consent of" insert "*the majority of*"

And when so amended, H. F. No. 1293 will be identical to S. F. No. 1750 and further recommends that H. F. No. 1293 be given its second reading and substituted for S. F. No. 1750 and S. F. No. 1750 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1478 be amended as follows:

Page 1, line 11, in the headnote after "RECREATIONAL" insert "VEHICLE"

Further, amend the title in line 5, after the semicolon, by deleting "and"

And when so amended, H. F. No. 1478 will be identical to S. F. No. 878 and further recommends that H. F. No. 1478 be given its second reading and substituted for S. F. No. 878 and S. F. No. 878 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1436 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [BROOKLYN CENTER HOUSING AND REDEVELOPMENT AUTHORITY.] Notwithstanding the provisions of Minnesota Statutes, Section 462.425, or any other law or charter provision to the contrary, the city councils of Brooklyn Center and Brooklyn Park by ordinance may provide that the members of the city council shall constitute the housing and redevelopment authority of their respective cities, or may provide that members of the city council may serve on said authority.

The commissioners shall hold office as long as they are members of the governing body of the city. When a commissioner is no longer a member of the governing body of the city, his term as commissioner shall terminate and the position will be filled by the member of the council appointed or elected to fill the council vacancy.

Sec. 2. [PURPOSE, SCOPE AND AUTHORITY.] The purpose, scope and authority of the housing and redevelopment authority established pursuant to this act shall be the same as that provided for under Minnesota Statutes, Sections 462.415 to 462.716.

Sec. 3. This act shall become effective as to the city of Brooklyn Center only after its approval by a majority of the governing body of the city of Brooklyn Center and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 4. This act shall become effective as to the city of Brooklyn Park only after its approval by a majority of the governing body of the city of Brooklyn Park and upon compliance with Minnesota Statutes, Section 645.021.”

Further, amend the title by striking it in its entirety and inserting in lieu thereof:

“A bill for an act relating to the cities of Brooklyn Center and Brooklyn Park; creating housing and redevelopment authorities.”

And when so amended, H. F. No. 1436 will be identical to S. F. No. 1632 and further recommends that H. F. No. 1436 be given its second reading and substituted for S. F. No. 1632 and S. F. No. 1632 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

H. F. No. 2121: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.03, Subdivisions 1, 2 and 3, and by adding subdivisions; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.-25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 290.0607; 290.0617; 290.361, Subdivision 4; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; and 477A.01, Subdivisions 12 and 15.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“ARTICLE I

Section 1. Minnesota Statutes 1971, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3b.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 80 acres, regardless of whether or not the market value is in excess of \$12,000, for all purposes ~~except the payment of principal and interest on bonded indebtedness~~, shall be reduced by ~~35~~ 40 percent of the tax; provided that the amount of said reduction shall not exceed \$250. Valuation subject to relief shall be limited to 80 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used

during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. Minnesota Statutes 1971, 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 bonded indebtedness *on projects in which the bonded indebtedness exceeds fifteen million dollars*, shall be reduced by 35 40 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. 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 section 256.12; 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, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. 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 bonded indebtedness~~, shall be reduced by 35 40 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. 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. 3. *This article is effective for taxes assessed in 1973 and payable in 1974 and thereafter.*

ARTICLE II

Section 1. Minnesota Statutes 1971, Section 290.982, is amended to read:

290.982 [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.981 to 290.992, who was domiciled in this state during the entire calendar year preceding the year in which he files claim for relief, who resided in a rented or leased ~~private commercial unit on which ad valorem taxes are accrued operated for profit, or in a rented or leased unit owned temporarily due to foreclosure by the federal housing administration,~~ for not less than the last six months of the calendar year covered by the claim. When a unit is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, such individuals may determine between them as to who the claimant shall be, and all amounts paid for the unit during the selected claimant's occupancy shall be considered as paid by him. If they are unable to agree, the matter shall be referred to the commissioner of taxation and his decision shall be final.

Sec. 2. Minnesota Statutes 1971, Section 290.983, Subdivision 1, is amended to read:

290.983 [AMOUNT OF CREDIT; OFFSET AGAINST TAX.] Subdivision 1. The credit allowed by section 290.981 shall be ~~7 1/2~~ 10 percent of the total amount paid by the claimant during the taxable year as rent for the occupancy of real property used as the place of residence of his household. The credit shall not exceed ~~\$90~~ \$120 in any taxable year. For purposes of sections 290.981 to 290.992 "rent" does not include payments attributable to heat, light, or other utilities.

Sec. 3. Minnesota Statutes 1971, Section 290.99, is amended to read:

290.99 [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 290.981 to 290.992 shall be allowed to any person who is a recipient of public funds for the payment of rent during the period for which the claim is filed. ~~No claim for relief under sections 290.981 to 290.992 shall be allowed to any person residing in a rental unit the rental of which is subject to regulations of a governmental agency, federal, state or local.~~

Sec. 4. *The provisions of this article shall be effective for all years beginning after December 31, 1972.*

ARTICLE III

Section 1. Minnesota Statutes 1971, Section 290.081, is amended to read:

290.081 [INCOME OF NONRESIDENTS, RECIPROCITY.] (a) ~~The compensation received for the performance of personal~~

or professional services within this state by an individual who resides and has his place of abode and place to which he customarily returns at least once a month in another state, shall be excluded from gross income to the extent such compensation is subject to an income tax imposed by the state of his residence, provided that such state allows a similar exclusion of compensation received by residents of Minnesota for services performed therein; or

(b) Whenever a nonresident taxpayer has become liable for income taxes to the state where he resides upon his net income for the taxable year derived from the performance of personal or professional services within this state and subject to taxation under chapter 200, there shall be allowed as a credit against the amount of income tax payable by him under this chapter, such proportion of the tax so paid by him to the state where he resides as his gross income subject to taxation under this chapter bears to his entire gross income upon which the tax so paid to such other state has imposed, provided, that such credit shall be allowed only if the laws of such state grant a substantially similar credit to residents of this state subject to income tax under laws; or

(c) If any taxpayer who is a resident of this state, or a domestic corporation or corporation commercially domiciled therein, has become liable for taxes on or measured by net income to another state upon income derived from the performance of personal or professional services within such other state and subject to taxation under this chapter he or it shall be entitled to a credit against the amount of taxes payable under this chapter, of such proportion thereof, as such gross income subject to taxation in such state bears to his entire gross income subject to taxation under this chapter, *plus an additional credit of \$20*; provided (1) that such credit shall in no event exceed by \$20 the amount of tax so paid to such other state on the gross income earned within such other state and subject to taxation under this chapter, and (2) that such credit shall not be allowed if such other state allows residents of this state a credit against the taxes imposed by such state for taxes payable under this chapter substantially similar to the credit provided for by the paragraph (b) of this section, and (3) the allowance of such credit shall not operate to reduce the taxes payable under this chapter to an amount less than would have been payable if the gross income earned in such other state had been excluded in computing net income under this chapter.

(d) The commissioner shall by regulation determine with respect to gross income earned in any other state the applicable clause of this section.

(e) "Tax So Paid" as used in this section means taxes on or measured by net income payable to another state on income earned within the taxable year for which the credit is claimed, provided that such tax is actually paid in that taxable year, or subsequent taxable years.

Sec. 2. This article is effective for taxable years beginning after December 31, 1972.

ARTICLE IV

Section 1. Minnesota Statutes 1971, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota; the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property, the ultimate destination of which is outside the state of Minnesota and which is not thereafter returned to a point within Minnesota except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of Chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars,

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, *including returnable containers used in packaging food and beverage products*, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, *research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and road building*. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, *are not included within this exemption. The terms of the preceding sentence shall include the basic machine itself and all of its component parts, such as belts, pulleys, shafts, moving parts and operating structures as well as any accessory tools or equipment such as litho plates and other short lived items which are separate detachable units used in producing a direct effect upon the product, and shall further include equipment or devices used to control, regulate or operate the machine*. Furniture and fixtures used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except paper or ink products) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, *and any such publication*. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall

be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of cigarettes.

(s) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(t) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(u) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of taxation filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(v) *The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets the standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to Minnesota Statutes, Section 141.25.*

(w) *The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.*

Sec. 2. [297A.253] *Notwithstanding the provisions of Chapter 297A, there shall be taxable hereunder the sale of and storage, use or other consumption in Minnesota of beverage containers (whether "returnable" or "non-returnable") when purchased by a person who utilizes such containers as containers for merchandising beverages. For purposes of this section, "beverage" shall include all liquids intended for drinking, other than milk or water.*

Sec. 3. *Minnesota Statutes 1971, Section 297A.252, is repealed.*

Sec. 4. *The provisions of this article shall be effective after December 31, 1973.*

ARTICLE V

Section 1. Minnesota Statutes 1971, Section 290.361, Subdivision 4, is amended to read:

Subd. 4. [DISPOSITION OF TAX.] (a) The revenues derived from the excise tax on banks shall be paid into the state treasury and credited to the general fund, from which shall be paid all refunds of taxes erroneously collected from banks as certified by the commissioner. ~~Forty-five percent of the balance of~~

such tax so collected shall be transmitted, on the last days of May and November of each year, to the respective counties in which are located the banks paying the tax. The county auditor shall apportion and distribute 45 percent of the respective amounts paid by each bank in his county, less 45 percent of the refunds paid to that bank, in the same manner and on the same basis as he distributes taxes on personal property in the taxing district in which that bank is located, provided that the governing body of any political subdivision receiving such apportionment may place all such amounts to the credit of its general fund.

There is hereby appropriated to the persons or banks entitled to such refunds, from the general fund, an amount sufficient to make the refunds.

(b) For purposes of the apportionment and distribution required to be made to the county auditor under clause (a) of this subdivision, the tax so collected shall be deemed to have been paid to the commissioner on the last date prescribed by law for the filing of the excise tax return, or date when such excise tax was received by the commissioner, whichever date occurs later.

(c) There is hereby annually appropriated from the general fund to the taxing districts entitled to such payments as are authorized under this section, sufficient moneys to make such payments.

Sec. 2. After November 30, 1973 no adjustments shall be made to the November 30, 1973 distributions or prior distributions required to be made to the several county auditors pursuant to Minnesota Statutes, Section 290.361, Subdivision 4. Any amounts appropriated for this purpose shall lapse after November 30, 1973 and shall revert to the general fund.

Sec. 3. The provisions of this article shall be effective for all payments required to be made after November 30, 1973.

ARTICLE VI

Section 1. Minnesota Statutes 1971, Section 297.13, Subdivision 1, is amended to read:

297.13 [REVENUE, DISPOSAL.] Subdivision 1. [CIGAR-ETTE TAX APPORTIONMENT FUND.] Notwithstanding any other provisions of law, for all periods beginning after the date of final enactment of this act, the provisions of this section shall be applicable. Five and one-half percent of the revenues received from taxes, penalties and interest under sections 297.01 to 297.13 shall be deposited by the commissioner of taxation in the general fund and credited to a special account to be known as the "natural resources account," which is hereby created. Expenditures shall be made from said account only as may be authorized by law to carry out the provisions of this act and in conformance with the provisions of chapter 16. Five and one-half percent shall be deposited in the general fund and credited

to the "natural resources acceleration" account for the purposes provided in Laws 1969, Chapter 879, Section 4. Until January 1, 1972, an additional 5.5 percent of the revenues received from taxes, penalties and interest under sections 297.01 to 297.13 shall be deposited by the commissioner of taxation in the general fund and said amount shall be considered for the purposes of section 297A.51 as if the tax were imposed by sections 297A.01 to 297A.44. The balance of the revenues derived from taxes, penalties, and interest under sections 297.01 to 297.13 and from license fees and miscellaneous sources of revenue shall be deposited by the commissioner in the general fund and credited 11.0 percent to a special account to be known as the "cigarette tax apportionment account," which account is hereby created, but in no event shall the amount credited to the account be less than that credited to such account in the fiscal year beginning July 1, 1968 and ending June 30, 1969, and the balance to the general fund. The revenues in the apportionment account shall be apportioned as provided in subdivision 2 to the several counties, cities, villages and boroughs in this state, and the term "village" as used herein shall include those towns which have village powers as defined in section 368.01. In computing the population of counties, cities, villages and boroughs the state auditor shall add increases in population disclosed by reason of any special census conducted under subdivision 7 to the population of the political subdivision conducting the census and to the population of the county in which the political subdivision is located. Each county, city, village, and borough shall receive from the apportionment account an amount bearing the same relation to the total amount to be apportioned as its population bears to the total population of all the counties, cities, villages and boroughs in this state; except, that for the purposes of sections 297.01 to 297.13, the population of a county shall be that part of its population exclusive of the population of the several cities, villages and boroughs within the county.

Sec. 2. Minnesota Statutes 1971, Sections 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15, and 297.16 are repealed.

Sec. 3. After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 297.13, Subdivision 2. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.

Sec. 4. The provisions of this article shall be effective for all payments required to be made after December 31, 1973.

ARTICLE VII

Section 1. Minnesota Statutes 1971, Section 340.60, Subdivision 1, is amended to read:

340.60 [LIQUOR RECEIPTS.] Subdivision 1. [PAID INTO STATE TREASURY.] Except as provided in the following subdivisions; All taxes, penalties, license fees, and receipts of every

kind, character, and description provided for and payable to the state under the terms and provisions of the intoxicating liquor act and sections 340.44 to 340.56, including all moneys collected by the liquor control commissioner under rules and regulations established by him such as certificate labels, truck labels, case labels, and any other form that he may establish, shall be paid into the state treasury the same as other departmental receipts, and are to be credited to the ~~revenue~~ *general fund* of the state.

Sec. 2. *Minnesota Statutes 1971, Section 340.60, Subdivisions 2, 3, 4, 5, 6 and 7 are repealed.*

Sec. 3. *After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 340.60, Subdivision 3. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.*

Sec. 4. *The provisions of this article shall be effective for all payments required to be made after August 15, 1973.*

ARTICLE VIII

Section 1. *Minnesota Statutes 1971, Section 273.41, is amended to read:*

273.41 [AMOUNT OF TAX; DISTRIBUTION.] There is hereby imposed upon each such cooperative association on December 31 of each year a tax of \$10 for each 100 members, or fraction thereof, of such association. The tax, when paid, shall be in lieu of all personal property taxes, state, county, or local, upon distribution lines and the attachments and appurtenances thereto of such associations located in rural areas. The tax shall be payable on or before March 1 of the next succeeding year, to the commissioner of taxation. If the tax, or any portion thereof, is not paid within the time herein specified for the payment thereof, there shall be added thereto a specific penalty equal to five percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate of four percent per annum from the time such tax should have been paid until paid. The commissioner shall ~~retain five percent of the proceeds of such tax, penalty and interest for expenses of administration and shall distribute the balance thereof, on or before July 1 of each year to the treasurers of the respective counties of the state in proportion to the number of members of such associations in the several counties as of December 31 of the preceding year, as determined by reports of such associations made and verified in such manner and on such terms as may be prescribed by the commissioner of taxation. The moneys so distributed to the respective counties shall be credited by the treasurer thereof to the general revenue fund of the county deposit the amount so received in the general fund of the state treasury.~~

~~There is hereby appropriated to the counties entitled to such payments, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make such payment as is authorized herein.~~

Sec. 2. The provisions of this article shall be effective for all payments required to be made after December 31, 1973.

ARTICLE IX

Section 1. Minnesota Statutes 1971, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.] All taxes paid to the county treasurers under the provisions of sections 287.01 to 287.12 shall be apportioned, ~~one sixth~~ *95 percent* to the general fund of the state, ~~one sixth and five percent~~ to the county revenue fund, and ~~the balance to be divided equally between the school district and the city, village, or town in which the real estate described in the mortgage is situated. Where the amount determined to be apportionable in any instance to any given school district, city, village or town is less than six such amount shall be retained in the county revenue fund.~~

Sec. 2. The provisions of this article shall be effective for all payments required to be made after December 31, 1973.

ARTICLE X

Section 1. Minnesota Statutes 1971, Section 291.33, Subdivision 2, is amended to read:

Subd. 2. ~~Twenty~~ *Ten* percent of the amount as determined under the provisions of subdivision 1 shall be paid to each of such counties.

Said payments shall be transmitted to the county auditor of each county, to be placed to the credit of the county revenue fund. It shall be the duty of the state treasurer to pay warrants therefor out of any funds in the state treasury not otherwise appropriated. The moneys necessary to pay such warrants are hereby appropriated out of any moneys in the state treasury not otherwise appropriated.

Sec. 2. The provisions of this article shall be effective for all payments required to be made in 1973 and years thereafter.

ARTICLE XI

Section 1. Minnesota Statutes 1971, Section 124.03, Subdivision 3, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 25 mills to the valuation determined on the January 2, 1971 assessment and 8.3 mills on the January 2, 1972 assessment and subsequent assessments

on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of taxation by November 15 of each year for verification.

(b) If the commissioner of taxation agrees with the computation, he shall deliver to the state auditor his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the state auditor his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with Chapter 271.

(c) On or before May 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The state auditor in the same manner shall make distribution in subsequent years for the year 1973 in the same manner with respect to amounts shown to be due in accordance with the commissioner's certification. *For the year 1974 and subsequent years, the state auditor shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.*

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the state auditor shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

Sec. 2. The provisions of this article shall be effective the day following its final passage.

ARTICLE XII

Section 1. Minnesota Statutes 1971, Section 290.17, is amended to read:

290.17 [GROSS INCOME, ALLOCATION TO STATE.] Items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of non-resident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if the grantor of any trust is domiciled within this state and such income or gains would be taxable to such grantor under sections 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business, including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1).

For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent unless it can be shown to the contrary.

(5) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 2. Minnesota Statutes 1971, Section 290.19, Subdivision 1, is amended to read:

290.19 [NET INCOME; ALLOCATION TO STATE, METHODS.] Subdivision 1. [COMPUTATION, BUSINESS CONDUCTED PARTLY WITHIN STATE; APPORTIONMENT.] The taxable net income from a trade or business carried on partly within and partly without this state shall be computed by deducting from the gross income of such business, wherever derived, deductions of the kind permitted by section 290.09, so far as connected with or allocable against the production or receipt of such income. The remaining net income shall be apportioned to Minnesota as follows:

(1) If the business consists of the mining, producing, smelting, refining, or any combination of these activities of copper and nickel ores, or of the manufacture of personal property and the sale of said property within and without the state, the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(a) The percentage which the sales made within this state and through, from or by offices, agencies, branches or stores within this state is of the total sales wherever made;

(b) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed,

wherever located, owned or rented and, used by the taxpayer in connection with such trade or business during the tax period; and,

(c) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(d) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (1) (a), 15 percent of the percentage determined under clause (1) (b), and 15 percent of the percentage determined under clause (1) (c);

(2) (a) In all other cases the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(1) The percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted;

(2) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned, or rented, and used by the taxpayer in connection with such trade or business during the tax period; and

(3) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(4) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (2) (a) (1), 15 percent of the percentage determined under clause (2) (a) (2), and 15 percent of the percentage determined under clause (2) (a) (3);

(b) If the methods prescribed under clause (2) (a) will not properly reflect taxable net income assignable to the state, there may be used, if practicable and if such use will properly and fairly reflect such income, the percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted; or the separate or segregated accounting method;

(3) The sales, pay-rolls, earnings, and receipts referred to in this section shall be those for the taxable year in respect of

which the tax is being computed. The property referred to in this section shall be the average of the property owned or used by the taxpayer during the taxable year in respect of which the tax is being computed ;

(4) For the purposes of this section, in determining the amount of sales made within Minnesota, there shall be excluded therefrom sales negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at, connected with, or sent out from premises for the transaction of business owned or rented by the taxpayer or by his agents or agencies outside the state and sales otherwise determined by the commissioner to be attributable to the business conducted on such premises. If the commissioner finds that the taxpayer maintains an office, warehouse or other places of business outside the state for the purpose of reducing its tax under this section it shall in determining the amount of taxable net income include therein the proceeds of sales attributed by the taxpayer to the business conducted at such place outside the state.

Sec. 3. Minnesota Statutes 1971, Section 290.19, is amended by adding a subdivision to read:

Subd. 1a. [DETERMINATION OF SALES MADE WITHIN THIS STATE.] *For purposes of this section the following rules shall apply in determining whether or not sales are made within this state.*

Sales of tangible personal property are made within this state if the property is delivered or shipped to a purchaser within this state, and the taxpayer is taxable in this state, regardless of the f.o.b. point or other conditions of the sale.

Sales made by or through a corporation which is qualified as a domestic international sales corporation under section 992 of the Internal Revenue Code of 1954, as amended through December 31, 1972, shall not be considered to have been made within this state.

Sec. 4. *This article is effective for taxable years beginning after December 31, 1973.*

ARTICLE XIII

Section 1. Minnesota Statutes 1971, Section 272.03, Subdivision 1, is amended to read:

272.03 [DEFINITIONS.] Subdivision 1. [REAL PROPERTY.]

For the purposes of taxation, "real property" includes the land itself and all buildings, structures, and improvements or other fixtures on it, and all rights and privileges belonging or appertaining to it, and all mines, minerals, quarries, fossils, and trees on or under it.

A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of

the building, and which cannot be removed without substantial damage to itself or to the building or structure.

For purposes of this section, huge and ponderous machinery or equipment, whether or not located in a structure, shall be considered a fixture to real estate if it is installed or affixed to a structure in such a manner as to create a permanent or semi-permanent installation, or is installed with the intention of remaining on the real estate for the useful life of the machinery or equipment.

ARTICLE XIV

Section 1. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0618] [LIMITS.] *The amount of any claim pursuant to section 1 of this act and sections 290.0601 to 290.0617 shall be determined in accordance with the following schedule:*

<i>Property Tax</i>	<i>Total Household Income</i>				
	<i>At Least:</i>				
	0	1,500	2,000	2,500	3,000
	<i>But Less Than:</i>				
	1,499	1,999	2,499	2,999	3,499

<i>At Least</i>	<i>But Less Than</i>	<i>Your Senior Citizens Tax Credit Is:</i>				
0	25	\$ 22	\$ 21	\$ 19	\$ 16	\$ 12
25	50	45	42	38	32	25
50	75	68	64	56	49	38
75	100	90	85	75	65	50
100	125	112	106	94	81	62
125	150	135	128	112	98	75
150	175	158	149	131	114	88
175	200	180	170	150	130	100
200	225	202	191	169	146	112
225	250	225	212	188	162	125
250	275	248	234	206	179	139
275	300	270	255	225	195	150
300	325	292	276	244	211	162
325	350	315	298	262	228	175
350	375	338	319	281	244	188
375	400	360	340	300	260	200
400	425	382	361	319	276	212
425	450	405	382	338	292	225
450	475	428	404	356	309	238
475	500	450	425	375	325	250
500	525	472	446	394	341	262
525	550	495	468	412	358	275
550	575	518	489	431	374	288

575	600	540	510	450	390	300
600	625	562	531	469	406	312
625	650	585	552	488	422	325
650	675	608	574	506	439	338
675	700	630	595	525	455	350
700	725	652	616	544	471	362
725	750	675	638	562	488	375
750	775	698	659	581	504	388
775	800	720	680	600	520	400

Property Tax

Total Household Income

At Least:

3,500 4,000 4,500 5,000 5,500

But Less Than:

3,999 4,499 4,999 5,499 5,999

At Least	But Less Than	Your Senior Citizens Tax Credit Is:				
		\$ 9	\$ 5	\$ 4	\$ 2	\$ 1
0	25	18	10	8	5	2
25	50	26	15	11	8	4
50	75	35	20	15	10	5
75	100	44	25	19	12	6
100	125	52	30	22	15	8
125	150	61	35	26	18	9
150	175	70	40	30	20	10
175	200	79	45	34	22	11
200	225	88	50	38	25	12
225	250	96	55	41	28	14
250	275	105	60	45	30	15
275	300	114	65	49	32	16
300	325	122	70	52	35	18
325	350	131	75	56	38	19
350	375	140	80	60	40	20
375	400	149	85	64	42	21
400	425	158	90	68	45	22
425	450	166	95	71	48	24
450	475	175	100	75	50	25
475	500	184	105	79	52	26
500	525	192	110	82	55	28
525	550	201	115	86	58	29
550	575	210	120	90	60	30
575	600	219	125	94	62	31
600	625	228	130	98	65	32
625	650	236	135	101	68	34
650	675	245	140	105	70	35
675	700	254	145	109	72	36
700	725	262	150	112	75	38
725	750	271	155	116	78	39
750	775	280	160	120	80	40
775	800					

In no event shall the claim allowed pursuant to the above schedule exceed the amount of property tax accrued.

Sec. 2. Minnesota Statutes 1971, Section 290.0604, is amended to read:

290.0604 [FILING TIME LIMIT, LATE FILING.] No claim in respect of property taxes accrued in 1969 or in respect of 1969 rent constituting property taxes accrued shall be paid or allowed unless such claim is actually filed with and in the possession of the department of taxation on or before June 30, 1970. Thereafter, subject to the same conditions and limitations, claims must be filed on or before June 30 of each succeeding year for which the property taxes accrued or rents constituting property taxes have accrued. Any claim for property taxes accrued shall be filed with the department of taxation on or before June 30 of the year in which such property taxes are due and payable. Any claim for rent constituting property taxes accrued shall be filed on or before June 30 of the year following the year in which such rent was paid. The commissioner may extend the time for filing these claims, as provided in section 290.0615.

A claim filed after the original or extended due date shall be allowed, however the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is not filed on or before two years after the original or extended due date for the filing of the claim.

Sec. 3. This act is effective for all claims filed on or after January 1, 1974 based on property taxes due and payable in 1974 and thereafter for each succeeding year, and for rent constituting property taxes accrued for 1973 and thereafter for each succeeding year.

Sec. 4. Minnesota Statutes 1971, Sections 290.0607 and 290.0617 are repealed.

ARTICLE XV

Section 1. Minnesota Statutes 1971, Chapter 273, is amended by adding a section to read:

[273.011] [DEFINITIONS.] Subdivision 1. [WORDS, TERMS, PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 1 to 3 shall have the meanings given to them.

Subd. 2. [QUALIFIED HOME OWNER.] The term "qualified home owner" means:

- (a) (i) A person 65 years of age or older; or
- (ii) The surviving spouse of a decedent, if such decedent was 65 years of age or older at his death, and such spouse has not remarried; and
- (b) Who owns property as his homestead, and title to the property so used is held;
 - (i) In his name as owner of the fee; or

(ii) Only in his name and that of his spouse as joint tenants or tenants in common; or

(iii) Only in his name, or his name and that of his spouse as owner of an estate for life or an estate for years.

Subd. 3. [QUALIFIED PROPERTY.] The term "qualified property" means property which meets all of the following conditions:

(i) Is a single family dwelling, or is part of a multifamily dwelling, or is a portion of a multipurpose structure, or is a mobile home as defined in section 168.011 which is used for the purposes described in section 273.13, subdivision 7, together with one acre of land most contiguous to the structure or mobile home, provided title to such land is held by the person who owns the title to the property described herein; and

(ii) Is the homestead of a "qualified home owner."

Subd. 4. [BASE TAX.] The term "base tax" means the ad valorem tax legally due with respect to "qualified property" in the year preceding the year in which the "qualified home owner" thereof attains such status prior to June 1, unless such "qualified home owner" qualified for such status at an earlier date by reason of subdivision 2, clause (a) (ii) of this section; provided that where such status is attained on or after June 1, except as provided in the preceding sentence, the "base tax," notwithstanding the provisions of subdivision 5, shall be the "ad valorem tax" legally due in such year.

Subd. 5. [CURRENT TAX.] The term "current tax" means the ad valorem tax legally due and payable on "qualified property" in the year following the year of assessment.

Subd. 6. [AD VALOREM TAX.] The term "ad valorem tax" means the tax on "qualified property" exclusive of all special taxes payable thereon.

Subd. 7. The masculine gender shall include the feminine and the single shall include the plural.

Subd. 8. Where "qualified property" is part of a multidwelling or multipurpose structure, the valuation of the "qualified property" area shall be determined by apportionment.

Sec. 2. Minnesota Statutes, Chapter 273, is amended by adding a section to read:

[273.012] **[QUALIFIED PROPERTY TAX CREDIT.]** Subdivision 1. When used in this section, words and phrases defined in section 1 shall have the meanings given to them unless the language or context clearly indicates that a different meaning is intended.

Subd. 2. Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax as hereinafter provided under Minnesota Statutes, Chapter 290. In the event that a "qualified home owner"

entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.

Sec. 3. Minnesota Statutes, Chapter 290, is amended by adding a section to read:

[290.066] [SPECIAL PROPERTY TAX CREDIT.] *Subdivision 1. A person entitled to an amount equal to the qualified property tax credit allowed by section 2 shall file a claim with the department of taxation on or before June 30. The department of taxation shall make available suitable forms with instructions for the claimant, including a form which may be included with or as a part of the individual income tax blank. The claim shall be in such form as the commissioner may prescribe.*

Subd. 2. Such claim shall be subject to the provisions of sections 290.0604, 290.0605, 290.061, 290.0611, 290.0612, 290.0614, and 290.0615, where applicable.

Subd. 3. In the event that a "qualified home owner," in addition to the credit provided in this section, is entitled to a credit under section 290.0607, he shall not include the amount of taxes refunded under this section in the amount of property tax on which the credit allowed by section 290.0607 is calculated.

Subd. 4. There is hereby appropriated from the general fund the necessary amounts to pay the claims allowed by this section.

Sec. 4. *The provisions of this article shall only apply to homesteads with a market value of less than \$25,000 on the effective date of this article.*

This act is effective for all "base taxes" due and payable after December 31, 1972, and is effective for all "current taxes" due and payable after December 31, 1973.

ARTICLE XVI

Section 1. Minnesota Statutes 1971, Section 290.06, Subdivision 1, is amended to read:

290.06 [RATES OF TAX; CREDITS AGAINST TAX.] *Subdivision 1. [COMPUTATION, CORPORATIONS.] The privilege and income taxes imposed by this chapter upon corporations shall be computed by applying to their taxable net income in excess of the applicable credits allowed under section 290.21 the rate of 12 percent. The amount of tax payable by a corporation required to file a return shall not be less than \$10 \$25 .*

Sec. 2. *The provisions of this article shall be effective for taxable years beginning after December 31, 1972.*

ARTICLE XVII

Section 1. Minnesota Statutes 1971, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute ~~\$25~~ \$35 for each person residing in the territory comprising each county for the calendar year ~~1972~~ 1974 and ~~\$27~~ \$36 for the calendar year ~~1973~~ 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory.

Sec. 2. Minnesota Statutes 1971, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. The county government shall receive *85 percent of the same percentage of the distributions pursuant to subdivision 1, that it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation.*

Sec. 3. Minnesota Statutes 1971, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities, villages and towns, shall receive in ~~1972~~ 1974 and ~~1973~~ 1975 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1971, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions *in 1974* pursuant to subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the levy of each city, village and town payable in ~~1971~~ 1973 bears to the total dollar amount of the levies of all the cities, villages and towns *payable in 1973* .

The balance of the distribution in 1975 pursuant to Subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the levy of each city, village and town payable in 1974 bears to the total dollar amount of the levies of all cities, villages and towns payable in 1974.

For the purpose of this subdivision, the levy of a city, village or town payable in 1973 and 1974 shall include the amount of federal revenue sharing funds used to reduce the dollar amount of the levy each year, but shall exclude that portion of the levy of such city, village and town which was subject to the penalty provisions of Minnesota Statutes, Section 275.51, Subdivision 4, as amended and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c).

Sec. 5. Minnesota Statutes 1971, Section 477A.01, Subdivision 5, is amended to read:

Subd. 5. ~~If the total amount distributed to the several tax-~~

ing authorities within a county pursuant to subdivision 1 is less than the total amount the several taxing authorities within the county, except school districts, were entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution pursuant to subdivision 1.

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town, and county government within each county subject to the provisions of subdivision 1 or within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distributions of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the total amount distributed to the several taxing authorities within a county pursuant to subdivision 1 or to the territory specified in subdivision 7 is less than the aggregate of aids to the several taxing authorities within such county or territory, except school districts, as calculated by the department of taxation pursuant to clause (a), the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution to the several taxing authorities within the territory specified in subdivision 7.

Sec. 6. Minnesota Statutes 1971, Section 477A.01, Subdivision 6, is amended to read:

Subd. 6. If the amount distributed to a city, village or town pursuant to subdivision 4, is less than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, the amount distributed to it shall be raised to the amount distributed in 1971 and the distributions to each of the other cities, villages and towns and the county, shall be proportionately reduced as necessary to supply the difference.

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town and county government within each county subject to the provisions of subdivision 1:

(1) 1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the amount distributed to a city, village, borough, town or county government pursuant to subdivision 2 or subdivision 4 is less than the aggregate of aids for such county government, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or township as calculated by the department of taxation pursuant to clause (a), and the distributions to each of the other cities, villages, boroughs and towns and the county government shall be proportionately reduced as necessary to supply the difference.

Sec. 7. Minnesota Statutes 1971, Section 477A.01, Subdivision 7, is amended to read:

Subd. 7. In the territory comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute ~~\$27~~ \$35 for each person residing in the territory for the calendar year ~~1972~~ 1974 and ~~\$29~~ \$36 for the calendar year ~~1973~~ 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the territory.

Sec. 8. Minnesota Statutes 1971, Section 477A.01, Subdivision 8, is amended to read:

Subd. 8. The seven county governments shall receive in total, in ~~1972~~ 1974, ~~10.5~~ 16 percent of ~~\$20~~ \$35 times the population of the seven counties, and, in ~~1973~~ 1975, ~~17.5~~ 16 percent of ~~\$28~~ \$36 times the population of the seven counties. That distribution in 1974 shall be divided among the seven county governments in the proportion that the levy of each payable in ~~1971~~ 1973 bears to the total levy of the seven. *That distribution in 1975 shall be divided among the seven county governments in the proportion that the levy of each payable in 1974 bears to the total levy of the seven. For the purposes of this subdivision the levy of a county payable in 1973 and 1974 shall exclude that portion of the levy which was subject to the penalty provisions of Minnesota Statutes,*

Section 275.51, Subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). If any county government would receive less pursuant to this subdivision than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60 it shall receive an amount equal to the amount to which it was entitled in 1971 and the distribution to other counties shall be proportionately reduced.

Sec. 9. Minnesota Statutes 1971, Section 477A.01, Subdivision 9, is amended to read:

Subd. 9. Each taxing authority in the counties named in subdivision 7, other than the counties, the school districts and the cities, villages, boroughs and towns, shall receive in ~~1972~~ 1974 and ~~1973~~ 1975, a distribution equal to the distribution to which it was entitled in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 10. Minnesota Statutes 1971, Section 477A.01, Subdivision 10, is amended to read:

Subd. 10. In ~~1972~~ 1974 ~~§26~~ §35 shall be multiplied times the population of the seven counties named in subdivision 7. The distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 11. Minnesota Statutes 1971, Section 477A.01, Subdivision 11, is amended to read:

Subd. 11. ~~The city of Minneapolis and the city of St. Paul shall receive a distribution of the balance remaining after the calculation provided by subdivision 10 shall be divided among the cities, villages, boroughs and towns in the proportion that the dollar amount of the levy of each payable in 1971~~ 1973 bears to the dollar amount of the levies of all cities, villages, boroughs and towns in the seven named counties. *For the purposes of this subdivision the levy of a city, village, borough or town payable in 1973 shall exclude that portion of the levy which was subject to the penalty provisions of Minnesota Statutes, Section 275.51, Subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c).*

Sec. 12. Minnesota Statutes 1971, Section 477A.01, Subdivision 13, is amended to read:

Subd. 13. In ~~1973~~ 1975 ~~§28~~ §36 shall be multiplied times the population of the seven counties named in subdivision 7. The distribution pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 13. Minnesota Statutes 1971, Section 477A.01, Subdivision 14, is amended to read:

Subd. 14. ~~The city of Minneapolis and the city of St. Paul shall receive a distribution of the balance remaining after the calculation provided by subdivision 13 shall be divided among the cities, villages, boroughs and towns in the proportion that the~~

dollar amount of the levy of each payable in 1971 1974 bears to the dollar amount of the levies of all cities, villages, boroughs and towns in the seven named counties. *For purposes of this subdivision the levy of a city, village, borough, or town payable in 1974 shall exclude that portion which was subject to the provisions of Minnesota Statutes, Section 275.51, Subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c).*

Sec. 14. Minnesota Statutes 1971, Section 477A.01, Subdivision 16, is amended to read:

~~Subd. 16. If the amount distributed to a city, village, borough or town in 1972 or 1973 in the seven named counties pursuant to this section, is less than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 270.09 and 297A.51 to 297A.69, the amount shall be raised to the amount distributed in 1971 and the distributions to each of the other cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference.~~

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, borough, town, and county government within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, borough and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the amount distributed to a city, village, borough, town, or county in 1974 or 1975 in the seven named counties pursuant to this section is less than the aggregate of aids for such county, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or town as calculated by the department of taxation pursuant to clause (a), and the distribution to each of the other counties, cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference.

Sec. 15. Minnesota Statutes 1971, Section 477A.01, Subdivision 17, is amended to read:

Subd. 17. The commissioner of taxation shall make all necessary calculations based on the 1970 federal census and make payments directly to the affected taxing authorities in ~~four~~ two equal parts on ~~March 15, July 15, September 15,~~ and November 15 in ~~1972~~ 1974 and ~~1973~~ 1975.

Sec. 16. *An amount sufficient to make payments provided by this article is appropriated for 1974 and 1975 to the commissioner of taxation from the general fund for distributions provided by this article. Notwithstanding Minnesota Statutes, Section 16.17, or any other law to the contrary, the appropriations made by this section shall not lapse but shall continue until January 1, 1976.*

Sec. 17. *Minnesota Statutes 1971, Section 477A.01, Subdivisions 12 and 15, are repealed, for payments required to be made to political subdivisions after December 31, 1973.*

ARTICLE XVIII

Section 1. *The significant increase in ad valorem taxes in recent years is a major concern of the legislature in view of the impact of such increases upon all economic groups within the state, but with particular emphasis upon certain home owners, renters and farmers. The legislature attributes this steadily increasing property tax burden to the rising costs of local government, increased school and welfare expenditures, and a continuing and strong inflationary effect on real property values.*

In Extra Session Laws 1971, Chapter 31, Article XIII, the legislature created a tax study commission to examine Minnesota's total tax structure as its equity and distribution methods relate to the general economic needs and development of the state, the special needs of employment and job opportunity and the revenue needs and sources of revenue available to the state and to its political subdivisions.

The tax study commission is herewith directed to focus particular attention on the process of assessing and classifying real and personal property for ad valorem tax purposes, in order that the legislature may be able to achieve a reasonable balance between the total revenue requirements of the state and its political subdivisions and that portion of such revenues that should be raised by property taxes.

No appropriation is made for the purposes of this article, as funds are being made available to the tax study commission in other sections of the law.

ARTICLE XIX

Section 1. Minnesota Statutes 1971, Section 290.0601, Subdivision 6, is amended to read:

Subd. 6. [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.0601 to ~~290.0617~~ 290.0618, has attained either the age of 65 or was a recipient of "supplementary security income for the aged, blind, and disabled" provided under the social security amendments of 1972 (P.L. 92-603) during the calendar year for which the claim is filed, and was domiciled in this state during the entire calendar year for which the claim for relief under sections 290.0601 to

~~290.0617~~ 290.0618 was filed. In the case of claim for rent constituting property taxes accrued the claimant shall have rented property during any part of the calendar year for which he files claim for relief under sections 290.0601 to ~~290.0617~~ 290.0618. When two individuals are able to meet the qualifications for a claimant and are husband and wife, they may determine between them as to which of the two the claimant shall be. If they are unable to agree the matter shall be referred to the commissioner of taxation and his decision shall be final. When a homestead is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, and some or all such qualified individuals are not related as determined under subdivision 3, each such individual may be a claimant, provided he meets the requirements therefor. Each such claimant shall use only the rent constituting property taxes or property taxes accrued paid by him.

Sec. 2. Minnesota Statutes 1971, Section 290.0601, Subdivision 9, is amended to read:

Subd. 9. [PROPERTY TAXES ACCRUED.] Property taxes accrued means the net property tax after deducting the credit allowed by Minnesota Statutes 1967, Section 273.13, Subdivisions 6 and 7, (exclusive of special assessments, delinquent interest and charges for service) levied on a claimant's homestead in 1967 or any calendar year thereafter pursuant to Minnesota Statutes 1965, Chapters 272 and 273. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead as reflects the ownership percentage of the claimant and his household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer for collection. The local treasurer will include with the tax bill a statement that if the owner of the property is 65 years of age or over, *or was a recipient of "supplementary security income for the aged, blind, and disabled" under the social security amendments of 1972 (P.L. 92-603)*, he may be eligible for the credit allowed by sections 290.0601 to ~~290.0617~~ 290.0618. When a claimant and his household own their homestead part of the preceding calendar year and rent the same or a different homestead for part of the same year "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as such by claimant and his household at the time of the levy, multiplied by the percentage of 12 months that such property was owned and occupied by such household as its homestead during the preceding year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall relate only to that property occupied by the household as a homestead on the levy date. Whenever a homestead is an integral part of a farm, the claimant may use the total property taxes accrued for the larger unit, but not exceeding 80 acres of land, as described in section 273.13, subdivision 6, except as the limitations of section 290.0608 apply. For the purpose of sections 290.0601 to ~~290.0617~~ 290.0618, the "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

Sec. 3. Minnesota Statutes 1971, Section 290.061, is amended to read:

290.061 [PROOF OF CLAIM.] Every claimant under sections 290.-0601 to ~~290.0617~~ 290.0618, shall supply to the department of taxation, in support of his claim, reasonable proof of age, *proof of "supplementary security income for the aged, blind, and disabled" received*, rent paid, name and address of owner or managing agent of property rented, property taxes accrued, changes of homestead, household membership, household income, size and nature of property claimed as the homestead and a statement that the property taxes accrued, used for purposes of sections 290.0601 to ~~290.0617~~ 290.0618 have been or will be paid by him and that there are no delinquent property taxes on the homestead.

Sec. 4. *This article is effective January 1, 1974, and shall apply to property taxes and rent constituting property taxes accrued in 1973 and subsequent years.*

ARTICLE XX

Section 1. Minnesota Statutes 1971, Section 275.50, Subdivision 2, is amended to read:

Subd. 2. "Governmental subdivision" means any county, city, village, borough, or town having the powers of a village pursuant to ~~section sections~~ 368.01 or 368.61, or by special law ; ~~or any board or commission thereof authorized by law or charter to levy property taxes~~. The term does not include school districts , *towns without village powers, or special taxing districts determined by the department of taxation .*

Sec. 2. Minnesota Statutes 1971, Section 275.50, Subdivision 4, is amended to read:

Subd. 4. "Special assessments" means assessments made against real property for purposes of financing, wholly or in part, only those types of improvements enumerated in ~~section sections~~ 429.021, subdivision 1 and 429.101, *whether imposed pursuant to such sections or pursuant to home rule charter provisions* . General tax levies spread upon real estate not specifically benefitted by the improvements , *and on the benefitted real estate as part of the taxable valuation of the governmental subdivision, are not considered special assessments.*

Sec. 3. Minnesota Statutes 1971, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. "Special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an ~~explicit~~ *express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent*

of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971 ;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, ~~or any law enacted by the 1971 legislature which specifically requires an activity which results in increased expenditures of expanded county court systems not in full operation during the entire year 1971 which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of taxation shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision ;~~

(c) pay the costs of complying with any law enacted by the 1971 legislature or a prior or subsequent year's legislature which specifically and directly requires a new or altered activity after levy year 1970, taxes payable in 1971, but only to the extent of the increased cost for such activity after levy year 1970, taxes payable in 1971 ;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1970, taxes payable in 1971 ;

~~(e)~~ *(e) pay amounts required by any public pension plan to the extent that operation of the laws enacted before July 1, 1971, of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision ;*

~~(d)~~ *(f) pay amounts required by to be levied in support of a volunteer firemen's relief association if resulting from the operation of ~~section~~ sections 69.772 and 69.773 ;*

~~(e)~~ *(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law , including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program ~~exceed these expended in calendar year 1970~~ minimum required local share for the program exceeds the levy for the minimum required local share of the same program in levy year 1970, taxes payable in 1971 ;*

~~(f)~~ *(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural dis-*

aster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The civil defense division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

~~(g)~~ (i) pay the ~~costs~~ minimum required local share, not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under sections 245.21 to 245.43 (Aid to the Disabled), sections 256.11 to 256.43 (Old Age Assistance), sections 256.49 to 256.71 (Aid to the Blind), sections 256.72 to 256.87 (Aid to Families with Dependent Children), chapter 256B (Medical Assistance), and chapters 261, 262 and 263 (Poor Relief);

~~(h)~~ (j) pay the costs of principal and interest on bonded indebtedness;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(p) pay the amounts required to compensate for a decrease in gross earnings tax aids pursuant to sections 276.15 to 276.18, or 368.39 to 368.42, or 373.20 to 373.24, to the extent that the distribution of these aids to the governmental subdivision in the calendar year immediately preceding the current levy year is less than the distribution of these aids to the governmental subdivision in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.66 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the in-

crease in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development.

Sec. 4. Minnesota Statutes 1971, Section 275.51, Subdivision 1, is amended to read:

275.51 [LEVY LIMITS.] Subdivision 1. Notwithstanding any provisions of law or municipal charter to the contrary which authorize *ad valorem levies in excess of the limitations established by sections 275.50 to 275.56*, but subject to section 275.56, the provisions of this section shall apply to the levies by governmental subdivisions in the years 1971, 1972 and subsequent years for all purposes other than those for which special levies and special assessments are made.

Sec. 5. Minnesota Statutes 1971, Section 275.51, Subdivision 2, is amended to read:

Subd. 2. The property tax levy limitation for governmental subdivisions in 1971 is calculated as follows. There shall be calculated the aggregate of receipts by each governmental subdivision from:

(a) the total amount of property taxes levied before any reduction prescribed by sections 273.13 and 273.135 in respect to homestead property, by or for each governmental subdivision in 1970, or in the most recent preceding year when such taxes were levied for a period of 12 months if the governmental subdivision levied such taxes for a shorter period in 1970, for all purposes, except for special assessments and special levies;

(b) exempt property tax reimbursement payments, if any, estimated by the department of taxation to be due and payable for the year 1971 from the state pursuant to section 273.69, *minus the allocation of these payments on a percentage distribution basis to the welfare aids and bonded indebtedness special levies in taxes payable year 1971*;

(c) per capita aid payments estimated by the department of taxation to be due and payable for the year 1971 from the state pursuant to sections 297A.51 to 297A.60, *minus the allocation of these payments on a percentage distribution basis to the welfare aids special levy in taxes payable year 1971*.

The aggregate of the foregoing receipts shall be divided by the 1970 population of the governmental subdivision established pursuant to section 275.53. The resulting quotient (~~aggregate 1971 receipts per capita~~) ~~is the per capita limitation and may be adjusted (1970 payable 1971 levy limit base per capita)~~ shall be increased pursuant to section 275.52, subdivision 2, to derive the

~~1971 payable 1972 levy limit base per capita . The adjusted quotient 1971 payable 1972 levy limit base per capita shall then be multiplied by the 1971 population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (1971 payable 1972 levy limit base) shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article 21 section 477A.01, as amended and the taconite production tax municipal and county aids to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article 30 section 298.282, as amended , to the governmental subdivision during the calendar year 1972. The resulting figure is the amount of property taxes which the governmental subdivision may levy in 1971 for all purposes other than those for which special levies and special assessments are made.~~

Sec. 6. Minnesota Statutes 1971, Section 275.51, Subdivision 3, is amended to read:

Subd. 3. The property tax levy limitation for governmental subdivisions in 1972 and subsequent *levy* years is calculated as follows. ~~There shall be calculated the aggregate of receipts by each governmental subdivision from:~~

~~(a) the total amount of property taxes levied pursuant to subdivision 1 in 1971 and succeeding years respectively;~~

~~(b) state formula and taconite production tax, municipal and county aid payments estimated by the department of taxation to be due and payable for the year 1972 and succeeding years, respectively, from the state pursuant to Extra Session Laws 1971, Chapter 31, Articles 21 and 30.~~

The aggregate of the foregoing receipts shall be divided by the 1971 or subsequent year's population of the governmental subdivision established as above for the preceding year. The resulting quotient (aggregate receipts per capita) is the per capita limitation and may be adjusted pursuant to section 275.52. ~~The governmental subdivision's levy limit base per capita for the immediately preceding levy year shall be increased pursuant to section 275.52, subdivision 2. The adjusted quotient shall then be multiplied by the 1971 or subsequent resulting current levy year's levy limit base per capita shall then be multiplied by the current levy year's population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (current levy year's levy limit base) shall be deducted the amount of state formula aids estimated by the department of taxation to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article 21 section 477A.01, as amended , and the taconite production tax , municipal and county aids paid pursuant to Extra Session Laws 1971, Chapter 31, Article 30 section 298.282, as amended , to the governmental subdivision during the calendar year 1972, or subsequent year, as the case may be tax collection year to which the current levy year's levy limit base applies . The resulting figure is the amount of property taxes which the governmental subdivision may levy in 1972 and the current levy year for all purposes other than those for which special levies and special assessments are made.~~

For the purpose of determining the amount of property taxes that a governmental subdivision may levy, in 1973 and thereafter, taxes payable in 1974 and thereafter, for all purposes except special levies and special assessments, the following amounts (increased by 12.36 percent and divided by the 1973 population of the governmental subdivision established pursuant to section 275.53) shall be added to the governmental subdivision's 1972 payable 1973 levy limit base per capita and adjusted pursuant to section 275.52, subdivision 2:

(1) The amount of a county auditor's error of omission in the ad valorem taxes extended in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

(2) The amount of an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

The foregoing addition shall not be construed to alter in any way the amount of state formula aids estimated by the department of taxation to be paid a governmental subdivision pursuant to section 477A.01 in calendar years 1972 and 1973.

For levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the current levy year's levy limit base for the governmental subdivision shall be increased by:

(a) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to sections 297.13 and 340.60, seventy percent of the amount of county government was entitled to receive pursuant to section 287.12 and 100 percent of the amount a city, village or town government was entitled to receive pursuant to section 287.12, in calendar year 1973, before any adjustments for payments made in preceding calendar years;

(b) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to section 290.361, on November 30, 1972 and May 31, 1973, before any adjustments for prior payments.

The foregoing addition shall be made after the per capita adjustment pursuant to section 275.52, subdivision 2, and after the multiplication of the current levy year's levy limit base per capita by the current levy year's population of the governmental subdivision, but before the deduction of the aids estimated by the department of taxation to be paid to the governmental subdivision pursuant to sections 477A.01 and 298.-282, as amended, during the tax collection year to which the current levy year's levy limit base applies.

Sec. 7. Minnesota Statutes 1971, Section 275.51, is amended by adding a subdivision to read:

Subd. 3a. Notwithstanding the provisions of subdivision 3, but subject to any other law or charter limitation, each governmental subdivision is entitled, in levy year 1973 and subsequent levy years, to a minimum property tax levy limitation of six percent of its state aids estimated by the department of taxation to be paid, pursuant to Extra Session Laws 1971, Chapter 31, Articles XXI and XXX, to the governmental subdivision during the tax collection year to which the property tax levy limitation applies.

A governmental subdivision which would maximize its property tax levy limitation under this subdivision shall qualify for this subdivision and subdivision 3 shall not apply to such governmental subdivision. In any levy year (qualifying levy year) that a governmental subdivision qualifies for this subdivision, its property tax levy limitation shall be determined as follows.

The state aids estimated by the department of taxation to be paid, pursuant to Extra Session Laws 1971, Chapter 31, Articles XXI and XXX, to the governmental subdivision in the taxes payable year to which such qualifying levy year applies shall be divided by the population of the governmental subdivision in such qualifying levy year as determined pursuant to section 275.53.

The resulting quotient shall be increased pursuant to section 275.52, subdivision 2, to derive the levy limit base per capita for the governmental subdivision for the qualifying levy year. The levy limit base per capita for the qualifying levy year shall be multiplied by the population of the governmental subdivision in the qualifying levy year as determined pursuant to section 275.53. From the resulting figure (levy limit base for the qualifying levy year) shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article XXI, and the taconite production tax municipal aids to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article XXX, to the governmental subdivision during the tax collection year to which the qualifying levy year applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in the qualifying levy year for all purposes other than those for which special levies and special assessments are made.

In any levy year that a governmental subdivision would maximize its property tax levy limitation under subdivision 3 instead of this subdivision, the levy limit base per capita for the last qualifying levy year constituting the preceding year's levy limit base per capita for the provisions of subdivision 3, the governmental subdivision shall no longer qualify for this subdivision and shall presume to have its property tax levy limitation calculated pursuant to subdivision 3.

Sec. 8. Minnesota Statutes 1971, Section 275.51, Subdivision 4, is amended to read:

Subd. 4. If in 1971 the levy made by any governmental subdivision exceeds the limitation provided in this section, except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28, subsequent distributions of formula aids pursuant to Extra Session Laws 1971, Chapter 31 sections 298.282 and 477A.01, as

amended, shall be reduced 10 cents for each full dollar that the levy exceeds the limitation imposed by this section. If in any year subsequent to 1971 the levy made by a governmental subdivision exceeds the limitation provided in sections 275.50 to 275.56, *except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28*, subsequent distributions required to be made by the state auditor from any formula aids pursuant to ~~Extra Session Laws 1971, Chapter 31 sections 298.282 and 477A.01, as amended~~, shall be reduced ~~10 cents for each full dollar the levy exceeds the limitation up to five percent, and 33 cents for each full dollar the levy exceeds the limitation by more than five percent~~; provided that a governmental subdivision may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed ten percent by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. Thereafter the resolution shall be published for two successive weeks in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative, adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution authorizing a levy in excess of the limitation imposed by sections 275.50 to 275.56 shall be published in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein. If within 15 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city, village, borough, or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of taxation is directed to prepare a suggested form of question to be presented at any such referendum. A levy approved at any such referendum held at a special or general election held prior to October 1 in any levy year increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years, and there shall be no reduction in distributions of formula aids to the governmental subdivision as a result of such levy. If no referendum is requested, the excess levy authorized by the resolution, if the resolution is adopted prior to October 1 in any year, may be levied in that same levy year and subsequent distributions required to be made by the state auditor from any formula aids pursuant to Extra Session Laws 1971, Chapter 31,

shall be reduced 15 cents for each full dollar the levy exceeds the limitation. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31 shall be reviewed and may be modified by the appropriate authority of the governmental subdivision for the purpose of reducing such levy to conform to the limitations imposed by this section. Any reduction in such levy made prior to December 15, 1971, shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy. *The provisions of this subdivision shall apply to the levy of a metropolitan county before the reduction required pursuant to section 163.051, subdivision 5.*

Sec. 9. Minnesota Statutes 1971, Section 275.52, Subdivision 2, is amended to read:

Subd. 2. The ~~per capita limitation levy limit base~~ *per capita*, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed six percent of the previous year's ~~per capita limitation levy limit base~~ *per capita*.

Sec. 10. Minnesota Statutes 1971, Section 275.52, Subdivision 3, is amended to read:

Subd. 3. If the population of any governmental subdivision decreases from one year to the next, the *current levy year's* population shall, for purposes of sections 275.50 to 275.56, be increased by an amount equal to one half of the decrease in population from the prior *levy* year, such increase to be effective for the said one *levy* year only. ~~This subdivision shall not apply to decreases in population resulting from a change or change in the boundaries of a governmental subdivision.~~

Sec. 11. Minnesota Statutes 1971, Section 275.53, Subdivision 1, is amended to read:

275.53 [GOVERNING CENSUS.] Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter, the population of the governmental subdivision shall be that established by the last state or federal census, or by a special census taken within the entire governmental subdivision pursuant to sections 275.50 to 275.56 or to any other law, by a census taken pursuant to subdivision 2, or by a population estimate made by ~~the state health department~~, by the metropolitan council by ~~a regional development commission~~, by an order of the Minnesota municipal commission pursuant to section 414.01, subdivision 14, or by an estimate made pursuant to subdivision 3, whichever is the most recent *as to the stated date of count or estimate*.

Sec. 12. Minnesota Statutes 1971, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a ~~municipality or town~~ *govern-*

mental subdivision may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution shall describe with specificity the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56.

(b) The resolution shall then be submitted to the ~~vital statistics section of the state department of health~~ *state planning agency*. The ~~section~~ *agency* shall determine, and so inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria described therein do or do not provide a reasonable basis for the population estimate. No determination by the ~~section~~ *agency* made pursuant to this subdivision shall constitute, nor shall it be represented as constituting, a determination of actual population.

(c) If the ~~section~~ *agency* determines that the criteria do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the ~~section~~ *agency* determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by the ~~state health department,~~ the metropolitan council or a ~~regional development commission~~. The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken or for which ~~the state health department,~~ the metropolitan council or a ~~regional development commission~~ has made a population estimate of the subdivision.

(f) In the event of any variance in population certified, the governmental subdivision by resolution shall choose from among the population estimates the figure which shall be governing for purposes of sections 275.50 to 275.56.

Sec. 13. Minnesota Statutes 1971, Section 275.55, is amended to read:

275.55 [STATE REVIEW AND REGULATION OF LEVIES.] The state auditor and the commissioner of taxation, or their designees, shall establish procedures by which levies of all governmental units shall be periodically reviewed. The commissioner shall be empowered to order withholding of state aids where such penalties are authorized by law, to order the reduction of current or future levies where levy limitations have been exceeded, to issue, in accordance with chapter 15, rulings interpreting sections 275.50 to 275.56, and to take such other administrative actions as he deems necessary in order to carry out the provisions of sections 275.50 to 275.56. If the commissioner of taxation takes administrative action or any other action authorized by this section to enforce the provisions of sections 275.50 to 275.56, he shall give written notice of such action to the governmental subdivision affected. Such notice shall specify the actual or impending violations by the governmental subdivision of sections 275.50 to 275.56 or the rules and regulations of the department of taxation pertaining thereto, describe the corrective action required, including, in the case of an excess levy, reduction of the governmental subdivision's levy in the next succeeding levy year in an amount equal to the amount of the excess levy, set a reasonable period of time within which the governmental subdivision shall correct the specified actual or impending violations and caution the governmental subdivision that if the specified correction is not made within the time allowed, the state aids to the governmental subdivision pursuant to sections 477A.01 and 298.282, as amended, will be reduced as provided in section 275.51, subdivision 4. The time period first allowed for correction may be extended by the commissioner if he finds a reasonable basis for delay. County auditors, in addition to duties otherwise provided by law, shall cooperate with the commissioner and auditor in establishing such procedure and enforcing the provisions of sections 275.50 to 275.56.

Sec. 14. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.551] [LEVY LIMITATIONS REVIEW BOARD.] A levy limitations review board is hereby created to resolve questions concerning administrative interpretation of sections 275.50 to 275.56 that require review and to hear appeals by governing bodies of governmental subdivisions who disagree with the administrative rulings issued by the commissioner of taxation pursuant to section 275.55.

The members of the review board shall be the commissioner of taxation, the chairman of the municipal commission and one public member appointed by the governor, by and with the approval of the senate, for a four year term which shall begin February 15 and continue until his successor is duly appointed and qualifies. The

first public member, however, shall be appointed for a term ending February 15, 1975. A vacancy in the office of the public member of the board shall be filled by the governor, with the advice and consent of the senate, for the unexpired term. The governor may remove the public member at any time for good cause shown, after notice and hearing.

The public member shall be a citizen of the state who is knowledgeable in finance and local government. The public member shall not, at the time he is a member of the board, hold any other public office, or be employed by or represent a governmental subdivision, or have any personal financial interest in any contract with a governmental subdivision, or serve in any capacity where a conflict of interest could arise. The public member shall receive as compensation for his services the amount of \$35 for each day or fraction thereof spent in attending meetings of the board or in performing other duties required by law, and shall be reimbursed for actual and necessary expenses incurred in the performance of his duties.

Sec. 15. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.552] [CONTESTED CASES; HEARING, NOTICE, EVIDENCE, DECISIONS, ORDERS.] *The governing body of a governmental subdivision to whom a notice pursuant to section 275.55 is given may by a majority vote of the whole governing body decide to dispute the commissioner's administrative action. Notice of such decision must be given the commissioner within 30 days of the issuance of the commissioner's notice, or else the commissioner's decision is final and not subject to the review of the levy limitations review board. Upon receipt of a notice from a governmental subdivision within the time allowed, disputing the commissioner's administrative action, the commissioner shall conduct further investigation of the disputed issues of fact as he deems necessary. If the commissioner continues to adhere to his previous notice, the governing body of the governmental subdivision shall be entitled to a hearing before the levy limitations review board. The board shall set a time and place for the hearing and notice shall be given by mail to the governing body of the governmental subdivision. The board shall adopt rules governing the proceedings for hearings which shall afford all interested parties the opportunity to present evidence and arguments with respect to the contested issues of fact. The decision of the board shall be in writing, and shall state in detail the basis and reason for each conclusion upon each contested issue of fact. A copy of the decision and order together with the detailed reasons shall be delivered or mailed to the governmental subdivision or its attorney of record. The decision of the levy limitations review board under this section may be reviewed on certiorari by the district court of the county wherein the governmental subdivision, or any part thereof, is located.*

Sec. 16. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.58] [ELECTIONS TO INCREASE LEVY.] *Subdivision 1. Notwithstanding the provisions of sections 275.50 to 275.56, but sub-*

ject to other law or charter provisions establishing per capita, mill or other limitations on the amount of taxes that may be levied, the levy of a governmental subdivision, as defined by section 275.50, subdivision 1, may be increased above the limitation imposed by sections 275.50 to 275.56 in any per capita or dollar amount which is approved by the majority of voters of the governmental subdivision voting on the question at a general or special election. When the governing body of the governmental subdivision resolves to increase the levy of the governmental subdivision pursuant to this section, it shall provide for submission of the proposition of an increase in the levy limit base per capita or the proposition of an additional levy, as the case may be, at a general or special election. Notice of such election shall be given in the manner required by law. If the proposition is for an adjustment to the governmental subdivision's levy limit base per capita, increasing the levy limit base per capita over the per capita amount established pursuant to section 275.51, subdivision 3, such notice shall state the purpose of such per capita adjustment and the per capita amount of such adjustment. If the proposition is for an additional levy, such notice shall state the purpose and maximum yearly amount of such additional levy.

Subd. 2. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year increases the levy limit base per capita in that same levy year by the approved per capita amount and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not increase the levy limit base per capita in that same levy year but shall provide a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years.

Subd. 3. An additional levy approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year may be levied in that same levy year and in any levy years thereafter. An additional levy approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not be levied in that same levy year, but may be levied in the subsequent levy year and in levy years thereafter.

Subd. 4. An additional levy approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is over and above the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 and shall not be subject to the penalty provisions of section 275.51, subdivision 4. A levy limit base per capita adjustment approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is a permanent adjustment to the levy limit base per capita established pursuant to section 275.51, subdivision 3, and shall not be subject to the penalty provisions of section 275.51, subdivision 4.

Subd. 5. Notwithstanding any statute, special law, ordinance or charter provision to the contrary, it shall require approval of a majority of those voting on the question to pass a referendum pursuant to subdivision 1.

Subd. 6. Notwithstanding any statute, special law, ordinance or charter provision to the contrary, the governing body of a governmental subdivision may call and hold special elections pursuant to this section.

Sec. 17. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.59] [GOVERNMENTAL SUBDIVISIONS UNDER 500 POPULATION; EXEMPTION FROM LEVY LIMITS.] *Commencing with levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, village, borough or town with village powers whose population according to the latest state or federal census is under 500.*

Sec. 18. Minnesota Statutes 1971, Section 414.01, is amended by adding a subdivision to read:

Subd. 15. When a commission order enlarges an existing municipality or creates a new municipality, the commission shall indicate in its order the estimated increased costs to such municipality as the result of such annexation or consolidation, and the time period that such municipality would be allowed a special levy for these increased costs pursuant to section 275.50, subdivision 5, clause (s). This subdivision shall apply to annexations or consolidations of municipalities in levy year 1971 or a subsequent levy year.

ARTICLE XXI

Section 1. Minnesota Statutes 1971, Section 124.212, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any of the other provisions of this section, for the year ending June 30, 1972, the sum of foundation aid, sales tax per capita payments pursuant to sections 297A.55 and 297A.57, exempt personal property replacement payments pursuant to section 273.69 and state payment of agricultural property mill rate differential shall not be less than the sum of the payments from the same sources for the year ending June 30, 1971. For the year ending June 30, 1973, the sum of the payments from the same sources shall not be less than the sum of the payments from those sources for the year ending June 30, 1971, or June 30, 1972, whichever is higher. For the years ending June 30, 1974 and June 30, 1975, the sum of the payments from the sources enumerated heretofore, and the payments of the bank excise tax pursuant to section 290.361, subdivision 4, shall not be less than the sum of the payments from those sources for the year ending June 30, 1973, whichever is higher.

ARTICLE XXII

Section 1. Minnesota Statutes 1971, Chapter 272, is amended by adding a section to read:

[272.039] [LEGISLATIVE FINDINGS AND CONCLUSIONS RELATED TO THE TAXATION OF MINERALS OWNED SEPARATELY FROM THE SURFACE.] *The legislature finds, for the reasons stated below, that a class of real property has been created which, although not exempt from taxation, is not assessed for tax*

purposes and does not, therefore, contribute anything toward the cost of supporting the governments which protect and preserve the continued existence of the property. These reasons are as follows: (1) In the case of *Washburn V. Gregory*, 1914, 125 Minn. 491, 147 N.W. 706, the Minnesota Supreme Court determined that where mineral interests are owned separately from the surface interests in real estate, the mineral interest is a separate interest in land, separately taxable, and does not forfeit if the overlying surface interest forfeits for nonpayment of taxes due on the surface interest; (2) Since this 1914 decision, mineral interests owned separately from the surface have been valued and assessed for tax purposes, as a practical matter, only if the value of the minerals has been determined through drilling and drill core analysis; and (3) The absence of any taxation of mineral interests owned separately from the surface, except where drilling analysis is available, has encouraged the separation of ownership of surface and mineral estates and resulted in the creation of hundreds of thousands of acres of untaxed mineral estate lands which thus are immune from tax forfeiture. The legislature also finds that the province of Ontario in Canada, which has land ownership patterns and mineral characteristics similar to that of Minnesota, has imposed a tax of \$.50 an acre on minerals owned separately from the surface since 1968, and \$.10 an acre before that. The legislature further finds that the identification of separately owned mineral interests by taxing authorities requires title searches which are extremely burdensome and, where no public tract index is available, prohibitively expensive. This result is caused in part by the decision in *Wichelman v. Messner*, 1957, 250 Minn. 88, 83 N.W. (2d) 800, where the so called "40 year law" was held inapplicable to mineral interests owned separately from surface interests. On the basis of the above findings, and for the purpose of requiring mineral interests owned separately from surface interests to contribute to the cost of government at a time when other interests in real property are heavily burdened with real property taxes, the legislature concludes that the taxation of severed mineral interests as provided in section 3 of this act is necessary and in the public interest, and provides fair taxation of a class of real property which has escaped taxation for many years. The legislature further concludes that such a tax is not prohibited by Minnesota Constitution, Article 18. The legislature concludes finally that the amendments and repeals made by this act to Minnesota Statutes, Sections 93.52 to 93.58, are necessary to provide adequate identification of mineral interests owned separately from the surface and to prevent the continued escape from taxation of obscure and fractionalized severed mineral interests.

Sec. 2. Minnesota Statutes 1971, Section 272.04, Subdivision 1, is amended to read:

272.04 [MINERAL, GAS, COAL, AND OIL OWNED APART FROM LAND; SPACE ABOVE AND BELOW SURFACE.] Subdivision 1. When any mineral, gas, coal, oil, or other similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately from such surface rights and interests in such real estate, including but not limited to the taxation provided

in section 3 of this act, and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.

Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:

Subd. 2a. [CLASS 1b.] "Mineral interest", for the purpose of this subdivision, means an interest in any minerals, including but not limited to gas, coal, oil, or other similar interest in real estate, which is owned separately and apart from the fee title to the surface of such real property. Mineral interests which are filed for record in the offices of either the register of deeds or registrar of titles pursuant to Minnesota Statutes, Sections 93.52 to 93.58 constitute class 1b, and shall be taxed as provided in this subdivision unless specifically excluded by this subdivision. A tax of \$.15 per acre or portion of an acre of mineral interest is hereby imposed and is due and payable annually. If an interest filed pursuant to sections 93.52 to 93.58 is a fractional undivided interest in an area, the tax due on the interest per acre or portion of an acre is equal to the product obtained by multiplying the fractional interest times \$.15, computed to the nearest cent. However, the minimum annual tax on any mineral interest is \$2. No such tax on mineral interests is due and payable on the following: (a) Mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests; (b) Mineral interests which are exempt from taxation pursuant to constitutional or related statutory provisions. Tax money received under this subdivision shall be apportioned to the taxing districts included in the area taxed in the same proportion as the surface interest mill rate of a taxing district bears to the total mill rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is not included within any limitations as to rate or amount of taxes which may be imposed in an area to which the tax imposed by this subdivision applies. The tax imposed by this subdivision shall not cause the amount of other taxes levied or to be levied in the area, which are subject to any such limitation, to be reduced in any amount whatsoever. The tax imposed by this section is effective for taxing years beginning January 1, 1975.

Sec. 4. Minnesota Statutes 1971, Section 93.52, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 3, from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter referred to as a mineral interest, in lands in this state, which interest is owned separately from the fee title to the surface of the property upon or beneath which the mineral interest exists, shall file for record in the register of deeds office or, if registered properly, in the registrar of titles office in the county where the mineral interest is located a verified statement citing sections 93.52 to 93.58 and setting forth his address, his interest in the minerals, and either both (1) the legal description of the property upon or beneath which the interest exists, or and (2) the book and page number or the document number, in the records of the register of deeds or registrar of titles, of the instrument by which the mineral interest is created or acquired. Every five years thereafter the owner, or his successor in interest, shall

~~renew the filing of a verified statement which shall contain the information as above required. No statement may be filed for record which contains mineral interest from more than one government section unless the instrument by which the mineral interest is created or acquired includes mineral interest from more than one government section.~~

Sec. 5. Minnesota Statutes 1971, Section 93.55, is amended to read:

93.55 [FAILURE TO FILE OR RE-FILE.] If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before ~~September 30, 1974~~ December 31, 1973, or within ~~90 days~~ one year after acquiring such interests as to interests acquired after ~~September 30, 1974~~ December 31, 1973, and ~~not previously filed under section 93.52, or if the owner fails to re-file such verified statements within five years after the last filing, the mineral may be leased by the commissioner of natural resources as agent for the owner, his successor, and assigns, in the manner provided hereafter may be sold as though for delinquent taxes in the same manner and with the same effect as other interests in real estate are sold for taxes. The owner's failure to file the verified statement is deemed consent by the owner to such leasing.~~

Sec. 6. Minnesota Statutes 1971, Section 93.58, is amended to read:

93.58 [PUBLICATION OF ACT.] Sections 93.52 to 93.58, as ~~amended or repealed by this act, together with the other sections of this 1973 act,~~ shall be published once during the first week of each month in a legal newspaper in each county in the months of October, November, and December of the year ~~1969~~ 1973 by the commissioner of natural resources at county expense. Sections 93.52 to 93.58 also shall be published by the commissioner of natural resources at least once in ~~1969~~ 1973 in two publications related to mining activities which have nationwide circulation. Failure to publish as herein provided shall not affect the validity of sections 93.52 to 93.58 ~~or the other sections of this act.~~

Sec. 7. [SEVERABILITY.] *If any provision of sections 1 through 7 of this article or the application thereof to any person, agency, department or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of sections 1 through 7 are severable.*

Sec. 8. [REPEALER.] *Minnesota Statutes 1971, Sections 93.53, 93.54, 93.56, and 93.57 are repealed.*

Sec. 9. [EFFECTIVE DATE.] *Except for section 6, which is effective upon final enactment, this act is effective as of January 1, 1974.*

ARTICLE XXIII

Section 1. Minnesota Statutes 1971, Section 60A.15, Subdivision 1, is amended to read:

60A.15. [TAXATION OF INSURANCE COMPANIES.] Subdivision 1. [DOMESTIC AND FOREIGN COMPANIES, INCLUDING NONPROFIT HEALTH SERVICE PLAN CORPORATIONS, OTHER THAN TOWN AND FARMERS' MUTUAL AND DOMESTIC MUTUALS OTHER THAN LIFE.] On or before April 15, June 15, September 15 and December 15 of each year following December 31, 1971, every domestic and foreign company, *including nonprofit health service plan corporations organized or operating pursuant to Minnesota Statutes, Chapter 62C*, except town and farmers' mutual insurance companies and domestic mutual insurance companies other than life, shall pay to the state treasurer through the commissioner of insurance quarterly installments of the insurer's total estimated tax for the current year based on a sum equal to two percent of the gross premiums less return premiums on all direct business received by it in this state, or by its agents for it, in cash or otherwise, during such year, excepting premiums written for marine insurance as specified in subdivision 6. If unpaid by such dates penalties of ten percent shall accrue thereon, and thereafter such sum and penalties shall draw interest at the rate of one percent per month until paid. Failure of a company to make quarterly payments of at least one fourth of either (a) the total tax paid during the previous calendar year or (b) 80 percent of the actual tax for the current calendar year shall subject the company to the penalty and interest provided in this subdivision.

Sec. 2. This act is effective as to contracts issued or renewed after December 31, 1973.

ARTICLE XXIV

Section 1. Subdivision 1. As used in this act the term "person" shall include any individual, firm, trust, estate, partnership, association, joint stock company, or corporation, or any representative appointed by order of any court.

Subd. 2. As used in this act the term "commissioner" shall mean the commissioner of taxation of the state of Minnesota.

Sec. 2. There is hereby imposed an excise tax of five percent of the gross proceeds or gross receipts from the sale or rental of outdoor advertising space situated within this state.

Sec. 3. The tax herein imposed shall be in addition to all other taxes provided for by law, but shall be in lieu of personal property on real estate tax on signboards owned by such companies.

Sec. 4. Every person selling or renting outdoor advertising space situated within this state shall report its gross proceeds or gross receipts from such source to the commissioner on such form as the commissioner may prescribe, on or before April 15 of the year following the year in which the gross proceeds or gross receipts were realized.

Sec. 5. At the time of filing such report and on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized, the person filing such report shall pay to the commissioner a tax equal to five percent of such gross proceeds or gross receipts.

Sec. 6. As soon as practicable after receiving such report, the commissioner shall examine the same to determine its correctness or validity.

If the commissioner shall determine that the tax as paid by such person is less than that properly due and owing he shall immediately notify such person of the amount of tax he has found due and owing. The tax as found due and owing shall be paid by the person so notified within 30 days of the date of the mailing of the notice by the commissioner. If the commissioner shall find that the tax as paid by such person is in excess of that properly due and owing, such excess shall be a credit against any future liability incurred under this act.

Sec. 7. If any person required to file a report under this act and pay a tax under this act shall fail to do so within the time prescribed, the commissioner shall notify such person of such failure and such person shall, within 30 days of the mailing of the notice by the commissioner, file such report and pay such tax. If such person, after such notification, shall fail to make such report and pay such tax the commissioner shall, from such information as he may possess, make a report for such person and assess a tax on the basis of such report. The tax as assessed by the commissioner under this section shall be paid within 30 days after mailing of a notice of the amount due by the commissioner to such person.

Sec. 8. Subdivision 1. Any person who fails to file a report required by this act and pay the tax imposed by this act at the time prescribed, shall be subject to a specific penalty of ten percent of the tax found to be due.

Subd. 2. Any person who fails to pay the tax imposed by this act on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized shall be subject to a penalty of one percent per month until such tax is paid.

Subd. 3. Any person who willfully fails to file a report required by this act shall be guilty of a gross misdemeanor.

Sec. 9. The commissioner shall administer and enforce the assessment and collection of this tax. He may from time to time publish and distribute rules and regulations in enforcing its provisions. The commissioner shall have authority and power to prescribe for all persons liable for tax under this act a uniform method of accounting their gross receipts and gross proceeds subject to tax herein. Every person liable for tax imposed by this act shall keep such records, render such statements, make such returns, and comply with such regulations, as the commissioner may from time to time prescribe. Any such report or statement shall include therein the information required by such regulations and by the forms prescribed by the commissioner. For the purpose of determining compliance with the provisions of this act, the commissioner shall have power to examine, or cause to be examined, any books, papers, records, or memoranda relevant to making such determination, whether such books, papers, records, or memoranda are the property of or in the possession of such person or any other person or corporation. The commissioner shall further have power to require the attendance of any persons having knowledge or information in the premises, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to such determination, and to administer oaths or affirmations.

Sec. 10. *Any tax or any penalty imposed by this act may be collected by an ordinary action at law which shall be brought in the name of the state. Any report made by the commissioner pursuant to this act, or any modification of tax made by the commissioner pursuant to this act, shall, in all courts of this state for all purposes be prima facie evidence of the correctness and validity of the gross receipts or gross proceeds reflected therein and of such tax and penalties and the liability of the person notified therefor.*

Sec. 11. *The proceeds of the tax imposed by this act shall be deposited in the general fund of this state.*

Sec. 12. *This act shall apply to all gross receipts or gross proceeds realized after December 31, 1973.*

ARTICLE XXV

Section 1. [GENERAL ASSISTANCE ACT; DECLARATION OF POLICY; CITATION.] *Subdivision 1. The objectives of sections 1 to 30 are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; to provide property tax relief; and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law, who meet the eligibility requirements of this act and do not refuse suitable employment, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. To achieve this aim, the commissioner shall establish minimum standards of assistance for general assistance. The standard for cash payments to recipients shall be, as to shelter, 100 percent, and as to other budgetary items, 50 percent, of those established for the federally aided assistance programs; provided, however, that no general assistance payment shall exceed an amount, which when computed for the time period for which it is made, exceeds the equivalent on a weekly basis of 40 times the hourly federal minimum wage prevailing when the payment is made; and provided further that persons receiving general relief on the effective date of this act shall continue to be eligible therefor. In order to maximize the use of federal funds, the commissioner shall promulgate regulations, to the extent permitted by federal law for eligibility for the emergency assistance program, under the terms of this act for general assistance. The commissioner shall provide by regulation for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. The strengthening and preservation of the family unit shall be a principal consideration in the administration

of this act and all general assistance policies shall be formulated and administered so as to further this objective.

Subd. 2. Sections 1 to 30 may be cited as the general assistance act.

Sec. 2. [DEFINITIONS.] Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 3. "Department" means the department of public welfare.

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. It shall include cash payments for goods, shelter, fuel, food, clothing, light, necessary household supplies, and personal need items. General assistance shall not include payments for foster care, child welfare services, medical, dental, hospitalization, nursing care, drugs, or medical supplies. It is the intent of this act that these items be provided by local agencies in accordance with programs in effect at the time of the passage of this act. Vendor payments may be made only as provided for in sections 9 and 11.

Subd. 5. "Family" means two or more individuals who are related by blood, marriage or adoption, who are living in a place of residence maintained by one or more of them as his or their own home, and at least one of whom is a child who is not married to another of such individuals and is in the care of or dependent upon another of such individuals.

Subd. 6. "Child" means an individual who is under the age of 18, or under the age of 19 and a student regularly attending a school, college, or university or a course of vocational or technical training designed to prepare him for gainful employment.

Subd. 7. "Childless couple" means two individuals who are related by marriage and who are living in a place of residence maintained by them as their own home.

Subd. 8. "Income" means earned and unearned income reduced by amounts paid or withheld for federal and state personal income taxes and federal social security taxes.

Subd. 9. "Earned income" means remuneration for services performed as an employee, and net earnings from self-employment.

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workmen's compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or family assistance program; rents, dividends, interest and royalties; and support and alimony payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit

they are received, unless that person is under a legal duty to support another family member.

Subd. 11. "State aid" means state aid to local agencies for general assistance expenditures as provided for in this act.

Subd. 12. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multi-county welfare boards or departments where those have been established in accordance with law.

Sec. 3. [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] *Subdivision 1. Every local agency shall provide general assistance to persons residing within its jurisdiction who meet the need requirements of this act. General assistance shall be administered according to law and rules and regulations promulgated by the commissioner pursuant to the provisions of this act.*

Subd. 2. State aid shall be paid to local agencies for 50 percent of all general assistance grants up to the standards of section 1, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance, at a standard higher than that established by the commissioner, without reference to the standards of section 1, subdivision 1.

Sec. 4. [DUTIES OF THE COMMISSIONER.] *In addition to any other duties imposed by law the commissioner shall:*

(1) Supervise the administration of general assistance by local agencies as provided in this act;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of this act to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of Minnesota Statutes, Chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in this act;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under this act;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public.

Sec. 5. [ELIGIBILITY FOR GENERAL ASSISTANCE.] Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, supplemental security income for the aged, blind, or disabled; or any successor to the above.

Sec. 6. [AMOUNT OF ASSISTANCE.] Subdivision 1. General assistance shall be granted in such an amount that when added to the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance.

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, a grant of general assistance may be made to an eligible individual or family for one or more items encompassed within the definition of general assistance where the applicant or recipient requests temporary assistance not exceeding 30 days and an emergency situation appears to exist if the individual is ineligible for the federally aided program of emergency assistance.

Sec. 7. [TIME OF PAYMENT OF ASSISTANCE.] An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by this act and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.

If upon verification and due investigation it appears that the applicant swore falsely and such false information materially affected his eligibility for general assistance or the amount of his general assistance grant, the local agency shall refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 8. [EXCLUSION FROM RESOURCES.] Subdivision 1. In determining eligibility of a family or individual there shall be excluded the following resources:

(1) Property which does not exceed that permitted under the federally aided assistance program known as aid to families with dependent children; provided, however, that the commissioner may provide by rule and regulation more restrictive eligibility standards and levels of payment for general assistance if it is determined that funds available are not adequate to meet projected need; and

(2) Other property, including real or personal property used as a home, which has been determined, in accordance with and subject

to limitations contained in rules and regulations promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule and regulation for those situations in which property may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family.

Subd. 2. Notwithstanding any other provision of this act, the commissioner shall provide by rule and regulation for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance will not exceed 30 days and an undue hardship would be imposed on an individual or family by the forced disposal of such property.

Sec. 9. [FORM OF PAYMENT; VENDOR PAYMENTS.] *Subdivision 1. All grants of general assistance shall be paid in cash and with such frequency as the commissioner shall determine. The commissioner may provide by rule and regulation for the making of general assistance payments in different time periods for various reasonable classifications of recipients.*

Subd. 2. Notwithstanding the provisions of subdivision 1, the commissioner shall provide by rule and regulation for situations in which vendor payments may be made by local agencies because of the inability of the recipient to manage his general assistance grant for his own or family's benefit.

Sec. 10. [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] *No grant of general assistance except one made pursuant to section 6, subdivision 2 or section 8, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.*

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section 12 subsequent to any action taken by a local agency after a prior hearing.

Sec. 11. [WORK INCENTIVE AND REGISTRATION.] *Subdivision 1. Every person who is a recipient of general assistance and not employed shall be required, unless exempt by subdivision 6, to register with the state employment service of the department of manpower services and the local agency and accept any suitable employment that is offered him.*

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the department of manpower services. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is

not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 3. General assistance work program recipients shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient shall be determined by the needs of himself and his family including expenses incidental to his employment.

Subd. 4. A local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency.

Subd. 5. General assistance work program recipients are employees of the local agencies within the meaning of workmen's compensation laws, but not retirement or civil service laws.

Subd. 6. No person shall be required to register with the commissioner or state employment service if he is:

- (1) A person with illness, incapacity, or advanced age;*
- (2) A child attending a school or college full time;*
- (3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;*
- (4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or*
- (5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.*

Subd. 7. Any person who objects to being required to register with the commissioner or state employment service, shall be entitled to a prior hearing in accord with the provisions of section 10 on the issue of whether such person comes within the exemptions contained in subdivision 6, clauses (1), (2), (3), or (4).

Subd. 8. (1) Any person who refuses to accept suitable employment when offered him shall lose his eligibility for general assistance and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule and regulation that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment has refused to do so.

(2) The provisions of section 10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits

shall be applicable to determinations made under clause (1) of this subdivision.

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of manpower services or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

Sec. 12. [ADMINISTRATIVE AND JUDICIAL REVIEW.] *Subdivision 1. Any applicant or recipient aggrieved by any order or determination of a local agency may appeal from such order or determination to the commissioner of public welfare. The aggrieved applicant or recipient shall file with the local agency a notice of appeal within 30 days of the receipt by him of the order or determination of the local agency, provided that the order or determination is in writing and contains a statement advising the applicant or recipient of his right to appeal and the procedures for perfecting same.*

If the order or determination of the local agency is not in writing or does not contain the appeal procedure statement referred to above, the 30-day period shall not be tolled until the applicant or recipient is properly notified in accordance with the provisions of this subdivision.

Notwithstanding the absence of proper notice or order or determination, the applicant or recipient may appeal to the commissioner by filing with the local agency any writing which states with reasonable clarity his dissatisfaction with or desire to obtain review of the determination or order of the local agency.

Subd. 2. Upon receipt the local agency shall immediately forward the notice of appeal to the commissioner. Within 30 days of the receipt of the notice of appeal, the commissioner shall provide the applicant or recipient with the opportunity for a hearing before the commissioner or his legal representative. The local agency shall be a party to the proceeding before the commissioner.

Subd. 3. The commissioner may, upon his own motion, review any decision made by a local agency and may make such additional investigation as he deems necessary.

Subd. 4. Within 30 days from the date of the hearing before the commissioner or his legal representative, a decision in writing making findings of fact and conclusions of law shall be rendered.

Subd. 5. Any applicant or recipient aggrieved by the determination by the commissioner may, within 30 days after notice of such decision is mailed, appeal from the decision or determination of the commissioner to the district court of the county in which the application was filed by serving a written notice of such appeal upon the commissioner and all other parties to the administrative hearing and by filing the original of such notice together with proof of service with the clerk of the district court of the county. No filing fee or other fees normally exacted by the clerk of district court upon the filing of a case shall be required.

A summary of the issues involved, a copy of all supporting papers, a transcript of any testimony, and a copy of the decision of the commissioner shall be filed with the court. The court shall summarily, upon ten days' written notice, try and determine the appeal upon the record of the commissioner as certified by the commissioner and in the determination thereof shall be governed by the standard of review applicable to contested proceedings under Minnesota Statutes, Chapter 15. No new or additional evidence shall be taken on such appeal or introduced by any party to such hearing or appeal in a district court unless such new or additional evidence in the sound discretion of the court is necessary to a more equitable disposition of the appeal. If the court shall find that the order of the commissioner is not sustained by substantial evidence or is not in accord with applicable legal principles, the court shall make an order declaring the order of the commissioner null and void, giving the reasons therefor, and shall order the commissioner to take further action in the matter not inconsistent with the determination of the court. During the pendency of any appeal, if the commissioner has awarded general assistance, it shall be paid pending the determination of the appeal.

Subd. 6. Any party aggrieved by the determination of the district court may appeal to the supreme court in like manner as appeals are taken in civil actions, except that no filing fee shall be required by the clerk of the district court or supreme court.

The determination of the district court shall remain in effect during the pendency of any appeal to the supreme court.

Sec. 13. [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] *Subdivision 1. Notwithstanding the provisions of section 12 providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:*

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Subd. 2. The denial by a district court of a writ of mandamus shall not affect the right or scope of administrative or judicial review as set forth in section 16 of this act.

Sec. 14. [VIOLATIONS; MISDEMEANOR.] *Whoever obtains or attempts to obtain, or aids any person to obtain by means of a willfully false statement or representation, or by impersonation, or other fraudulent device:*

(1) Assistance to which he is not entitled; or

(2) Assistance greater than that to which he is reasonably entitled; is guilty of a misdemeanor.

Sec. 15. [RELATIVE'S RESPONSIBILITY.] *The financial responsibility of a relative for an applicant or recipient of general assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant or recipient who is a child.*

Sec. 16. [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] *On the death of any person who received any general assistance under this act, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.*

Sec. 17. [DATA PROCESSING PROCEDURES.] *The local agency shall, to the extent permitted by federal law or regulation, in addition to any other necessary records and procedures, provide for the inclusion of all general assistance records in any data processing system established for the medical assistance program, in accordance with procedures established by the commissioner.*

Sec. 18. [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY.] *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 Minnesota Statutes, Section 144.50, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. [PROCEDURE WHEN COUNTY OF FINANCIAL RESPONSIBILITY IS IN QUESTION.] 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 this act, and shall be so complied with pending any such appeal.

Sec. 19. [ABOLITION OF TOWNSHIP SYSTEM OF POOR RELIEF.] *Subdivision 1. The town system for caring for the poor in each of the counties in which it is in effect is hereby abolished. The county welfare board of each county shall administer general assistance under the provisions of this article.*

Subd. 2. All county welfare boards affected by this act are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief.

Sec. 20. [TRANSFER OF TOWN EMPLOYEES.] *Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security act as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.*

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on the effective date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All transferred employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on the effective date of this act shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and such accumulated sick leave shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or

town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2 of this section, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, and at the time of their transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to such transfer, for all or part of the accumulated vacation time.

Sec. 21. [CONTINUATION OF RETIREMENT SYSTEM FOR FORMER MINNEAPOLIS EMPLOYEES.] *Subdivision 1. Each employee of the city of Minneapolis who is transferred to and employed by the county under the provisions of section 20 and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 422, shall continue to be a member of that system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 422, unless he applies to cancel his membership within six months after the effective date of this act.*

Subd. 2. The cost to the public of that portion of the retirement allowances or other benefits accrued while any such employee was in the service of the city of Minneapolis shall remain an obligation of the city and a tax shall be levied and collected by it to discharge its obligation as provided by Minnesota Statutes, Chapter 422.

Subd. 3. The cost to the public of the retirement allowances or other benefits accruing to employees so transferred to and employed by the county shall be the obligation of and paid by the county at such time as the retirement board shall fix and determine in accordance with chapter 422. The county shall pay to the municipal retirement fund an amount certified to the county auditor of the county by the retirement board as the cost of the retirement allowances and other benefits accruing and owing to such county employees. The cost to the public of the retirement allowances as herein provided shall be paid from the county revenue fund by the county auditor upon receipt of certification from the retirement board as herein provided, and the county board is authorized to levy and collect such taxes as may be necessary to pay such costs.

Sec. 22. Minnesota Statutes 1971, Section 245.77, is amended to read:

245.77 [LEGAL SETTLEMENT OF PERSONS RECEIVING ASSISTANCE; ACCEPTANCE OF FEDERAL FUNDS.] In the event federal funds become available to the state for purposes of reimbursing the several local agencies of the state for costs incurred in providing financial relief to poor persons under the lia-

bility imposed by section 261.03, or for reimbursing the state and counties for categorical aid assistance furnished to persons who are eligible for such assistance only because of the United States Supreme Court decision invalidating state residence requirements the commissioner of public welfare is hereby designated the state agent for receipt of such funds. Upon receipt of any federal funds the commissioner shall in a uniform and equitable manner use such funds to reimburse counties, ~~towns, cities and villages~~ for expenditures made in providing financial relief to poor persons. The commissioner is further authorized to promulgate rules and regulations, consistent with the rules and regulations promulgated by the Secretary of Health, Education and Welfare, governing the reimbursement provided for by this provision.

Sec. 23. Minnesota Statutes 1971, Section 261.04, Subdivision 1, is amended to read:

261.04 [LIABILITY OF ESTATE.] Subdivision 1. [SUPPORT, MAINTENANCE, CARE, OR BURIAL.] When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person by any ~~county, city, town, village, or borough~~ the ~~municipality~~ county so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such ~~municipality~~ county at its option upon discovery of any property belonging to the poor person or to his estate.

Sec. 24. Minnesota Statutes 1971, 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 *general assistance*, old age assistance, aid to dependent children, 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. 25. Minnesota Statutes 1971, Section 275.09, Subdivision 3, is amended to read:

Subd. 3. [TOWN PURPOSES.] There shall be levied annually on each dollar of taxable property, except such as is by law otherwise taxable, as assessed and entered on the tax lists for town purposes, such amount as is voted at any legal town meeting, the rate of which tax shall not exceed, exclusive of such sums as are voted at the annual town meeting for road and bridge purposes and ~~for the support of the poor~~, ten mills in any town having a population of more than 7,000, excluding the population of any cities or villages therein, five mills in any town having a

taxable valuation of \$100,000 or more, and the amount of which shall not exceed \$350 in any town having a taxable valuation of less than \$100,000, and the rate of which shall not exceed one percent in any town. The rate of tax for road and bridge purposes in any town shall not exceed the rate provided by section 164.04, and the tax for poor purposes shall not exceed five mills. In any town in which the amount levied within the above limitations is not sufficient to enable the town to carry on its necessary governmental functions, the electors, during the business hours, after disposing of the annual report, may make an additional levy of not to exceed five mills to enable the town to carry on such necessary governmental functions.

Sec. 26. Minnesota Statutes 1971, Section 376.424, is amended to read:

376.424 [CHARGES; PAYMENT.] The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of any such nontuberculous patient, which charge shall equal all costs of such hospitalization of such patient. Any person who is afflicted with a malady, deformity or ailment, other than tuberculosis, which can probably be remedied by hospital care, service and treatment, and who is unable to pay the charges, may be admitted to the sanatorium for care, treatment and maintenance upon application of the county ; ~~town,~~ ~~village,~~ ~~berough,~~ ~~or city~~ responsible for the care of such person under the provisions of the statutes governing the relief of the poor, and such charges shall be paid by the county ; ~~town,~~ ~~village,~~ ~~berough,~~ ~~or city~~ making such application.

Sec. 27. Minnesota Statutes 1971, Section 393.01, Subdivision 3, is amended to read:

Subd. 3. [COUNTY BOARD TO BE WELFARE BOARD IN CERTAIN COUNTIES.] In any county containing a city of the first class operating under a home rule charter, wherein there is established in such city a board of public welfare for administration of poor relief in such city only, *In the county of Hennepin* the board of county commissioners shall be the county welfare board. In such ~~counties~~ *county* the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such ~~counties~~ *county* the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings. In such ~~counties~~ the system of caring for the poor in effect at the time of the passage of this chapter shall be continued, subject to all provisions of law relating thereto, except that, if such county is operating under the township system of caring for the poor, such towns, villages, and cities of the second, third and fourth classes therein may, by resolution of its governing body, agree with the county welfare board that the latter shall supervise and administer the poor relief fund in such town, village, or city, or contract with any one or more of the public subdivisions of the county for the purpose of jointly supervising and administering the poor relief funds in such towns, villages or cities. In any such county the powers and duties of such board of public welfare shall not be

~~affected by the provisions of this chapter. Such board of public welfare, in administering poor relief funds granted by any state agency authorized so to do by law, shall comply with all standards of administration and procedure prescribed by such agency.~~

Sec. 28. Minnesota Statutes 1971, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county welfare board, ~~except as provided in section 393.01, subdivision 3, and~~ subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including *general assistance*, aid to dependent children, old age assistance, aid to the blind, child welfare services, mental health services, and other public assistance or public welfare services. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1971, Section 393.08, Subdivision 1, is amended to read:

393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.] Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, ~~subdivisions subdivision 3 and 4~~, shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include ~~poor relief in such counties or~~ institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for *public assistance and* categories of aid under the federal social security act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for ~~poor relief institutional requirements~~ as authorized by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the

proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

On the 25th day of July of each year the county welfare board referred to in section 393.01, subdivision 4, shall present its estimate of the amount needed by it to perform its duties, including expense of administration, to the board of county commissioners of any such county and the council of the city of the first class located in such county. Said board and said council may appoint a welfare budget advisory committee to study said budget provided that said welfare budget advisory committee must report its recommendation to said board and said council not later than September 1 of each year. The board of county commissioners of such county and the city council of such city shall jointly adopt a budget for such county welfare board and such action of such board of county commissioners and such city council in so adopting such budget shall be taken not later than September 20th of each year. The cost of all such relief, including the maintenance of any almshouse, sanatorium, or hospital maintained by such county and city shall be paid 72-1/2 percent by such county and 27-1/2 percent by such city.

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

Sec. 30. To the extent of appropriations available therefor, the department of public welfare shall reimburse counties up to 50 percent of all salary expenses, approved by the commissioner, incurred and paid by the counties, for which no payment or reimbursement is made by the United States or any subdivision thereof, in administering, and salary administrative costs in providing services in connection with, all public assistance programs. Claims for reimbursement for expenditures made by the county shall be presented to the department by the respective counties at least four times per year in such manner as the commissioner shall prescribe. The commissioner shall, pursuant to the administrative procedures act, prior to making any payments, promulgate rules to implement this section.

Sec. 31. There is appropriated to the department of public welfare from the general fund the sum of \$15,500,000 for the biennium ending June 30, 1975, to enable the department to pay claims made pursuant to section 30 for reimbursement for the salary cost of administering, and salary administrative costs in providing services in connection with, public assistance programs.

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$10,700,000 for the purpose of state aid for general assistance.

Sec. 33. Minnesota Statutes 1971, Sections 245.46, 261.01, 261.02, 261.03, 261.05, 261.06, 261.061, 261.064, 261.065, 261.066, 261.067, 261.07, 261.08, 261.10, 261.11, 261.123, 261.124, 261.125, 261.126, 261.14, 261.141, 261.142, 261.143, 261.26 and 393.08, Subdivision 2, are repealed.

Sec. 34. This article is effective January 1, 1974.

ARTICLE XXVI

Section 1. Minnesota Statutes 1971, Section 273.134, is amended to read:

273.134 [TACONITE AND IRON ORE AREAS; TAX RELIEF AREA; DEFINITIONS.] For purposes of this section and section 273.135, "municipality" means a city, village or town, and the applicable assessment date is the date as of which property is listed and assessed for the tax in question.

For the purposes of section 273.135 "tax relief area" means the geographic area contained, within the boundaries of a school district which contains a municipality which meets the following qualifications:

(1) it is a municipality in which the assessed valuation of unmined iron ore on May 1, 1941, was not less than 40 percent of the assessed valuation of all real property and in which, as of the applicable assessment date, the assessed valuation of unmined iron ore is not more than 66 60 percent of the assessed valuation of all real property; or

(2) it is a municipality in which, as of the applicable assessment date, there is a taconite concentrating plant or where taconite is mined or quarried or where there is located an electric generating plant which qualifies as a taconite facility.

Sec. 2. *This article shall be effective with respect to taxes levied in 1972 and thereafter and payable in 1973 and thereafter.*"

Amend the title by striking it in its entirety and inserting in lieu thereof:

"A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Sections 273.13, Subdivisions 6 and 7; 290.982; 290.983, Subdivision 1; 290.99; 290.081; 297A.25, Subdivision 1; 290.361, Subdivision 4; 297.13, Subdivision 1; 340.60, Subdivision 1; 273.41; 287.12; 291.33, Subdivision 2; 124.03, Subdivision 3; 290.17; 290.19, Subdivision 1 and by adding a subdivision; 272.03, Subdivision 1; 290.0604; 290.06, Subdivision 1; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; 290.0601; Subdivisions 6 and 9; 290.061; 275.50 Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2, and 3; 275.53, Subdivisions 1, and 3; 275.55; 414.01, by adding a subdivision; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, by adding a subdivision; 93.52, Subdivision 2; 93.55; 93.58; 60A.15, Subdivision 1; 273.134; 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; Chapters 272, by adding a section; 273, 275, and 290, by adding sections; repealing Minnesota Stat-

utes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 290.0607; 290.0617; 297A.252; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; and 393.08, Subdivision 2.”

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Coleman to amend H. F. No. 2121 as amended, as follows:

The amendment made by the Committee to page 16, after line 17, add a new section to read:

“Sec. 2. [297A.253] *Notwithstanding the provisions of Chapter 297A, there shall be taxable hereunder the sale of and storage, use or other consumption in Minnesota of beverage containers (whether “returnable” or “non-returnable”) when purchased by a person who utilizes such containers as containers for merchandising beverages. For purposes of this section, “beverage” shall include all liquids intended for drinking, other than milk or water.*”

Page 16, renumber Sec. 2. to Sec. 3.

Page 16, renumber Sec. 3 to Sec. 4.

There were yeas 9 and nays 8 as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Laufenburger	Perpich, A. J.	Wegener
Borden	Conzemius	Olson, A.	Schrom	

Those who voted in the negative were:

Bang	Frederick	Jensen	O'Neill	Pillsbury
Blatz	Hansen, Baldy	Larson		

The motion prevailed.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Hansen, Baldy to amend H. F. No. 2121 as amended, as follows:

The amendment made by the Committee to add a new Article to the bill as follows:

“ARTICLE XXIV

Section 1. *Subdivision 1. As used in this act the term “person” shall include any individual, firm, trust, estate, partnership, association, joint stock company, or corporation, or any representative appointed by order of any court.*

Subd. 2. *As used in this act the term “commissioner” shall mean the commissioner of taxation of the state of Minnesota.*

Sec. 2. *There is hereby imposed an excise tax of five percent of the gross proceeds or gross receipts from the sale or rental of outdoor advertising space situated within this state.*

Sec. 3. *The tax herein imposed shall be in addition to all other taxes provided for by law, but shall be in lieu of personal property on real estate tax on signboards owned by such companies.*

Sec. 4. *Every person selling or renting outdoor advertising space situated within this state shall report its gross proceeds or gross receipts from such source to the commissioner on such form as the commissioner may prescribe, on or before April 15 of the year following the year in which the gross proceeds or gross receipts were realized.*

Sec. 5. *At the time of filing such report and on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized, the person filing such report shall pay to the commissioner a tax equal to five percent of such gross proceeds or gross receipts.*

Sec. 6. *As soon as practicable after receiving such report, the commissioner shall examine the same to determine its correctness or validity. If the commissioner shall determine that the tax as paid by such person is less than that properly due and owing he shall immediately notify such person of the amount of tax he has found due and owing. The tax as found due and owing shall be paid by the person so notified within 30 days of the date of the mailing of the notice by the commissioner. If the commissioner shall find that the tax as paid by such person is in excess of that properly due and owing, such excess shall be a credit against any future liability incurred under this act.*

Sec. 7. *If any person required to file a report under this act and pay a tax under this act shall fail to do so within the time prescribed, the commissioner shall notify such person of such failure and such person shall, within 30 days of the mailing of the notice by the commissioner, file such report and pay such tax. If such person, after such notification, shall fail to make such report and pay such tax the commissioner shall, from such information as he may possess, make a report for such person and assess a tax on the basis of such report. The tax as assessed by the commissioner under this section shall be paid within 30 days after mailing of a notice of the amount due by the commissioner to such person.*

Sec. 8. *Subdivision 1. Any person who fails to file a report required by this act and pay the tax imposed by this act at the time prescribed, shall be subject to a specific penalty of ten percent of the tax found to be due.*

Subd. 2. Any person who fails to pay the tax imposed by this act on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized shall be subject to a penalty of one percent per month until such tax is paid.

Subd. 3. Any person who willfully fails to file a report required by this act shall be guilty of a gross misdemeanor.

Sec. 9. *The commissioner shall administer and enforce the assessment and collection of this tax. He may from time to time publish and distribute rules and regulations in enforcing its provisions. The*

commissioner shall have authority and power to prescribe for all persons liable for tax under this act a uniform method of accounting their gross receipts and gross proceeds subject to tax herein. Every person liable for tax imposed by this act shall keep such records, render such statements, make such returns, and comply with such regulations, as the commissioner may from time to time prescribe. Any such report or statement shall include therein the information required by such regulations and by the forms prescribed by the commissioner. For the purpose of determining compliance with the provisions of this act, the commissioner shall have power to examine, or cause to be examined, any books, papers, records, or memoranda relevant to making such determination, whether such books, papers, records, or memoranda are the property of or in the possession of such person or any other person or corporation. The commissioner shall further have power to require the attendance of any persons having knowledge or information in the premises, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to such determination, and to administer oaths or affirmations.

Sec. 10. Any tax or any penalty imposed by this act may be collected by an ordinary action at law which shall be brought in the name of the state. Any report made by the commissioner pursuant to this act, or any modification of tax made by the commissioner pursuant to this act, shall, in all courts of this state for all purposes be prima facie evidence of the correctness and validity of the gross receipts or gross proceeds reflected therein and of such tax and penalties and the liability of the person notified therefor.

Sec. 11. The proceeds of the tax imposed by this act shall be deposited in the general fund of this state.

Sec. 12. This act shall apply to all gross receipts or gross proceeds realized after December 31, 1973."

There were yeas 8 and nays 5 as follows:

Those who voted in the affirmative were:

Anderson Coleman Hansen, Baldy Perpich, A. J. Wegner
Chmielewski Conzemius Olson, A.

Those who voted in the negative were:

Bang Blatz Jensen Larson O'Neill

The motion prevailed.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Perpich, A. J., that H. F. No. 2121, as amended, be recommended to pass.

There were yeas 11 and nays 6.

Those who voted in the affirmative were:

Anderson Coleman Hansen, Baldy Olson, A. Schrom
Borden Conzemius Laufenburger Perpich, A. J. Wegener
Chmielewski

Those who voted in the negative were:

Bang	Frederick	Jensen	O'Neill	Pillsbury
Blatz				

The motion prevailed.

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Larson to amend H. F. No. 2121 as amended, as follows:

Page 98, after line 8, insert a new article to read as follows:

"Section 1. Minnesota Statutes 1971, Chapter 340.47, Subdivision 1, is amended to read:

340.47 [EXCISE TAX.] Subdivision 1. [ON INTOXICATING LIQUORS.] There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

(1) On all unfortified wines, the sum of ~~27~~ 20 cents per gallon;

(2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of ~~70~~ 60 cents per gallon;

(3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of ~~\$1.58~~ \$1.20 per gallon;

(4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of ~~\$3.88~~ \$2.50 per gallon;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of ~~\$3.99~~ \$2.50 per gallon;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of ~~\$4.58~~ \$2.50 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed at ~~12~~ 6½ cents."

There were yeas 5 and nays 13 as follows:

Those who voted in the affirmative were:

Bang	Blatz	Frederick	Larson	O'Neill
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Those who voted in the negative were:

Anderson	Coleman	Hansen, Baldy	Olson, A.	Wegener
Borden	Conzemius	Jensen	Perpich, A. J.	
Chmielewski	Gearty	Laufenburger	Pillsbury	

The motion did not prevail.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Larson to amend H. F. No. 2121 as amended, as follows:

The amendment made by the committee to pages 7, 8 and 9, to strike all of Article IV.

There were yeas 6 and nays 10 as follows:

Those who voted in the affirmative were:

Bang	Frederick	Larson	O'Neill	Pillsbury
Blatz				

Those who voted in the negative were:

Anderson	Chmielewski	Gearty	Jensen	Perpich, A. J.
Borden	Coleman	Hansen, Baldy	Olson, A.	Wegener

The motion did not prevail.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. O'Neill to amend H. F. No. 2121 as amended, as follows:

The amendment made by the committee as follows:

Strike Articles VI, VII, VIII, IX, X, XI and XXIII and renumber articles accordingly.

There were yeas 6 and nays 12 as follows:

Those who voted in the affirmative were:

Bang	Frederick	Larson	O'Neill	Pillsbury
Blatz				

Those who voted in the negative were:

Anderson	Coleman	Hansen, Baldy	Perpich A. J.
Borden	Conzemius	Laufenburger	Schrom
Chmielewski	Gearty	Olson, A.	Wegener

The motion did not prevail.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. O'Neill to amend H. F. No. 2121 as amended, as follows:

The amendment made by the committee to page 98, after line 8, add an additional article to read as follows:

"Section 1. An amendment to the Minnesota Constitution adding a new article is proposed to the people. If the amendment is adopted the article will read as follows:

Subdivision 1. The people may approve or reject by referendum any tax or appropriation made by law. A referendum shall be held either upon order by the legislature or upon petition signed by at least five percent of the qualified electors in each of at least one third of the legislative representative districts. The total number of signers must be at least five percent of the qualified electors of the state. A referendum petition shall be filed with the secretary of state no later than six months after adjournment of the legislature which passed the act.

Subd. 2. An act referred to the people is in effect until suspended by petitions signed by at least 15 percent of the qualified electors in a majority of the legislative representative districts. If suspended the act shall become operative only after it is approved at an election, the result of which has been determined and declared as provided by law.

Sec. 2. The proposed amendment shall be submitted to the people at the 1974 general election. The question submitted shall be:

'Shall the Minnesota Constitution be amended to provide for approval of taxes and appropriations by referenda?'

Yes

No

Further, amend the title in Line 5, after "derived;" and before "appropriating" by inserting "proposing an amendment to the Minnesota Constitution permitting referenda on taxes and appropriations;"

There were yeas 6 and nays 12 as follows:

Those who voted in the affirmative were:

Bang	Frederick	Larson	O'Neill	Pillsbury
Blatz				

Those who voted in the negative were:

Anderson	Coleman	Hansen, Baldy	Olson, A.
Borden	Conzemius	Jensen	Perpich, A. J.
Chmielewski	Gearty	Laufenburger	Wegener

The motion did not prevail.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Bang to amend H. F. No. 2121 as amended, as follows:

The amendment made by the committee to page 98, after line 8, insert an additional article to read as follows:

"Section 1. Minnesota Statutes, Section 33.10 is amended to read:

33.10 [TAX ON OLEOMARGARINE.] There is hereby imposed, levied, and assessed an inspection fee and excise tax of ten cents 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.

Subd. 2. The tax upon any blend of oleomargarine and butter sold for manufacturing purposes in containers of 50 pounds or larger shall be prorated based upon the percentage of oleomargarine contained in the blend computed according to regulations of the commissioner of taxation.

Sec. 2. The effective date of this article is January 1, 1974.”

There were yeas 7 and nays 11 as follows:

Those who voted in the affirmative were:

Bang	Frederick	Larson	O'Neill	Pillsbury
Blatz	Jensen			

Those who voted in the negative were:

Anderson	Conzemius	Hansen, Baldy	Olson, A.	Schrom
Borden	Gearty	Laufenburger	Perpich, A. J.	Wegener
Coleman				

The motion did not prevail.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Blatz to amend H. F. No. 2121 as amended, as follows:

The amendment made by the Committee as follows:

Add a new article to read as follows:

“Section 1. Minnesota Statutes 1971, 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 purpose 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 bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. 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 33 1/3 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12; 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 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, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. 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 bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. 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 1/2 percent in the case of agricultural land used for a homestead and 40 33 1/3 percent in the case of all other real estate used for a homestead."

There were yeas 5 and nays 12 as follows:

Those who voted in the affirmative were:

Bang	Blatz	Frederick	O'Neill	Pillsbury
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Those who voted in the negative were:

Anderson	Coleman	Jensen	Perpich, A. J.
Borden	Conzemius	Laufenburger	Schrom
Chmielewski	Hansen, Baldy	Olson, A.	Wegener

The motion did not prevail.

SECOND READING OF SENATE BILLS

S. F. Nos. 2097, 2182, 767, 1448, 1421, 1315, 2426, 1617 and 1897 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2121, 2098, 223, 1486, 2004, 2050, 2207, 2244, 1271, 140, 2197, 1581, 1478, 1293, 1575, 1436, and 1410 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that S. F. No. 736 be taken from the table. Which motion prevailed.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Fitzsimons	Kleinbaum	Olhoff	Solon
Arnold	Frederick	Knutson	Olson, A. G.	Spear
Ashbach	Gearty	Krieger	Olson, H. D.	Stassen
Bang	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Berg	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Bernhagen	Hanson, R.	Lewis	Patton	Thorup
Borden	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Jensen	Moe	Pillsbury	Willet
Conzemius	Josefson	Nelson	Purfeerst	
Davies	Keefe, J.	North	Schaaf	
Doty	Keefe, S.	Novak	Schrom	
Dunn	Kirchner	Ogdahl	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Keefe, S. moved that the Senate do now concur in the amendments by the House to S. F. No. 736 and that the bill be placed on its repassage as amended.

The question being taken on the adoption of the motion,

Mr. Keefe, S. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoff	Solon
Arnold	Gearty	Lewis	Olson, A. G.	Spear
Borden	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Chenoweth	Hughes	Milton	Perpich, A. J.	Tennessee
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Conzemius	Keefe, S.	North	Purfeerst	Wegener
Davies	Kleinbaum	Novak	Schaaf	

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Olson, J. L.	Stassen
Bang	Fitzsimons	Kirchner	O'Neill	Ueland
Berg	Frederick	Knutson	Patton	Willet
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Blatz	Hanson, R.	Larson	Renneke	
Brown	Jensen	Nelson	Schrom	
Chmielewski	Josefson	Ogdahl	Sillers	

Which motion prevailed.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate on S. F. No. 736.

The following Senators answered to their names:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kirchner	Novak	Sillers
Bang	Fitzsimons	Kleinbaum	Ogdahl	Solon
Berg	Frederick	Knutson	Olhoff	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Brown	Hanson, R.	Lewis	O'Neill	Ueland
Chenoweth	Hughes	Lord	Patton	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Willet
Coleman	Jensen	Milton	Perpich, G.	
Conzemius	Josefson	Moe	Pillsbury	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 736: A bill for an act relating to elections; providing that certain officers in cities of the first class be elected with party designation; amending Minnesota Statutes 1971, Sections 202.09, Subdivision 1; and 205.17.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoft	Solon
Arnold	Gearty	Lewis	Olson, A. G.	Spear
Borden	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Chenoweth	Hughes	Milton	Perpich, A. J.	Tennessee
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Conzemius	Keefe, S.	North	Purfeerst	Wegener
Davies	Kleinbaum	Novak	Schaaf	

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Olson, J. L.	Stassen
Bang	Fitzsimons	Kirchner	O'Neill	Ueland
Berg	Frederick	Knutson	Patton	Willet
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Blatz	Hanson, R.	Larson	Renneke	
Brown	Jensen	Nelson	Schrom	
Chmielewski	Josefson	Ogdahl	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

RECONSIDERATION

Mr. Keefe, S. moved that the vote whereby S. F. No. 736 was repassed by the Senate on May 11, 1973 be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Keefe, J.	Ogdahl	Stassen
Berg	Frederick	Kirchner	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	Knutson	Patton	
Blatz	Hanson, R.	Krieger	Pillsbury	
Brown	Jensen	Larson	Renneke	
Dunn	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Doty	Lord	Perpich, A. J.	Tennessee
Arnold	Gearty	Milton	Perpich, G.	Thorup
Borden	Hughes	Moe	Purfeerst	Wegener
Chenoweth	Humphrey	North	Schaaf	Willet
Chmielewski	Keefe, S.	Novak	Schaaf	
Coleman	Kleinbaum	Olhoft	Schrom	
Conzemius	Laufenburger	Olson, A. G.	Solon	
Davies	Lewis	Olson, H. D.	Spear	
			Stokowski	

Which motion did not prevail. So the vote was not reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Ronald Drassal substituted for Rueben Contreras in the Sergeant classification, effective May 3, 1973.

Rev. Bruce Westphal, Chaplain, effective May 1, 1973.

Rev. Milton Lintz, Chaplain, effective May 7, 1973.

Virginia Brenna, in the Page classification, effective May 4, 1973.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 29: A senate resolution providing for additional postage for members of the Senate.

BE IT RESOLVED, by the Senate of the state of Minnesota, that each member of the Senate be allowed an additional postage allotment of \$50 for the remainder of the first session of the 68th legislature; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate be authorized to purchase said additional postage from funds available for such purpose; and

BE IT FURTHER RESOLVED, that each member of the Senate shall receipt to the Secretary of the Senate for postage so received.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 56 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Ashbach	Frederick	Knutson	Olhoft	Solon
Bang	Gearty	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Tennessen
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Pillsbury	
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Those who voted in the negative were:

Berg	Josefson	Patton	Stassen	Ucland
Bernhagen	Olson, J. L.			

Which motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 30: A senate resolution providing for

the payment of expenses of a member of the Minnesota State Senate attending an executive meeting of the National Society of State Legislators at Williamsburg, Virginia.

WHEREAS, the executive board of the National Society of State Legislators met at Williamsburg, Virginia, March 29 through March 31, 1973, and

WHEREAS, Senator Joseph T. O'Neill is a member of the executive board and was authorized to attend said meeting, now, therefore,

BE IT RESOLVED, that expenses incurred by Senator Joseph T. O'Neill in attending such meeting be paid out of the Senate Legislative Expense fund, and that the Secretary of the Senate is hereby authorized and directed to issue warrants in payment of such expenses.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Knutson	Olson, A. G.	Solon
Arnold	Dunn	Kowalczyk	Olson, H. D.	Spear
Ashbach	Fitzsimons	Krieger	Olson, J. L.	Stassen
Bang	Gearty	Larson	O'Neill	Stokowski
Berg	Hansen, Baldy	Lewis	Patton	Tennessee
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Thorup
Blatz	Hughes	McCutcheon	Perpich, G.	Ueland
Borden	Humphrey	Moe	Pillsbury	Wegener
Brown	Jensen	Nelson	Purfeerst	Willet
Chenoweth	Keefe, J.	North	Renneke	
Chmielewski	Keefe, S.	Novak	Schaaf	
Coleman	Kirchner	Ogdahl	Schrom	
Conzemius	Kleinbaum	Olhoft	Sillers	

Mr. Josefson voted in the negative.

Which motion prevailed. So the resolution was adopted.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 248, No. 144 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 248: A bill for an act relating to agriculture; soy-bean promotion board; promotion and financing; amending Minnesota Statutes 1971, Sections 21A.03; 21A.06; 21A.10; 21A.16, Subdivision 2; and 21A.18.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	North	Solon
Arnold	Frederick	Knutson	Novak	Stassen
Berg	Gearty	Kowalczyk	Olhoft	Tennessee
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Thorup
Blatz	Hansen, R.	Larson	O'Neill	Ueland
Brown	Hughes	Laufenburger	Patton	Wegener
Chenoweth	Humphrey	Lewis	Perpich, A. J.	Willet
Chmielewski	Jensen	Lord	Purfeerst	
Conzemius	Josefson	Milton	Renneke	
Davies	Keefe, J.	Moe	Schaaf	
Dunn	Keefe, S.	Nelson	Sillers	

Those who voted in the negative were:

Bang	Hansen, Mel	Olson, A. G.	Pillsbury	Spear
Coleman	McCutcheon	Perpich, G.		

So the bill was passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 443, No. 170 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 443: A bill for an act relating to public welfare; appropriating money for The Rochester State Hospital Religious Activity Center, Inc.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Novak	Schaaf
Arnold	Fitzsimons	Kirchner	Ogdahl	Sillers
Ashbach	Frederick	Kleinbaum	Olhoft	Solon
Bang	Gearty	Kowalczyk	Olson, A. G.	Spear
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Larson	O'Neill	Stokowski
Blatz	Hansen, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

Mr. North voted in the negative.

So the bill was passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1355, No. 193 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and

establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.03, Subdivisions 1 and 3; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding a subdivision; 352.116, Subdivision 1; 352.118; 352.119, Subdivision 2; 352.12, Subdivision 1; 352.22, Subdivisions 1 and 2; 352.23; 352.27; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

Mr. Novak moved that the amendment made to H. F. No. 1355 by the Committee on Rules and Administration in the report adopted May 10, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

Mr. Novak moved to amend H. F. No. 1355, the typewritten bill, as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1971, Section 43. 01, Subdivision 9, is amended to read:

Subd. 9. [RATE OF PAY.] “Rate of pay” means rate of pay for a work month, and “salary” means compensation for a work month regular work hour, “monthly rate of pay” means compensation for 174 regular hours of work and “annual rate of pay” means compensation for 2,088 regular hours of work .

Sec. 2. Minnesota Statutes 1971, Section 43.01, is amended by adding a subdivision to read:

Subd. 15. [TOTAL COMPENSATION.] “Total compensation” means salary, paid time off, group insurance benefits, the retirement plan, and other direct and indirect items of compensation.

Sec. 3. Minnesota Statutes 1971, Section 43.01, is amended by adding a subdivision to read:

Subd. 16. [COMPETITIVE.] “Competitive” means a level which is generally equal to the total compensation paid for similar types of work.

Sec. 4. Minnesota Statutes 1971, Section 43.03, subdivision 3, is amended to read:

Subd. 3. Each member of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board, but in no case shall any member be paid more than \$1,050 \$1,200 in any one year; provided, that this limitation shall not apply to payments on account of expenses. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.

Sec. 5. Minnesota Statutes 1971, Section 43.051, is amended to read:

43.051 [AGE FOR RETIREMENT.] Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Sections 197.45, 197.46, 197.47, 43.30, ~~or any other law to the contrary effective July 1, 1974~~, an officer or employee of the state of Minnesota in the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 68 prior to July 1, 1974, or upon reaching the age of 70 68. Effective July 1, 1975, an officer or employee of the state of Minnesota in the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 65 prior to July 1, 1975, or upon reaching the age of 65. The mandatory retirement age for all other classified officers and employees of the state, if not otherwise provided for by law, shall be 70 .

Subd. 2. Notwithstanding any provision to the contrary, a physician in the classified or unclassified state service may upon reaching the maximum retirement age of 70 years specified in subdivision 1, continue to be employed in the department of public welfare or one of its institutions subject to annual certification by the commissioner upon the recommendation of the medical policy directional committee on mental health appointing authority of the department in which the physician is employed to the director that the employee is physically and mentally competent to fulfill the duties of his position .

Subd. 3. Notwithstanding the provisions of subdivision 1, any employee of the state of Minnesota in a covered classification as defined in the special retirement program for correctional personnel defined in Minnesota Statutes, Chapter 352, must retire from such covered classification upon having reached or upon reaching the mandatory retirement age as of the effective dates established herein:

<i>Effective Date</i>	<i>Mandatory Retirement Age</i>
<i>July 1, 1974</i>	<i>65</i>
<i>January 1, 1975</i>	<i>62</i>
<i>July 1, 1975</i>	<i>59</i>
<i>January 1, 1976</i>	<i>57</i>
<i>July 1, 1976</i>	<i>55</i>

Sec. 6. Minnesota Statutes 1971, Section 43.111, is amended to read:

43.111 [POLICY.] It is the public policy of the state of Minnesota that an efficient and well trained work force be maintained to carry out the work ordained by the legislature. It is further directed that modern methods of selection, training and salary admin-

istration be established and maintained. The standards of selection shall be of such a nature as to provide the proper level of preparation and experience. Recognizing the cost of excessive employee turnover, it is directed that priority be given to the maintenance of a steady work force. To this end, training, by way of in-service programs and stipend allowances shall be encouraged. It is also established as the policy of the state of Minnesota that employees be paid on the same level as their counterparts in other private and public employment a total compensation which is competitive with that paid for like positions in other private and public employment. Proper attention will also be given to equitable internal pay relationships between related job classes and among the various levels within the same job family or department. Continuing analysis of pay rates and supplementary pay practices shall be carried on, as well as analyses of jobs to determine comparability of job content.

Sec. 7. Minnesota Statutes 1971, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. [SALARY RANGES.] (1) The following procedure will be used in establishing rates of pay for all employees in the state classified service except as provided elsewhere in chapter 43. Classes will be assigned salary ranges within an area of compensation beginning at a prescribed monthly base rate and extending upward by a maximum of 60 additional four percent increments rounded to the nearest dollar. Salary range assignments for each class of work will include no more than ten salary steps. Effective November 17, 1971, the prescribed monthly base rate will be \$208 per month.

In assigning classes of work to this schedule the board shall give consideration to the reduction of supervisory levels and separate classifications state employees in the classified service whose positions are assigned to classes in the administrative, management, and professional salary schedule, hereinafter referred to as schedule "A". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed minimum monthly rate of pay and extending upward by a maximum of 30 additional salary increments. Salary range assignments for each class of employment in this schedule shall include no more than ten salary steps. Effective July 11, 1973, the prescribed minimum monthly rate of pay shall be \$708. The maximum monthly rate of pay shall be \$2,294.

(2) All employees whose rates of pay are established according to the salary schedule cited in section 43.12, subdivision 2 clause (1), effective November 17, 1971, shall be advanced in salary to the new minimum rate for their class or two and one half salary steps, whichever is greater. salary schedule "A" as cited in section 43.12, subdivision 2, clause (1), effective July 11, 1973, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date to the comparable step in the new salary range for their class or to the new minimum rate of pay for their class, whichever rate is greater provided that all em-

ployees shall receive at least a one step salary increase so long as that increase does not cause the employee's compensation to exceed the new range maximum.

(3) Effective the beginning of the first payroll period in fiscal year 1972-1973, all employees compensated according to the salary schedule cited in 43.12, subdivision 2(1), shall be advanced by one salary step within their respective salary ranges to the next higher step. The one salary step advancement will also apply to those employees whose rates of pay are at or above the maximum rate for their class as a result of the adjustment provided for in section 43.12, subdivision 2 clause (2). However, any person serving his initial probationary period at the time of the fiscal year 1972-1973 adjustment, shall not receive the one salary step advancement within his salary range until he satisfactorily completes his initial probationary period. Employees compensated according to salary schedule "A" as cited in section 43.12, subdivision 2, clause (1), whose monthly rate of pay immediately preceding July 11, 1973, equals or exceeds the new maximum monthly rate of pay for their class shall be advanced in salary by an amount equal to one half the difference between the new maximum monthly rate of pay for their class and the next lowest monthly rate of pay in their salary range, rounded to the next highest dollar, effective July 11, 1973.

(4) The following schedule of hourly rates is procedure shall be used to established as the establish rates of pay for all state employees in the classified service employed in skilled, semi-skilled, and whose positions are assigned to classes in the maintenance classes and related trades schedule, hereinafter referred to as schedule "B". Classes shall be assigned an orientation and base rate, one consecutive wage step apart. The orientation rate shall be paid during the probationary period, and the base rate thereafter. In assigning rates of pay to classes of work covered by this schedule, the board shall give primary consideration to the most commonly median of rates paid rates by other public and private employers for each class similar types of work. Supplementary pay practices shall be evaluated and costs considered in comparing the rates to be private being paid by other employment employers. The board is authorized to establish a percentage differential based upon full annual employment and tenure where such advantages are not common in employment outside of the state service.

Range	Orientation	Base
1b	3.33	3.47
2b	3.47	3.61
3b	3.61	3.76
4b	3.76	3.91
5b	3.91	4.07
6b	4.07	4.23
7b	4.23	4.40
8b	4.40	4.50
9b	4.50	4.76
10b	4.76	4.95
11b	4.95	5.15

12b	5.15	5.35
13b	5.35	5.57
14b	5.57	5.79
15b	5.79	6.03

Effective July 11, 1973, the minimum hourly rate of pay in the maintenance and related trades schedule shall be \$3.69. The schedule shall provide for 13 additional wage steps with a maximum rate of \$6.19 per hour.

Notwithstanding any provision of chapter 43 to the contrary, the board is authorized to establish (a) hourly equipment rates to provide appropriate compensation to employees intermittently engaged in operating maintenance equipment and (b) an hourly rate to provide appropriate compensation to employees intermittently assigned to first level highway foreman work. The director of civil service shall establish regulations and procedures to equitably implement such hourly differential rates.

(5) All permanent employees whose rates of pay are established according to the wage schedule cited in section 43.12, subdivision 2 clause (4), effective November 17, 1971, shall be advanced in salary to the established base rate for their class or two and one half wage steps, whichever is greater. To receive the two and one half wage step advancement, an employee shall be permitted to be paid at a rate higher than the established base rate for his class. Probationary employees, effective November 17, 1971, shall be advanced in salary to the orientation rate for their class except, if they have permanent status in another class they shall be advanced in salary by one and one half wage steps. The civil service board is directed to prepare and adopt a supplemental schedule of hourly wage rates to implement the provisions of this clause. schedule "B" as cited in section 43.12, subdivision 2, clause (4), effective July 11, 1973, shall be advanced in salary to the established base rate for their class or receive one half the difference between the monthly equivalence of the base rate for their class and the orientation rate for their class, rounded to the next highest dollar, whichever is greater.

Probationary employees, effective July 11, 1973, shall be advanced in salary to the established orientation rate for their class.

(6) *Effective the beginning of the first payroll period for the fiscal year 1972-1973, the hourly orientation and base rates cited in section 43.12, subdivision 2, clause (4) shall be adjusted upward by four percent. Concurrent with this adjustment of the hourly orientation and base rates, all wage assignments and individual wage rates will be adjusted upward by four percent. The civil service board is directed to prepare and adopt a supplemental schedule of hourly wage rates to implement the provisions of this clause. The following procedure shall be used to establish rates of pay for all state employees in the classified service whose positions are assigned to classes in the clerical, technical, service and related salary schedule, hereinafter referred to as schedule "C". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed monthly rate of pay and extending up-*

ward 27 additional fixed salary increments. Salary range assignments for each class of employment in this schedule shall not include more than seven salary steps. Effective July 11, 1973, the prescribed minimum monthly rate of pay shall be \$340. The maximum monthly rate of pay shall be \$1,100.

(7) All employees whose rates of pay are established according to salary schedule "C" as cited in section 43.12, subdivision 2, clause (6), effective July 11, 1973, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date, to the comparable step in the new salary range for their class unless otherwise provided in procedures established by the board.

(8) Employees compensated according to salary schedule "C" as cited in section 43.12, subdivision 2, clause (6), whose monthly rate of pay immediately preceding July 11, 1973, equals or exceeds the new maximum monthly rate of pay for their class shall be advanced in salary by an amount equal to one half the difference between the new maximum monthly rate of pay for their class and the next lowest monthly rate of pay in their salary range, rounded to the next highest dollar, effective July 11, 1973.

(9) For each full four tenths point increase in the consumers price index for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of July, 1973, and April, 1974, using 1967 as the base period (1967=100), all monthly rates of pay in the "A" and special teacher salary schedules as cited in sections 43.12, subdivision 2, clause (1), and 43.121, subdivision 3, shall be increased by two tenths of one percent, rounded to the nearest dollar. All hourly rates of pay in the "B" and "C" schedules as cited in section 43.12, subdivision 2, clauses (4) and (6), shall be increased by one cent per hour.

The increase, if any, in wages and salaries generated by this formula shall be effective with the first full payroll period after July 1, 1974, and shall continue in effect until the first full payroll period after January 1, 1975.

A redetermination of the cost of living allowance shall be made in October, 1974. For each full four tenths point increase in the consumer price index for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of July, 1973, through October, 1974, all monthly rates of pay in the "A" and special teacher salary schedules as cited in sections 43.12, subdivision 2, clause (1), and 43.121, subdivision 3, shall be increased by two tenths of one percent, rounded to the nearest dollar. All hourly rates in the "B" and "C" schedules as cited in section 43.12, subdivision 2, clauses (4) and (6), shall be increased by one cent per hour. The increase, if any, in wages and salaries generated by this redetermination shall be effective with the first full payroll period after January 1, 1975.

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly and monthly rates of pay of each employee, including those that are above the maximum step of their range, and treated as a part thereof in all calculations involving employees' pay.

(10) *The commissioner of administration may direct the state auditor to transfer to the various departments and agencies the necessary amounts to finance clause (9) into effect. These transfers shall be from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments or agencies from such account and fund in the state treasury. The accounts and funds referred to from which agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.*

(7) (11) Overtime worked shall be compensated for either by cash payment or compensatory time off as provided for in overtime schedules approved under the provisions of the civil service rules.

(8) (12) None of the provisions of sections 43.12, subdivision 2, to 43.122, shall apply to employees in the classified service under the state civil service act who are paid on a fee basis, or to such employees who are department heads.

(9) ~~An employee appointed on or subsequent to July 14, 1971, and prior to November 17, 1971, may receive the prescribed salary and wage increases set forth in section 43.12, subdivision 2, clauses (2) and (5) with the approval of his appointing authority. However, so that all employees are compensated at an established rate of pay, an employee who is not granted the prescribed salary or wage increase provided under the provisions of this clause shall have his rate of pay advanced to the next higher salary or wage step established for his class or the new minimum salary rate or probationary wage rate for his class, whichever is greater.~~

(10) (13) Except as otherwise provided in section 43.12, subdivision 2, no class will be reassigned to a higher salary range by the civil service board during the 1971-1973 1973-1975 biennium.

(11) ~~Notwithstanding the provisions of any other law to the contrary, the civil service board is directed to reduce all adopted salary assignments by two percent for classes of work compensated according to the salary schedules cited in section 43.12, subdivision 2, clauses (1) and (4) and section 43.121, subdivision 3, except in no instance shall the minimum rate of a salary assignment be less than the prescribed monthly base rate. The civil service board is directed to prepare and adopt a supplemental schedule of salary rates to implement the provisions of the clause rounded off to the nearest dollar.~~

(12) ~~If the Minneapolis-St. Paul Consumers' Price Index increases at least one and one half percent between October, 1971, and April, 1972, all salary and wage rates cited in section 43.12, subdivision 2 clauses (1) and (4) shall be increased in value by two percent effective at the beginning of the first payroll period for~~

fiscal year 1972-1973. Concurrent with this adjustment, all salary and wage assignments shall be increased by two percent and employees shall be advanced to the comparable step of the revised schedule of rates. In the event this increase should occur, the civil service board is directed to establish supplemental salary schedules with steps two percent higher than the schedules then in effect. Where necessary to receive this advancement, an employee shall be permitted to be paid at a rate higher than the established maximum rate for his class.

(13) The commissioner of administration is hereby authorized to direct the state auditor to transfer to the various departments and agencies the necessary amounts to finance clause (12) into effect. These transfers shall be from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments or agencies from such account and fund in the state treasury. The accounts and funds referred to from which agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

(14) Notwithstanding the provisions of any other law to the contrary, when making an appointment to the unclassified service of the executive branch and judicial branches of government, the appointing authority shall provide the director of civil service with a personal resume of the appointee and a detailed job description outlining the duties and responsibilities of the position which the appointee will occupy in such form as the director may prescribe. Any changes in work assignment shall be reported in writing to the director. If, in the judgment of the director, additional information is required in order to establish comparability with positions in the classified service, the director shall review the duties of the position in the same manner as a position in the classified service would be investigated. All persons in the unclassified service of the executive branch and judicial branches of government, except those whose salary is set specifically by statute, may, with the approval of the appointing authority, be granted salary increases on the same effective dates as all employees of the classified state civil service, but in no event may these salary increases exceed the salary increases authorized for personnel in the classified service nor shall be paid according to the compensation provisions applicable to employees performing comparable work in the classified service, but in no event shall unclassified personnel receive rates of pay which exceed the maximum rate of the salary range established for comparable work in the classified service.

(15) Notwithstanding the provisions of any other law to the contrary, all non-academic employees of the University of Minnesota and the University of Minnesota department of civil service personnel shall be subject to all of the preceding clauses as if they were classified employees of the Minnesota civil service and the Minnesota civil service board.

(15) *Effective July 1, 1974, employees whose positions are assigned to classes in the A, B and C compensation schedules working an assigned shift that begins before 6:00 a.m. or which ends on or after 7:00 p.m. shall receive a shift differential of ten cents per hour for all hours worked on that shift in addition to their regular rate of pay. Such differential shall be included in all payroll computations for hours worked but shall not apply during periods of paid leave.*

Employees working the regular day schedule who are required to work overtime or who are called back to work for special projects shall not be eligible for the shift differential.

(16) *Effective July 1, 1973, any permanent employee who is separated from the state classified service by reason of death, mandatory retirement, layoff, excluding seasonal layoffs, or who is separated after completing 20 years of state service shall be entitled upon such separation, to pay in an amount equal to ten percent of the employee's regular accumulated but unused sick leave balance at the time of separation. Effective July 1, 1974, severance pay shall be computed upon 20 percent of the employee's regular accumulated but unused sick leave balance. The provisions of this clause shall apply to unclassified employees in the same manner as they apply to employees in the classified service.*

Should any employee who has received severance pay be subsequently reappointed to state service, eligibility for future severance pay shall be computed upon the difference between the amount of accumulated but unused sick leave to the employee's credit at the time the employee was separated and the amount of accumulated but unused sick leave balance at the time of the employee's subsequent eligibility for severance pay.

The base for computing the severance pay provided for in this clause shall not exceed 800 hours, nor shall said base include lapsed sick leave hours as defined by departmental rules and regulations.

(17) *The board is hereby empowered to establish by rule an injured on duty compensation plan for certain classes of state employees in hazardous or dangerous classes of employment. Said plan shall not be subject to the limitations contained in Minnesota Statutes, Section 176.021, Subdivision 5.*

Sec. 8. Minnesota Statutes 1971, Section 43.12, Subdivision 2a, is amended to read:

Subd. 2a. [CAREER EXECUTIVE SERVICE.] (a) *There is established a career executive service within the Minnesota state service.*

The purpose of the career executive service is to foster managerial and high level professional identification, development, utilization, mobility and responsiveness in the state service.

(a) (b) *The director of civil service, with the approval of the board, shall designate classes positions in the classified service of*

the state as eligible for ~~assignment to inclusion~~ in the career executive compensation schedule service. Such ~~classes positions~~ shall include those which carry basic responsibilities for high level professional or scientific competence, policy determination, leadership, or the internal management and administration of the department or other major unit.

The incumbents of such ~~classes positions~~ shall be selected from among the employees of the state, or its political subdivisions, as set forth in *this* subdivision 2a, ~~clauses (b), (c), and (d)~~.

~~(b) (c)~~ Eligibility for appointment to ~~assignment in~~ the career executive compensation schedule service shall be established as a result of an examination of persons who first meet such qualifications in accordance with regulations and procedures as the board director shall determine. The board shall select individuals knowledgeable in the field of administrative management who shall serve in an examining capacity to review in detail the applicants' qualifications. The review shall include but not be limited to the following matters: (1) Educational qualifications; (2) Pertinent work experience; (3) Evidence of continuing academic development; (4) Membership in professional organizations; and (5) Estimate of continuing professional growth in a particular discipline. Assignments will be made only after the nominee has achieved permanent or probationary civil service status in the class occupied at the time nomination is made and after meeting requirements as determined by the director.

~~(c) (d)~~ The provisions of chapter 43, and sections 197.45 to 197.48 insofar as they relate to the selection, classification, preference, transfer, tenure and other conditions of employment shall not apply in the selection and assignment of personnel in the career executive compensation schedule service. Assignments Appointments may be terminated by the appointing authority, provided, however, that a written report relative to such the termination is first submitted to the board not based on reasons of politics, religion, race, age, sex, or disability.

~~(d) (e)~~ The director shall certify the names of those persons passing a screening examination meeting requirements established elsewhere in *this* subdivision to the appointing authority in the order of their performance in said examination, and the appointing authority shall be limited in his appointment to such list.

~~(e) (f)~~ No person assigned appointed to the career executive compensation schedule service shall be deemed to acquire any vested rights or tenure to such assignment appointment, provided however, that the time served in such assignment appointment shall be credited to his the employee's seniority, sick leave, vacation, and retirement rights. Upon the termination of his assignment to the career executive compensation schedule, if the employee was appointed to the career executive service from the classified service. An employee may be reassigned to another career executive service position at the same or lower level at the discretion of his appointing authority. An employee removed from the career executive service who was appointed from the classified

state service shall be reinstated to his former grade in the same or similar position under the civil service laws and his compensation shall be at the level formerly received plus any annual increments he would have received had he remained in the schedule provided in subdivision 2, clause (1).

(g) *The director may establish and enforce regulations and procedures with respect to the career executive service to ensure compliance with the purposes and intent of this subdivision.*

(h) *Notwithstanding any provision to the contrary, persons appointed to the career executive service shall be subject to the retirement requirements set forth in section 43.051.*

Sec. 9. Minnesota Statutes 1971, Section 43.12 Subdivision 2b, is amended to read:

Subd. 2b. [CAREER EXECUTIVE SERVICE.] The following schedule of rates is established as the annual rates of pay for the employees selected under subdivision 2a:

CES-I	13,000	13,500	to	18,000	21,500
CES-II	15,000	15,500	to	21,000	24,500
CES-III	18,000	18,500	to	24,000	28,000
CES-IV	22,000	23,000	to	28,000	32,000

The salary rate to be paid an employee, within the range assigned by the director, shall be determined by the appointing authority. The beginning salary rate and any subsequent changes shall be reported to the director by the appointing authority.

Sec. 10. Minnesota Statutes 1971, Section 43.12, Subdivision 3, is amended to read:

Subd. 3. [ALLOCATIONS.] (1) The director shall allocate each position in the classified civil service to one of the classes within the classification plan, subject to review of the board if an application is made in writing to the board upon one of the grounds set forth in clause (7) by the appointing authority immediately affected at any time within 30 days following notice to him of that allocation, or within 30 days from the date of notice of the final action of the director in case of an application for reconsideration, as hereinafter provided for, and thereafter all salary rates, schedules, or compensation policies shall apply uniformly to all positions within each class, in accordance with rules and regulations established by the board, except those positions for which special provision is made in clause (6) below. When a position which has not been allocated to one of the classes within the classification plan is established, the appointing authority shall notify the director, who shall allocate that new position to its appropriate class, subject to the same right of review by the board as heretofore provided in this clause.

(2) After the director makes an allocation under clause (1), he shall notify the appointing authority affected, in writing, of that allocation. The allocation shall become immediately effective, but the appointing authority may within ten days file with the director an application for reconsideration, together

with any written evidence by way of affidavits, statements or exhibits which that appointing authority may desire considered by him. The director shall act upon that application within ten days after receiving it, and notify the appointing authority of his final action. In case of the filing of such application for reconsideration, the time for asking a review by the board shall commence to run from the date of notice to the appointing authority of the director's final action.

(3) Whenever, because of changes in the organizational structure of an agency, in the duties of a position, or for some other reason, a position appears to be improperly allocated, the director shall, upon his own initiative, or upon the written request of a permanent employee or an appointing authority, investigate the duties of the affected position. Following that investigation he may reallocate it to an appropriate class. If the director makes a reallocation or denies an application for reallocation, under this clause, he shall notify the appointing authority and the employee affected of his action. A permanent employee or appointing authority affected by any such action shall have the same right to make an application for reconsideration as is granted an appointing authority in the case of an original allocation by clause (2), and the procedure set out in clause (2) shall apply to such application. Except as provided in clause (6) below, any reallocation granted by the director shall become effective upon the expiration of the time fixed for making an application for reconsideration, if none is made, or if one is made, at the date of notice by the director of this final action. A permanent employee or appointing authority shall have the same right of review by the board of a reallocation which changes the class of a position as is granted an appointing authority in the case of an original allocation. Application for such a review must be made within 30 days from the date of notice by the director of his original action, or, if a reconsideration has been asked, within 30 days from the date of the director's final action upon that application.

(4) In case of any allocation under clause (1), or any reallocation under clause (3), no examination of witnesses nor any trial or hearing shall be required, but the director may act upon such matters as are submitted to him in writing by the employee whose position will be affected by a reallocation or by the appointing authority who will be affected by an allocation or a reallocation, and reports and records of investigators of the department, and may take official notice of the records of the department and of allocations of other comparable positions. The matters of which he takes official notice shall be set out by him in a memorandum to be filed with his order or report of investigation and made a part of his record. In all cases of applications for reallocation, the burden of proof shall be upon the person requesting the reallocation.

(5) Except as provided in clause (6) below, the incumbent of a position which has been reallocated shall continue in the position only if he is eligible for and actually is appointed to the position of the new class in accordance with the rules of the board governing promotion, transfer, and demotion. In any case in which the incumbent is ineligible to continue in the position and he is not trans-

ferred, promoted or demoted, the layoff provisions of this chapter and the rules of the board shall apply. Personnel changes required by the reallocation of positions shall be completed within a period of 60 days following the date of reallocation notice to an appointing authority. Any employee with permanent or probational status whose position is reallocated shall be considered eligible to compete in any promotional examination held to fill the reallocated position, as provided in the rules of the board.

(6) When a position is reallocated by the director to a class in a lower salary range, or when an employee is demoted to a position in a lower salary range, the director and the commissioner of administration may give consideration to the employee's long or outstanding service, exceptional or technical qualifications, age, health, or *substantial changes in work assignment or operational changes in state government which eliminate positions held by classified employees with permanent status.* When, as a result of such consideration, the director and the commissioner determine that the best interests of the state will be served by such action, the position shall be reallocated but the employee shall continue at the same rate of pay. Thereafter, as long as he remains in the same position, such employee shall not be eligible to receive any salary increases, *except those economic adjustment increases based on the consumer's price index authorized by law,* until such time as his salary once again may be within the range of the class to which his position has been reallocated.

(7) A review by the board as provided for in this subdivision may be had when the employee or appointing authority affected files an application for review in writing on the ground:

(a) That the action of the director was not in accordance with the civil service act;

(b) That the action of the director was unwarranted by the evidence before him, or was procured by fraud, coercion or other improper conduct of any party in interest.

The board after receiving any application for review shall order the director to submit to it the record upon which he acted and thereafter, upon that record, may sustain, reverse or modify the action of the director or, in its discretion, may order that further evidence be taken by him to be submitted to the board and considered by it upon its review.

Sec. 11. Minnesota Statutes 1971, Section 43.121, Subdivision 2, is amended to read:

Subd. 2. When an additional class is added to the classification plan, it shall be assigned to one of the salary range schedules set forth in section 43.12, subdivision 2; and, if the duties and responsibilities of a class in the plan are substantially changed, or if an apparent inequity exists in the assignment of a class to a salary range, that class shall be reassigned to another salary range by the director of civil service. Such assignment or reassignment to a salary range schedule when approved by the civil service board after public hearing shall be submitted to the commissioner of administration who shall determine whether funds are available for such purposes. The commissioner of administration may approve or reject such schedules. These schedules shall become ef-

fective when approved by the commissioner and shall be used by him in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the state government. Upon his approval, the commissioner shall file such new schedules in the office of the secretary of state.

Sec. 12. Minnesota Statutes 1971, Section 43.122, is amended to read:

43.122 [SALARY INCREASES.] Subdivision 1. Appointing authorities are authorized to grant achievement awards in the amount of one salary step for employees assigned to the schedule A, as set forth in section 43.12, subdivision 2 clause (1), who have demonstrated outstanding performance. Justification to the director must be in writing setting forth qualitative and quantitative criteria on which the determination was made. In no instance shall such awards be granted in excess of 20 percent of employees authorized at the beginning of each fiscal year, nor to employees whose rates of pay are at or above the maximum rate of pay established for their class. Appointing authorities shall make every effort to distribute achievement awards equitably among and within all classifications to eligible employees. To insure conformance to legislative intent, appointing authorities shall submit quarterly reports to the chairman of the senate civil administration and house governmental operations committee indicating the name and classification of each employee granted an achievement award, and the salary step at which the employee is being compensated within his salary range. A copy of each such report must be filed with the civil service director. The first quarterly report is due April 1, 1972.

Subd. 2. Within the limits of available appropriations an appointing authority may propose salary increases *within the range* of more than one step or more frequently than provided in this section upon detailed written statements to the director specifying the unusual employment conditions that make such action necessary. The director shall review each such proposal giving due consideration to the salary rates paid other employees in the same class and agency and may deny any request which in his judgment is contrary to the best interest of the service.

Subd. 3. (a) *Employees in classes assigned to the "A" schedule as cited in section 43.12, subdivision 2, clause (1), may receive a one step salary increase annually, on their anniversary date, to the position rate in their salary range, provided performance is satisfactory as indicated by their appointing authority.*

The position rate shall be as follows:

9 step salary range—5th step
 8 step salary range—5th step
 7 step salary range—4th step
 6 step salary range—4th step
 5 step salary range—4th step
 4 step salary range—3rd step
 3 step salary range—3rd step

Beyond the position rate, employees may receive one step satisfactory performance increases biennially, on their anniversary date, upon the recommendation of their appointing authority, up

to and including the maximum rate of the salary range for their class.

No increases authorized by this subdivision shall be granted by the appointing authority until an appropriate employee evaluation program is filed with the director. Authorized increases shall be recommended in the context of performance measured against specific performance standards or objectives.

Appointing authorities shall not recommend increases for those employees in this schedule who have not met, or only marginally attained, performance standards or objectives. Increases withheld may subsequently be granted by the appointing authority upon certification to the director that the employee is achieving performance standards or objectives.

(b) Employees in classes assigned to the "C" schedule as cited in section 43.12, subdivision 2, clause (6), shall progress through the salary range for their class according to the following procedure:

Employees compensated at the first step in their salary range shall be advanced to the second step following the completion of 1,044 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7). Employees compensated at the second step in their salary range shall be advanced to the third step following the completion of 1,044 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7).

Employees compensated at or beyond the third step in their salary range shall advance to the next highest rate in their salary range at the completion of each increment of 2,088 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7), until the maximum rate of pay is attained.

Employees compensated at the maximum step in their range or above shall receive no salary adjustments under the provisions of this subdivision.

(c) Appointing authorities may withhold increases authorized in section 43.122, subdivision 3, clause (b). Those employees who will be denied an increase because of unsatisfactory service must be notified in writing. Increases withheld may subsequently be granted by the appointing authority upon certification to the director that the employee has achieved a satisfactory level of performance.

(d) All salary increase provisions for the "A" schedule cited in section 43.122, subdivision 3, shall be effective beginning with the payroll period following the employee's anniversary date but in no instance prior to the first full payroll period subsequent to May 30, 1974.

Subd. 4. [ANNIVERSARY DATES.] To determine anniversary dates for the purposes of this section, the following procedure shall be used. For all persons employed on or before May 30, 1973, annual anniversary dates shall be computed from that date. For those employed subsequent to May 30, 1973, the anniversary date shall be computed from the date of employment. For those promoted, reinstated, reemployed, or returned from leave of absence

subsequent to May 30, 1973, the anniversary date shall be computed from the date of the action. Anniversary dates shall not be affected by the withholding of increases authorized in section 43.122, subdivision 3, clause (1).

Sec. 13. Minnesota Statutes 1971, Section 43.126, Subdivision 1, is amended to read:

43.126 [SPECIAL RATES OF PAY.] Subdivision 1. Notwithstanding the provisions of sections 43.12 and 43.121 to 43.123, the following salary ranges are established with annual salaries as shown:

Range A ~~19,500~~ \$23,000 to ~~28,000~~ \$32,000

Range B ~~23,500~~ \$28,000 to ~~32,000~~ \$38,000

Range C ~~27,500~~ \$30,000 to ~~37,000~~ \$45,000

Sec. 14. Minnesota Statutes 1971, Section 43.24, Subdivision 1, is amended to read:

43.24 [REMOVAL.] Subdivision 1. [WRITTEN STATEMENT.] No permanent employee in the classified service, under the provisions of this chapter or the rules made pursuant thereto, shall be removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position, except for just cause, which shall not be religious or political, or because of the employee's race, sex, disability or age, subject however to the mandatory retirement ages specified by law. In case of any disciplinary action, as enumerated in this section, the employee shall, before the action is taken, be furnished with a statement, in writing, setting forth the reasons for the disciplinary action, be permitted five days time to reply thereto, in writing, or upon his request, to appear personally and reply to the head of the department. A copy of the statement and the employee's reply, if any, shall be filed with the director of civil service prior to the effective date thereof.

Sec. 15. Minnesota Statutes 1971, Section 43.50, Subdivision 1, is amended to read:

43.50 [PAYMENT OF PREMIUMS.] Subdivision 1. Each department or agency of the state government shall pay the amounts due for basic life insurance and basic health benefits coverage authorized for eligible state employees as provided by Laws 1967, Chapter 103. *Additionally, and notwithstanding any law to the contrary, effective July 1, 1974, each department or agency of the state government shall contribute \$10 per month toward the cost of dependent insurance coverage premiums for their eligible employees who have eligible dependents. To enable employees to receive benefit from this provision, an open enrollment period of not less than one month, commencing May 1, 1974, is established. During said open enrollment period employees may enroll their dependents without proof of insurability.* Each of such departments and agencies shall pay such amounts from such accounts and funds from which each department or agency receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments and agencies from such account and funds in the state treasury. In

order to enable the state auditor to maintain proper records covering the appropriations made by this section, he may require such certifications in connection therewith as he may deem necessary from any state department or agency whose officers and employees receive benefits pursuant to Laws 1967, Chapter 103. The accounts and funds referred to from which departments and agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 16. Minnesota Statutes 1971, Section 299D.03, Subdivision 2, is amended to read:

Subd. 2. [SALARIES.] (1) Each such employee other than the chief supervisor, lieutenant colonel, majors, captains, and sergeants hereinafter designated shall be known as patrol officers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, sergeants and officers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except for officers, shall be selected from the patrol officers, sergeants, captains, and majors who shall have had at least five years' experience as either patrol officers, sergeants, or supervisors. The total number of supervisors shall not exceed one for each ten patrol officers, but no supervisor shall be demoted in order to obtain this ratio. Vacancies in supervisory positions, however, shall not be filled until the ratio provided for herein is reached.

(3) Commencing November 17, 1971 July 11, 1973, the salaries for all members of the highway patrol, except for the chief supervisor and these members subject to the provisions of clause (7); shall be as shown in the following table:

TIME IN RANK

	Base	1	2	3	4	5 & 6	7 thru 11	12 Years and Over
	Salary	Year	Years	Years	Years	Years	Years	Years
Officer	\$ 736	766	797	820	861	896	931	969
Sergeant	1000	1000	1000	1040	1040	1000	1090	1090
Captain	1134	1134	1134	1170	1170	1226	1226	1226
Major	1275	1275	1275	1326	1326	1370	1370	1370
Lt. Col.	1434	1434	1434	1491	1491	1550	1550	1550

(4) Beginning with the first payroll period in fiscal year 1972-73, the salaries for all members of the highway patrol, except for the chief supervisor, and those members subject to the provisions of clause (7); shall be as shown in the following table:

TIME IN RANK

	Base	1	2	3
	Salary	Year	Years	Years
Officer	\$ 766	808	797	851
Sergeant	1040	1113	1040	1113
			828	894
			1040	1158
			1090	1158

Captain	1170	1252	1170	1252	1170	1302	1226	1302
Major	1326	1408	1326	1408	1326	1464	1379	1464
Lt. Col.	1491	1584	1491	1584	1491	1647	1550	1647
	4 thru 6 Years		5 & 6 Years		7 thru 11 Years		12 Years and Over	
Officer	806	982	931		960	1026	1000	1070
Sergeant	1090	1204	1134		1134	1204	1134	1204
Captain	1226	1354	1275		1275	1354	1275	1354
Major	1379	1523	1434		1434	1523	1434	1523
Lt. Col.	1550	1713	1613		1613	1713	1613	1713

Commencing July 10, 1974, the salary rates for all highway patrol officers and sergeants as cited in section 299D.03, subdivision 2, clause (3), shall be increased by \$10 per month in lieu of receiving any salary differential for working evening and night hours.

The salary figures shown in the table above shall be increased in value by two percent, effective at the beginning of the first payroll period in fiscal year 1972-73, if the classified civil service receives a two percent cost of living increase pursuant to other law.

In addition to the rates of pay provided above, all employees compensated according to the above salary table shall be paid a cost of living allowance to be determined and redetermined in the following manner:

The difference, if any, between the consumers price index for the city of Minneapolis-St. Paul, Minnesota (new series index 1967=100) as published for the months July, 1973, and April 1974, by the Bureau of Labor Statistics of the United States Department of Labor shall be computed. For each full four tenths point increase so computed, one cent per hour shall be added to the hourly rate of pay of each highway patrol officer; and two tenths of one percent rounded to the nearest dollar shall be added to the monthly rate of pay of each sergeant, captain, major, and lieutenant colonel. Such cost of living allowance shall become effective the first full payroll period after July 1, 1974, and shall continue in effect until the first full payroll period after January 1, 1975. A redetermination of the cost of living allowance shall be made in October, 1974, and will involve computation of the difference, if any, between the aforementioned index as published for the base month of July, 1973, and the month of October, 1974. For each full four tenths point increase so computed one cent per hour shall be added to the hourly rate of pay of each officer; and two tenths of one percent rounded to the nearest dollar shall be added to the monthly rate of pay of each sergeant, captain, major and lieutenant colonel as a cost of living allowance. Such cost of living allowance shall become effective the first full payroll after January 1, 1975.

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly and monthly rates of pay for highway patrol officer, sergeant, captain, major and lieutenant colonel, and treated as a part thereof in all calculations involving employees' pay.

~~(5)~~ (4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and, if initially appointed to the highway patrol on or before the effective date of this act, shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.

~~(6)~~ (5) Any time in rank increases in salary provided for in the tables in ~~clauses~~ clause (3) and ~~(4)~~, shall be effective for the payroll period nearest the employee's anniversary date of employment.

~~(7)~~ Patrol officers appointed on or after the effective date of this act, shall be paid the base salary assigned to the rank of patrol officer. In lieu of time in rank increases, 20 percent of such officers shall be eligible for achievement awards contemplated by Minnesota Statutes, Section 43.122, Subdivision 1.

~~(8)~~ No time in rank increases shall be granted after June 30, 1973.

The salary rates for all highway patrol officers and sergeants as cited in section 299D.03, subdivision 2, clause (3) shall be deemed to include reimbursement for meal and business expenses incurred by highway patrol officers and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Sec. 17. Minnesota Statutes 1971, Section 352.03, Subdivision 1, is amended to read:

352.03 [BOARD OF DIRECTORS, COMPOSITION, EXECUTIVE DIRECTOR; DUTIES, POWERS.] Subdivision 1. [MEMBERSHIP OF BOARD; ELECTION; TERM.] The policy making function of the system is hereby vested in a board of seven members, who shall be known as the board of directors, hereinafter called the board. This board shall consist of ~~the state auditor, the state treasurer, the insurance commissioner,~~ *three public members appointed by the governor* and four state employees who shall be elected by state employees covered by the system at a time and in a manner to be fixed by the board. Two board members, whose terms of office shall begin on the first Monday in March next succeeding their election, shall be elected biennially. The term of the two board members whose terms expire in 1968 shall terminate on the first Monday in March, 1968, and the terms of the two board members whose terms expire in 1970 shall terminate on the first Monday in March, 1970. The members of the board so elected shall hold office for a term of four years and until their successors are elected, and have qualified. A state employee on leave of absence shall not be eligible for election or re-election to membership on the board of directors; and the term of any board member who is on leave for more than six months shall automatically terminate upon the expiration of such period.

Sec. 18. Minnesota Statutes 1971, Section 352.03, Subdivision 3, is amended to read:

Subd. 3. [DIRECTORS SERVE WITHOUT COMPENSATION.] The members of the board *employed by the state* shall serve without compensation, but shall be reimbursed out of the

retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties, and shall suffer no loss of salary or wages through service on the board. *The public members of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.*

Sec. 19. Minnesota Statutes 1971, Section 352.04, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS.] The employee contribution to the fund ~~(a) by those employees whose state service is covered by the federal social security act shall be an amount equal to three and one-half percent of salary, and (b) by those employees whose state service is not covered by the federal social security act shall be an amount equal to six percent of salary beginning with the first full pay period after June 30, 1973 .~~ These contributions shall be made by deduction from salary in the manner provided in subdivision 4.

Sec. 20. Minnesota Statutes 1971, Section 352.04, Subdivision 3, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTIONS.] The employer contribution to the fund shall be ~~(1) an amount equal to the total amount deducted from the salaries of employees on each payroll abstract ; plus (2) (a) an additional one-half of the amount of such deductions beginning with the first full pay period after June 30, 1969, for employees paying three percent contributions, such amount to be reduced to one-third of such deductions beginning with the first full pay period after June 30, 1970; or (b) an additional one-sixth of the amount of such deductions for employees paying six percent contributions .~~ The employer contribution shall be made in the manner provided in subdivisions 5 and 6.

Sec. 21. Minnesota Statutes 1971, Section 352.115, Subdivision 2, is amended to read:

Subd. 2. [AVERAGE SALARY.] The retirement annuity hereunder payable at age 65 or thereafter shall be computed in accordance with the applicable provisions of the formula stated in subdivision 3 hereof, on the basis of the employee's average salary for the period of his allowable service. Such retirement annuity is known as the "normal" retirement annuity.

~~(a) For years prior to July 1, 1957, "average salary" for the purpose of determining an employee's retirement annuity means the average of his highest salary upon which deductions were based for any five consecutive years prior to that date.~~

~~(b) For each year of allowable service subsequent to June 30, 1957 , "average salary" of an employee for the purpose of determining his retirement annuity means the average of his the highest five successive years of salary upon which he has made contributions to the retirement fund by payroll deductions.~~

Sec. 22. Minnesota Statutes 1971, Section 352.115, Subdivision 3, is amended to read:

Subd. 3. [RETIREMENT ANNUITY FORMULA.] The employee's average salary, as defined in subdivision 2 multiplied by ~~the applicable percentages indicated below~~ *1 percent per year of allowable service for the first ten years and 1.5 percent for each subsequent year of allowable service and pro rata for completed months less than a full year* shall determine the amount of the retirement annuity to which the employee qualifying therefor is entitled: .

- | | |
|---|---------------------------------|
| (1) For Year of Allowable Service Rendered Prior to July 1, 1969 | Percentages at the Rate of : |
| (a) First ten years | 1 percent per year of service |
| (b) Second ten years or completed months of service less than such period | 1.1 percent per year of service |
| (c) Third ten years or completed months of service less than such period | 1.7 percent per year of service |
| (d) Subsequent years or completed months of service less than such period | 2 percent per year of service |
| (2) For years of Allowable Service Rendered Subsequent to June 30, 1969 | Percentage at the Rate of |
| (a) First ten years | 1 percent per year of service |
| (b) Second ten years of completed months of service less than such period | 1.3 percent per year of service |
| (c) Third ten years of completed months of service less than such period | 2 percent per year of service |
| (d) Subsequent years of completed months of service less than such period | 2.5 percent per year of service |

(3) If a combination of the above formulas is used, the formula percentages used shall be these percentages in each formula as

continued for the respective years of allowable service from one formula to the next.

Sec. 23. Minnesota Statutes 1971, Section 352.115, is amended by adding a subdivision to read:

Subd. 13. [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Any employee who prior to July 1, 1973, was less than 60 years of age when entering covered state service who, due to the lowering of the mandatory retirement age, does not qualify for an annuity at the time he is required to retire, shall be entitled upon application to a proportionate annuity based upon his allowable service credit at time of mandatory retirement.

Sec. 24. Minnesota Statutes 1971, Section 352.116, Subdivision 1, is amended to read:

352.116 [ANNUITIES UPON RETIREMENT.] Subdivision 1. [REDUCED ANNUITY BEFORE AGE 65.] Any employee who retires prior to age 65 shall be paid the normal retirement annuity provided in sections 352.115, subdivisions 2 and 3, or 352.715, subdivision 2, as the case may be, reduced by one-half of one percent for each month that the employee is under age 65 on the last day for which he is entitled to service credit as provided in section 352.01, subdivision 11, clause (3), or the date state service terminated, or the date the application for the annuity is filed with the director, whichever is later, *provided however that if an employee is entitled to credit for not less than 30 years allowable service, such reduction shall be applied only for each month the employee is under age 62.*

Sec. 25. Minnesota Statutes 1971, Section 352.118, is amended to read:

352.118 [INCREASE IN BENEFITS.] The retirement annuities and disability benefits authorized and in effect on June 30, ~~1969~~ 1973 shall be increased in the same ratio that the actuarially computed reserve for such benefits determined by using an interest assumption of three *and one-half* percent bears to the actuarially computed reserve for such benefits determined by using an interest assumption of ~~three and one-half~~ *five* percent. The reserves upon which such increase shall be based shall be the actuarially determined reserve for benefits in effect at ~~December 31, 1968~~ *June 30, 1972*, in accordance with the mortality assumptions then in effect and at interest assumptions of three *and one-half* percent and ~~three and one-half~~ *five* percent. Such ratio of increase computed to the last full one one-hundredth of one percent shall be applied to benefits in effect on June 30, ~~1969~~ 1973 and shall begin to accrue July 1, ~~1969~~ 1973. Notwithstanding section 356.18, increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the Minnesota state retirement system requesting that the increase shall not be made.

Sec. 26. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.1182] [INCREASE IN ANNUITIES AND BENEFITS.]

Any person who was receiving an annuity or benefit as of July 1, 1973, shall be entitled to an increase in such monthly annuity or benefit effective July 1, 1973, in an amount that, when added to amounts received under sections 352.118 and 352.119 equals 30 percent of the annuity or benefit in effect on December 31, 1971 or first authorized thereafter. Said increase shall be made and the transfer of required assets to the adjustable fixed benefit fund in the same manner and at the same time retirement annuities and other benefits are paid and shall be included in each warrant on which each annuity or benefit is so paid. Notwithstanding the provisions of section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the Minnesota state retirement system requesting that the increase shall not be made.

Sec. 27. Minnesota Statutes 1971, Section 352.119, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] ~~(1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1969 and as amended in accordance with Laws 1969, Chapter 893, shall be determined in accordance with the 1937 standard annuity table of mortality, calculated separately as to sex, with an interest assumption of three and one-half percent and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with the procedures specified by law for the Minnesota adjustable fixed benefit fund.~~

~~(2) (1) Effective July 1, 1969, for those employees commencing to receive benefits pursuant to chapter 352, and acts amendatory thereof, the required reserves as determined in accordance with this section the interest assumption then in effect and appropriate mortality table based on experience of the fund as recommended by the system's actuary shall be transferred to the Minnesota adjustable fixed benefit fund as of the date benefits begin to accrue.~~

~~(3) (2) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.~~

Sec. 28. Minnesota Statutes 1971, Section 352.12, Subdivision 1, is amended to read:

352.12 [REFUNDMENT AFTER DEATH OF EMPLOYEE OR FORMER EMPLOYEE.] Subdivision 1. [DEATH BEFORE TERMINATION OF SERVICE.] If an employee dies before his state service has terminated and neither a survivor annuity nor a reversionary annuity is payable or if an employee who has filed a valid application for an annuity or disability benefit prior to the termination of his state service dies before the benefit has become payable, the director shall make a refundment to his last designated beneficiary or, if there be none, to his surviving spouse or, if none, to the representative of his estate in an amount equal to his accumulated contributions plus interest thereon *after the first year of coverage* to the date of death at the rate of ~~three and one-~~

half five percent per annum compounded annually. In the event an employee dies who has received a refundment which he had subsequently repaid in full, interest shall be paid on such repaid refundment only from the date of repayment. If the repayment was made in installments, interest shall be paid only from the date installment payments began. The designated beneficiary, surviving spouse or representative of the estate of an employee who had received a disability benefit shall not be entitled to interest upon any balance remaining to his credit in the fund at the time of death.

Sec. 29. Minnesota Statutes 1971, Section 352.22, Subdivision 1, is amended to read:

352.22 [REFUNDMENTS OR DEFERRED ANNUITIES.] Subdivision 1. [SERVICE TERMINATION.] Any employee who ceases to be a state employee by reason of termination of state service, shall be entitled to a refundment provided in subdivision 2 or a deferred retirement annuity as provided in subdivision 3. Application for a refundment may be made 60 or more days after the termination of state service if the applicant has not again become a state employee required to be covered by the system; except that employees of the University of Minnesota, having attained the age of 68 years or more, and employees of other departments and agencies of the state having attained the age of 70 years or more, whose state service is terminated by operation of the law, or by direction of the appointing authority, who attain mandatory retirement age and are required to retire and who are not eligible to receive an annuity under sections 352.115 or 352.72, may apply for refundment without any waiting period.

Sec. 30. Minnesota Statutes 1971, Section 352.22, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT OF REFUNDMENT.] Except as provided in subdivision 3, any person who ceased to be a state employee after June 30, 1973, by reason of termination of state service shall receive a refundment in an amount equal to his accumulated contributions without interest, except that an employee terminating state service at the age of 65 or more shall receive a refundment in an amount equal to his accumulated contributions plus interest thereon to the date of termination at the rate of three and one-half percent per annum compounded annually if the employee due to age could not qualify for an annuity upon reaching compulsory retirement age had he continued in covered employment after one year of coverage to the date of termination of state service at the rate of five percent per annum compounded annually. Interest shall not be paid on any contributions for service rendered prior to age 58.

Sec. 31. Minnesota Statutes 1971, Section 352.23, is amended to read:

352.23 [TERMINATION OF RIGHTS.] When any employee accepts a refundment as provided in section 352.22, all existing service credits and all rights and benefits to which the employee was entitled prior to the acceptance of such refundment shall

terminate and shall not again be restored until the former employee acquires not less than one year's allowable service credit subsequent to taking his last refundment. In that event, he may repay all refundments which he had taken from the retirement fund. Repayment of refundments will entitle the employee only to credit for service covered by (a) salary deductions, (b) payments made in lieu of salary deductions, and (c) payments made to obtain credit for service as permitted by laws in effect at the time payment was made. If an employee before taking one or more refundments had credit for prior service or for military service without payment in either case, he may obtain credit for such forfeited service prior to July 1, 1929, and for such forfeited military service by making payments at a contribution rate of three percent of his average salary upon which deductions for the retirement fund were based, for the three year period immediately preceding repayment of refundment for service credit prior to July 1, 1929, and on the salary received by him at the time of entering military service to restore his military service credit. All such payments and repayment of refundments are to be paid with interest at ~~four~~ six percent per annum compounded annually.

Sec. 32. Minnesota Statutes 1971, Section 352.27, is amended to read:

352.27 [CREDIT FOR MILITARY SERVICE.] Any employee given a leave of absence to enter military service who returns to state service upon discharge from military service as provided in section 192.262, may obtain credit for his period of military service but he shall not be entitled to credit for any voluntary extension of military service at the instance of the employee beyond the initial period of enlistment, induction or call to active duty, nor to credit for any period of service following a voluntary return to military service. Such employee may obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of this contribution shall be the applicable amounts required in section 352.04, subdivision 2, plus interest at ~~four~~ six percent per annum compounded annually. In such cases the matching employer contribution and additional contribution provided in section 352.04 shall be paid by the department employing such employee upon his return to state service from funds available to such department at the time and in the manner provided in section 352.04.

Sec. 33. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.90] [CORRECTIONAL EMPLOYEES.] *It is the policy of the legislature to provide special retirement benefits and contributions for certain correctional employees who, because of the nature of their employment, are required to retire at an early age. For the purpose of Minnesota Statutes, Chapter 356, the actuary shall make separate reports with respect to these employees. Except as otherwise provided, the provisions of Minnesota Statutes, Chapter 352, apply to covered correctional employees.*

Sec. 34. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.91] [COVERED CORRECTIONAL SERVICE.] *Covered correctional service means: (a) services performed before or after July 1, 1973, by a state employee, as defined in section 352.01, as an attendant guard, attendant guard supervisor, correctional captain, correctional counselor I, correctional counselor II, correctional counselor III, correctional counselor IV, correctional lieutenant, correctional officer, correctional sergeant, director of attendant guards and guard farmer garden, provided the employee was employed in such position on July 1, 1973 or thereafter; (b) services performed before July 1, 1973 by an employee covered under clause (a) in a position classified as a houseparent or guard instructor; and (c) services performed before July 1, 1973 in a position listed in clause (a) and positions classified as houseparent, guard instructor and guard farmer dairy, by a person employed on July 1, 1973 in a position classified as a license plant manager, prison industry foreman (general, metal fabricating and foundry), prison industry supervisor, food service manager, prison farmer supervisor, prison farmer assistant supervisor or rehabilitation therapist employed at the Minnesota security hospital.*

Sec. 35. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.92] [CORRECTIONAL EMPLOYEE CONTRIBUTIONS.] *Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973, in lieu of employee contributions payable under section 352.04, subdivision 2, contributions by covered correctional employees shall be in an amount equal to six percent of salary.*

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973, in lieu of employer contributions payable under section 352.04, subdivision 3, the employer shall contribute for covered correctional employees (1) an amount equal to 1½ times the deduction from salaries of covered correctional employees on each payroll abstract, plus (2) an additional amount of five percent of salaries of covered correctional employees on each payroll abstract.

Sec. 36. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.93] [RETIREMENT ANNUITY.] *Subdivision 1. After separation from state service an employee covered under section 34 of this act who has attained the age of at least 55 years and has credit for not less than a total of ten years of covered correctional service and regular Minnesota state retirement system service shall be entitled upon application to a retirement annuity under this section based only on covered correctional employees' service.*

For the purpose of this section, average salary means the average of the monthly salary during the employee's highest five successive years of salary as a correctional employee.

Subd. 2. The monthly annuity under this section shall be determined by multiplying the average monthly salary by the number of years, or completed months, of covered correctional service by

2.5 percent for the first 20 years of correctional service and two percent for each year thereafter; provided however, the monthly annuity shall not exceed 75 percent of the average monthly salary.

Subd. 3. The annuity under this section shall begin to accrue as provided in section 352.115, subdivision 8, and shall be paid for an additional 84 full calendar months and then be reduced to the amount as calculated under section 352.115, except that if this amount, when added to the social security benefit based on state service the employee is eligible to receive at such time, is less than the benefit payable under subdivision 2, the retired employee shall receive an amount that when added to such social security benefit will equal the amount payable under subdivision 2. When an annuity is reduced under this subdivision, the percentage adjustments, if any, that have been applied to the original annuity under Minnesota Statutes, Section 11.25, prior to the reduction, shall be compounded and applied to the reduced annuity.

Subd. 4. A former employee who has both regular and correctional service shall, if qualified, receive an annuity based on both periods of service under applicable sections of law but no period of service shall be used more than once in calculating the annuity.

Subd. 5. Notwithstanding the provisions of subdivision 1 an employee who was in a covered correctional position on July 1, 1973; was employed in a position covered by Minnesota Statutes, Chapter 352, prior to reaching age 60; and was required to retire because of the lowering of the mandatory age, shall be entitled to an annuity under this section even though he does not have ten years of covered service under Minnesota Statutes, Chapter 352.

Subd. 6. This section shall apply to qualified employees who retire on or after July 1, 1973, but the annuity payable hereunder shall not begin to accrue until July 1, 1974.

Sec. 37. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.94] [AUGMENTATION.] *Subdivision 1. An employee who becomes a correctional employee after serving as a regular employee shall be covered under section 352.72, subdivision 2, with respect to the regular service.*

Subd. 2. An employee who becomes a regular employee after serving as a correctional employee shall be covered under section 352.72, subdivision 2, with respect to his correctional service.

Sec. 38. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.95] [DISABILITY BENEFITS.] *An employee who becomes totally and permanently disabled while in a covered correctional position shall have his disability benefit rights determined under section 352.113 except that when such person becomes 55 years of age he shall be deemed to be retired and shall be entitled to receive the benefit provided under section 352.113, subdivision 3, whether or not disabled at such age. An employee who receives a disability benefit shall not be entitled to an annuity under section*

36 of this act, even though otherwise qualified, until reemployed in a covered correctional position for a period of at least one year.

Sec. 39. *Minnesota Statutes 1971, Section 16.02, Subdivision 20a is repealed.*

Sec. 40. *Except as otherwise specifically provided, the effective date of this act is July 1, 1973.*

Further, amend the title by striking it and inserting:

“A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b, and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.03, Subdivisions 1 and 3; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding a subdivision; 352.116, Subdivision 1; 352.118; 352.119, Subdivision 2; 352.12, Subdivision 1; 352.22, Subdivisions 1 and 2; 352.23; 352.27; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.”

Which motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend H. F. No. 1355, the typewritten bill as amended, as follows:

Page 54, after line 6, insert:

“Sec. 39. Minnesota Statutes 1971, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE.] Subdivision 1. [QUALIFICATIONS.] Any member of the legislature:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of ~~65~~ 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the state auditor to receive a retirement allowance monthly of 40 percent of his average monthly salary during the period of his service as a member of the legislature since January 1, 1967, beginning with the first day of the month following receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member

who meets the qualifications of paragraphs (1), (2), (3), and (4) of this subdivision shall receive for every year of service over 8 years a monthly allowance which equals two and one half percent of the average monthly salary determined pursuant to paragraph (4).

~~This subdivision is applicable to members of the legislature who retire after January 1, 1971, and to any widow or dependent child of any such member who retires after January 1, 1971.~~

"Average salary" means an amount equivalent to the average of the highest legislative salary upon which legislative contributions were paid for any five successive years of legislative service prior to separation from such service.

Sec. 40. Minnesota Statutes 1971, Section 3A.02, Subdivision 1a, is amended to read:

Subd. 1a. [RETIREMENT BEFORE AGE 65.] A member of the legislature who meets the requirements of clauses (1), (3), and (4) of section 3A.02, subdivision 1, may elect to receive a retirement allowance after reaching the age of 60 ~~and before reaching the age of 65~~ by making application therefor to the state auditor. ~~A retirement allowance to a member of the legislature in accordance with this subdivision shall be discounted at the rate of one-half of one percent per month for each month below the age of 65.~~

Sec. 41. Minnesota Statutes 1971, Section 3A.03, Subdivision 2, is amended to read:

Subd. 2. [REFUNDMENT.] (1) Any person who has made contributions pursuant to subdivision 1 who is no longer a member of the legislature and has less than eight years service as a member of the legislature and is not receiving, has not received, or is not entitled to receive any allowance or benefit under sections 3A.01 to 3A.10 is entitled to receive upon application to the state auditor a refundment of all contributions credited to his account by the state treasurer ~~without~~ *plus interest thereon at the rate of five percent per annum compounded annually from the date the contributions were credited.* The moneys required for such refundments are appropriated annually to the state auditor from the general fund in the state treasury.

(2) The refundment of contributions as provided in clause (1) above terminates all rights of a former member of the legislature or his survivors under sections 3A.01 to 3A.10. Should the former member of the legislature again be a member of the legislature after having taken a refundment as provided above, he shall be considered a new member. However, such new member may receive credit for the services rendered as a prior member of the legislature providing he complies with the requirements of section 3A.02, subdivision 2, and in addition thereto, pays interest at the rate of five percent per annum on the amount of his prior refundment, which he repays.

Sec. 42. Minnesota Statutes 1971, Chapter 3A is amended by adding a section to read:

[3A.11] [PARTICIPATION IN MINNESOTA ADJUSTABLE FIXED BENEFIT FUND.]

Subdivision 1. The reserves necessary to fund the benefits granted under this chapter to retired legislators and legislators retiring in the future, shall be transferred by the state auditor to the Minnesota adjustable fixed benefit fund as of June 30, 1973, or as of the date benefits begin to accrue, whichever is later, in accord with section 11.25 as amended. The amount of the transfer made hereunder shall be determined by an approved actuary as defined in section 352.01, subdivision 15, in accord with appropriate mortality table using an interest assumption of five percent.

Subd. 2. Annuities and benefits shall be adjusted in accord with the provisions of section 11.25 as amended.

Subd. 3. There is herein appropriated from general revenue monies sufficient to fund the reserves required by this section.

Subd. 4. Notwithstanding section 356.18 increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the auditor requesting that the increase shall not be made."

Renumber the sections in sequence

Amend the title as follows:

Line 8, after "Sections" insert 3A.02, Subdivision 1 and 1a; 3A.03, Subdivision 2;"

Line 22, after "352.27;" insert "Chapter 3A, by adding a section;"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1355 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 65 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Purfeerst
Arnold	Doty	Kirchner	North	Renneke
Ashbach	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoff	Solon
Bernhagen	Gearty	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Brown	Hughes	Lewis	O'Neill	Tennessee
Chenoweth	Humphrey	Lord	Patton	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Ueland
Coleman	Josefson	Milton	Perpich, G.	Wegener
Conzemius	Keefe, J.	Moe	Pillsbury	Willet

Mr. Hansen, Mel voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2115, No. 199 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2115: A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality council; appropriating money; providing penalties.

Mr. Lewis moved to amend S. F. No. 2115, as follows:

Page 4, line 20, strike "A transmission line corridor"

Page 4, line 21, strike "shall not be less than one mile in width."

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 2115, the printed bill, as follows:

On page 12, line 18, after "time." add "The council shall also be subject to section 471.705."

Which motion prevailed. So the amendment was adopted.

S. F. No. 2115 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olhoff	Sillers
Bang	Frederick	Krieger	Olson, A. G.	Solon
Berg	Gearty	Larson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hughes	Lord	Patton	Tennessee
Brown	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Jensen	Milton	Perpich, G.	Wegener
Coleman	Keefe, J.	Moe	Pillsbury	Willet
Conzemius	Keefe, S.	Nelson	Purfeerst	

Mr. Renneke voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2047, No. 227 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

Mr. Keefe, J. moved to amend S. F. No. 2047 as follows:

Page 3, line 20, reinstate the stricken language and strike the new language, and in the second column insert "49,000"

CALL OF THE SENATE

Mr. Gearty imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Spear
Bang	Frederick	Knutson	Olson, H. D.	Stassen
Berg	Gearty	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Larson	Patton	Tennessee
Blatz	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Borden	Hanson, R.	Lord	Perpich, G.	Ueland
Brown	Humphrey	McCutcheon	Pillsbury	Wegener
Chenoweth	Jensen	Milton	Renneke	Willet
Chmielewski	Josefson	Moe	Schaaf	
Coleman	Keefe, J.	Nelson	Schrom	
Doty	Keefe, S.	North	Sillers	
Dunn	Kirchner	Novak	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Gearty moved that those not voting be excused from voting. Which motion prevailed.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 8 and nays 53, as follows:

Those who voted in the affirmative were:

Bang	Brown	Hansen, Mel	Kowalczyk	Nelson
Bernhagen	Hansen, Baldy	Keefe, J.		

Those who voted in the negative were:

Anderson	Dunn	Krieger	Olson, H. D.	Solon
Arnold	Fitzsimons	Larson	Olson, J. L.	Spear
Ashbach	Frederick	Laufenburger	O'Neill	Stassen
Berg	Gearty	Lewis	Patton	Stokowski
Blatz	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Borden	Humphrey	Milton	Perpich, G.	Thorup
Chenoweth	Josefson	Moe	Pillsbury	Ueland
Chmielewski	Keefe, S.	North	Renneke	Wegener
Coleman	Kirchner	Novak	Schaaf	Willet
Conzemius	Kleinbaum	Ogdahl	Schrom	
Davies	Knutson	Olhoft	Sillers	

Which motion did not prevail. So the amendment was not adopted.

Mr. Willet moved to amend S. F. No. 2047, as follows:

Page 3, line 20, strike the new language and reinstate the old language

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 18 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Keefe, J.	Nelson	Schrom
Bernhagen	Hansen, Baldy	Kirchner	O'Neill	Willet
Brown	Hanson, R.	Knutson	Patton	
Dunn	Josefson	Kowalczyk	Renneke	

Those who voted in the negative were:

Anderson	Blatz	Coleman	Fitzsimons	Humphrey
Ashbach	Borden	Conzemius	Gearty	Keefe, S.
Berg	Chenoweth	Doty	Hansen, Mel	Kleinbaum

Larson	North	Perpich, G.	Spear	Ueland
Laufenburger	Novak	Pillsbury	Stassen	Wegener
Lewis	Ogdahl	Schaaf	Stokowski	
Lord	Olhoft	Sillers	Tennessee	
McCutcheon	Perpich, A. J.	Solon	Thorup	

Which motion did not prevail. So the amendment was not adopted.

Mr. Ashbach moved to amend S. F. No. 2047, as follows:

Page 2, line 23, strike "20,700 22,800" and insert "23,500 25,900"

Page 2, line 24, strike "20,700 22,800" and insert "23,500 25,900"

Which motion prevailed. So the amendment was adopted.

Mr. Ashbach then moved to amend S. F. No. 2047, as follows:

Page 2, line 14, strike "23,500" and insert "25,000"

Page 6, line 24, strike "21,000" and insert "25,000"

Page 8, line 3, strike "21,000" and insert "25,000"

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 2047, as follows:

Page 6, line 16, strike "23,100"

Page 6, strike lines 17 and 18

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 13 and nays 39, as follows:

Those who voted in the affirmative were:

Bang	Brown	Knutson	O'Neill	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Dunn	Larson	Olson, A. G.	Solon
Berg	Fitzsimons	Laufenburger	Olson, H. D.	Spear
Borden	Gearty	Lewis	Patton	Stokowski
Chenoweth	Hansen, Baldy	Lord	Perpich, A. J.	Tennessee
Chmielewski	Hanson, R.	Milton	Perpich, G.	Thorup
Coleman	Humphrey	North	Renneke	Wegener
Conzemius	Keefe, S.	Novak	Schaaf	Willet
Doty	Kleinbaum	Olhoft	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend S. F. No. 2047, as follows:

Page 6, line 16, strike "21,000" and insert "23,000"

Page 6, lines 16 through 18, strike the new language

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knutson	Patton	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Jensen	Krieger	Renneke	
Brown	Keefe, J.	Nelson	Sillers	
Fitzsimons	Kirchner	O'Neill	Stassen	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Lord	Perpich, A. J.	Thorup
Berg	Hanson, R.	Milton	Perpich, G.	Wegener
Borden	Humphrey	North	Schaaf	Willet
Chmielewski	Keefe, S.	Novak	Solon	
Coleman	Kleinbaum	Olhoft	Spear	
Conzemius	Laufenburger	Olson, A. G.	Stokowski	
Gearty	Lewis	Olson, H. D.	Tennessee	

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 2047 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 41 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	O'Neill	Stokowski
Arnold	Fitzsimons	Lewis	Perpich, A. J.	Tennessee
Ashbach	Gearty	Lord	Perpich, G.	Thorup
Blatz	Hansen, Mel	McCutcheon	Pillsbury	Ueland
Borden	Hughes	Milton	Schaaf	Wegener
Chenoweth	Humphrey	Moe	Sillers	
Coleman	Keefe, S.	North	Solon	
Conzemius	Kirchner	Novak	Spear	
Davies	Kleinbaum	Ogdahl	Stassen	

Those who voted in the negative were:

Bang	Dunn	Josefson	Nelson	Patton
Berg	Frederick	Keefe, J.	Olhoft	Renneke
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Schrom
Brown	Hanson, R.	Kowalczyk	Olson, H. D.	Willet
Chmielewski	Jensen	Larson	Olson, J. L.	

So the bill, as amended, passed and its title was agreed to.

Mr. Ogdahl moved that the vote whereby S. F. No. 1246 was passed by the Senate on May 10, 1973 be now reconsidered.

CALL OF THE SENATE

Mr. Brown imposed a call of the Senate. The following Senators answered to their names:

Anderson	Borden	Dunn	Hughes	Knutson
Arnold	Brown	Fitzsimons	Humphrey	Kowalczyk
Ashbach	Chmielewski	Frederick	Jensen	Krieger
Bang	Coleman	Gearty	Keefe, J.	Larson
Berg	Conzemius	Hansen, Baldy	Keefe, S.	Laufenburger
Bernhagen	Davies	Hansen, Mel	Kirchner	Lewis
Blatz	Doty	Hanson, R.	Kleinbaum	Lord

McCutcheon	Ogdahl	Patton	Schrom	Tennessee
Milton	Olhoff	Perpich, A. J.	Sillers	Thorup
Moe	Olson, A. G.	Perpich, G.	Solon	Ueland
Nelson	Olson, H. D.	Pillsbury	Spear	Wegener
North	Olson, J. L.	Renneke	Stassen	Willet
Novak	O'Neill	Schaaf	Stokowski	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on adoption of the motion of Mr. Ogdahl,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 31 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Nelson	Sillers
Bang	Frederick	Kirchner	Ogdahl	Stassen
Berg	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	
Blatz	Hanson, R.	Krieger	Patton	
Brown	Jensen	Larson	Pillsbury	
Dunn	Josefson	McCutcheon	Renneke	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olhoff	Solon
Arnold	Doty	Lewis	Olson, A. G.	Spear
Borden	Gearty	Lord	Olson, H. D.	Stokowski
Chenoweth	Hughes	Milton	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Moe	Perpich, G.	Thorup
Coleman	Keefe, S.	North	Schaaf	Wegener
Conzemius	Kleinbaum	Novak	Schrom	Willet

Which motion did not prevail. So the vote was not reconsidered.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:30 o'clock p. m. Which motion prevailed.

The hour of 2:30 o'clock p. m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Larson	Olson, A. G.	Spear
Berg	Hansen, Baldy	Lewis	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Lord	Patton	Stokowski
Borden	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Keefe, S.	Moe	Perpich, G.	Thorup
Coleman	Kirchner	North	Pillsbury	Wegener
Conzemius	Kleinbaum	Novak	Renneke	Willet
Doty	Kowalczyk	Olhoff	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2121 and that the rules of the Senate be so far suspended as to give H. F. No. 2121 now on General Orders its third reading and placed on final passage. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

The question recurred on H. F. No. 2121

H. F. No. 2121: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Sections 273.13, Subdivisions 6 and 7; 290.982; 290.983, Subdivision 1; 290.99; 290.081; 297A.25, Subdivision 1; 290.361, Subdivision 4; 297.13, Subdivision 1; 340.60, Subdivision 1; 273.41; 287.12; 291.33, Subdivision 2; 124.03, Subdivision 3; 290.17; 290.19, Subdivision 1 and by adding a subdivision; 272.03, Subdivision 1; 290.0604; 290.06, Subdivision 1; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; 290.0601, Subdivisions 6 and 9; 290.061; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1, and 3; 275.55; 414.01, by adding a subdivision; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, by adding a subdivision; 93.52, Subdivision 2; 93.55; 93.58; 60A.15, Subdivision 1; 273.134; 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; Chapters 272, by adding a section; 273, 275, and 290, by adding sections; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 290.0607; 290.0617; 297A.252; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; and 393.08, Subdivision 2.

Mr. Perpich A. J., moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

On page 16, Article IV, line 4, after ““non-returnable”)” and before “when” insert the following: “*except beverage containers of a type, determined by the commissioner of taxation, to be used for packaging or bottling beverage utilized principally by babies*”

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate on H. F. No. 2121.

The following Senators answered to their names:

Anderson	Dunn	Kleinbaum	Olhoff	Schaaf
Bang	Hansen, Baldy	Kowalczyk	Olson, A. G.	Schrom
Berg	Hansen, Mel	Krieger	O'Neill	Sillers
Bernhagen	Hanson, R.	Larson	Patton	Stassen
Blatz	Humphrey	Lewis	Perpich, A. J.	Stokowski
Brown	Jensen	Lord	Perpich, G.	Tennessee
Chmielewski	Keefe, J.	McCutcheon	Pillsbury	Thorup
Coleman	Keefe, S.	Nelson	Purfeerst	Ueland
Conzemius	Kirchner	Ogdahl	Renneke	Wegener

The Sergeant-at-Arms was instructed to bring in the absent members.

The question recurred on the adoption of the amendment,

Which motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 2121, the unofficial engrossment, as follows:

Page 49, line 26, after the word "*before*" strike the balance of the line; strike all of lines 27 and 28 and insert in lieu thereof the following:

"any reduction in tax levy enacted by the governing body of such county pursuant to Public Law 92-512 as certified to the commissioner of taxation by said county and before the reduction pursuant to Minnesota Statutes 1971, 477A.02, clause (c)."

Which motion prevailed. So the amendment was adopted.

Mr. Blatz moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Strike Articles I, II, III, V, VI, VII, VIII, IX, X, XXIII, XXIV and XXV.

Further, amend Article XVII as follows:

Page 42, line 25, strike "\$35" and insert in lieu thereof "\$45"

Page 42, line 27, strike "\$36" and insert in lieu thereof "\$46"

Page 47, line 24, strike "\$35" and insert in lieu thereof "\$45"

Page 47, line 26, strike "\$36" and insert in lieu thereof "\$46"

Page 48, line 5, strike "\$35" and insert in lieu thereof "\$45"

Page 48, line 7, strike "\$36" and insert in lieu thereof "\$46"

Page 49, line 8, strike "\$35" and insert in lieu thereof "\$45"

Page 50, line 3, strike "\$36" and insert in lieu thereof "\$46"

Further amend by adding a new article to read as follows:

"Section 1. Minnesota Statutes 1971, 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 purpose 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 bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. 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 $40\frac{33}{100}$ percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12; 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 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, shall constitute class 3cc property and shall be valued and assessed at five percent of the market value thereof. 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 bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at $33\frac{1}{3}$ percent in the case of agricultural land used for a homestead and $40\frac{33}{100}$ percent in the case of all other real estate used for a homestead.

Sec. 2. Minnesota Statutes 1971, Section 273.13, Subdivision 19 is amended to read:

Subd. 19. [CLASS 3d.] Residential real estate, other than seasonal residential, recreational and homesteads shall be classified as class 3d property and shall have a taxable value equal to $40\frac{33}{100}$ percent of market value. Residential real estate as used herein means real property used or held for use by the owner thereof, or by his tenants or lessees as a residence for rental periods of 30 days or more, but shall not include homesteads, or real estate devoted to temporary or seasonal residential occupancy for recreational purposes. Where a portion of a parcel of property qualified for class 3d and a portion does not qualify for class 3d the valuation shall be apportioned according to the respective uses.

Sec. 3. Minnesota Statutes 1971, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3b.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding ~~80~~ 160 acres, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal and interest on bonded indebt-

edness, shall be reduced by 35 percent of the tax; provided that the amount of said reduction shall not exceed \$250. Valuation subject to relief shall be limited to ~~30~~ 160 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unuseable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 4. This article is effective for taxes assessed in the year 1973 and payable in 1974 and subsequent years."

Further amend by renumbering the articles and amending the title accordingly.

The question being taken on the adoption of the amendment,

Mr. Coleman moved that those not voting be excused from voting.

And the roll being called, there were yeas 28 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Larson	Renneke
Bang	Fitzsimons	Keefe, J.	Nelson	Sillers
Berg	Frederick	Kirchner	Ogdahl	Stassen
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Ueland
Blatz	Hanson, R.	Kowalczyk	O'Neill	
Brown	Jensen	Krieger	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Lord	Perpich, A. J.	Tennessee
Arnold	Gearty	McCutcheon	Perpich, G.	Thorup
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	Willet
Chmielewski	Keefe, S.	North	Schrom	
Coleman	Kleinbaum	Novak	Solon	
Conzemius	Laufenburger	Olhoft	Spear	
Davies	Lewis	Olson, A. G.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Sillers moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Pages 6 through 8, delete all of Article III

Renumber the Articles

Amend the title as follows:

Line 8, strike "290.081;"

The question being taken on the adoption of the amendment,

Mr. Coleman moved that those not voting be excused from voting.

The question being taken on the adoption of the motion of Mr. Coleman,

And the roll being called, there were yeas 37 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, H. D.	Stokowski
Arnold	Hansen, Baldy	Lord	Perpich, A. J.	Tennessee
Borden	Hughes	McCutcheon	Perpich, G.	Thorup
Chenoweth	Humphrey	Milton	Purfeerst	Wegener
Chmielewski	Jensen	North	Schaaf	Willet
Coleman	Keefe, S.	Novak	Schrom	
Conzemius	Kleinbaum	Olhoft	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olson, J. L.	Stassen
Berg	Frederick	Kowalczyk	O'Neill	Ueland
Bernhagen	Hansen, Mel	Krieger	Patton	
Blatz	Hanson, R.	Larson	Pillsbury	
Brown	Keefe, J.	Nelson	Renneke	

Which motion prevailed.

The question recurring on the adoption of the amendment of Mr. Sillers,

And the roll being called, there were yeas 28 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Nelson	Renneke
Bang	Fitzsimons	Knutson	Ogdahl	Sillers
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Krieger	O'Neill	Ueland
Blatz	Hanson, R.	Larson	Patton	
Brown	Keefe, J.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, H. D.	Spear
Arnold	Gearty	Lord	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Milton	Perpich, G.	Tennessee
Chenoweth	Hughes	North	Purfeerst	Thorup
Chmielewski	Humphrey	Novak	Schaaf	Wegener
Coleman	Keefe, S.	Olhoft	Schrom	Willet
Conzemius	Kleinbaum	Olson, A. G.	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Bang moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 129, after line 28, insert:

“ARTICLE XXVII

Section 1. *Minnesota Statutes 1971, Section 33.10, is repealed, effective January 1, 1974.”*

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Knutson	Ogdahl	Sillers
Bang	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bernhagen	Hanson, R.	Krieger	Patton	Ueland
Blatz	Jensen	Larson	Pillsbury	
Brown	Keefe, J.	McCutcheon	Purfeerst	
Frederick	Kirchner	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olhoft	Solon
Arnold	Doty	Laufenburger	Olson, A. G.	Spear
Berg	Dunn	Lewis	Olson, H. D.	Stokowski
Borden	Gearty	Lord	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Schaaf	Wegener
Conzemius	Keefe, S.	Novak	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. Kowalczyk moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 52, line 16, after “census” insert:

“, *except that in the territory referred to in subdivisions 7 and 8, the population used will be based on the population estimate of said territory made by the metropolitan council for the most current year,”*

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kowalczyk	Patton	Ueland
Bang	Hanson, R.	Krieger	Pillsbury	
Bernhagen	Jensen	Larson	Renneke	
Blatz	Keefe, J.	Nelson	Sillers	
Brown	Knutson	Olson, J. L.	Stassen	

Those who voted in the negative were:

Arnold	Dunn	Lewis	Olson, H. D.	Spear
Berg	Gearty	Lord	O'Neill	Stokowski
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Purfeerst	Wegener
Conzemius	Keefe, S.	Novak	Schaaf	
Davies	Kleinbaum	Olhoft	Schrom	
Doty	Laufenburger	Olson, A. G.	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Larson moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 129, after line 28, insert a new article to read as follows:

“ARTICLE XXVII

Section 1. Minnesota Statutes 1971, Chapter 340.47, Subdivision 1, is amended, to read:

340.47 [EXCISE TAX.] Subdivision 1. [ON INTOXICATING LIQUORS.] There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

- (1) On all unfortified wines, the sum of 27 cents per gallon;
- (2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of ~~70~~ 60 cents per gallon;
- (3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of ~~\$1.58~~ \$1.40 per gallon;
- (4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of ~~\$3.08~~ \$2.75 per gallon;
- (5) On all natural and artificial sparkling wines containing alcohol, the sum of ~~\$3.08~~ \$2.75 per gallon;
- (6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of ~~\$4.53~~ \$4.10 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed ~~12~~ 10 cents.”

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Krieger	O'Neill	Ueland
Bang	Hansen, Mel	Larson	Patton	
Berg	Hanson, R.	McCutcheon	Pillsbury	
Blatz	Knutson	Nelson	Purfeerst	
Brown	Kowalczyk	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Olhoft	Solon
Arnold	Doty	Kirchner	Olson, A. G.	Spear
Bernhagen	Dunn	Laufenburger	Olson, H. D.	Stokowski
Borden	Gearty	Lord	Perpich, A. J.	Tennessen
Chmielewski	Hansen, Baldy	Milton	Perpich, G.	Thorup
Coleman	Hughes	Moe	Renneke	Wegener
Conzemius	Humphrey	North	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. O'Neill moved to amend H. F. No. 2121, the unofficial engrossment, as follows:

Strike Article XXIV in its entirety and renumber the remaining articles accordingly.

The question being taken on the adoption of the amendment,

Mr. O'Neill moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Jensen	McCutcheon	Pillsbury
Bang	Doty	Keefe, J.	Nelson	Renneke
Berg	Dunn	Knutson	Ogdahl	Sillers
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Krieger	O'Neill	Ueland
Brown	Hanson, R.	Larson	Patton	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Lord	Perpich, A. J.	Stokowski
Arnold	Hughes	Milton	Perpich, G.	Thorup
Borden	Humphrey	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Olhoff	Schrum	
Davies	Laufenburger	Olson, A. G.	Solon	
Gearty	Lewis	Olson, H. D.	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Bang moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 129, after line 28, insert an additional article to read as follows:

“ARTICLE XXVII

Section 1. Minnesota Statutes, Section 33.10 is amended to read:

33.10 [TAX ON OLEOMARGARINE.] There is hereby imposed, levied, and assessed an inspection fee and excise tax of ten cents 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. *Provided that this fee and excise tax shall be reduced as follows: to eight cents per pound in 1974, to six cents per pound in 1975, to four cents per pound in 1976, to two cents per pound in 1977, and in 1978 and thereafter there shall be no tax levied or assessed under this section upon oleomargarine.*

Sec. 2. *The effective date of this article is January 1, 1974.”*

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Nelson	Renneke
Bang	Hansen, Baldy	Knutson	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Solon
Blatz	Hanson, R.	Krieger	Patton	Stassen
Brown	Jensen	Larson	Pillsbury	Ueland
Dunn	Keefe, J.	McCutcheon	Purfeerst	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Spear
Arnold	Doty	Lewis	Olson, H. D.	Stokowski
Berg	Gearty	Lord	Olson, J. L.	Tennessee
Borden	Hughes	Milton	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kleinbaum	Olhoff	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. O'Neill moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Pages 16 through 24, strike Articles V, VI, VII, VIII, IX, and X

Pages 44 through 47, strike all of Sections 5 and 6

Page 47, line 24, strike "\$35" and insert "\$32"

Page 47, line 26, strike "\$36" and insert "\$33"

Page 48, line 5, strike "\$35" and insert "\$32"

Page 48, line 7, strike "\$36" and insert "\$33"

Page 49, line 8, strike "\$35" and insert "\$32"

Pages 50 through 52, strike all of Section 14

Pages 86 and 87, strike Article XXI

Amend the title as follows:

Line 9, strike "290.361,"

Strike lines 10 and 11

Line 12, strike everything before "124.03,"

Line 17, strike "5, 6,"

Line 18, strike "16,"

Lines 25 and 26, strike "124.212, Subdivision 3"

Line 43, strike "297.13,"

Strike line 44

Line 45, strike "297.15; 297.16;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 30 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Larson	Patton
Bang	Fitzsimons	Keefe, J.	McCutcheon	Pillsbury
Berg	Frederick	Kirchner	Nelson	Renneke
Bernhagen	Hansen, Mel	Knutson	Ogdahl	Sillers
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Stassen
Brown	Jensen	Krieger	O'Neill	Ueland

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, H. D.	Stokowski
Arnold	Gearty	Lord	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	Milton	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Purfeerst	Wegener
Chmielewski	Humphrey	North	Schaaf	Willet
Coleman	Keefe, S.	Novak	Schrom	
Conzemius	Kleinbaum	Olhoft	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend H. F. No. 2121, the unofficial engrossment, as follows:

Page 2, line 6, strike "80" and insert in lieu thereof "160"

Page 2, line 12, strike "80" and insert in lieu thereof "160"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Nelson	Pillsbury
Bang	Dunn	Knutson	Ogdahl	Renneke
Berg	Frederick	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Hanson, R.	Krieger	Olson, J. L.	Stassen
Blatz	Jensen	Larson	O'Neill	Ueland
Brown	Keefe, J.	Lord	Patton	

Those who voted in the negative were:

Arnold	Hansen, Baldy	McCutcheon	Perpich, G.	Tennessee
Borden	Hughes	Milton	Purfeerst	Thorup
Coleman	Humphrey	Moe	Schaaf	Wegener
Conzemius	Keefe, S.	North	Schrom	
Davies	Kleinbaum	Olhoft	Solon	
Doty	Laufenburger	Olson, A. G.	Spear	
Gearty	Lewis	Perpich, A. J.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 11, lines 21 through 28, strike the new language

Page 12, line 1, strike the new language and insert:

"but shall not include any necessary tools or equipment such as

litho plates and other short lived items which are separate detachable units used in producing a direct effect upon the product."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Mel	Krieger	O'Neill	Ueland
Bernhagen	Hanson, R.	Larson	Patton	
Blatz	Jensen	McCutcheon	Pillsbury	
Brown	Kirchner	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olson, A. G.	Solon
Borden	Hansen, Baldy	Lewis	Olson, H. D.	Spear
Chmielewski	Hughes	Lord	Perpich, A. J.	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Tennessee
Conzemius	Keefe, J.	Moe	Purfeerst	Thorup
Davies	Keefe, S.	North	Schaaf	Wegener
Doty	Kleinbaum	Olhoft	Schrom	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 12, line 7, strike "(except paper or ink products)"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Nelson	Renneke
Bang	Dunn	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Krieger	O'Neill	Stassen
Blatz	Hanson, R.	Larson	Patton	Ueland
Brown	Jensen	McCutcheon	Pillsbury	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Lewis	Olson, H. D.	Stokowski
Borden	Hughes	Lord	Perpich, A. J.	Tennessee
Coleman	Humphrey	Milton	Perpich, G.	Thorup
Conzemius	Keefe, J.	Moe	Purfeerst	Wegener
Davies	Keefe, S.	North	Schaaf	
Doty	Kleinbaum	Olhoft	Solon	
Gearty	Laufenburger	Olson, A. G.	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. 2121, the unofficial engrossment, as follows:

Page 2, line 10, strike "40" and insert in lieu thereof "45"

Page 2, line 11, strike "\$250" and insert in lieu thereof "\$350"

Page 3, line 18, strike "40" and insert in lieu thereof "45"

Page 3, line 20, strike "\$250" and insert in lieu thereof "\$350"

Page 4, line 18, strike "40" and insert in lieu thereof "45"

Page 4, line 20, strike "250" and insert in lieu thereof "\$350"

Pages 98 through 129, strike Article XXV in its entirety.

Renumber the remaining articles accordingly

Amend the title as follows:

Line 29, strike "245.77; 261.04,"

Strike lines 30 through 32

Line 33, strike everything through the semicolon

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Ogdahl	Stassen
Bang	Doty	Knutson	Olson, H. D.	Ueland
Berg	Dunn	Kowalczyk	Olson, J. L.	
Bernhagen	Frederick	Krieger	Patton	
Blatz	Hanson, R.	Larson	Schrom	
Brown	Keefe, J.	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Lewis	Olson, A. G.	Solon
Arnold	Hansen, Mel	Lord	O'Neill	Spear
Borden	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Tennessee
Conzemius	Keefe, S.	Moe	Pillsbury	Thorup
Davies	Kleinbaum	North	Purfeerst	Wegener
Gearty	Laufenburger	Olhoff	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend H. F. 2121, the unofficial engrossment, as follows:

Strike Article XIII in its entirety and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 272.03, Subdivision 1, is amended to read:

272.03 [DEFINITIONS.] Subdivision 1. [REAL PROPERTY.] For the purposes of taxation, "real property" includes the land itself and all buildings, structures, and improvements or other fixtures on it, and all rights and privileges belonging or appertaining to it, and all mines, minerals, quarries, fossils and trees on or under it.

A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building,

including machinery and equipment provided the same was installed primarily to provide services to the building or the structure, and which cannot be removed without substantial damage to itself or to the building or structure.

Other machinery and equipment shall be considered personal property and not fixtures.

Sec. 2. This article is effective for taxes assessed in 1973 and payable in 1974 and thereafter."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Nelson	Renneke
Bang	Frederick	Knutson	Ogdahl	Sillers
Berg	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Krieger	O'Neill	Ueland
Blatz	Jensen	Larson	Patton	
Brown	Keefe, J.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Stokowski
Arnold	Gearty	Lewis	Olson, H. D.	Tennessee
Borden	Hansen, Baldy	Lord	Perpich, A. J.	Thorup
Chmielewski	Hughes	Milton	Perpich, G.	Wegener
Coleman	Humphrey	Moe	Schrom	
Conzemius	Keefe, S.	North	Solon	
Davies	Kleinbaum	Olhoff	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Krieger moved to amend H. F. No. 2121, the Senate unofficial engrossment as follows:

Pages 93 and 94, strike Article XXIII in its entirety

Renumber the articles accordingly.

Amend the title as follows:

Lines 28 & 29, strike "60A.15, Subdivision 1;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 26 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olson, J. L.	Solon
Berg	Frederick	Kowalczyk	O'Neill	Ueland
Bernhagen	Hanson, R.	Krieger	Patton	
Blatz	Jensen	Larson	Pillsbury	
Brown	Keefe, J.	Nelson	Renneke	
Chmielewski	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Arnold	Gearty	Lewis	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Lord	Olson, H. D.	Tennessee
Coleman	Hughes	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Humphrey	Milton	Perpich, G.	Wegener
Davies	Keefe, S.	Moe	Spear	
Doty	Kleinbaum	Olhoff	Stassen	

Which motion did not prevail. So the amendment was not adopted.

Mr. Frederick moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 2, line 8, reinstate the stricken language

Page 2, line 9, reinstate the stricken language before the comma

Page 3, lines 16 and 17, strike the new language

Page 4, line 17, reinstate the stricken language

Page 4, line 18, reinstate the stricken word "indebtedness"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Kirchner	Ogdahl	Renneke
Bang	Frederick	Knutson	Olson, J. L.	Sillers
Berg	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bernhagen	Hanson, R.	Krieger	Patton	Ueland
Blatz	Jensen	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Dunn	Laufenburger	Olhoff	Stokowski
Arnold	Gearty	Lewis	Olson, A. G.	Tennessee
Borden	Hansen, Baldy	Lord	Perpich, A. J.	Thorup
Chmielewski	Hughes	McCutcheon	Perpich, G.	Wegener
Coleman	Humphrey	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Schaaf	
Davies	Keefe, S.	Nelson	Solon	
Doty	Kleinbaum	North	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 2121, the Senate unofficial engrossment, as follows:

Page 2, line 4, strike "20" and insert "16"

Page 2, line 8, strike "\$12,000" and insert "\$15,000"

Page 2, line 18, strike "\$12,000" and insert "\$15,000"

Page 3, line 11, strike "25" and insert "20"

Page 3, line 15, strike "\$12,000" and insert "\$15,000"

Page 3, line 21, strike "\$12,000" and insert "\$15,000"

Page 3, line 23, strike "\$12,000" and insert "\$15,000"

Page 4, line 16, strike "\$12,000" and insert "\$15,000"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kowalczyk	Olson, J. L.	Stassen
Bang	Frederick	Krieger	O'Neill	Ueland
Berg	Hanson, R.	Larson	Patton	
Bernhagen	Keefe, J.	McCutcheon	Pillsbury	
Blatz	Kirchner	Nelson	Renneke	
Brown	Knutson	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olhoff	Schrom
Arnold	Gearty	Laufenburger	Olson, A. G.	Solon
Borden	Hansen, Baldy	Lewis	Olson, H. D.	Spear
Chmielewski	Hansen, Mel	Lord	Perpich, A. J.	Stokowski
Coleman	Hughes	Milton	Perpich, G.	Tennessee
Conzemius	Humphrey	Moe	Purfeerst	Thorup
Davies	Keefe, S.	North	Schaaf	Wegener

Which motion did not prevail. So the amendment was not adopted.

H. F. No. 2121 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 38 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, A. G.	Spear
Arnold	Gearty	Lord	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Milton	Perpich, G.	Thorup
Chmielewski	Humphrey	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	Willet
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoff	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Larson	Pillsbury
Bang	Fitzsimons	Keefe, J.	Nelson	Renneke
Berg	Frederick	Kirchner	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Stassen
Blatz	Hanson, R.	Kowalczyk	O'Neill	Ueland
Brown	Jensen	Krieger	Patton	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Jensen moved to amend the permanent rules of the Senate by adding a new rule to read:

“Cameras Prohibited

“77 A. Cameras shall not be permitted on the floor of the Senate chamber during any session.”

Mr. Jensen moved that the rules of the Senate be so far suspended as to act on the foregoing motion to amend immediately. Which motion did not prevail. So the proposed amendment was referred to the Committee on Rules and Administration, pursuant to Rule 17.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES**APPOINTMENTS**

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1772, pursuant to the request of the House,

Messrs. Keefe, J., Hanson, R. and Arnold.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1642, pursuant to the request of the House,

Messrs. Olhoft, Hanson, R. and Wegener.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1053 pursuant to the request of the House,

Messrs. Thorup, Kowalczyk and Spear.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 835, pursuant to the request of the House,

Messrs. Spear, Tennessen and Keefe, J.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 2274 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Coleman moved that S. F. No. 253 be stricken from General Orders and returned to its author. Which motion prevailed.

RECONSIDERATION

Mr. Coleman moved that the vote whereby H. F. No. 2121 was passed by the Senate on May 11, 1973 be now reconsidered.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 25 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Kowalczyk	Patton
Bang	Fitzsimons	Josefson	Krieger	Pillsbury
Bernhagen	Frederick	Keefe, J.	Larson	Renneke
Blatz	Hansen, Mel	Kirchner	Ogdahl	Stassen
Brown	Hanson, R.	Knutson	O'Neill	Ueland

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	Olson, J. L.	Stokowski
Arnold	Hansen, Baldy	Milton	Perpich, A. J.	Tennessee
Berg	Hughes	Moe	Perpich, G.	Thorup
Borden	Humphrey	Nelson	Purfeerst	Wegener
Chenoweth	Keefe, S.	North	Schaaf	Willet
Coleman	Kleinbaum	Novak	Schrom	
Conzemius	Laufenburger	Olhoft	Sillers	
Davies	Lewis	Olson, A. G.	Solon	
Doty	Lord	Olson, H. D.	Spear	

Which motion did not prevail.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, and First Reading of House Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

Senate File No. 410: A bill for an act relating to public welfare; abolishing the town system of poor relief and placing responsibility for poor relief in the county; fixing responsibility for welfare in the counties; providing a penalty; amending Minnesota Statutes 1971, Sections 245.77; 261.01; 261.03; 261.04, Subdivision 1; 261.063; 261.07, Subdivision 1; 261.08; 261.10; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; and 393.07, Subdivision 2; 393.08, Subdivision 1; repealing Minnesota Statutes 1971, Sections 261.02; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.14; 261.141; 261.142; 261.143; and 393.08, Subdivision 2.

Senate File No. 410 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

CONCURRENCE AND REPASSAGE

Mr. Olson, A. G. moved that the Senate do now concur in the amendments by the House to S. F. No. 410 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 410 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 37 and nays 22, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	McCutcheon	O'Neill	Stokowski
Borden	Hansen, Mel	Milton	Perpich, A. J.	Tennessee
Chenoweth	Hanson, R.	Moe	Perpich, G.	Thorup
Coleman	Keefe, S.	North	Schaaf	Wegener
Conzemius	Kleinbaum	Novak	Sillers	Willet
Davies	Knutson	Ogdahl	Solon	
Doty	Larson	Olhoft	Spears	
Dunn	Lord	Olson, A. G.	Stassen	

Those who voted in the negative were:

Anderson	Brown	Humphrey	Nelson	Renneke
Ashbach	Fitzsimons	Keefe, J.	Olson, J. L.	Schrom
Bang	Frederick	Kirchner	Patton	
Bernhagen	Hansen, Baldy	Kowalczyk	Pillsbury	
Blatz	Hughes	Laufenburger	Purfeerst	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2121:

H. F. No. 2121: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Sections 273.13, Subdivisions 6 and 7; 290.982; 290.983, Subdivision 1; 290.99; 290.081; 297A.25, Subdivision 1; 290.361, Subdivision 4; 297.13, Subdivision 1; 340.60, Subdivision 1; 273.41; 287.12; 291.33, Subdivision 2; 124.03, Subdivision 3; 290.17; 290.19, Subdivision 1 and by adding a subdivision; 272.03, Subdivision 1; 290.0604; 290.06, Subdivision 1; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; 290.0601, Subdivisions 6 and 9; 290.061; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2, and 3; 275.53, Subdivisions 1, and 3; 275.55; 414.01, by adding a subdivision; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, by adding a subdivision; 93.52, Subdivision 2; 93.55; 93.58; 60A.15, Subdivision 1; 273.134; 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.-424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1; Chapters 272, by adding a section; 273, 275, and 290, by adding sections; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10;

261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.-142; 261.143; 261.26; 290.0607; 290.0617; 297A.252; 297.13, Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; and 393.03, Subdivision 2.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Pavlak, R.; Anderson, I.; Johnson, C.; DeGroat and Sabo have been appointed as such committee on the part of the House.

House File No. 2121 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 11, 1973.

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2121 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 371.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 11, 1973.

FIRST READING OF HOUSE BILL

H. F. No. 371: A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

Which was read the first time and referred to the Committee on Rules and Administration.

RECESS

Mr. Coleman moved that the Senate do now recess until 10:00 o'clock p.m. Which motion prevailed.

The hour of 10:00 o'clock p.m., having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Gearty was excused from this evening's Session, beginning at 9:00 o'clock p.m. Mr. Larson was excused from the Session of this evening, beginning at 11:00 o'clock p.m. Mr. Olson, J. L. was excused from the Session of this evening, beginning at 12:00 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Kleinbaum	Olhoft	Stassen
Arnold	Dunn	Kowalczyk	Olson, A. G.	Stokowski
Ashbach	Hansen, Baldy	Larson	Olson, H. D.	Tenneessen
Bang	Hansen, Mel	Laufenburger	Olson, J. L.	Ueland
Berg	Hanson, R.	Lewis	Patton	Wegener
Bernhagen	Hughes	Lord	Pillsbury	
Borden	Humphrey	McCutcheon	Purfeerst	
Coleman	Jensen	Moe	Schrom	
Conzemius	Kirchner	North	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make S. F. No. 985 and H. F. No. 309 Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

S. F. No. 985: A bill for an act relating to health; authorizing the establishment of health maintenance organizations and prescribing powers and duties; providing for financial assistance to certain health maintenance organizations; providing for open enrollment in certain health plans; appropriating money; and providing penalties.

Mr. Conzemius moved to amend S. F. No. 985 as follows:

Page 2, line 25, after "into" and before "a" insert ", or is covered by,"

Page 2, line 25, strike ", or on whose behalf such" and insert a period

Page 2, strike lines 26 through 28

Page 3, strike lines 1 and 2

Page 3, line 10, strike ", or its"

Page 3, line 11, strike "representative,"

Page 3, line 23, after "licensed" insert "health"

Page 3, line 24, after "a" and before "financial" insert "direct, substantial"

Page 3, line 24, after "financial" insert "or managerial"

Page 4, line 13, after "Every" and before "operating" strike "group" and insert "person"

Page 5, line 15, strike "and employees"

Page 5, line 18, strike "or, as" and insert ", including a full disclosure of any financial arrangements between them and any provider or other person concerning any financial relationship with the health maintenance organization;"

Page 5, strike lines 19 through 21

Page 7, line 22, after "consider" and before the colon insert "either the standards of clauses (1) and (2), or the standards of clauses (3) and (4), whichever the applicant shall elect"

Page 8, line 4, strike the period and insert a semicolon

Page 8, after line 4, insert:

“(f) Demonstrated that it will assume full financial risk on a prospective basis for the provision of comprehensive health maintenance services, including hospital care; provided, however, that the requirement in this paragraph shall not prohibit a health maintenance organization from obtaining insurance or making other arrangements (i) for the cost of providing to any enrollee comprehensive health maintenance services, the aggregate value of which exceeds \$5,000.00 in any year, (ii) for the cost of providing comprehensive health care services to its members on a non-elective emergency basis, or while they are outside the area served by the organization, or (iii) for not more than 95% of the amount by which the health maintenance organization's costs for any of its fiscal years exceed 105% of its income for such fiscal years; and”

Page 8, line 5, strike “(f)” and insert “(g)”

Page 8, strike line 23 and insert “act on its behalf”

Page 8, line 25, after “denoting” and before “their” insert “or explaining”

Page 9, line 17, after “contracts,” and before “may” strike “and”

Page 9, line 17, after “may” and before “contract” insert “, subject to the limitations of section 3, subdivision 4, clause (f),”

Page 9, line 19, after “reimbursement” and before “cost” strike “against the” and insert “of its”

Page 9, line 19, after “cost of” insert “providing”

Page 9, line 20, strike “provided”

Page 9, line 21, after “organization” and before the period insert “and may contract with insurance companies and non-profit health service plan corporations to insure or cover the enrollees' costs and expenses in the health maintenance organization, including the customary prepayment amount and any co-payment obligations”

Page 10, line 9, after “may” and before “join” insert “make application to”

Page 10, line 15, after “that” and before “at” insert “after a health maintenance organization has been authorized under this act for one year,”

Page 12, line 24, after “providers,” strike “other persons,” and insert “by classes or groups of providers,”

Page 13, line 14, after “individuals” and before the comma insert “for services to the health maintenance organization”

Page 17, line 15, strike “upon termination of coverage” and insert “by or on behalf of an enrollee”

Page 18, line 10, after “rebate” and before the period insert “; provided, however, that authorized expenses of a health maintenance organization shall include:

(a) cash rebates to enrollees, or to persons who have made payments on behalf of enrollees;

(b) free or reduced cost health service to enrollees; or

(c) payments to providers or other persons based upon the efficient provision of services or as incentives to provide quality care”

Page 18, line 13, strike “The inability of a health”

Page 18, strike lines 14 through 19

Page 19, line 9, after “rendered” insert “, or to be rendered,”

Page 19, line 10, after the period insert “Any insurer, or non-profit health service plan corporation, licensed to do business in this state, is authorized to provide the types of coverages described in section 5, subdivision 3.”

Page 27, line 15, after “145.83” and before the period insert “on the same basis as other persons”

Page 27, line 24, after “60A.17,” and before “and” insert “concerning the licensure of health insurance agents, solicitors, and brokers,”

Page 28, line 1, after “subdivision,” and before “the” insert “and for the purposes of sections 145.61 to 145.67,”

Which motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend S. F. 985 as follows:

Page 12, line 16 after “board” and before “covering” insert “and to the commissioner”

Page 25, after line 25 insert the following:

“Sec. 19. [UNREASONABLE EXPENSES.] No health maintenance organization shall incur or pay for any expense of any nature which is unreasonably high in relation to the value of the service or good provided. The commissioner shall, pursuant to the administrative procedures act, promulgate rules to implement and enforce this section.”

Renumber subsequent sections accordingly

Which motion prevailed. So the amendment was adopted.

Mr. North moved to amend S. F. No. 985, as follows:

Page 27, line 25, after the period insert: “Minnesota Statutes, Section 60A.17, Subdivision 2, clause (2) shall not apply except as to provide for an examination of an applicant’s knowledge of the operations and benefits of health maintenance organizations.”

Which motion prevailed. So the amendment was adopted.

S. F. No. 985 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoff	Schrom
Ashbach	Hansen, Baldy	Knutson	Olson, A. G.	Sillers
Berg	Hansen, Mel	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Hansen, R.	Krieger	Olson, J. L.	Spear
Blatz	Hughes	Lewis	O'Neill	Stassen
Borden	Humphrey	Lord	Perpich, A. J.	Stokowski
Coleman	Jensen	McCutcheon	Perpich, G.	Tennessee
Conzemius	Keefe, J.	Moe	Purfeerst	Thorup
Davies	Keefe, S.	Nelson	Renneke	Ueland
Doty	Kirchner	North	Schaaf	Wegener

Messrs. Bang, Brown and Larson voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 309: A bill for an act relating to manpower services; unemployment compensation; benefits; amending Minnesota Statutes 1971, Sections 268.04, Subdivision 12; 268.06, Subdivisions 8, 22 and 27; 268.07, Subdivision 2; 268.08, Subdivisions 1, 3 and 5; and 268.09, Subdivision 1, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kowalczyk	Olson, H. D.	Sillers
Ashbach	Hansen, Mel	Lewis	Olson, J. L.	Solon
Berg	Hughes	Lord	O'Neill	Spear
Blatz	Humphrey	McCutcheon	Fatton	Stassen
Borden	Jensen	Moe	Perpich, A. J.	Stokowski
Brown	Keefe, J.	Nelson	Perpich, G.	Tennessee
Conzemius	Keefe, S.	North	Pillsbury	Thorup
Davies	Kirchner	Novak	Renneke	Ueland
Doty	Kleinbaum	Olhoff	Schaaf	Wegener
Dunn	Knutson	Olson, A. G.	Schrom	

Messrs. Bernhagen and Hansen, R. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 178, No. 219 on the General Orders calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 178: A bill for an act relating to peace officers; providing benefits to survivors of peace officers killed in the line of duty; establishing a peace officers' benefit account in the state treasury; providing an appropriation.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Ogdahl	Sillers
Arnold	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Ashbach	Hansen, Mel	Krieger	Olson, A. G.	Spear
Berg	Hanson, R.	Lewis	Olson, H. D.	Stassen
Bernhagen	Hughes	Lord	Olson, J. L.	Stokowski
Borden	Humphrey	McCutcheon	O'Neill	Thorup
Brown	Jensen	Milton	Patton	Ueland
Coleman	Keefe, J.	Moe	Perpich, G.	Wegener
Conzemius	Keefe, S.	Nelson	Pillsbury	
Doty	Kirchner	North	Renneke	
Dunn	Kleinbaum	Novak	Schrom	

Messrs. Schaaf and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Doty, Anderson, Silers, Borden and O'Neill. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 2417:

Messrs. Novak, Chenoweth, Willet, Fitzsimons and Josefson. Which motion prevailed.

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills a Special Orders Calendar, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 2072, 1729, 9, 588, 627, 1515, 704, 906, 1282, 1333, 490, 294, 1558, 1626, 1625, 833, 606, 1825, 1203 and 2029. S. F. Nos. 506, 1387, 968, 734, 1379, 1806, 1543, 1895, 944, 951 and 926.

SPECIAL ORDER

H. F. No. 2072: A bill for an act relating to insurance; reinsurance by life insurance companies of aircraft risk; amending Minnesota Statutes 1971, Section 60A.09, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Krieger	Olson, H. D.	Solon
Arnold	Hansen, Mel	Lord	Olson, J. L.	Spear
Ashbach	Hanson, R.	McCutcheon	O'Neill	Stassen
Berg	Hughes	Milton	Patton	Stokowski
Bernhagen	Humphrey	Moe	Perpich, A. J.	Tennessee
Blatz	Jensen	Nelson	Perpich, G.	Thorup
Brown	Keefe, J.	North	Pillsbury	Ueland
Davies	Keefe, S.	Novak	Renneke	Wegener
Doty	Kirchner	Ogdahl	Schaaf	
Dunn	Kleinbaum	Olhoft	Schrom	
Gearty	Kowalczyk	Olson, A. G.	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1729: A bill for an act relating to the executive council; providing that the lieutenant governor be a member thereof; amending Minnesota Statutes 1971, Section 9.011, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Lewis	Olson, A. G.	Spear
Arnold	Hughes	Lord	Olson, H. D.	Stokowski
Blatz	Humphrey	McCutcheon	O'Neill	Tennessee
Brown	Jensen	Milton	Perpich, G.	Thorup
Davies	Keefe, J.	Moe	Pillsbury	Ueland
Doty	Keefe, S.	Nelson	Renneke	Wegener
Dunn	Kirchner	North	Schaaf	
Gearty	Kleinbaum	Novak	Schrom	
Hansen, Baldy	Knutson	Ogdahl	Sillers	
Hansen, Mel	Kowalczyk	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Bernhagen	Olson, J. L.	Patton	Stassen
Berg	Krieger			

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 951: A bill for an act relating to food; providing for the regulation and control of its manufacture, distribution and sale; prescribing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding sections; Sections 31.01, Subdivisions 2, 3, and 4, and by adding subdivisions; 31.02; 31.04; 31.05; 31.14; and 32.021, Subdivision 2; and repealing Minnesota Statutes 1971, Section 31.01, Subdivisions 5 and 19.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Frederick	Knutson	Olson, H. D.	Stassen
Berg	Gearty	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Patton	Tennessee
Blatz	Hansen, Mel	Lord	Perpich, A. J.	Thorup
Borden	Hanson, R.	Milton	Perpich, G.	Ueland
Brown	Hughes	Moe	Purfeerst	Wegener
Coleman	Humphrey	Nelson	Renneke	
Conzemius	Jensen	North	Schaaf	
Davies	Keefe, S.	Ogdahl	Schrom	
Doty	Kirchner	Olhoff	Solon	

Messrs. McCutcheon and Sillers voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 627: A bill for an act relating to probate proceedings; inventory and appraisal of estates in probate court; amending Minnesota Statutes 1971, Sections 525.33 and 525.331.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Schrom
Ashbach	Frederick	Kleinbaum	Ogdahl	Sillers
Bang	Gearty	Knutson	Olhoff	Solon
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Patton	Tennessee
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Ueland
Davies	Jensen	Moe	Purfeerst	Wegener
Doty	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1515: A bill for an act relating to decedents' estates; revising a spouse's power to elect against a will; amending Minnesota Statutes 1971, Section 525.215.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Frederick	Knutson	Olson, A. G.	Solon
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Blatz	Hansen, Mel	Lord	Patton	Tennessee
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Brown	Hughes	Milton	Perpich, G.	Ueland
Coleman	Humphrey	Moe	Purfeerst	Wegener
Conzemius	Jensen	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 704: A bill for an act relating to probate proceedings; sales, leases, and mortgages in connection with probate matters; amending Minnesota Statutes 1971, Section 525.64.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Frederick	Kleinbaum	Olhoft	Solon
Berg	Gearty	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Tennessee
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	McCutcheon	Perpich, A. J.	Ueland
Coleman	Humphrey	Milton	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Frederick	Kleinbaum	Olhoff	Solon
Berg	Gearty	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Tennessee
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	McCutcheon	Perpich, A. J.	Ueland
Coleman	Humphrey	Milton	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 906: A bill for an act relating to probate proceedings; liability of a representative or his surety for mismanagement or other misconduct; amending Minnesota Statutes 1971, Section 525.501.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoff	Solon
Ashbach	Frederick	Knutson	Olson, A. G.	Spear
Bang	Gearty	Kowalczyk	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Lewis	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Lord	Patton	Tennessee
Blatz	Hughes	McCutcheon	Perpich, A. J.	Thorup
Borden	Humphrey	Milton	Perpich, G.	Ueland
Brown	Jensen	Moe	Purfeerst	Wegener
Coleman	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1282: A bill for an act relating to probate; establishing conservatorships; prescribing and regulating powers, duties and procedures in conservatorships and guardianships; amending Minnesota Statutes 1971, Sections 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.56; 525.57; 525.58; 525.581; 525.582; 525.59; 525.591; 525.60; 525.61; 525.611; 525.612; and amending Minnesota Statutes 1971, Chapter 525, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoff	Solon
Bang	Frederick	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Blatz	Hansen, Mel	Lord	Patton	Tennessee
Borden	Hughes	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Purfeerst	Wegener
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1333: A bill for an act relating to the affairs of decedents; providing for the validity and effect of certain nontestamentary and testamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect, and powers of attorney over accounts.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoff	Solon
Bang	Frederick	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Blatz	Hansen, Mel	Lord	Patton	Tennessee
Borden	Hughes	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1558: A bill for an act relating to commerce; clarifying rule making power of the consumer services section, department of commerce; amending Minnesota Statutes 1971, Section 45.16, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Borden	Conzemius	Dunn
Ashbach	Bernhagen	Brown	Davies	Frederick
Bang	Blatz	Coleman	Doty	Gearty

Hansen, Baldy	Kleinbaum	Nelson	Purfeerst	Tennesen
Hansen, Mel	Knutson	North	Renneke	Thorup
Hughes	Kowalczyk	Ogdahl	Schaaf	Ueland
Humphrey	Lewis	Olhoff	Schrom	Wegener
Jensen	Lord	Olson, H. D.	Solon	
Keefe, J.	McCutcheon	O'Neill	Spear	
Keefe, S.	Milton	Perpich, A. J.	Stassen	
Kirchner	Moe	Perpich, G.	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 833: A bill for an act relating to decedent's estates; requiring mailing of notice to a foreign consul in certain circumstances; amending Minnesota Statutes 1971, Section 525.83.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoff	Solon
Bang	Frederick	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Blatz	Hansen, Mel	Lord	Patton	Tennesen
Borden	Hughes	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Purfeerst	Wegener
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, May 12, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

FIFTY-NINTH DAY

St. Paul, Minnesota, Saturday, May 12, 1973.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer by the Chaplain.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Frederick	Laufenburger	Olson, J. L.	Stokowski
Ashbach	Gearty	Lewis	Patton	Tennessee
Berg	Hansen, Baldy	Lord	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Keefe, S.	Novak	Renneke	
Davies	Kirchner	Ogdahl	Solon	
Doty	Kleinbaum	Olhoft	Spear	
Dunn	Kowalczyk	Olson, A. G.	Stassen	

The Sergeant-at-Arms was instructed to bring in the absent members.

The roll being called, the following Senators answered to their names:

Arnold	Fitzsimons	Knutson	Ogdahl	Schrom
Ashbach	Frederick	Kowalczyk	Olhoft	Sillers
Bang	Gearty	Krieger	Olson, A. G.	Solon
Berg	Hansen, Baldy	Larson	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stassen
Blatz	Hanson, R.	Lewis	O'Neill	Stokowski
Chenoweth	Humphrey	Lord	Patton	Tennessee
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Pillsbury	Wegener
Davies	Keefe, S.	Nelson	Purfeerst	Willet
Doty	Kirchner	North	Renneke	
Dunn	Kleinbaum	Novak	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Anderson, Borden, and Hughes were excused from the Session of today. Mr. Ueland was excused from the Session of today, beginning at 4:30 o'clock p.m.

INTRODUCTION OF BILLS

Mr. Olson, H. D. introduced—

S. F. No. 2483: A bill for an act relating to the vending of food; providing for the regulation and licensing of food vendors and their vending machine locations and for the state pre-empting such fields in certain cases; amending Minnesota Statutes 1971, Section 28A.09.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Hansen, Baldy questioned the reference thereon, and under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olson, H. D. introduced—

S. F. No. 2484: A bill for an act relating to the policemen's relief association in the city of Fairmont; membership in the public employees police and fire fund.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Krieger, Nelson and Renneke introduced—

S. F. No. 2485: A bill for an act relating to a joint convention of the senate and the house of representatives for the purpose of electing members of the board of regents of the University of Minnesota.

Which was read the first time.

SUSPENSION OF RULES

Mr. Krieger moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to S. F. No. 2485 and that the rules of the Senate be so far suspended as to give S. F. No. 2485 its second and third reading and placed on its final passage.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Arnold	Frederick	Kleinbaum	Ogdahl	Purfeerst
Berg	Gearty	Krieger	Olhoft	Renneke
Borden	Hansen, Baldy	Larson	Olson, A. G.	Sillers
Coleman	Hansen, Mel	Lewis	O'Neill	Solon
Davies	Hanson, R.	Lord	Patton	Spear
Doty	Humphrey	McCutcheon	Perpich, A. J.	Stokowski
Dunn	Keefe, S.	Milton	Perpich, G.	Ueland
Fitzsimons	Kirchner	Novak	Pillsbury	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question recurring on the adoption of the motion of Mr. Krieger,

Mr. Krieger moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 27 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kirchner	Ogdahl	Sillers
Bang	Frederick	Knutson	Olson, J. L.	Stasen
Berg	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Bernhagen	Hanson, R.	Krieger	Patton	
Blatz	Jensen	Larson	Pillsbury	
Dunn	Keefe, J.	McCutcheon	Renneke	

Those who voted in the negative were:

Arnold	Doty	Lewis	Olson, A. G.	Solon
Borden	Gearty	Lord	Olson, H. D.	Spear
Chenoweth	Hansen, Baldy	Milton	Perpich, A. J.	Stokowski
Chmielewski	Humphrey	Mce	Perpich, G.	Tennessee
Coleman	Keefe, S.	North	Purfeerst	Thorup
Conzemius	Kleinbaum	Novak	SchAAF	Wegener
Davies	Laufenburger	Olhoft	Schrom	Willet

Which motion did not prevail. So S. F. No. 2485 was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS—CONTINUED

Messrs. Olhoft, Borden and Thorup introduced—

S. F. No. 2486: A bill for an act establishing a state advisory council for home and family; prescribing its membership, powers, and duties; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Olhoft and McCutcheon introduced—

S. F. No. 2487: A bill for an act relating to training; creating a state training center; creating a state training center advisory council.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Olhoft, Willet and Wegener introduced—

S. F. No. 2488: A bill for an act relating to the membership of municipalities and other political subdivisions in state and national associations; amending Minnesota Statutes 1971, Section 471.96, Subdivision 1.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Olson, A. G. introduced—

S. F. No. 2489: A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for

the payment of said taxes into a gas utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Olson, A. G. introduced—

S. F. No. 2490: A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for the payment of said taxes into an electric utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Wegener, Dunn and Willet introduced—

S. F. No. 2491: A bill for an act relating to water resources; providing that the state water resources board be an agency within the department of natural resources; prescribing the powers and duties of the board and the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 105.71; repealing Minnesota Statutes 1971, Sections 105.72 to 105.79.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. North introduced—

S. F. No. 2492: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 15A.20, Subdivision 2; 273.052; 273.063; 274.16; 375.12; 375.13; 393.03; 393.05; 393.06; 393.08, Subdivision 1; Laws 1969, Chapter 1063, Section 1 and Laws 1971, Chapter 632; 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); 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; 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, Chapters 223 and 348; Laws 1929, Chapter 371, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 1664, 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; 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 105, Section 1, 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, 354, 572 and 824; Laws 1957, Chapters 108, 111 and 251; Laws 1957, Chapter 448, as amended by Laws 1972, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session 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; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter

556; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606, 611, and 950.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 17, 225, 1993, 2118, 1087, 1835, 1836, 2148 and 2233.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1253, 1755, 2360, 837, 986 and 1197.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 10, 1973.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1339 and 2383.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973.

FIRST READING OF HOUSE BILLS

H. F. No. 1253: A bill for an act relating to the sales and use tax; exemptions; providing that auctioneers or sellers for bids shall not be exempt from the tax; amending Minnesota Statutes 1971, Section 297A.-25, Subdivision 1.

H. F. No. 1755: A bill for an act relating to taxation; providing certain credits for brewers; amending Minnesota Statutes 1971, Section 340.47, Subdivision 2.

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.

H. F. No. 837: A bill for an act relating to highways; providing for a two year moratorium on interstate highway construction.

H. F. No. 986: A bill for an act relating to the Minneapolis-St. Paul Metropolitan Airports Commission; jurisdiction, membership,

and taxing and borrowing powers of the commission; general obligation revenue financing by the commission; and providing for a legislative air transport commission; amending Minnesota Statutes 1971, Sections 360.102, Subdivisions 2, 3, 4, 5, and 9, and by adding a subdivision; 360.103; 360.104, Subdivisions 1, 2, 3, 4, and 5; 360.105, Subdivisions 2 and 4; 360.106, Subdivision 3; 360.107, Subdivision 17; 360.109, Subdivision 1, and by adding a subdivision; 360.111; 360.113, Subdivision 1; 360.114; and 360.122; and repealing Minnesota Statutes 1971, Sections 360.104, Subdivision 6; 360.113, Subdivisions 2 to 5; 360.116; and 360.119.

H. F. No. 1197: A bill for an act relating to education; permitting six school districts to implement and experiment with an educational scholarship program; permitting both public and private schools to participate; permitting participating school districts to contract for federal funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

H. F. No. 1339: A bill for an act relating to counties; authorizing expenditures for promotion of economic or industrial development; amending Minnesota Statutes 1971, Section 375.18 by adding a subdivision; repealing Minnesota Statutes 1971, Section 395.08.

H. F. No. 2383: A bill for an act relating to public welfare; reducing the maximum age for receipt of aid to families with dependent children; amending Minnesota Statutes 1971, Section 256.12, Subdivision 14.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2097: A bill for an act relating to Ramsey county; tax equalization procedure; repealing Special Laws 1876, Chapter 212, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2270: A bill for an act relating to the village of North St. Paul; authorizing the construction and financing of certain awnings in the village pursuant to Minnesota Statutes, Chapter 429.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2154: A bill for an act authorizing the city of Shakopee to appoint nonresidents of the city to its water, light, power and building commission under certain conditions.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 231: A bill for an act relating to the metropolitan sewer board; payment of annual credit to municipalities; amending Minnesota Statutes 1971, Section 473C.05, Subdivision 4.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 66: A bill for an act relating to the village of Roseville; procedure upon levy of certain special assessments.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Section 429.011, is amended by adding a subdivision to read:

Subd. 2b. “Municipality” also includes any town 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, clause (1)."

Further amend the title on line 2, strike everything after "1971," and strike the third line and insert in lieu thereof: "Section 429.011, by adding a subdivision."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 1338: A bill for an act relating to Olmsted county; authorizing expenditures for promotion of economic or industrial development.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "board" and insert "boards"

Page 1, line 1, after "Olmsted" strike "county" and insert "and Mower counties"

Page 1, line 2, strike "the county" and insert "their counties"

Page 1, line 3, strike "county" and insert "counties"

Page 1, line 4, strike "board" and insert "boards"

Page 1, line 4, after "Olmsted" strike "county" and insert "and Mower counties"

Amend the title by striking "county" and inserting "and Mower counties"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 1023: A bill for an act relating to home rule charters and charter commissions; amending Minnesota Statutes 1971, Sections 410.05, by adding a subdivision; 410.12, by adding subdivisions; and 410.30; repealing Minnesota Statutes 1971, Sections 410.17; 410.22; 410.27; and 410.31.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike all of Section 1.

Renumber the sections in order.

Amend the title as follows:

In the second line of the title, strike "410.05, by adding a subdivision;"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 2096: A bill for an act relating to county extension service; removing limitations on the levy and appropriation for extension activities; amending Minnesota Statutes 1971, Section 38.36.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 2052: A bill for an act relating to St. Louis county; providing funds for the maintenance and support of county extension work in St. Louis county; amending Laws 1971, Chapter 370, Section 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 2002: A bill for an act relating to bonds; public officers; requiring that bonds of public officers be filed in the office of the register of deeds; amending Minnesota Statutes 1971, Sections 375.03; 382.10; 382.12; 386.01; 386.18; 388.01; 389.011, Subdivision 3; 390.01; 485.01; 488.10, Subdivision 2; 508.31; 525.04; 525.09; 525.10; 574.20; and repealing Minnesota Statutes 1971, Sections 382.09 and 382.11.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 659: A bill for an act relating to the city of Willmar; authorizing land acquisition and development to promote industry and alleviate unemployment.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 1749: A bill for an act relating to Carver county; soil and water conservation; expenditures from general revenue fund.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 2397: A bill for an act relating to zoning; authorizing board of appeals to permit variances for use of one family dwelling; amending Minnesota Statutes 1971, Section 462.357, Subdivision 6.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

H. F. No. 2294: A bill for an act relating to the issuance of bonds by the Village of Emmons.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2107: A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; amending Minnesota Statutes 1971, Section 340.07, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1871: A bill for an act relating to the village of Roseville and the city of Brooklyn Center; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 1536: A bill for an act relating to the department of corrections; community corrections centers; amending Minnesota Statutes 1971, Sections 241.31; and 241.32.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 1416: A bill for an act relating to mental health; hospitalization and commitment act; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 972: A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 483: A bill for an act relating to the practice of massage; amending Minnesota Statutes 1971, Sections 146.16; 154.04; and 155.19; repealing Minnesota Statutes 1971, Sections 148.33 to 148.511.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 482: A bill for an act relating to health; occupations in protection thereof; registration; suspension, revocation or denial thereof; amending Minnesota Statutes 1971, Section 148.75; repealing Minnesota Statutes 1971, Section 147.08.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 284: A bill for an act relating to the practice of medicine; physicians, surgeons, and osteopaths; licensing thereof; amending Minnesota Statutes 1971, Section 147.021, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

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, Sections 97.55, Subdivision 8; and 100.27, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, strike line 3

Renumber the remaining subdivisions

Page 2, line 29, strike "and the director find" and insert in lieu thereof "finds"

Page 4, line 30, strike "affected by this section may" and insert in lieu thereof "in effect on final enactment of this act may, if the parties to the contract mutually agree,"

Page 4, line 31, after "section." insert "If a party to such a contract, after a good faith attempt to renegotiate the contract, is unable to do so and the contract will continue in effect on and after July 1, 1974, the commissioner of taxation, after notice from the party in such form as the commissioner may prescribe and setting forth these facts, shall issue to the party a certificate that solid waste materials disposed of pursuant to the contract are exempt from the user fee imposed by this section. The operator of a solid waste disposal facility may require such a party to display his certificate of exemption at the operator's request."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 666: A bill for an act relating to Independent School District No. 332; education; state aids and teacher contracts.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1567: A bill for an act relating to education; state aids for summer school or year-round classes; amending Minnesota Statutes 1971, Section 124.20.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 2234: A bill for an act relating to education; clarifying responsibilities of the higher education advisory council; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 6.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1714: A bill for an act authorizing the issuance of bonds by Independent School District No. 877.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1566: A bill for an act relating to education; requiring all special and independent school districts to provide transportation to pupils living two miles or more from school; amending Minnesota Statutes 1971, Section 123.39, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1275: A bill for an act relating to education; school district elections; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 5 and 24, and by adding subdivisions.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 15, after "*ballot*" and before "*in*" insert "*envelope*"

Page 2, line 27, after "*other*" and before "*delivered*" strike "*ballots*" and insert "*ballot envelopes*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1895: A bill for an act relating to waters, watercraft safety; authorizing the commissioner of natural resources to regulate the size of motors; amending Minnesota Statutes 1971, Section 361.26, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 10, before "smooth-bore" strike "(1)" and insert "(a)"

Page 1, line 13, before "22 caliber" strike "(2)" and insert "(b)"

Page 1, line 15, start a new paragraph with "(3)"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1702: A bill for an act relating to agriculture; providing for the investigation of the complaints of food producers, processors and handlers licensed by the state.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1302: A bill for an act relating to abandoned motor vehicles; amending Minnesota Statutes 1971, Sections 168B.02, Subdivision 2; 168B.05; 168B.06; 168B.08; 168B.09; 168B.10, Subdivisions 1, 2, and 3; repealing Minnesota Statutes 1971, Sections 168B.12 and 168B.13.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 10, after "168B.13." insert "*Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with section 161.242, or which are licensed and maintained in accordance with local laws and zoning regulations, shall not be considered abandoned motor vehicles within the meaning of this definition.*"

Page 2, line 18, after "ownership." insert "*Before such a vehicle is issued a new certificate of title it must receive a motor vehicle safety check.*"

Page 2, line 30, after "may" insert "*contract with others or, if no bids are received, may*"

Page 2, line 31, strike "*either*"

Page 2, line 31, strike "*or it may contract with others, or both,*"

Page 2, line 32, strike "*, incineration, volume reduction,*" and insert in lieu thereof "*and*"

Page 2, lines 32 and 33, strike “, or other services necessary to prepare” and insert in lieu thereof “of”

Page 2, line 33, strike “or other methods of disposal”

Page 2, strike lines 34 and 35

Page 2, line 36, strike “3” and insert in lieu thereof “2”

Page 3, line 14, after “168B.08.” insert “the agency shall not approve any disposal contract that (a) has been entered into without prior notice to and request for bids from all persons duly licensed by the agency pursuant to section 168B.10, subdivision 2; (b) does not provide for a full performance bond; or (c) does not provide for total collection and transportation of abandoned motor vehicles, except that the agency may approve a disposal contract covering solely collection or transportation of abandoned motor vehicles where the agency determines total collection and transportation to be impracticable and where all other requirements herein have been met and the unit of government, after proper notice and request for bids, has not received any bid for total collection and transportation of abandoned motor vehicles.”

Page 3, lines 17 and 18, reinstate the stricken language

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 1870: A bill for an act relating to the city of Minneapolis and authorizing condemnation of real property in certain instances pursuant to procedures set forth in its home rule charter or Minnesota Statutes 1971, Chapter 430.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, after “117” insert “except those provisions which relate to relocation assistance”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 1635: A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 1065: A bill for an act relating to probate; regulating the availability of summary proceedings; amending Minnesota Statutes 1971, Section 525.51, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 1059: A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 5, strike "\$110,000" and insert in lieu thereof "\$75,000"

Page 4, line 6, strike "\$110,000" and insert in lieu thereof "\$75,000"

Underline all new language in the bill

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1641: A bill for an act relating to Hennepin county; soil and water conservation; expenditures from general revenue fund.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1693: A bill for an act relating to the village of New Hope; authorizing the village of New Hope to refund certain temporary improvement bonds.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, strike "1968" and insert in lieu thereof "1972" and in the same line strike "1969" and insert in lieu thereof "1973"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 988: A bill for an act relating to Hennepin county; tax levies for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended; and Laws 1971, Chapter 954, Section 2.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2127: A bill for an act relating to courts; setting the salary of the judge of municipal court in North St. Paul; amending Minnesota Statutes 1971, Section 488.21, Subdivision 2.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1639: A bill for an act authorizing the village of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1973; amending Laws 1971, Chapter 557, Section 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 715: A bill for an act relating to metropolitan transit; exempting property not served by transit system from tax levies; amending Minnesota Statutes 1971, Section 473A.111, Subdivisions 1 and 2.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2021: A bill for an act relating to education; private trade schools; providing penalties; amending Minnesota Statutes 1971, Sections 141.21, Subdivisions 4 and 7; 141.25, Subdivisions 3, 4, 7, 8, 9, 10, and by adding a subdivision; 141.26, Subdivisions 2 and 5; 141.28, Subdivision 3, and by adding subdivisions; 141.29, Subdivision 1, and by adding a subdivision; 141.30; 141.32; 141.35; and Chapter 141, by adding a section; repealing Minnesota Statutes 1971, Section 141.27.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 5, after "*each*" and before "*course*" insert "*occupational*"

Page 4, line 9, strike "*each*"

Page 4, line 10, strike "*student*" and insert "*students*"

Page 4, line 10, strike "*an*"

Page 4, line 10, strike "*position*" and insert "*positions*"

Page 9, line 25, strike "*and understand*"

Page 12, line 8, strike "*a reasonable enrollment fee,*" and insert "*15 percent of the total cost of the course but*"

Page 12, line 25, strike "*a reasonable*" and insert "*15 percent of the total cost of the course but*"

Page 12, line 26, strike "*enrollment fee,*"

Page 13, line 10, strike "*a reasonable enrollment fee*" and insert "*25 percent of the total cost of the course but*"

Page 13, line 11, strike "\$50" and insert "\$100"

Page 13, line 23, strike "*a reasonable*"

Page 13, line 24, strike "\$50." and insert "\$75. *In no event shall the amount charged exceed the total stated cost of the course.*"

Page 13, line 24, strike "*enrollment fee*" and insert "*25 percent of the total cost of the course but*"

Page 15, strike lines 8 through 15

Page 16, strike lines 1 through 3

Page 16, line 21, strike "*erroneous,*"

Page 17, line 5, after "*when*" strike the balance of the line and insert "*it is obvious*"

Page 17, line 6, strike everything before "*that*"

Page 18, line 8, strike "*erroneous,*"

Re-number the subdivisions in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1253, 2360, 837, 986, 1197, 371, 1339, 2383, 1146 and 2247 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 2360 and 1197 to the Committee on Finance.

H. F. No. 2383 to the Committee on Health, Welfare and Corrections.

H. F. No. 371 to the Committee on Judiciary.

H. F. No. 1339 to the Committee on Local Government.

H. F. Nos. 837 and 986 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1253 to the Committee on Taxes and Tax Laws.

The following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1146	1315				
2247	2182				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1146 be amended as follows:

Page 1, line 9, delete "\$86,725.78" and insert in lieu thereof "\$102,557.23"

And when so amended, H. F. No. 1146 will be identical to S. F. No. 1315 and further recommends that H. F. No. 1146 be given its second reading and substituted for S. F. No. 1315 and S. F. No. 1315 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2247 be amended as follows:

Page 5, line 4, delete "municipality" and insert in lieu thereof "city"

Page 5, line 16, after "auditor" delete ", and shall not when added to" and insert in lieu thereof ". At no time shall"

Page 5, line 25, delete "municipality" and insert in lieu thereof "city of Saint Paul"

Page 9, line 2, before "council" insert "city"

Page 9, line 9, after "Sections" insert "475.51, 475.53,"

Page 9, line 10, after "475.70," insert "and"

Page 9, line 10, after "475.71" and before the period, delete ", and 475.74"

Page 9, line 22, delete everything after the period

Page 9, delete lines 23 through 28

Page 10, delete lines 1 through 19

Page 10, after line 22, insert the following:

"During the period that the district is subject to tax increment, the county auditor shall include no more than the original taxable value of such real property in the assessed valuation upon which he computes the mill rates of all taxes levied by the state, the county, the municipality, the school district and every other taxing district in which the property is situated; but he shall extend all mill rates so determined against the entire market value of such property for that year."

Page 16, line 1, before "The" insert "In its discretion,"

Page 16, line 1, delete "shall" and insert in lieu thereof "may create and"

Page 16, line 2, delete "at least"

And when so amended, H. F. No. 2247 will be identical to S. F. No. 2182 and further recommends that H. F. No. 2247 be given its second reading and substituted for S. F. No. 2182 and S. F. No. 2182 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2021 and 1059 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 666, 1567, 2234, 1714, 1566, 1275, 1895, 1716, 1702, 1302, 1870, 1635, 1065, 1641, 1693, 988, 2127, 1639, 715, 2097, 2270, 2154, 231, 66, 633, 1338, 1023, 2096, 2052, 2002, 659, 1749, 2397, 2294, 2107, 1871, 1416, 972, 483, 482, 284, 2144, 2247, and 1146 were read the second time.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages from the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2353.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Messrs. Tomlinson, Dieterich and Andersen, R. have been appointed as such committee on the part of the House.

House File No. 2353 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2353 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 611, No. 182 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Sillers
Bang	Fitzsimons	Knutson	Olson, H. D.	Solon
Berg	Frederick	Kowalczyk	Olson, J. I.	Spear
Bernhagen	Garty	Larson	O'Neill	Stassen
Blatz	Hansen, Baldy	Laufenburger	Patton	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lord	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillbury	Wegener
Coleman	Jensen	Moe	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1134, No. 181 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1134: A bill for an act relating to the organization and operation of state government; the powers and duties of the commissioner of iron range resources and rehabilitation; creation, powers and duties of advisory commission; appropriation of funds; amending Minnesota Statutes 1971, Sections 298.22 and 298.221.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Bang	Gearty	Kwalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, G.	Tenneessen
Chenoweth	Hanson, R.	Lord	Pillsbury	Thorup
Chmielewski	Humphrey	McCutcheon	Purfeerst	Ueland
Conzemius	Keefe, J.	Moe	Renneke	Wegener
Davies	Keefe, S.	Novak	Schrom	
Doty	Kirchner	Olhoff	Sillers	

Those who voted in the negative were:

Frederick Jensen	Josefson	Nelson	O'Neill	Patton
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So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1699, No. 206 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1699: A bill for an act relating to education; veteran farmer cooperative training program; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Knutson	Novak	Schrom
Berg	Hansen, Baldy	Kwalczyk	Olhoff	Sillers
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Solon
Blatz	Hanson, R.	Larson	Olson, H. D.	Stassen
Chenoweth	Humphrey	Laufenburger	O'Neill	Stokowski
Chmielewski	Jensen	Lewis	Patton	Thorup
Coleman	Josefson	Lord	Perpich, A. J.	Ueland
Conzemius	Keefe, J.	Milton	Pillsbury	Wegener
Dunn	Keefe, S.	Moe	Purfeerst	Willet
Fitzsimons	Kirchner	Nelson	Renneke	
Frederick	Kleinbaum	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1091, No. 203 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1091: A bill for an act relating to health; authorizing the commissioner of public welfare to make grants to aid in the purchase, construction or remodeling of community residential facilities for the mentally retarded and cerebral palsied; directing the commissioner of public welfare to establish an advisory board on community residential facilities for the mentally retarded and cerebral palsied; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Blatz	Hansen, Mel	Larson	Olson, H. D.	Spear
Borden	Hanson, R.	Lewis	O'Neill	Stassen
Chmielewski	Humphrey	Lord	Patton	Stokowski
Coleman	Jensen	McCutcheon	Perpich, A. J.	Tennessee
Conzemius	Josefson	Milton	Pillsbury	Thorup
Doty	Keefe, J.	Moe	Purfeerst	Ueland
Dunn	Keefe, S.	Nelson	Renneke	Wegener
Fitzsimons	Kirchner	North	Schaaf	Willet
Frederick	Knutson	Novak	Schrom	
Gearty	Kowalczyk	Olhoff	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1566, No. 200 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1566: A bill for an act appropriating money to the state department of education for deficiencies in state aid for education programs for adults.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Blatz	Hansen, Mel	Krieger	Olson, H. D.	Spear
Borden	Hanson, R.	Larson	O'Neill	Stassen
Chmielewski	Humphrey	Lewis	Patton	Stokowski
Coleman	Jensen	McCutcheon	Perpich, A. J.	Tennessee
Conzemius	Josefson	Milton	Pillsbury	Thorup
Doty	Keefe, J.	Moe	Purfeerst	Ueland
Dunn	Keefe, S.	Nelson	Renneke	Wegener
Fitzsimons	Kirchner	North	Schaaf	Willet
Frederick	Kleinbaum	Novak	Schrom	
Gearty	Knutson	Olhoff	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1742 No. 195 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1742: A bill for an act relating to the credentialing of allied health manpower under the state board of health; appropriating money.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Larson	Olson, A. G.	Spear
Berg	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Lewis	O'Neill	Stokowski
Brown	Humphrey	Lord	Patton	Tennessee
Chenoweth	Josefson	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Keefe, J.	Milton	Perpich, G.	Ueland
Conzemius	Keefe, S.	Moe	Pillsbury	Wegener
Doty	Kirchner	Nelson	Purfeerst	Willet
Dunn	Kleinbaum	North	Renneke	
Fitzsimons	Knutson	Novak	Schrom	
Frederick	Kowalczyk	Ogdahl	Sillers	
Gearty	Krieger	Olhoft	Solon	

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1353: A bill for an act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

Senate File No. 1353 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 1353 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1353 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kowalczyk	Ogdahl	Schrom
Berg	Gearty	Krieger	Olhoff	Sillers
Bernhagen	Hansen, Baldy	Larson	Olson, A. G.	Solon
Blatz	Hansen, Mel	Laufenburger	Olson, H. D.	Spear
Borden	Hanson, R.	Lewis	O'Neill	Stassen
Brown	Jensen	Lord	Patton	Stokowski
Chenoweth	Josefson	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Keefe, J.	Milton	Perpich, G.	Thorup
Conzemius	Keefe, S.	Moe	Pillsbury	Ueland
Doty	Kirchner	Nelson	Purfeerst	Wegener
Dunn	Kleinbaum	North	Renneke	Willet
Fitzsimons	Knutson	Novak	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1160: A bill for an act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money.

Senate File No. 1160 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate do now concur in the amendments by the House to S. F. No. 1160 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1160 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knutson	Novak	Schaaf
Berg	Gearty	Kowalczyk	Ogdahl	Schrom
Bernhagen	Hansen, Baldy	Krieger	Olhoft	Sillers
Blatz	Hansen, Mel	Larson	Olson, A. G.	Solon
Borden	Hansen, R.	Laufenburger	Olson, H. D.	Spear
Brown	Humphrey	Lewis	O'Neill	Stassen
Chenoweth	Jensen	Lord	Patton	Stokowski
Chmielewski	Josefson	McCutcheon	Perpich, A. J.	Tennessee
Conzemius	Keefe, J.	Milton	Perpich, G.	Thorup
Doty	Keefe, S.	Moe	Pillsbury	Ueland
Dunn	Kirchner	Nelson	Purfeerst	Wegener
Fitzsimons	Kleinbaum	North	Renneke	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 900: A bill for an act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over disposal systems; providing penalties; amending Minnesota Statutes 1971, Sections 115.01, Subdivisions 1, 2, 4, 5, and 10, and by adding subdivisions 115.03; Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivision 3; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.05, Subdivision 1; 116.075; 116.11; repealing Minnesota Statutes 1971, Sections 115.05, Subdivision 2; 115.07, Subdivisions 2, 4, and 6; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.47; 115.81; 116.08; 116.30 and 116.31.

Senate File No. 900 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 900 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 900 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoft	Sillers
Bernhagen	Gearty	Larson	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Borden	Hansen, Mel	Lewis	O'Neill	Stassen
Brown	Hanson, R.	Lord	Patton	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Milton	Perpich, G.	Thorup
Coleman	Keefe, J.	Moe	Pillsbury	Ueland
Conzemius	Keefe, S.	Nelson	Purfeerst	Wegener
Doty	Kirchner	North	Renneke	Willet
Dunn	Kleinbaum	Novak	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1095: A bill for an act relating to the regulation of barbers in the state of Minnesota; amending Minnesota Statutes 1971, Sections 154.03; 154.16; 154.18; and 154.22.

Senate File No. 1095 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 1095 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1095 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoft	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hansen, Mel	Lewis	O'Neill	Stassen
Brown	Hanson, R.	Lord	Patton	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Milton	Perpich, G.	Thorup
Coleman	Josefson	Moe	Pillsbury	Ueland
Conzemius	Keefe, J.	Nelson	Purfeerst	Wegener
Doty	Keefe, S.	North	Renneke	Willet
Dunn	Kirchner	Novak	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1355:

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.-116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Lindstrom, J.; Quirin, Parish, Moe and Weaver have been appointed as such committee on the part of the House.

House File No. 1355 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1355 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1854.

H. F. No. 1854: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Vento, Ferderer and Faricy have been appointed as such committee on the part of the House.

House File No. 1854 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973

Mr. O'Neill moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1854 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 786: A bill for an act relating to the city of St. Paul; fixing the salaries of elected officials; providing a method of fixing future compensation of elected officials.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973

Mr. McCutcheon moved that H. F. No. 786 be laid on the table. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that H. F. No. 805 be withdrawn from the Committee on Rules and Administration and laid on the table. Which motion prevailed.

Mr. Coleman moved that S. F. No. 2167 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2167

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

May 12, 1973

Honorable Alec Olson, President of the Senate

Honorable Martin 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. 2167, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 2167 be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

APPROPRIATIONS

Available for the Year

	1973	1974	1975
	\$	\$	\$
Sec. 2. GENERAL GOVERNMENT			
Subdivision 1. Interstate Cooperation Commission and Council of State Governments.		37,810	37,810
Subd. 2. Minnesota-Wisconsin Boundary Area Commission. . .		21,600	21,600
Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin.			
Subd. 3. Uniform Laws Commission			
(a) For expenses		6,900	7,500
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Subd. 4. The Great Lakes Commission		25,000	25,000
Subd. 5. The Education Commission of the States		16,000	16,000

	1973	1974	1975
	\$	\$	\$
<p>The above appropriation includes funds for the state advisory council.</p>			
Subd. 6. National Governors' Conference		8,500	8,500
Subd. 7. Advisory Commission on Intergovernmental Relations		1,000	1,000
<p>Provided that the department of administration shall be responsible for the disbursement of the funds provided in this subdivision.</p>			
Subd. 8. Capitol Area Architectural and Planning Commission		45,000	
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>			

Sec. 3. PROTECTION TO PERSONS AND PROPERTY

Subdivision 1. For mileage and per diem for conveying prisoners to the state reformatory and state prison and for conveying youths to the youth conservation commission		28,000	28,000
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Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

Provided, however, that the amounts appropriated by subdivision 1 include payments for:

(a) Upon certification by the commissioner of corrections that any person committed to the youth conservation commission has absconded or otherwise violated the terms of his parole or probation and should be returned to the state reformatory, the state training school for boys, the Minnesota home

	1973	1974	1975
	\$	\$	\$

school, or other similar correctional institutions which may be hereafter established for their confinement, the necessary expenses of parole or probation officers, sheriffs, or other officers incurred in returning such person, including per diem and expenses of guards, shall be approved by the state auditor and paid out of the state treasury from funds appropriated for such purposes. The auditor may allow for such expenses the necessary expenses incurred by the sheriff or other officer in going to and returning from the particular correctional institution concerned and \$10 per day for each guard, and such sum as is necessary for actual traveling expenses. All bills shall be rendered in writing, fully itemized, verified, and accompanied by the receipt of the superintendent of the appropriate institution for the delivery of such ward of the youth conservation commission in a form prescribed by the state auditor.

(b) The mileage shall be reimbursed in accordance with the travel regulations governing state employees pursuant to Minnesota Statutes 15A.20, Subdivision 1, without regard to the number of guards or prisoners conveyed.

Sec. 4. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES

Subdivision 1. Societies and Associations

(a) State Horticultural Society

1. For maintenance	9,300	9,300
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(b) For expenses of the Junior Livestock Show in Duluth

	1,400	1,400
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	1973	1974	1975
	\$	\$	\$
Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show.			
(c) For aid to Minnesota Livestock Breeders Association . . .		14,000	14,000
(d) For aid to Northern Sheep Growers Associations		750	750
(e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota		500	500
(f) For Red River Valley Livestock Associations		6,000	6,000

Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.

(g) For the Red River Valley Dairymen's Association, Inc., for the purpose of promoting better dairying		1,500	1,500
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Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.

Subd. 2. Aid to Agricultural Societies and Poultry Associations

(a) Aid to county and district agricultural societies		240,000	240,000
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Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

Provided that the amount appropriated by item (a) hereof

	1973	1974	1975
	\$	\$	\$

shall be disbursed according to Minnesota Statutes, Section 38.02.

Notwithstanding any other law to the contrary, the amount appropriated by item (a) shall only be disbursed to those county and district agricultural societies including the Cass County Agricultural Association whose premium lists exceed \$2,000.

Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.

(b) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8

	3,500	3,500
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Provided that out of the amounts appropriated by item (b) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the pay-

	1973	1974	1975
	\$	\$	\$

ment of premiums and other necessary expenses, exclusive of salaries or wages of any kind, at its annual exhibition.

Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150.

Provided that no one association or society will receive an amount greater than the annual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allocated to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

Sec. 5. SOCIAL SECURITY

Subdivision 1. Minnesota Veterans Home

(a) Maintenance and repairs .	519,924	519,122
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1973

1974

1975

\$

\$

\$

Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,034,654 is for salaries for the year ending June 30, 1974, and \$1,035,398 is for salaries for the year ending June 30, 1975, but may be augmented by such specific sums as are appropriated for salary increases by the 1973 legislature.

Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

Subd. 2. Miscellaneous Accounts

(a) Disabled American Veterans

1. For salaries, supplies and expense to be expended as provided by Laws 1941, Chapter 425

10,000

10,000

	1973	1974	1975
	\$	\$	\$
(b) United Spanish War Veterans			
1. Maintenance, including publication of departmental reports		2,240	2,240
(c) Veterans of Foreign Wars			
1. For carrying out the provisions of Laws 1945, Chapter 455		9,250	9,250

Sec. 6. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

Subdivision 1. For Minnesota Historical Society

(a) Grants and aids		1,581,451	1,615,706
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The above appropriation includes sufficient funds to pay salary increases authorized by the 1973 legislature.

From the appropriation made to the historical society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the direc-

	1973	1974	1975
	\$	\$	\$

tor of the Minnesota historical society of this amount to the state auditor.

Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the state general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioner of administration and the appropriate finance committees of the house and the senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.

(b) Science Museum Extension Program		125,000
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The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 2. For maintenance of Sibley House to be expended by the Sibley House Association		11,225	11,225
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	1973	1974	1975
	\$	\$	\$
<p>Notwithstanding any other law to the contrary, the amount of \$2,000 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance.</p>			
<p>Subd. 3. For aid to school districts as provided by Minnesota Statutes 124.31</p>		50,000	50,000
<p>Provided that this appropriation shall cancel if Minnesota Statutes 124.31 are repealed.</p>			
<p>Provided that any sums received by any school district from the above appropriation shall be in addition to all other forms of state aid and shall not be deducted from any other state aid to schools.</p>			
<p>Subd. 4. For Minnesota Academy of Science</p>		13,500	13,500
<p>Subd. 5. Minnesota State Arts Council</p>		300,000	300,000
<p>Provided that the state funding for grants and subsidies may not be expended unless matched by federal funds.</p>			
<p>Provided that none of the state share of grants and subsidies may be used for matching salary expenditures of any of the various arts councils.</p>			
<p>Every publication, program or other graphic material prepared by the Minnesota state arts council, or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible, in part, by a grant provided by the Minnesota State Legislature and the Congress of the United States."</p>			
<p>Provided that the Minnesota</p>			

	1973	1974	1975
	\$	\$	\$

state arts council shall submit a written report to the house appropriations and senate finance committees on July 1, 1974. Such report shall include but not be limited to the specific purposes for which the appropriation was expended for the fiscal year ending June 30, 1974. It shall include an itemization of the programs and projects supported and the source of the funds each received. It also shall contain a detailed proposal for the expenditure of the appropriation provided in this subdivision for the fiscal year ending June 30, 1975. The council shall submit a written report to the 1975 legislature. The report shall be similar in format to the above report but shall cover each of the years of the 1973-75 biennium.

Subd. 6. Minnesota Safety Council

(a) For salaries, supplies and expenses	47,500	47,500
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These amounts are appropriated from the trunk highway fund and shall be disbursed pursuant to Laws 1967, Chapter 550, Section 2.

Sec. 7. MISCELLANEOUS...

Subdivision 1. For special aid to cities having large proportion of property paying gross earnings taxes, Minnesota Statutes 276.15	207,500	210,000
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Subd. 2. For special aid to counties having large proportion of property paying gross earnings taxes, Minnesota Statutes, Sections 373.20 to 373.24	37,500	37,500
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Subd. 3. For special aid to towns having large proportion of property paying gross earn-

	1973	1974	1975
	\$	\$	\$
ings taxes, Laws 1939, Chapter 324, as amended by Laws 1943, Chapter 506, and pursuant to Laws 1943, Chapter 559.		1,500	1,500
Sec. 8. CIVIL AIR PATROL			
(a) For supplies, expense and equipment		30,000	30,000
To be disbursed by the department of public safety on certification of Commander, the Minnesota wing of the civil air patrol.			
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 9. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS .		15,000	15,000
Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.			
Provided further that a report shall be submitted to the 1974 and the 1975 legislature regarding expenditures for public information programs.			
Sec. 10. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION		55,000	
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 11. UNEMPLOYMENT COMPENSATION	854.47		
In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota veterans home.			

	1973	1974	1975
	\$	\$	\$
Sec. 12. EMPLOYEES COMPENSATION	6,478.83		

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the Minnesota veterans home.

Sec. 13. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1974, and June 30, 1975, appropriated out of any other fund shall be cancelled into the fund from which they are appropriated as of June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 14. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 15. [373.23] LIMIT OF PAYMENTS. In the event the appropriation provided is insufficient to pay the full amount to which these counties shall be entitled annually thereunder, the state auditor shall apportion the sum pro rata to each of the counties.

Sec. 16. PAYMENTS. Subdivision 1. Notwithstanding any law to the contrary, the aids provided in section 4, subdivisions 1b, 1f, and 2a shall hereinafter be disbursed by the department of agriculture and any certifications for payments shall also hereinafter be with or made by the department of agriculture.

Subd. 2. Notwithstanding any law to the contrary, the aids provided in Section 6, Subdivision 3, shall hereinafter be disbursed by the department of education.

Subd. 3. Notwithstanding any law to the contrary, the aids provided in Section 7, Subdivisions 1, 2, and 3 shall hereinafter be disbursed by the department of taxation.

Subd. 4. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall change the terminology referred to by Subdivisions 1, 2, and 3 of Section 16."

Further amend S. F. 2167 by striking the title and inserting in lieu thereof the following:

“A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state’s natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders’, dairymen’s, horticultural and poultry associations and societies; for sheriffs’ per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.”

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: (Signed) Norbert Arnold, Gerald Willet, Harmon Ogdahl, Mel Hansen and Ralph Doty.

House Conferees: (Signed) A. J. (Tony) Eckstein, James Swanson, Peter Fugina, Andrew Skaar and Rodney Searle.

SUSPENSION OF RULES

Mr. Perpich, A. J. moved that H. F. No. 2173 be withdrawn from the Committee on Rules and Administration. Which motion prevailed.

Mr. Perpich, A. J. moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2173 and that the rules of the Senate be so far suspended as to give H. F. No. 2173 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2173: A bill for an act relating to taxation; levy limitations; amending Minnesota Statutes 1971, Sections 275.11, by adding a subdivision; and 412.251.

Was read the second time.

H. F. No. 2173 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Frederick	Kowalczyk	Olhoft	Sillers
Bernhagen	Gearty	Krieger	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hansen, Mel	Lewis	O'Neill	Stassen
Brown	Hanson, R.	Lord	Patton	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Milton	Perpich, G.	Thorup
Coleman	Josefson	Moe	Pillsbury	Ueland
Conzemius	Keefe, S.	Nelson	Purfeerst	Wegener
Doty	Kirchner	North	Renneke	Willet
Dunn	Kleinbaum	Novak	Schaaf	
Fitzsimons	Knutson	Ogdahl	Schrom	

So the bill passed and its title was agreed to:

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 34 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 34

A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

May 4, 1973

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. 34, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 34 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Chapter 149, is amended by adding a section to read:

[149.09] [STATEMENTS; PRICES; CREMATION WITHOUT CASKET.] *Subdivision 1.* [ITEMIZED STATEMENT TO BE FURNISHED.] *Every person licensed or granted a permit pursuant to this chapter, including funeral directors and funeral establishments, shall furnish at the time funeral arrangements are made for the care and disposition of the body of a deceased person, an itemized statement in compliance with rules adopted by the board of health pursuant to Minnesota Statutes, Chapter 15. The rules shall require a separate listing of cost in the following categories: casket; burial vault; use of facilities for funeral services; use of facilities for removal; specifically itemized transportation*

costs; specifically itemized funeral service merchandise; embalming; preparation of the body; other professional services; and a statement of all anticipated cash advances and expenditures.

Subd. 2. [REQUIRING RETAIL PRICE OF CASKET TO BE DISPLAYED.] Every funeral director or operator who offers a casket for sale shall display the retail price of the casket in a conspicuous place on the casket.

Subd. 3. [AUTHORIZING CREMATION OR CALCINATION WITHOUT A CASKET.] A person operating a crematory or calcinatory shall not require that human remains be placed in a casket before cremation or calcination or that human remains be cremated or calcinated in a casket or refuse to accept human remains for cremation or calcination for the reason that human remains are not in a casket. This subdivision does not prohibit the requiring of a container or disposal unit to protect the physical health or safety of any individual. The listing of costs statement required in subdivision 1 shall include the following statement for which a charge is made in conspicuously legible print: Minnesota law does not require that remains be placed in a casket before or at the time of cremation.

Subd. 4. [PENALTY.] Any violation of subdivisions 1 to 3 shall constitute unprofessional conduct within the meaning of section 149.05, subdivision 1, clause (5)."

Further, delete the title and insert in lieu thereof the following:

"A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; requiring the retail price of burial caskets to be clearly marked; authorizing cremation or calcination without a casket; providing a penalty; amending Minnesota Statutes 1971, Chapter 149, by adding a section."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, Howard A. Knutson and John Milton.

House Conferees: (Signed) Donald M. Moe, William R. Ojala and James L. Adams.

Mr. North moved that the foregoing recommendations and Conference Committee report on S. F. No. 34 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 34: A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Borden	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brown	Hanson, R.	Lewis	O'Neill	Stokowski
Chenoweth	Hughes	Lord	Patton	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Coleman	Jensen	Milton	Perpich, G.	Ueland
Conzernius	Josefson	Moe	Pillsbury	Wegener
Doty	Keefe, J.	Nelson	Purfeerst	Willet
Dunn	Kirchner	North	Renneke	
Fitzsimons	Kleinbaum	Novak	Schaaf	

So the bill, as amended by the Conference Committee, re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2437:

Messrs. Davies; Olson, J. L.; Arnold; Hughes and Ashbach. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Sillers, O'Neill, Doty and Borden. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2275:

Messrs. Ogdahl; Kirchner; Perpich, G.; Moe and Tennessee. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:45 o'clock p.m. Which motion prevailed.

The hour of 1:45 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Chmielewski was excused for the balance of this afternoon's Session.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Keefe, S.	Milton	Schrom
Berg	Frederick	Kirchner	Moe	Solon
Bernhagen	Gearty	Kleinbaum	Novak	Stokowski
Chenoweth	Hansen, Baldy	Laufenburger	Perpich, A. J.	Thorup
Chmielewski	Hansen, Mel	Lewis	Pillsbury	Wegener
Coleman	Hanson, R.	Lord	Purfeerst	Willet
Dunn	Humphrey	McCutcheon	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 491, No. 205 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kowalczyk	Novak	Schaaf
Berg	Hansen, Baldy	Krieger	Ogdahl	Schrom
Bernhagen	Hansen, Mel	Larson	Olhoft	Solon
Blatz	Hanson, R.	Laufenburger	Olson, A. G.	Spear
Chenoweth	Humphrey	Lewis	Olson, H. D.	Stassen
Chmielewski	Josefson	Lord	Patton	Stokowski
Coleman	Keefe, J.	McCutcheon	Perpich, A. J.	Tennessen
Conzemius	Keefe, S.	Milton	Perpich, G.	Thorup
Dunn	Kirchner	Moe	Pillsbury	Ueland
Fitzsimons	Kleinbaum	Nelson	Purfeerst	Wegener
Frederick	Knutson	North	Renneke	Willet

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1893, No. 179 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1893: A bill for an act relating to public welfare; authorizing the commissioner of public welfare, and certain counties and municipalities to make grants for child care service and for certain programs for child care; amending Minnesota Statutes 1971, Sections 245.83, Subdivisions 2 and 3, and by adding a subdivision; 245.84; 245.85; 245.86; and 245.87.

Mr. North moved to amend S. F. No. 1893, as follows:

Page 2, line 20, after "*private*" insert "*non-profit*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 9 and nays 33, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	Lewis	North	Spear
Conzemius	Kleinbaum	Lord	Olson, H. D.	

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Nelson	Solon
Berg	Frederick	Keefe, J.	Novak	Stassen
Bernhagen	Gearty	Knutson	Perpich, A. J.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Pillsbury	Ueland
Brown	Hansen, Mel	Larson	Purfeerst	Willet
Chmielewski	Hanson, R.	McCutcheon	Renneke	
Dunn	Humphrey	Milton	Schrom	

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 1893 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 4, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kleinbaum	Novak	Schrom
Berg	Gearty	Larson	Olhoff	Solon
Blatz	Hansen, Baldy	Laufenburger	Olson, A. G.	Spear
Chenoweth	Hansen, Mel	Lewis	Olson, H. D.	Stassen
Chmielewski	Hanson, R.	Lord	Patton	Stokowski
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Jensen	Milton	Pillsbury	Ueland
Dunn	Keefe, J.	Nelson	Purfeerst	Willet
Fitzsimons	Keefe, S.	North	Renneke	

Messrs. Bernhagen, Brown, Knutson, and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. Nos. 1581 and 9 Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1581: A bill for an act relating to the Minnesota housing finance agency; prescribing its powers and duties; providing for the financing thereof; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, Subdivisions 2, 4, 7, 9, and 10, and by adding subdivisions; 462A.05,

Subdivisions 2, 3, 4, 5, 9, 10, and by adding subdivisions; 462A.06, Subdivisions 11 and 12; 462A.07, Subdivision 5; 462A.08, Subdivisions 1, 2, and 3; 462A.09; 462A.10, Subdivisions 2, 3, 4, 5, and 9; 462A.16; 462A.17, Subdivision 1; 462A.18, Subdivision 2; 462A.20, Subdivision 2; 462A.21, Subdivisions 2, 3, and 4; and 462A.22; repealing Minnesota Statutes 1971, Sections 462A.06, Subdivisions 13 to 16; and 462A.23.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kleinbaum	Olson, A. G.	Stassen
Berg	Gearty	Knutson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Patton	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Lord	Pillsbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	
Dunn	Keefe, J.	Novak	Schrom	
Fitzsimons	Keefe, S.	Olhoff	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 5, line 15, strike "hospital" and insert "health care facility"

Which motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 9, line 19, strike "for gratuities and"

Page 9, strike lines 27 and 28

Page 10, strike lines 1 through 10 and insert "Subd. 5. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25% of the minimum wage which a tipped employee receives."

CALL OF THE SENATE

Mr. Milton imposed a call of the Senate. The following Senators answered to their names:

Berg	Hansen, Mel	Kowalczyk	Patton	Stassen
Blatz	Hanson, R.	Larson	Perpich, A. J.	Stokowski
Brown	Humphrey	Lord	Perpich, G.	Tennessee
Coleman	Josefson	Milton	Pillsbury	Thorup
Conzemius	Keefe, J.	Nelson	Purfeerst	Ueland
Dunn	Keefe, S.	North	Renneke	Wegener
Frederick	Kirchner	Novak	Schaaf	
Gearty	Kleinbaum	Olhoff	Schrom	
Hansen, Baldy	Knutson	Olson, H. D.	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

Mr. Milton moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 44 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	North	Schaaf
Arnold	Gearty	Larson	Novak	Sillers
Borden	Hansen, Baldy	Laufenburger	Ogdahl	Solon
Chenoweth	Hansen, Mel	Lewis	Olson, A. G.	Spear
Coleman	Humphrey	Lord	Olson, H. D.	Stassen
Conzemius	Jensen	McCutcheon	O'Neill	Stokowski
Davies	Keefe, J.	Milton	Perpich, A. J.	Tennessee
Doty	Keefe, S.	Moe	Perpich, G.	Thorup
Dunn	Knutson	Nelson	Purfeerst	

Those who voted in the negative were:

Ashbach	Brown	Kleinbaum	Patton	Renneke
Bernhagen	Frederick	Krieger	Pillsbury	Ueland
Blatz	Hanson, R.			

Which motion prevailed. So the amendment was adopted.

Mr. Tennessee moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 8, line 28, strike "declaratory judgment" and insert "appropriate relief"

Which motion prevailed. So the amendment was adopted.

Mr. Olson, A. G. moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 2, line 17, strike "who have reached the age of 18"

Page 2, after line 19, insert "(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;"

Re-number the clauses accordingly.

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 4, strike lines 6 through 9

Page 4, line 10, after "subd." strike "3" and insert "2"

Page 4, line 10, strike "subdivisions" and insert "subdivision"

Page 4, line 10, strike "or 2"

Page 4, line 13, strike "subdivisions" and insert "subdivision"

Page 4, line 13, strike "or 2"

Page 4, line 14, strike "whichever is applicable to the employer"

The question being taken on the adoption of the amendment,

Mr. Milton moved that those not voting be excused from voting. Which motion prevailed.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Olhoft	Spear
Borden	Hughes	McCutcheon	Olson, A. G.	Stassen
Chenoweth	Humphrey	Milton	Olson, H. D.	Stokowski
Coleman	Keefe, J.	Moe	Perpich, A. J.	Tennessee
Conzemius	Keefe, S.	Nelson	Perpich, G.	Thorup
Davies	Kowalczyk	North	Purfeerst	
Doty	Laufenburger	Novak	Schaaf	
Gearty	Lewis	Ogdahl	Sillers	

Those who voted in the negative were:

Arnold	Brown	Jensen	Larson	Schrom
Ashbach	Dunn	Josefson	Olson, J. L.	Wegener
Bang	Fitzsimons	Kirchner	O'Neill	
Berg	Frederick	Kleinbaum	Patton	
Bernhagen	Hansen, Baldy	Knutson	Pillsbury	
Blatz	Hanson, R.	Krieger	Renneke	

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 9, strike lines 22 through 26

Renumber the subdivisions accordingly

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 3, line 21, after "circus" strike the comma and insert "or"

Page 3, line 21, after "fair" strike "or theater"

Mr. Laufenburger moved a substitute amendment to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 3, Line 21, after the word "or" insert the words "motion picture"

Mr. Krieger moved that the Senate do now adjourn.

The question being taken on the adoption of the motion of Mr. Krieger,

Mr. Krieger moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Hanson, R.	Kowalczyk	Olson, J. L.
Ashbach	Dunn	Josefson	Krieger	O'Neill
Bang	Fitzsimons	Keefe, J.	Larson	Patton
Berg	Frederick	Kirchner	Nelson	Pillsbury
Blatz	Hansen, Mel	Knutson	Ogdahl	Sillers

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olson, A. G.	Schrom
Borden	Hansen, Baldy	Lord	Olson, H. D.	Spear
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Stassen
Coleman	Humphrey	Milton	Perpich, G.	Stokowski
Conzemius	Keefe, S.	Moe	Purfeerst	Tennessee
Davies	Kleinbaum	Novak	Renneke	Thorup
Doty	Laufenburger	Olhoft	Schaaf	Wegener

Which motion did not prevail.

The question recurred on the adoption of the substitute amendment of Mr. Laufenburger.

Which motion did not prevail. So the substitute amendment was not adopted.

The question then recurred on the adoption of the amendment of Mr. Milton. Which motion prevailed. So the amendment was adopted.

Mr. Keefe, J., moved to amend H. F. No. 9, the printed bill, as follows:

Page 3, strike lines 16 & 17.

Re-number the clauses in sequence.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Milton	Patton
Bang	Frederick	Keefe, J.	Nelson	Perpich, G.
Berg	Hansen, Mel	Knutson	Olson, H. D.	Pillsbury
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Renneke
Brown	Jensen	Krieger	O'Neill	Sillers

Those who voted in the negative were:

Anderson	Doty	Kirchner	Novak	Stokowski
Arnold	Gearty	Kleinbaum	Olhft	Tennessee
Chenoweth	Hansen, Baldy	Lewis	Olson, A. G.	Thorup
Coleman	Hughes	Lord	Perpich, A. J.	Wegener
Conzemius	Humphrey	McCutcheon	Purfeerst	Willet
Davies	Keefe, S.	Moe	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. Olson, H. D. moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 4, line 12, strike "90" and insert "80"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 31 and nays 29, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olson, H. D.	Schrem
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Sillers
Bang	Hansen, Mel	Krieger	O'Neill	Willet
Berg	Hanson, R.	Laufenburger	Patton	
Blatz	Jensen	Nelson	Pillsbury	
Brown	Josefson	Ogdahl	Purfeerst	
Dunn	Kleinbaum	Olhft	Renneke	

Those who voted in the negative were:

Anderson	Doty	Kirchner	Novak	Stassen
Borden	Gearty	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hughes	Lord	Perpich, A. J.	Tennessee
Coleman	Humphrey	McCutcheon	Perpich, G.	Thorup
Conzemius	Keefe, J.	Milton	Schaaf	Wegener
Davies	Keefe, S.	Moe	Spear	

Which motion prevailed. So the amendment was adopted.

H. F. No. 9 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Schrem
Arnold	Doty	Kleinbaum	Ogdahl	Sillers
Ashbach	Dunn	Kowalczyk	Olhft	Spear
Bang	Gearty	Laufenburger	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Borden	Hanson, R.	Lord	O'Neill	Tennessee
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Schaaf	

Those who voted in the negative were:

Frederick	Jensen	Krieger	Patton	Renneke
Hansen, Baldy	Knutson	Olson, J. L.	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 54, 475, 771, 1222, 1242, 1332, 1498, 1560, 1666 and 1803.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 794: A bill for an act relating to alcoholic beverages; places where possession prohibited; providing a penalty; amending Minnesota Statutes 1971, Section 624.701.

Senate File No. 794 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

Mr. Olhoft moved that S. F. No. 794 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgment of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

Senate File No. 1247 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

Mr. Keefe, S. moved that S. F. No. 1247 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 746: A bill for an act relating to securities; repealing Minnesota Statutes 1971, Chapter 80.

Senate File No. 746 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 11, 1973

Mr. Tennessen moved that S. F. No. 746 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 647, 680, 932 and 2225.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 11, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 647: A bill for an act relating to agriculture; collective bargaining; providing for mandatory bargaining between producers or associations and handlers; providing criteria.

H. F. No. 680: A bill for an act relating to pollution; providing for the reimbursement to a successful plaintiff or intervenor of his costs in an action; amending Minnesota Statutes 1971, Chapter 116B, by adding a section.

H. F. No. 932: A bill for an act relating to intoxicating liquor and non-intoxicating malt liquor; days and hours of sale; amending Minnesota Statutes 1971, Sections 340.034, Subdivision 1; and 340.14, Subdivisions 1 and 5.

H. F. No. 2225: A bill for an act relating to insurance; providing for legal expense insurance; amending Minnesota Statutes 1971, Sections 60A.06, Subdivision 1; 60A.07, Subdivisions 5a, 5b, and 5c; and 60A.08, by adding a subdivision.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee reports at the Desk, with the exception of those pertaining to appointments be now adopted. Which motion prevailed.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 458: A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich, A. J., from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2087: A bill for an act relating to reassessment of improperly valued property; removing residency as a qualification for assessors; amending Minnesota Statutes 1971, Section 270.17.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich, A. J., from the Committee on Taxes and Tax Laws, to which was referred

H. F. No. 1080: A bill for an act relating to taxation; requiring the payment of certain taxes prior to the registration or licensing of aircraft; amending Minnesota Statutes 1971, Chapters 297A and 360, by adding sections.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich, A. J., from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2444: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 12, add a section to read:

"Sec. 2. This act is effective the day following its final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred the following appointment:

METROPOLITAN COUNCIL

Mr. Paul Thuet, 228 Grand Avenue, South St. Paul, Dakota County, appointed effective April 3, 1973, for a term expiring the first Monday of January, 1979.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Chenoweth moved that the foregoing committee report be laid on the table. Which motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 1612: A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. Minnesota Statutes 1971, Section 85.015, is amended by adding a subdivision to read:

Subd. 10. Minnesota-Wisconsin Boundary Trail, Ramsey, Anoka, Washington, Chisago, Pine, and Carlton Counties.

(a) The trail shall originate in the vicinity of Arden Hills, Ramsey county, and thence extend northeasterly, traversing Anoka and Washington counties to the vicinity of Taylors Falls in Chisago county; thence northwesterly and northerly to St. Croix state park in Pine county; thence northerly to Jay Cooke state park in Carlton county, and there terminate.

(b) The trail shall be developed primarily for riding and hiking.”

Amend the title as follows:

Page 1, line 2, strike “providing authority for acquisition of interests

Page 1, strike all of line 3, and insert “amending Minnesota Statutes 1971, Section 85.015, by adding a section.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J., from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1213: A bill for an act relating to public museums, galleries, and schools of arts or crafts in cities of the first class; tax levy; amending Minnesota Statutes 1971, Section 450.25.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, strike “1.5” and insert “.35”

Page 2, line 7, after “purposes.” insert “*The mill rate referred to herein shall be mills as determined after the adoption of section 273.1102.*”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2290: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; amending Minnesota Statutes 1971, Section 297.03, Subdivision 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 3, add a section to read:

"Sec. 2. The sum of \$30,000 is appropriated annually from the general fund in the state treasury to the tax department for the purchase of said heat-applied stamps."

Page 2, line 4, Renumber Sec. 2. to Sec. 3.

Amend the title, as follows:

Page 1, line 3, after ";" insert "appropriating moneys;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1999: A bill for an act relating to tax levies for county road and bridge purposes in St. Louis County.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof, the following:

"Section 1. [ROAD AND BRIDGE LEVY.] The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1973 not to exceed five mills on the dollar of the taxable valuation of the county; in 1974, not to exceed six mills on the dollar of the taxable valuation of the county; in 1975, not to exceed seven mills; in 1976, not to exceed eight mills; and in 1977 and subsequent years, not to exceed 8.34 mills on the dollar of the taxable valuation of the county.

Sec. 2. [LEVY LIMITATIONS.] After July 1, 1973, any annual increase in the tax levy for road and bridge purposes by St. Louis county shall be disregarded when computing levies permitted under levy limitations provided by Minnesota Statutes, Section 275.50 to 275.56.

Sec. 3. [EFFECTIVE DATE.] This act is effective upon approval by the county board of St. Louis county, and upon compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2445: A bill for an act relating to taxation; transferring administration of homestead property tax relief in taconite and iron ore areas to commissioner of taxation; amending Minnesota Statutes 1971, Sections 273.135, Subdivisions 3 and 4; and 273.136, Subdivisions 2 and 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 5, after "*earphones*" insert "*which are used in both ears simultaneously*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1829: A bill for an act relating to armories; defining armory; amending Minnesota Statutes 1971, Section 193.139, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 854: A bill for an act relating to the designation of a specific route for the great river road in Minnesota; amending Minnesota Statutes 1971, Chapter 161, by adding a section; repealing Minnesota Statutes 1971, Sections 161.143 to 161.147.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1506: A bill for an act relating to elections; providing for the appointment of volunteer deputies; providing for the registration of the elderly and disabled at their residences, and for the registration of other eligible voters at various locations; amending Minnesota Statutes 1971, Sections 201.05; and 201.20, by adding subdivisions.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 2111: A bill for an act relating to elections; permitting voting compartments when electronic voting systems are in use; amending Minnesota Statutes 1971, Sections 203.10, Subdivision 2; and 206.026, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1764: A bill for an act relating to highways; designating and describing the route of the Voyageur Highway; amending Minnesota Statutes 1971, Section 161.14, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 952: A bill for an act relating to housing; requiring installation of fire extinguishers in apartments.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1264: A resolution memorializing the President and Congress to enact a moratorium on railroad abandonments.

Reports the same back with the recommendation that the resolution do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2418: 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 540: A bill for an act relating to highways; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XVI, Section 5 of the Constitution; providing that a portion thereof apportioned to the county state-aid highway fund be allocated to towns for town road purposes; appropriating

money; amending Minnesota Statutes 1971, Sections 161.081; 161.082, by adding a subdivision; and 161.085.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, strike "45" and insert in lieu thereof "10"

Line 26, strike "10" and insert in lieu thereof "45"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2430: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, line 23, reinstate "an"

Page 5, lines 24 to 28, reinstate the stricken language and strike the new language

Page 6, strike the new language in lines 1 to 13

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 1036: A bill for an act relating to historic sites; regulating the boundaries of the old Fort Snelling historic district and designating the historic hill district; amending Minnesota Statutes 1971, Section 138.73, Subdivision 13; and Section 138.73, by adding a subdivision.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, strike lines 1 to 16

Page 2, strike lines 1 to 32

Page 3, line 10, strike "*Pleasant Avenue*" and insert in lieu thereof "*The proposed northern boundary line of the highway department right-of-way*"

Page 3, line 11, strike "*centerline of Pleasant Avenue*" and insert in lieu thereof "*proposed northern boundary line of the highway department right-of-way*"

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1064: A bill for an act relating to Hennepin county; retirement of county employees; amending Laws 1965, Chapter 855, Section 15, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 827: A bill for an act relating to retirement, directing a study of private pension funds; appropriating money.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "department of commerce" and insert "legislative retirement study commission:"

Page 1, line 6, strike "department of commerce" and insert "legislative retirement study commission"

Page 1, line 7, strike "legislative retirement study commission and the"; in the same line insert a period after "legislature" and strike "by No-"

Page 1, strike lines 8 and 9

Page 1, line 11, strike "state department of commerce" and insert "legislative retirement study commission"

Page 1, line 14, strike "state department of commerce" and insert "legislative retirement study commission"

Page 2, line 2, strike "department of commerce" and insert "legislative retirement study commission"

Page 2, line 3, strike "This appropriation shall be avail-", and strike all of line 4

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 371: A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 680 and 932 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 680 to the Committee on Judiciary.

H. F. No. 932 to the Committee on Labor and Commerce.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 358: A bill for an act relating to teachers retirement association; amending Minnesota Statutes 1971, Sections 136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.-07, Subdivision 1; 354.09, Subdivision 3; 354.145; 354.31; 354.32; 354.33, Subdivisions 1, 5, 7, 8 and 9; 354.39; 354.41, Subdivision 3; 354.42, Subdivisions 2, 3 and 5; 354.44, Subdivisions 2, 6 and 7; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivisions 3 and 8, and by adding subdivisions; 354.62, Subdivisions 2 and 5; 354.63, Subdivision 2; and 11.25, by adding a subdivision; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike all of Sec. 6 on pages 4, 5, 6, and 7

Page 9, lines 20 and 21, strike the new language and insert in lieu thereof: "*1 percent per year of formula service credit for the first ten years and 1.5 percent for each subsequent year of formula service credit*"

Page 10, lines 22 and 23, strike the new language and insert in lieu thereof "*.5 percent per year of formula service credit for the first ten years and .75 percent for each subsequent year of formula service credit*"

Page 10, strike line 36

Page 11, strike lines 1 to 5

Page 12, lines 15 and 16, reinstate the stricken language

Page 14, Lines 14 and 15, strike the new language and insert in lieu thereof "*2 percent per year of formula service credit for the first ten years and 2.5 percent for each subsequent year of formula service credit*"

Page 15, lines 16 and 17, strike the new language and insert in lieu thereof "*1 percent per year of formula service credit for the first ten years and 1.25 percent for each subsequent year of formula service credit*"

Page 18, line 28, strike "twenty" and insert "thirty"

Page 19, lines 15 and 16, reinstate the stricken language

Page 19, after line 16, insert a new section to read:

"Sec. . Minnesota Statutes 1971, Section 354.55, is amended by adding subdivisions to read:

Subd. 16 (1) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to section 354.145, subdivision 1, clause (1) shall have their annuity at retirement computed under section 354.33, subdivision 1 or subdivision 7, whichever is larger.

(2) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to section 354.145, subdivision 2, clause (1) shall have their annuity at retirement computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.

Subd. 17. (1) Teachers who retired after June 30, 1972 and before July 1, 1973 who failed to make an election pursuant to section 354.145, subdivision 1, clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either section 354.33, subdivision 1 or subdivision 7, whichever is larger.

(2) Teachers who retired after June 30, 1972 and before July 1, 1973 and who failed to make an election pursuant to section 354.145, subdivision 2, clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either section 354.44, subdivision 2 or subdivision 6, whichever is larger.

Page 21, strike lines 20 to 36

Page 22, strike lines 1 and 2 and insert new sections to read as follows:

Sec. 31. Minnesota Statutes 1971, Section 354.55, is amended by adding a subdivision to read:

Subd. 15. All Annuities payable from the Minnesota adjustable fixed benefit fund which are in effect on June 30, 1973 shall be increased by an amount, that when added to the increases granted to such annuities pursuant to section 11.25, subdivisions 12 and 13 and the increase provided in this section effective July 1, 1973, equals thirty percent of the amount of annuity payable on June 30, 1973.

The actuarially computed reserves for the increase provided herein and for the annuities in effect on June 30, 1973 plus any interest required shall be transferred to the Minnesota adjustable fixed benefit fund and all money necessary to meet the requirements of certification or withdrawal are authorized in accordance with section 11.25, subdivision 11.

Any additional annuity shall begin to accrue on July 1, 1973 and shall be considered the "originally determined benefits" for the purpose of future adjustments.

Notwithstanding the provisions of section 356.18, increases in annuity payments pursuant to this act will be made automatically unless written notice is filed by the annuitant with the board of trustees of the teachers retirement association requesting that the increase shall not be made.

Notwithstanding other provisions of chapter 11 as amended, effective July 1, 1973, all assets in the annuity stabilization reserve and expense account of the Minnesota adjustable fixed benefit fund shall be credited proportionately to the individual retirement funds' participation. The increase herein provided shall be in lieu of the adjustment provided by section 11.25, subdivisions 12 and 13, scheduled to take effect January 1, 1974. The increased benefits accruing as of July 1, 1973 shall be considered the "originally determined benefits" for the purpose of future adjustments.

Sec. 32. Minnesota Statutes 1971, Section 354.46, Subdivision 1, is amended to read:

354.46 [PAYMENTS AFTER DEATH.] Subdivision 1. Benefits for spouse and children of teacher. Upon the death of a member before retirement or upon the death of a former member who was disabled and receiving disability benefits pursuant to section 354.48 at the time of his death, who has had at least 18 months of allowable service, his surviving dependent spouse and dependent children under the age of 18 shall receive the monthly benefit provided below. Where a member died on or after July 1, 1955, leaving any dependent child, such dependent child shall receive the benefits provided in this subdivision commencing from and after the effective date of Extra Session Laws 1957, Chapter 16.

- (a) Surviving dependent spouse30 percent of the member's monthly average salary ~~not to exceed \$65 per month in effect over the last full six months of allowable service preceding death~~
- (b) Each dependent child 20 ~~10~~ percent of the member's monthly average salary ~~not to exceed \$45 per month in effect over the last full six months of allowable service preceding death~~

~~In addition to the amounts provided in (a) and (b) hereof, 10 percent of the member's monthly average salary not to exceed \$20 per month shall be paid to be divided equally among the dependent children. Payments for the benefit of any 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 shall not exceed \$250.00 \$400 for any one family. 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.

If the member and the surviving dependent spouse are killed in a common disaster and if the total of all survivors benefits paid under this subdivision is less than the accumulated deductions plus interest payable, the surviving children shall receive the difference in a lump sum payment.

Any survivor of a member whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision. If the survivor benefits provided in this subdivision exceed in total the monthly average salary of the deceased member, these benefits shall be reduced to an amount equal to the deceased member's monthly average salary.

Effective January 1, 1973, the surviving dependent spouse's benefit provided herein may be waived but the benefits of a dependent child can only be waived by order of the district court."

Renumber the sections in sequence

Further amend the title, line 3, by striking "354.145;" line 3, after "7," insert "and" and after "8" strike "and 9"; line 4, after "354.45, Subdivision 2;" insert "354.46, Subdivision 1;" line 6, strike "and 11.25, by adding a subdivision;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2373: A bill for an act relating to retirement; bureau of health personnel in cities of the first class; amending Minnesota Statutes 1971, Section 425.02; and Chapter 425, by adding a section; repealing Laws 1971, Chapter 578, Section 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Subdivision 1. Notwithstanding any provision to the contrary in Minnesota Statutes 1971, Chapter 425, as of July 1, 1973, each employee of the bureau of health in the city of St. Paul who is a member of the bureau of health pension fund established pursuant to Chapter 425 shall cease to be a member of such fund and become a member of the public employees' retirement association.

Subd. 2. Each such employee shall receive services credit in the basic plan of the public employees retirement association as if he had been a member of such fund during his entire service in the bureau of health.

Subd. 3. The retired or disabled former employees receiving benefits from the bureau of health pension fund shall be transferred without change in the level of benefits to the responsibility of the public employees' retirement association as of July 1, 1973.

Subd. 4. The public employees' retirement association shall make said former employees of the bureau of health who are retired under service pensions subject to the provisions of the Minnesota adjustable fixed benefit fund as if each person had retired on July 1, 1973 with the amount of monthly pension he is receiving.

Sec. 2. Subdivision 1. The city of St. Paul shall pay the public employees' retirement association for the reserves required to be deposited July 1, 1973 with the Minnesota adjustable fixed benefit fund to support the benefits being paid to the retired persons transferred pursuant to this act.

The amount shall be determined in accordance with an assumed interest rate off five percent and the mortality table in use by the public employees' retirement association.

Subd. 2. The city of St. Paul shall pay the public employees' retirement association for the past service obligations for the active employed members of the bureau of health relief association calculated on the basis of the benefit formula and actuarial assumptions in use as of the effective date of the transfer.

Subd. 3. The total obligation to the public employees' retirement association acquired as provided herein shall be calculated by the actuary of that fund and submitted to the city of St. Paul's city administrator along with an explanation of the procedure and data used in the calculation. The city council may submit the result for an analysis to the actuary of the bureau of health pension fund. In case the city council and the public employees' retirement association do not agree on the total obligation, the actuary of the Minnesota state retirement system or the actuary of the state teachers' retirement association may be retained to determine the total obligation. The total obligation shall be determined no later than October 1, 1973.

Subd. 4. The assets as of July 1, 1973 of the bureau of health pension fund shall be paid to the public employees' retirement association as a credit against the total obligation. Any additional assets that accrue to the bureau of health pension fund after July 1, 1973 and before December 31, 1973 shall also be so paid and so credited.

Sec. 3. Subdivision 1. The total obligation when finally determined shall be considered to have accrued as of July 1, 1973 and the unpaid balance after that date shall accrue interest compounded at the rate of six percent per year.

Subd. 2. The city of St. Paul shall pay to the public employees' retirement association at least one-tenth per year of the unpaid balance on October 1, 1973 of the total obligation, plus accrued interest compounded at the rate of six percent each year.

Subd. 3. The city is authorized to levy such an amount each year as is necessary to make the payment required under this act. Such levy shall be in excess of any limitation imposed by law; or the city is hereby authorized to sell bonds in such amount as will provide funds to pay the public employees' retirement association the entire unpaid balance of the total obligations.

The maturity of such bonds shall not be more than fifteen years from

the date of sale. Such bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for the purpose of any charter or statutory debt limitation and taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation of rate or amount.

Sec. 4. The active employees of the bureau of health herein transferred to membership in the public employees' retirement association may exercise an option to retire with benefits calculated in accordance with Minnesota Statutes, Chapter 425, as modified by Chapter 1102, Laws of 1969. Such option must be filed on or before September 1, 1973 with the city administrator of the city of St. Paul.

Sec. 5. Laws 1971, Chapter 578, Section 2, is repealed.

Sec. 6. This act shall be effective the day following its final enactment."

Further amend the title

Page 1, strike line 4

Strike line 5

In line 6 strike "adding a section;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2010: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.28, Subdivision 1; 299.05; 299.07; 299.09; and 299.10.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 298.01, Subdivision 1, is amended to read:

298.01 [MINING OR PRODUCING ORES.] Subdivision 1. Every person 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 equal to 15.5 percent of the valuation of all ores except taconite, semi-taconite and iron sulphides mined or produced after December 31, 1971. Said tax shall be in addition to all other taxes provided for by law and shall be due and payable from such person on May 1 or before June 15 of the year next succeeding the calendar year covered by the report thereon to be filed as hereinafter provided.

Sec. 2. Minnesota Statutes 1971, Section 298.01, Subdivision 2, is amended to read:

Subd. 2. Every person engaged in the business of producing or mining taconite, semi-taconite and iron sulphides in this state shall pay to the state an occupation tax equal to 15 percent of the valuation of all taconite, semi-taconite and iron sulphides mined or produced after December 31, 1970. The tax shall be in addition to all other taxes provided for by law and shall be due and payable from such person on *May 1 or before June 15* of the year next succeeding the calendar year covered by the report thereon to be filed as hereinafter provided.

Sec. 3. Minnesota Statutes 1971, Section 298.10, is amended to read:

298.10 [COMMISSIONER TO CERTIFY AMOUNT OF TAXES DUE AND TO BILL PERSONS LIABLE.] The commissioner of taxation shall enter on his records the amount of taxes found and determined by him to be due from any person, as herein provided; and, on or before June first, shall certify such amount to the ~~state auditor, who thereupon shall make his draft upon such person for the amount of taxes as thus certified, and place the same in the hands of the state treasurer for collection.~~ *person subject to the tax, which shall be payable to the commissioner of taxation and deposited in the state treasury.*

Sec. 4. Minnesota Statutes 1971, Section 298.12, is amended to read:

298.12 [COMMISSIONER'S CERTIFICATION PRIMA FACIE EVIDENCE OF AMOUNT DUE.] ~~The draft of the state auditor certification of the commissioner of taxation for the tax, or tax and penalties, imposed by the provisions of sections 298.01 to 298.11, shall be prima facie evidence, in any court where proceedings may be brought for its enforcement, that the amount therein stated is due the state from the person against whom the same is drawn.~~ *indicated.*

Sec. 5. Minnesota Statutes 1971, Section 298.13, is amended to read:

298.13 [ATTORNEY GENERAL TO COLLECT UNPAID TAXES.] On July first each year, the ~~state treasurer~~ *commissioner of taxation* shall deliver to the attorney general *a certification of all unpaid drafts for taxes imposed under sections 298.01 to 298.16, and he shall bring an action thereon in the district court of Ramsey county, or of the county where such ores are mined or produced, for the amount of such draft taxes, together with interest, penalties, and costs. The judgment of the court, when so obtained, shall bear interest at the rate of one percent per month and be enforceable in the manner provided by law for the enforcement of judgments obtained in civil actions.*

Sec. 6. Minnesota Statutes 1971, Section 298.28, Subdivision 1, is amended to read:

298.28 [DIVISION OF PROCEEDS.] Subdivision 1. The proceeds of the tax collected under section 298.24 shall be distributed by the state treasurer, upon certificate of the commissioner of taxation to the general fund of the state and to the various taxing districts in which the lands from which taconite was mined or quarried were located in the following manner and proportions: 11½ percent thereof to the city, village or town; 27 percent thereof to the school district; 11½ percent thereof to the county; three percent thereof to the state and 47 percent thereof, less any amount required to be distributed under subdivision 1a to the taconite property tax relief account in the apportionment fund in the state treasury. If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities, villages and towns among such subdivisions as provided above, and the part going to school districts among such districts, and the part going to counties among such counties upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner. The amount so distributed shall be divided among the various funds of the state, or of the taxing districts in the same proportion as the general ad valorem tax thereof. If in any year the state shall not spread any general ad valorem tax levy against real property, the state's proportion of the tax shall be paid into the general fund. The amount distributed to any city or village and one-third in 1971 and that portion not deducted from state aids in section 124.212, subdivision 8, thereafter of the amount distributed to any school district under the provisions hereof shall be included in computing the permissible levies of such city, village or school district under sections 275.11 or 275.125, provided, in computing the deduction from permissible levies of cities or villages by reason hereof effect shall be given to the cost of living adjustment allowed by section 275.11, subdivision 2, regardless of whether or not more than 25 percent of the assessed valuation consists of iron ore. On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of taxation and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district, city or village which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate

shall list the taxing districts entitled to participate in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in such next ensuing calendar year on the basis of the last percentage distribution certified by the commissioner of taxation. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the amount so indicated as being distributable to each taxing district except in the case of school districts one-third in 1971 and that portion not deducted from state aids in section 124.212, subdivision 8, thereafter of the indicated amount is to be used in computing, pursuant to sections 275.11 or 275.125, the permissible tax levy of such city, village or school district in the year in which such estimate is made, and payable in the next ensuing calendar year. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 294.25 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of taxation pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of taxation, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections 275.11 or 275.125 has been made, if the taxes distributable to any such city, village or school district are greater than the amount estimated to be paid to any such city, village or school district in such year, the excess of such distribution shall be held in a special fund by the city, village or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections 275.11 or 275.125, of such city, village or school district payable in such year. If the amounts distributable to any such city, village or school district, after final determination by the commissioner of taxation under section 298.28 are less than the amounts indicated by such estimates, such city, village or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections 275.11 or 275.125 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby appropriated to such taxing districts as are stated herein and to the taconite property tax relief account in the apportionment fund in the state treasury, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer.

Sec. 7. Minnesota Statutes 1971, Section 298.282, Subdivision 2, is amended to read:

Subd. 2. Each year commencing in 1972, and the following final determination of the amount of taxes payable under section 298.241, the ~~state auditor~~ *commissioner of taxation* shall determine the amount in the taconite municipal aid account as of July 1 of such year the amount to be distributed to each qualifying municipality during such year. The amount to be distributed to each qualifying municipality shall be determined by dividing the total amount in said account as of July 1 by the total population according to the latest federal census of all qualifying municipalities to determine the per capita distributive share for such year and by multiplying the per capita distributive share by the population of such municipality. Upon completion of such determination, the ~~state auditor~~ *commissioner of taxation* shall certify to the chief clerical officer of each qualifying municipality the amount which will be distributed to such municipality from the taconite municipal aid account that year.

Sec. 8. Minnesota Statutes 1971, Section 298.282, Subdivision 3, is amended to read:

Subd. 3. If the amount certified by the ~~state auditor~~ *commissioner of taxation* as distributable to any qualifying municipality is greater than the amount previously estimated to have been distributable to such qualifying municipality in such year, the excess distributed to such municipality shall be held in a separate fund by the qualifying municipality and shall not be expended until the succeeding calendar year and shall be deducted, first, from the permissible general levy and then proportionately from permissible excess levies of the qualifying municipality in the succeeding calendar year. If the amount distributable to any qualifying municipality, after final determination by the ~~state auditor~~ *commissioner of taxation* is less than the amount estimated to have been distributable to such qualifying municipality, such municipality may issue certificates of indebtedness in the amount of the shortage and may include in its next tax levy in excess of then existing levy limitations an amount sufficient to pay such certificates of indebtedness and interest thereon or, if no certificates were issued, an amount equal to such shortage.

Sec. 9. Minnesota Statutes 1971, Section 298.282, Subdivision 4, is amended to read:

Subd. 4. On or before August 15, 1972, and on or before August 15 of each year thereafter, the state auditor shall issue his warrant in favor of the treasurer of each qualifying municipality in the amount determined by the ~~state auditor~~ *commissioner of taxation* to be due and payable to such qualifying municipality in such year.

Sec. 10. Minnesota Statutes 1971, Section 298.283, is amended to read:

298.283. [CHANGE OF STATUS OF MUNICIPALITY; DATE FOR DETERMINING STATUS.] If any qualifying municipality

as defined in section 298.282, is consolidated with another municipality or part thereof, the secretary of state shall certify that fact to the ~~state auditor~~ *commissioner of taxation*, who shall ~~issue his warrant~~ *determine the amounts payable* to the consolidated municipality according to the combined population resulting, for the purpose of determining aid payable under the provisions of section 298.282. The determination of amounts payable under the provisions of section 298.282 shall however be based on the status of the municipality on January 1 of each year.

Sec. 11. Minnesota Statutes 1971, Section 299.012, Subdivision 3, is amended to read:

Subd. 3. In case any tax is not paid at the time provided in section 299.07, the commissioner, not earlier than ten days after notice to the royalty recipient, shall direct the royalty payor to withhold from any royalties due, or to become due to said recipient, the amount of tax determined to be delinquent, and shall *direct such royalty payor to remit the same to the state treasurer* ~~commissioner of taxation~~ in the same manner and under the same conditions as prescribed by said section 299.08 for the withholding and remitting of the royalty tax.

Sec. 12. Minnesota Statutes 1971, Section 299.05, is amended to read:

299.05 [ASSESSMENT BY COMMISSIONER.] Upon the receipt by the commissioner of taxation of the report provided for in section 299.03, he shall determine, from such information as he may possess, or obtain, whether the same is correct, or otherwise; and, if found correct, he shall determine therefrom the amount of tax due from such person, enter the amount thereof in his records, make this certificate of taxes due thereon from such person, and the amount that has been paid thereon; and, on or before ~~June 30~~ *July 15*, of each year, ~~file the same with the state auditor and file a duplicate thereof with the state treasurer demand payment from such person.~~ The commissioner of taxation shall have power, in case he shall deem the report incorrect, or in case the report is not made and filed with the commissioner as provided in section 299.03, to make his findings as to the amount of such taxes due after hearing upon notice to the person interested, and his findings shall have the same effect as the determination of the amount of such taxes upon a report made as hereinbefore provided.

A person subletting land for the use of which he received royalty shall be required to pay taxes only on the difference between the amount of royalty paid by him and the amount received.

Sec. 13. Minnesota Statutes 1971, Section 299.06, is amended to read:

299.06 [FAILURE TO MAKE REPORTS; PENALTY; PROCEDURE.] If any person subject to the tax provided by this chapter shall fail to make the report provided for in section 299.03, at the time and in the manner therein provided, there shall accrue upon the tax herein imposed a penalty in an amount equal to ten percent of the tax so imposed, the said penalty to be imposed ratably in proportion to the number of days de-

linquent but not exceeding 60 days after which the full penalty of ten percent shall be applied. After the said penalty or any proportion thereof has been assessed the commissioner of taxation shall serve notice by registered mail to the royalty recipient at his last known address of the amount of penalty due and of his intention to demand payment thereof from the royalty payor by withholding the same in the same manner as provided for withholding the royalty tax under section 299.08. Thereupon the commissioner not earlier than ten days after notice to the royalty recipient shall direct the royalty payor to withhold from any royalties due, or thereafter to become due said recipient, the amount of the penalty so assessed and remit the same to the ~~state treasurer~~ *commissioner of taxation* in the same manner and under the same conditions as prescribed by said section 299.08 for the withholding and remitting of the royalty tax.

Sec. 14. Minnesota Statutes 1971, Section 299.07, is amended to read:

299.07 [TIME FOR PAYMENT.] Any portion of such tax that has not been withheld and paid by the royalty payor, as herein required, shall be due and payable on or before July 15 31, of each year.

Sec. 15. Minnesota Statutes 1971, Section 299.08, is amended to read:

299.08 [LIEN; PAYMENT OF TAX.] The situs of royalty, for all purposes of this chapter, shall be in this state; and the tax herein provided for shall be a specific lien from the time the royalty accrues upon all and singular the right, title, and interest of the person to whom such royalty is payable, in and to the land, for permission to explore, mine, take out, and remove ore on which the royalty is paid, and shall be a specific lien upon such royalties as they accrue. Every person paying royalty to another which is subject to tax hereunder, upon which the royalty tax has not been paid, shall withhold the amount of the tax upon such royalty and remit the same to the ~~state treasurer~~ *commissioner of taxation* at the time the royalty is paid. Such payment ~~to the state treasurer~~ shall operate to discharge to that extent the liability of the person paying such royalty to the royalty recipient. In addition thereto, he shall withhold any additional amounts certified pursuant to section 299.012, subdivision 3. At the time of such payment he shall file ~~with the state treasurer~~ and with the commissioner of taxation a report thereof on forms to be prescribed by the commissioner of taxation. If any person paying royalty to another shall fail to withhold the tax thereon or the penalty imposed by section 299.06, after notice thereof as therein provided, and pay the same to the ~~state treasurer~~ *commissioner of taxation*, he shall be liable for the amount of such tax and penalty, with interest at the rate of 12 percent per annum from the time the same should have been paid, to be recovered in an action by the attorney general for and on behalf of the state. The commissioner of taxation, may, upon petition of any royalty payor or recipient, upon such conditions as he may impose, permit the paying of the tax in one annual payment instead of

as such royalty accrues, in which case such annual payment shall be made at such times as the commissioner of taxation directs, not later than June 30 of the year following the accrual of the royalty. No such extension of time shall be granted unless, as one of the conditions thereof, the royalty payor shall guarantee the payment of the tax.

In the event the royalty is paid in ore instead of in cash the tax provided for herein shall be a specific lien upon the ore apportioned to the royalty recipient; or, if such ore be not apportioned, upon the royalty recipient's interest in the ore mined, and such ore shall not be shipped from this state unless:

(1) The royalty tax be paid; or

(2) A bond be given to secure such payment, upon a form and with sureties approved by the commissioner of taxation, in an amount 25 percent in excess of his estimate of the tax; or

(3) The estimated amount of the tax, such estimate to be made by the commissioner of taxation, be deposited with the state treasurer as security for such payment; or

(4) The payment of the tax be guaranteed or secured in some other manner satisfactory to the commissioner of taxation.

Sec. 16. Minnesota Statutes 1971, Section 299.09, is amended to read:

299.09 [DRAFT FOR TAX; COLLECTION.] ~~On or before June 25, in each year, the state auditor shall make his draft, upon the person against whom a tax has been certified, for the amount of tax and penalty, if any, due and place the same in the hands of the state treasurer for collection. The draft of the state auditor certificate of the commissioner of taxation for the tax and penalties imposed by the foregoing provisions of this chapter shall be prima facie evidence, in any court where proceedings may be brought for its enforcement, that the amount therein stated is due the state from the person against whom the same is drawn certified.~~

Sec. 17. Minnesota Statutes 1971, Section 299.10, is amended to read:

299.10 [PENALTY FOR NON-PAYMENT; COLLECTION OF DELINQUENT DRAFTS.] If the tax herein provided for is not paid before July 15 August 1 of the year when due and payable a penalty of ten percent thereof shall immediately accrue and thereafter one percent per month shall be added to such tax while it remains unpaid. On July 16 August 10, of each year, ~~the state treasurer~~ commissioner of taxation shall deliver all unpaid drafts a certification of all unpaid liability to the attorney general, whose duty it shall be to bring an action ~~therein~~ in the district court of Ramsey county for the amount of such draft tax, together with penalties, interest, and costs of the proceedings; and the judgment of the court, when so obtained and properly docketed, shall be a lien upon all right, title, and interest

of the taxpayer to the land upon which such tax is a lien from the time the same is docketed; and the lien shall continue without limitation, with interest at the rate of one percent per month, and the property may be sold in satisfaction of the judgment in the same manner as provided by law for the sale of property upon execution.

Sec. 18. *This act is effective the day following its final enactment.*"

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; transferring certain administrative duties to commissioner of taxation; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.10; 298.12; 298.13; 298.28, Subdivision 1; 298.282, Subdivisions 2, 3, and 4; 298.283; 299.012, Subdivision 3; 299.05; 299.06; 299.07; 299.08; 299.09; and 299.10."

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2087, 2444, 1213, 1999, 2445 and 2010 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 458, 1080, 1612, 242, 1829, 854, 1506, 2111, 1764, 952, 1036, 371 and 358 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m. Monday, May 14, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTIETH DAY

St. Paul, Minnesota, Monday, May 14, 1973.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Jensen	Lord	Perpich, A. J.
Bang	Dunn	Keefe, S.	McCutcheon	Perpich, G.
Berg	Frederick	Kirchner	North	Pillsbury
Borden	Gearty	Kleinbaum	Olhoft	Schrom
Brown	Hansen, Baldy	Knutson	Olson, A. G.	Sillers
Chmielewski	Hansen, Mel	Kowalczyk	Olson, H. D.	Spear
Coleman	Hanson, R.	Larson	Olson, J. L.	Stokowski
Conzemius	Hughes	Laufenburger	O'Neill	Wegener
Davies	Humphrey	Lewis	Patton	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, J.	North	Schaaf
Arnold	Doty	Keefe, S.	Novak	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Kleinbaum	Olhoft	Spear
Berg	Frederick	Knutson	Olson, A. G.	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Joefson	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Milton was excused from the Session of today. Mr. Solon was excused from the Session of this morning. Mr. Krieger was excused from the Session of today until 2:00 o'clock p.m. Mr.

Blatz was excused from the Session of today, beginning at 6:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 11, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 658, An act relating to architects, engineers and surveyors; exempting certain contractors from certain state registration requirements; amending Minnesota Statutes 1971, Section 326.02, Subdivision 5.

Sincerely,
Wendell R. Anderson, Governor

May 11, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 531, An act relating to deceptive trades practices; making the law relating thereto uniform with that of certain other states.

S. F. No. 613, An act relating to the counties of Lake and St. Louis; requiring the counties to provide toilet facilities and other environmental protection measures along the north shore of Lake Superior during the time when the smelt season is open; annually appropriating money; amending Laws 1971, Chapter 121.

S. F. No. 627, An act relating to motor vehicles; licensing and taxation thereof; providing penalties; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 16 and 17; 168.013, Subdivisions 1, 3, 12, and 15; 168.12, Subdivision 1; and 168.29; repealing Minnesota Statutes 1971, Sections 168.011, Subdivision 24; 168.013, Subdivisions 1a, 10, and 13; 168.015; and 168.165.

S. F. No. 632, An act relating to courts; establishing a uniform jurisdictional amount for conciliation courts; amending Minnesota Statutes 1971, Sections 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

S. F. No. 667, An act relating to public health; ambulance services; amending Minnesota Statutes 1971, Sections 144.801, Subdivision 2, and by adding a subdivision; 144.802; 144.804, Subdivisions 1, 2 and 3.

S. F. No. 912, An act relating to the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 352.01, Subdivisions 11 and 16; 352.021, Subdivision 3; 352.115, Subdivision 1; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; and 352.72, Subdivisions 2 and 4; repealing Minnesota Statutes 1971, Section 352.04, Subdivision 7.

S. F. No. 1013, An act relating to the city of Fraser in St. Louis county; providing for the dissolution of the city of Fraser.

S. F. No. 1056, An act relating to membership on certain boards of the city of Minneapolis; providing for representation of the Minneapolis library board on the city's board of estimate and taxation and eliminating representation of special school district No. 1 of the city of Minneapolis on the city's board of estimate and taxation and library board; amending Laws 1959, Chapter 462, Sections 2, as amended; and 3, Subdivision 2, as amended.

S. F. No. 1073, An act relating to state forest boundaries; amending Minnesota Statutes 1971, Section 89.021, Subdivision 54.

S. F. No. 1080, An act relating to historic sites; providing for acquisition, administration, and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1971, Section 138.025, by adding subdivisions.

S. F. No. 1092, An act relating to municipalities; contracts; method of letting; amending Minnesota Statutes 1971, Section 471.345, Subdivisions 4 and 5.

S. F. No. 1124, An act relating to public welfare; adopting the interstate compact on the placement of children; amending Minnesota Statutes 1971, Chapter 257, by adding sections.

S. F. No. 1187, An act relating to persons with a motor disability; authorizing the use of rubber stamps as the legal signatures of such persons; amending Minnesota Statutes 1971, Section 645.44, Subdivision 14.

S. F. No. 1287, An act relating to county courts; providing for retirement of judges before age 70 who have served ten years or more; amending Minnesota Statutes 1971, Section 487.06, Subdivisions 2 and 4.

S. F. No. 1354, An act relating to Hennepin county; establishing for county employees a year of 2,080 working hours for purposes of salary adjustment; amending Laws 1965, Chapter 466, Section 1, Subdivision 3.

S. F. No. 1377, An act relating to motor vehicle carriers; regulating the issuance of permits to local cartage carriers; authorizing the transfer of such permits under certain conditions; amending Minnesota Statutes 1971, Section 221.296, Subdivision 4, and by adding a subdivision.

S. F. No. 1386, An act relating to income taxation; defining a unit investment trust; providing a unit investment trust is not person, corporation, partnership, trust or investment company; amending Minnesota Statutes 1971, Section 290.01, by adding a subdivision.

S. F. No. 1401, An act relating to state employment; service workers; employment above quotas or complement; amending Minnesota Statutes 1971, Section 43.17, by adding a subdivision; 16.173; repealing Minnesota Statutes 1971, Section 43.17, Subdivision 4.

S. F. No. 1503, An act relating to natural resources; the production, procurement, distribution, and planting of trees, shrubs, and vines for conservation purposes; amending Minnesota Statutes 1971, Sections 89.36, Subdivision 2; 89.37, by adding a subdivision; 89.38; and Chapter 89, by adding a section; repealing Minnesota Statutes 1971, Sections 89.31 through 89.34, and 89.40.

S. F. No. 1507, An act relating to public welfare; changing the method of determining rates for state hospital care; amending Minnesota Statutes 1971, Sections 246.50, Subdivision 5; and 246.51.

S. F. No. 1559, An act relating to the metropolitan sewer board and the federal water pollution control act amendments of 1972; amending Minnesota Statutes 1971, Chapter 473C, by adding a Section and Section 473C.15, Subdivision 5.

S. F. No. 1583, An act relating to agriculture; promotion of agricultural commodities; amending Minnesota Statutes 1971, Section 17.54, Subdivision 1.

S. F. No. 1584, An act relating to boilers; regulating the standards of inspection; amending Minnesota Statutes 1971, Section 183.465.

S. F. No. 1593, An act relating to game and fish; seasons for taking game birds; amending Minnesota Statutes 1971, Section 100.27, Subdivision 5.

S. F. No. 1594, An act relating to game and fish; licensing of fishermen's helpers in the Minnesota-Wisconsin boundary waters; amending Minnesota Statutes 1971, Section 98.46, Subdivisions 6 and 7.

S. F. No. 1622, An act relating to bonds; increasing the fee for filing and mailing of notice; amending Minnesota Statutes 1971, Section 574.32.

S. F. No. 1627, An act relating to agriculture; promotion of commodities; amending Minnesota Statutes 1971, Sections 17.54, Subdivision 5; and 17.56, Subdivision 3.

S. F. No. 1695, An act relating to Hennepin County; revising membership of county library board; amending Extra Session Laws 1967, Chapter 24, Section 5.

S. F. No. 1925, An act relating to Pipestone county; fees of registered abstractors who are county employees; repealing Laws 1971, Chapter 439.

Sincerely,
Wendell R. Anderson, Governor.

INTRODUCTION OF BILLS

Messrs. Chmielewski, Larson and Willet introduced—

S. F. No. 2493: A bill for an act relating to energy conservation;

authorizing the governor to reduce motor vehicle speed on the highways under certain conditions; providing penalties.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Fitzsimons introduced—

S. F. No. 2494: A bill for an act relating to the claim of James Hardy; arising from physical impairment while a patient at the Faribault state hospital; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 1755 for comparison to companion Senate File, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1755	2316				

And that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2121, pursuant to the request of the House, Messrs. Perpich, A. J.; Coleman; Olson, A. G.; Conzemius; McCutcheon.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2353, pursuant to the request of the House, Messrs. McCutcheon, Milton, Schaaf.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 295, pursuant to the request of the House, Messrs. Thorup; Hansen, Baldy; Doty; McCutcheon; Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. No. 1755 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Wegener moved that H. F. No. 1381 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 711 now on General Orders. Which motion prevailed.

Mr. Conzemius moved that H. F. No. 805 and S. F. No. 750 be taken from the table. Which motion prevailed.

Mr. Conzemius moved that H. F. No. 805 and S. F. No. 750 be referred to the Committee on Rules and Administration for comparison. Which motion prevailed.

Mr. Tennesen moved that S. F. No. 746 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Tennesen moved that the Senate do now concur in the amendments by the House to S. F. No. 746 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 746: A bill for an act relating to securities; repealing Minnesota Statutes 1971, Chapter 80.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Pillsbury
Arnold	Doty	Keefe, S.	North	Renneke
Ashbach	Dunn	Kirchner	Novak	Schaaf
Bang	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoft	Sillers
Blatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennesen
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Moe	Perpich, G.	Willet

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olhoft moved that S. F. No. 794 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Olhoft moved that the Senate do now concur in the amendments by the House to S. F. No. 794 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 794: A bill for an act relating to alcoholic beverages; places where possession prohibited; providing a penalty; amending Minnesota Statutes 1971, Section 624.701.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 51 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	Novak	Stassen
Ashbach	Dunn	Keefe, S.	Ogdahl	Stokowski
Bang	Fitzsimons	Kirchner	Olhoft	Tennessee
Berg	Frederick	Kleinbaum	Olson, A. G.	Thorup
Blatz	Gearty	Knutson	Olson, J. L.	Ueland
Brown	Hansen, Baldy	Kowalczyk	O'Neill	Wegener
Chenoweth	Hansen, Mel	Laufenburger	Patton	Willet
Chmielewski	Hanson, R.	Lewis	Pillsbury	
Coleman	Hughes	McCutcheon	Renneke	
Conzemius	Humphrey	Nelson	Schrom	
Davies	Jensen	North	Sillers	

Messrs. Larson; Perpich, A. J.; Perpich, G.; Schaaf and Spear voted in the negative.

So the bill, as amended was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Brown moved that his name be stricken as co-author to S. F. No. 1246. Which motion prevailed.

Mr. Arnold moved that S. F. No. 2167 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2167

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for main-

tenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

May 12, 1973

Honorable Alec Olson, President of the Senate

Honorable Martin 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. 2167, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 2167 be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

"Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

APPROPRIATIONS

Available for the Year

	1973	1974	1975
	\$	\$	\$

Sec. 2. GENERAL GOVERNMENT

Subdivision 1. Interstate Cooperation Commission and Council of State Governments.

37,810 37,810

Subd. 2. Minnesota-Wisconsin Boundary Area Commission. . .

21,600 21,600

Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin.

Subd. 3. Uniform Laws Commission

(a) For expenses 6,900 7,500

	1973	1974	1975
	\$	\$	\$
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Subd. 4. The Great Lakes Commission		25,000	25,000
Subd. 5. The Education Commission of the States		16,000	16,000
The above appropriation includes funds for the state advisory council.			
Subd. 6. National Governors' Conference		8,500	8,500
Subd. 7. Advisory Commission on Intergovernmental Relations		1,000	1,000

Provided that the department of administration shall be responsible for the disbursement of the funds provided in this subdivision.

Subd. 8. Capitol Area Architectural and Planning Commission		45,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. PROTECTION TO PERSONS AND PROPERTY

Subdivision 1. For mileage and per diem for conveying prisoners to the state reformatory and state prison and for conveying youths to the youth conservation commission		28,000	28,000
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Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

Provided, however, that the amounts appropriated by subdivision 1 include payments for:

	1973	1974	1975
	\$	\$	\$

(a) Upon certification by the commissioner of corrections that any person committed to the youth conservation commission has absconded or otherwise violated the terms of his parole or probation and should be returned to the state reformatory, the state training school for boys, the Minnesota home school, or other similar correctional institutions which may be hereafter established for their confinement, the necessary expenses of parole or probation officers, sheriffs, or other officers incurred in returning such person, including per diem and expenses of guards, shall be approved by the state auditor and paid out of the state treasury from funds appropriated for such purposes. The auditor may allow for such expenses the necessary expenses incurred by the sheriff or other officer in going to and returning from the particular correctional institution concerned and \$10 per day for each guard, and such sum as is necessary for actual traveling expenses. All bills shall be rendered in writing, fully itemized, verified, and accompanied by the receipt of the superintendent of the appropriate institution for the delivery of such ward of the youth conservation commission in a form prescribed by the state auditor.

(b) The mileage shall be reimbursed in accordance with the travel regulations governing state employees pursuant to Minnesota Statutes 15A.20, Subdivision 1, without regard to the number of guards or prisoners conveyed.

Sec. 4. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES

	1973	1974	1975
	\$	\$	\$
Subdivision 1. Societies and Associations			
(a) State Horticultural Society			
1. For maintenance		9,300	9,300
(b) For expenses of the Junior Livestock Show in Duluth			
		1,400	1,400
Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show.			
(c) For aid to Minnesota Livestock Breeders Association . . .			
		14,000	14,000
(d) For aid to Northern Sheep Growers Associations			
		750	750
(e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota			
		500	500
(f) For Red River Valley Livestock Associations			
		6,000	6,000
Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.			
(g) For the Red River Valley Dairymen's Association, Inc., for the purpose of promoting better dairying			
		1,500	1,500
Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.			
Subd. 2. Aid to Agricultural Societies and Poultry Associations			
(a) Aid to county and district agricultural societies			
		240,000	240,000

1973

1974

1975

\$

\$

\$

Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

Provided that the amount appropriated by item (a) hereof shall be disbursed according to Minnesota Statutes, Section 38.02.

Notwithstanding any other law to the contrary, the amount appropriated by item (a) shall only be disbursed to those county and district agricultural societies including the Cass County Agricultural Association whose premium lists exceed \$2,000.

Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.

(b) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8

3,500

3,500

	1973	1974	1975
	\$	\$	\$

Provided that out of the amounts appropriated by item (b) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the payment of premiums and other necessary expenses, exclusive of salaries or wages of any kind, at its annual exhibition.

Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150.

Provided that no one association or society will receive an amount greater than the annual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allocated to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

	1973	1974	1975
	\$	\$	\$
Sec. 5. SOCIAL SECURITY			
Subdivision 1. Minnesota Veterans Home			
(a) Maintenance and repairs .		519,924	519,122

Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,034,654 is for salaries for the year ending June 30, 1974, and \$1,035,398 is for salaries for the year ending June 30, 1975, but may be augmented by such specific sums as are appropriated for salary increases by the 1973 legislature.

Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

Subd. 2. Miscellaneous Accounts

	1973	1974	1975
	\$	\$	\$
(a) Disabled American Veterans			
1. For salaries, supplies and expense to be expended as provided by Laws 1941, Chapter 425		10,000	10,000
(b) United Spanish War Veterans			
1. Maintenance, including publication of departmental reports		2,240	2,240
(c) Veterans of Foreign Wars			
1. For carrying out the provisions of Laws 1945, Chapter 455		9,250	9,250

Sec. 6. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

Subdivision 1. For Minnesota Historical Society

(a) Grants and aids	1,581,451	1,615,706
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The above appropriation includes sufficient funds to pay salary increases authorized by the 1973 legislature.

From the appropriation made to the historical society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the

	1973	1974	1975
	\$	\$	\$

society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota historical society of this amount to the state auditor.

Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the state general fund.

Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.

The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioner of administration and the appropriate finance committees of the house and the senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.

The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.

(b) Science Museum Extension Program	125,000
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The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.

Any unexpended balance remaining in the first year shall

	1973	1974	1975
	\$	\$	\$

not cancel but shall be available for the second year of the biennium.

Subd. 2. For maintenance of Sibley House to be expended by the Sibley House Association	11,225	11,225
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Notwithstanding any other law to the contrary, the amount of \$2,000 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance.

Subd. 3. For aid to school districts as provided by Minnesota Statutes 124.31	50,000	50,000
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Provided that this appropriation shall cancel if Minnesota Statutes 124.31 are repealed.

Provided that any sums received by any school district from the above appropriation shall be in addition to all other forms of state aid and shall not be deducted from any other state aid to schools.

Subd. 4. For Minnesota Academy of Science	13,500	13,500
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Subd. 5. Minnesota State Arts Council	300,000	300,000
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Provided that the state funding for grants and subsidies may not be expended unless matched by federal funds.

Provided that none of the state share of grants and subsidies may be used for matching salary expenditures of any of the various arts councils.

Every publication, program or other graphic material prepared by the Minnesota state arts council, or prepared for use by any other organization in connection with an activity funded in whole or part by the council

	1973	1974	1975
	\$	\$	\$

shall bear the legend: "This activity is made possible, in part, by a grant provided by the Minnesota State Legislature and the Congress of the United States."

Provided that the Minnesota state arts council shall submit a written report to the house appropriations and senate finance committees on July 1, 1974. Such report shall include but not be limited to the specific purposes for which the appropriation was expended for the fiscal year ending June 30, 1974. It shall include an itemization of the programs and projects supported and the source of the funds each received. It also shall contain a detailed proposal for the expenditure of the appropriation provided in this subdivision for the fiscal year ending June 30, 1975. The council shall submit a written report to the 1975 legislature. The report shall be similar in format to the above report but shall cover each of the years of the 1973-75 biennium.

Subd. 6. Minnesota Safety Council

(a) For salaries, supplies and expenses	47,500	47,500
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These amounts are appropriated from the trunk highway fund and shall be disbursed pursuant to Laws 1967, Chapter 550, Section 2.

Sec. 7. MISCELLANEOUS...

Subdivision 1. For special aid to cities having large proportion of property paying gross earnings taxes, Minnesota Statutes 276.15	207,500	210,000
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Subd. 2. For special aid to

	1973	1974	1975
	\$	\$	\$
counties having large proportion of property paying gross earnings taxes, Minnesota Statutes, Sections 373.20 to 373.24		37,500	37,500
Subd. 3. For special aid to towns having large proportion of property paying gross earnings taxes, Laws 1939, Chapter 324, as amended by Laws 1943, Chapter 506, and pursuant to Laws 1943, Chapter 559.		1,500	1,500
Sec. 8. CIVIL AIR PATROL			
(a) For supplies, expense and equipment		30,000	30,000
To be disbursed by the department of public safety on certification of Commander, the Minnesota wing of the civil air patrol.			
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 9. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS .		15,000	15,000
Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.			
Provided further that a report shall be submitted to the 1974 and the 1975 legislature regarding expenditures for public information programs.			
Sec. 10. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION		55,000	
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			

	1973	1974	1975
	\$	\$	\$
Sec. 11. UNEMPLOYMENT COMPENSATION	854.47		

In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota veterans home.

Sec. 12. EMPLOYEES COMPENSATION	6,478.83		
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To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the Minnesota veterans home.

Sec. 13. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1974, and June 30, 1975, appropriated out of any other fund shall be cancelled into the fund from which they are appropriated as of June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 14. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 15. [373.23] LIMIT OF PAYMENTS. In the event the appropriation provided is insufficient to pay the full amount to which these counties shall be entitled annually thereunder, the state auditor shall apportion the sum pro rata to each of the counties.

Sec. 16. PAYMENTS. Subdivision 1. Notwithstanding any law to the contrary, the aids provided in section 4, subdivisions 1b, 1f, and 2a shall hereinafter be disbursed by the department of agriculture and any certifications for payments shall also hereinafter be with or made by the department of agriculture.

Subd. 2. Notwithstanding any law to the contrary, the aids

provided in Section 6, Subdivision 3, shall hereinafter be disbursed by the department of education.

Subd. 3. Notwithstanding any law to the contrary, the aids provided in Section 7, Subdivisions 1, 2, and 3 shall hereinafter be disbursed by the department of taxation.

Subd. 4. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall change the terminology referred to by Subdivisions 1, 2, and 3 of Section 16."

Further amend S. F. 2167 by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry associations and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23."

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: (Signed) Norbert Arnold, Gerald Willet, Harmon Ogdahl, Mel Hansen and Ralph Doty.

House Conferees: (Signed) A. J. (Tony) Eckstein, James Swanson, Peter Fugina, Andrew Skaar and Rodney Searle.

Mr. Arnold moved that the foregoing recommendations and Conference Committee report on S. F. No. 2167 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee report were adopted.

S. F. No. 2167: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Moe	Perpich, G.
Arnold	Doty	Keefe, J.	Nelson	Pillsbury
Ashbach	Dunn	Keefe, S.	North	Renneke
Bang	Fitzsimons	Kirchner	Novak	Schaaf
Berg	Frederick	Kleinbaum	Ogdahl	Sillers
Blatz	Gearty	Knutson	Olhoff	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Brown	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Chmielewski	Hughes	Lewis	O'Neill	Ueland
Coleman	Humphrey	Lord	Patton	Wegener
Conzemius	Jensen	McCutcheon	Perpich, A. J.	Willet

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Calendar of Ordinary Matters at this time, and waive the lie-over requirement, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 1409: A bill for an act relating to education; providing that members of the Minnesota higher education coordinating commission shall be reimbursed for expenses incurred in the performance of their duties; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Nelson	Schaaf
Arnold	Dunn	Keefe, S.	North	Sillers
Ashbach	Fitzsimons	Kirchner	Novak	Spear
Bang	Frederick	Kleinbaum	Olhoff	Stassen
Blatz	Gearty	Knutson	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Larson	O'Neill	Thorup
Chenoweth	Hanson, R.	Laufenburger	Patton	Ueland
Chmielewski	Hughes	Lewis	Perpich, A. J.	Wegener
Coleman	Humphrey	Lord	Perpich, G.	Willet
Conzemius	Jensen	McCutcheon	Pillsbury	
Davies	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 534: A bill for an act relating to education; providing compensation for expenses for members of Minnesota education council; amending Minnesota Statutes 1971, Section 121.83.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Schaaf
Arnold	Dunn	Keefe, S.	Novak	Sillers
Ashbach	Fitzsimons	Kirchner	Olhoft	Spear
Bang	Frederick	Kleinbaum	Olson, A. G.	Stassen
Berg	Gearty	Knutson	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Larson	O'Neill	Thorup
Chenoweth	Hanson, R.	Laufenburger	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Willet
Coleman	Humphrey	McCutcheon	Perpich, G.	
Conzemius	Jensen	Moe	Pillsbury	
Davies	Josefson	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1845: A bill for an act relating to claims, adjusted compensation for military service.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Olson, A. G.	Spear
Ashbach	Fitzsimons	Kirchner	Olson, H. D.	Stassen
Bang	Frederick	Kleinbaum	Olson, J. L.	Stokowski
Berg	Gearty	Knutson	O'Neill	Tennessee
Blatz	Hansen, Baldy	Kowalczyk	Patton	Thorup
Borden	Hansen, Mel	Larson	Perpich, A. J.	Ueland
Brown	Hanson, R.	Laufenburger	Perpich, G.	Wegener
Chenoweth	Hughes	Lord	Pillsbury	Willet
Chmielewski	Humphrey	McCutcheon	Renneke	
Coleman	Jensen	North	Schaaf	
Conzemius	Josefson	Novak	Schrom	
Doty	Keefe, J.	Olhoft	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 2164: A bill for an act relating to the town of White, St. Louis County; authorizing an increase in the salaries of clerk and treasurer.

Was read the third time.

With the unanimous consent of the Senate, Mr. Perpich, A. J. moved that the amendment made to H. F. No. 2164 by the Com-

mittee on Rules and Administration in the report adopted May 7, 1973, pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 2164 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Ogdahl	Sillers
Ashbach	Dunn	Kirchner	Olhoff	Spear
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Stassen
Berg	Frederick	Knutson	Olson, H. D.	Stokowski
Blatz	Gearty	Kowalczyk	O'Neill	Tennessee
Borden	Hansen, Baldy	Larson	Patton	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Lord	Perpich, G.	Wegener
Chmielewski	Hughes	McCutcheon	Pillsbury	Willet
Coleman	Humphrey	Moe	Renneke	
Conzemius	Jensen	North	Schaaf	
Davies	Josefson	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2308: A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Ashbach	Fitzsimons	Kirchner	Novak	Schrom
Bang	Frederick	Kleinbaum	Olhoff	Sillers
Blatz	Gearty	Knutson	Olson, A. G.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chmielewski	Hughes	Lewis	Patton	Thorup
Coleman	Humphrey	Lord	Perpich, A. J.	Ueland
Conzemius	Jensen	McCutcheon	Perpich, G.	Wegener
Davies	Josefson	Moe	Pillsbury	Willet
Doty	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1965: A bill for an act relating to the suspension of employees in the classified service of the city of Minneapolis.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Sillers
Bang	Dunn	Keefe, S.	Olhoff	Spear
Berg	Fitzsimons	Kirchner	Olson, A. G.	Stassen
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Stokowski
Blatz	Gerty	Knutson	Olson, J. L.	Tennessen
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Thorup
Brown	Hansen, Mel	Larson	Patton	Ueland
Chenoweth	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Chmielewski	Hughes	Lewis	Perpich, G.	Willet
Coleman	Humphrey	Lord	Pillsbury	
Conzemius	Jensen	Moe	Renneke	
Davies	Josefson	Nelson	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 1844: A bill for an act relating to the city of Redwood Falls; authorizing payment of lump sum retirement benefits to firemen.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Bang	Dunn	Keefe, S.	North	Schaaf
Berg	Fitzsimons	Kirchner	Novak	Sillers
Bernhagen	Frederick	Kleinbaum	Olhoff	Spear
Blatz	Gerty	Knutson	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Larson	O'Neill	Tennessen
Chenoweth	Hughes	Laufenburger	Patton	Thorup
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Ueland
Coleman	Jensen	Lord	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 2166:

Messrs. Arnold; Willet; Ogdahl; Hansen, Mel and Doty. Which motion prevailed.

CALENDAR OF ORDINARY MATTERS—CONTINUED

H. F. No. 1578: A bill for an act relating to retirement; firemen's service pensions in the village of Sauk Rapids.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Pillsbury
Ashbach	Dunn	Keefe, J.	North	Renneke
Bang	Fitzsimons	Keefe, S.	Novak	Schaaf
Berg	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lord	Patton	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Jensen	Moe	Perpich, G.	Wegener

So the bill passed and its title was agreed to.

H. F. No. 2238: A bill for an act relating to metropolitan counties; soil and water conservation; expenditures from general revenue fund.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Renneke
Bang	Frederick	Kirchner	Novak	Schaaf
Berg	Gearty	Kleinbaum	Olhoft	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Blatz	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Brown	Hanson, R.	Larson	Olson, J. L.	Stokowski
Chenoweth	Hughes	Laufenburger	O'Neill	Tennessee
Chmielewski	Humphrey	Lewis	Patton	Thorup
Coleman	Jensen	Lord	Perpich, A. J.	Ueland
Conzemius	Josefson	Moe	Perpich, G.	Wegener
Dunn	Keefe, J.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

H. F. No. 2179: A bill for an act relating to the city of Hopkins; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

Was read the third time.

With the unanimous consent of the Senate, Mr. Keefe, J. moved that the amendment made to H. F. No. 2179 by the Committee on Rules and Administration in the report adopted May 7, 1973, pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 2179 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Bang	Frederick	Kirchner	Novak	Schrom
Berg	Gearty	Kleinbaum	Olhcoft	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Tennessen
Brown	Hughes	Lewis	Patton	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Chmielewski	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 2239: A bill for an act relating to Dakota county; housing and redevelopment authority; jurisdiction; amending Laws 1971, Chapter 333, Section 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Nelson	Renneke
Bang	Fitzsimons	Keefe, S.	North	Schaaf
Berg	Frederick	Kirchner	Novak	Schrom
Bernhagen	Gearty	Kleinbaum	Olhoff	Sillers
Blatz	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Borden	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Brown	Hanson, R.	Larson	Olson, J. L.	Stokowski
Chenoweth	Hughes	Laufenburger	O'Neil	Tennessen
Chmielewski	Humphrey	Lewis	Patton	Ueland
Conzemius	Jensen	Lord	Perpich, A. J.	Wegener
Davies	Josefson	Moe	Perpich, G.	

So the bill passed and its title was agreed to.

H. F. No. 895: A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, S.	North	Renneke
Bang	Frederick	Kirchner	Novak	Schaaf
Berg	Gearty	Kleinbaum	Olhoff	Schrom
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Sillers
Blatz	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Borden	Hanson, R.	Larson	Olson, J. L.	Stokowski
Brown	Hughes	Laufenburger	O'Neil	Tennessen
Chenoweth	Humphrey	Lewis	Patton	Ueland
Chmielewski	Jensen	Lord	Perpich, A. J.	Wegener
Conzemius	Josefson	Moe	Perpich, G.	
Dunn	Keefe, J.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

H. F. No. 1776: A bill for an act relating to hazardous buildings; amending Minnesota Statutes 1971, Chapter 463, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Nelson	Pillsbury
Ashbach	Fitzsimons	Keefe, S.	North	Renneke
Bang	Frederick	Kirchner	Novak	Schaaf
Berg	Gearty	Kleinbaum	Olhoft	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Blatz	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Brown	Hanson, R.	Larson	Olson, J. L.	Stokowski
Chenoweth	Hughes	Laufenburger	O'Neill	Tenneessen
Chmielewski	Humphrey	Lewis	Patton	Thorup
Conzemius	Jensen	Lord	Perpich, A. J.	Ueland
Davies	Josefson	Moe	Perpich, G.	Wegener

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 730: A bill for an act authorizing the sale of certain land to the city of Hastings in which the state of Minnesota owns the reversionary interest; providing for appraisals and payment.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Renneke
Ashbach	Fitzsimons	Kirchner	Novak	Schaaf
Bang	Frederick	Kleinbaum	Olhoft	Schrom
Berg	Gearty	Knutson	Olson, A. G.	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Blatz	Hanson, R.	Larson	Olson, J. L.	Stassen
Brown	Hughes	Laufenburger	O'Neill	Stokowski
Chenoweth	Humphrey	Lewis	Patton	Tenneessen
Chmielewski	Jensen	Lord	Perpich, A. J.	Thorup
Conzemius	Josefson	Moe	Perpich, G.	Ueland
Davies	Keefe, J.	Nelson	Pillsbury	Wegener

So the bill passed and its title was agreed to.

H. F. No. 1058: A bill for an act relating to education; extending the program of instruction review authority to the Minnesota higher education coordinating commission to include private collegiate and non-collegiate institutions offering post-secondary education; amending Minnesota Statutes 1971, Section 136A.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Bang	Frederick	Knutson	Olson, H. D.	Spear
Berg	Gearty	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Blatz	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Moe	Perpich, G.	Ueland
Chmielewski	Jensen	Nelson	Pillsbury	Wegener
Davies	Josefson	North	Renneke	
Doty	Keefe, J.	Novak	Schaaf	
Dunn	Kirchner	Olhoft	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2097: A bill for an act relating to Ramsey county; tax equalization procedure; repealing Special Laws 1876, Chapter 212, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, J.	Olson, A. G.	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Patton	Tennessee
Brown	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lord	Perpich, G.	Ueland
Chmielewski	Hughes	Moe	Pillsbury	Wegener
Conzemius	Humphrey	North	Renneke	Willet
Davies	Jensen	Novak	Schaaf	
Doty	Josefson	Olhoft	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2270: A bill for an act relating to the village of North St. Paul; authorizing the construction and financing of certain awnings in the village pursuant to Minnesota Statutes, Chapter 429.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Frederick	Hughes
Arnold	Blatz	Conzemius	Gearty	Humphrey
Ashbach	Borden	Doty	Hansen, Baldy	Jensen
Bang	Brown	Dunn	Hansen, Mel	Josefson
Berg	Chenoweth	Fitzsimons	Hanson, R.	Keefe, J.

Keefe, S.	Lord	Olson, A. G.	Renneke	Thorup
Kirchner	McCutcheon	Olson, H. D.	Schaaf	Ueland
Kleinbaum	Moe	Olson, J. L.	Schrom	Wegener
Knutson	Nelson	O'Neill	Sillers	Willet
Kowalczyk	North	Patton	Spear	
Larson	Novak	Perpich, A. J.	Stassen	
Laufenburger	Ogdahl	Perpich, G.	Stokowski	
Lewis	Oihoft	Pillsbury	Tennessee	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2154: A bill for an act authorizing the city of Shakopee to appoint nonresidents of the city to its water, light, power and building commission under certain conditions.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Novak	Sillers
Bang	Fitzsimons	Kirchner	Olhoft	Stassen
Berg	Frederick	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Gearty	Knutson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Thorup
Borden	Hansen, Mel	Larson	Patton	Ueland
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	McCutcheon	Pillsbury	
Conzemius	Jensen	Moe	Renneke	
Davies	Josefson	Nelson	Schaaf	
Doty	Keefe, J.	North	Schrom	

Messrs. Lewis and Olson, H. D. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 231: A bill for an act relating to the metropolitan sewer board; payment of annual credit to municipalities; amending Minnesota Statutes 1971, Section 473C.05, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	Nelson	Schaaf
Ashbach	Dunn	Keefe, S.	North	Schrom
Bang	Fitzsimons	Kirchner	Olhoft	Sillers
Berg	Frederick	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Gearty	Knutson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Larson	O'Neill	Tennessee
Brown	Hanson, R.	Laufenburger	Patton	Thorup
Chenoweth	Hughes	Lewis	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Jensen	McCutcheon	Pillsbury	Willet
Davies	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 66: A bill for an act relating to the village of Roseville; procedure upon levy of certain special assessments.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	North	Schaaf
Ashbach	Fitzsimons	Kirchner	Novak	Schrom
Bang	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessen
Chenoweth	Hughes	Lewis	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Ueland
Conzemius	Jensen	McCutcheon	Perpich, G.	Wegener
Davies	Josefson	Moe	Pillsbury	Willet
Doty	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Schrom
Ashbach	Dunn	Keefe, S.	Novak	Sillers
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Berg	Frederick	Kleinbaum	Olson, A. G.	Stassen
Bernhagen	Gearty	Knutson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessen
Borden	Hansen, Mel	Larson	Patton	Thorup
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Hughes	Lewis	Perpich, G.	Wegener
Chmielewski	Humphrey	Lord	Pillsbury	Willet
Conzemius	Jensen	Moe	Renneke	
Davies	Josefson	Nelson	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 1023: A bill for an act relating to home rule charters and charter commissions; amending Minnesota Statutes 1971, Sections 410.05, by adding a subdivision; 410.12, by adding subdivisions; and 410.30; repealing Minnesota Statutes 1971, Sections 410.17; 410.22; 410.27; and 410.31.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Schaaf
Ashbach	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kirchner	Olhoft	Sillers
Berg	Frederick	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Gearty	Knutson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Larson	O'Neil'	Tennessee
Brown	Hanson, R.	Laufenburger	Patton	Thorup
Chenoweth	Hughes	Lewis	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Coleman	Jensen	Moe	Pillsbury	Willet
Conzemius	Josefson	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 2002: A bill for an act relating to bonds; public officers; requiring that bonds of public officers be filed in the office of the register of deeds; amending Minnesota Statutes 1971, Sections 375.03; 382.10; 382.12; 386.01; 386.18; 388.01; 389.011, Subdivision 3; 390.01; 485.01; 488.10, Subdivision 2; 508.31; 525.04; 525.09; 525.10; 574.20; and repealing Minnesota Statutes 1971, Sections 382.09 and 382.11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Sillers
Arnold	Dunn	Kirchner	Olhoft	Spear
Ashbach	Fitzsimons	Kleinbaum	Olson, A. G.	Stassen
Bang	Frederick	Knutson	Olson, H. D.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Hansen, Baldy	Larson	O'Neil'	Thorup
Blatz	Hansen, Mel	Laufenburger	Patton	Ueland
Borden	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Brown	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Pillsbury	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	
Davies	Keefe, J.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 659: A bill for an act relating to the city of Willmar; authorizing land acquisition and development to promote industry and alleviate unemployment.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Ogdahl	Schrom
Ashbach	Frederick	Kleinbaum	Olhoft	Sillers
Bang	Gearty	Knutson	Olson, A. G.	Stokowski
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Tennessee
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Thorup
Blatz	Hanson, R.	Laufenburger	O'Neill	Ueland
Borden	Hughes	Lewis	Patton	Wegener
Brown	Humphrey	Lord	Perpich, A. J.	Willet
Chmielewski	Jensen	Moe	Perpich, G.	
Conzemius	Josefson	Nelson	Pillsbury	
Doty	Keefe, J.	North	Renneke	
Dunn	Keefe, S.	Novak	Schaaf	

Messrs. Coleman and Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1749: A bill for an act relating to Carver county; soil and water conservation; expenditures from general revenue fund.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Renneke
Ashbach	Dunn	Keefe, S.	Novak	Schaaf
Bang	Fitzsimons	Kirchner	Ogdahl	Schrom
Berg	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chmielewski	Hughes	Lewis	Patton	Thorup
Coleman	Humphrey	Lord	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Perpich, G.	Wegener
Davies	Josefson	Nelson	Pillsbury	Willet

So the bill passed and its title was agreed to.

H. F. No. 2397: A bill for an act relating to zoning; authorizing board of appeals to permit variances for use of one family dwelling; amending Minnesota Statutes 1971, Section 462.357, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Dunn	Hanson, R.	Keefe, S.
Bang	Chmielewski	Fitzsimons	Hughes	Kirchner
Berg	Coleman	Frederick	Humphrey	Kleinbaum
Bernhagen	Conzemius	Gearty	Jensen	Knutson
Blatz	Davies	Hansen, Baldy	Josefson	Larson
Borden	Doty	Hansen, Mel	Keefe, J.	Laufenburger

Lewis	Ogdahl	O'Neill	Renneke	Tennesen
Lord	Olhoff	Patton	Schrom	Thorup
Moe	Olson, A. G.	Perpich, A. J.	Spear	Ueland
North	Olson, H. D.	Perpich, G.	Stassen	Willet
Novak	Olson, J. L.	Pillsbury	Stokowski	

Messrs. Kowalczyk, Schaaf and Wegener voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2096: A bill for an act relating to county extension service; removing limitations on the levy and appropriation for extension activities; amending Minnesota Statutes 1971, Section 38.36.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Renneke
Arnold	Doty	Keefe, J.	North	Schaaf
Bang	Dunn	Keefe, S.	Novak	Schrom
Berg	Fitzsimons	Kirchner	Ogdahl	Sillers
Bernhagen	Frederick	Kleinbaum	Olhoff	Spear
Blatz	Gearty	Knutson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Larson	O'Neill	Tennesen
Chenoweth	Hanson, R.	Laufenburger	Patton	Thorup
Chmielewski	Hughes	Lewis	Perpich, A. J.	Ueland
Coleman	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

H. F. No. 2294: A bill for an act relating to the issuance of bonds by the Village of Emmons.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Novak	Schrom
Arnold	Doty	Keefe, S.	Ogdahl	Sillers
Ashbach	Dunn	Kirchner	Olhoff	Spear
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Stassen
Berg	Frederick	Knutson	Olson, H. D.	Stokowski
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Tennesen
Blatz	Hansen, Baldy	Larson	O'Neill	Thorup
Borden	Hansen, Mel	Laufenburger	Patton	Ueland
Brown	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Pillsbury	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 666: A bill for an act relating to Independent School District No. 332; education; state aids and teacher contracts.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Perpich, G.
Arnold	Doty	Keefe, J.	Nelson	Pillsbury
Ashbach	Dunn	Keefe, S.	North	Renneke
Bang	Fitzsimons	Kirchner	Novak	Schaaf
Berg	Frederick	Kleinbaum	Ogdahl	Sillers
Bernhagen	Gearty	Knutson	Olhott	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Borden	Hansen, Mel	Larson	Olson, H. D.	Tennessee
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hughes	Lewis	O'Neill	Ueland
Chmielewski	Humphrey	Lord	Patton	Wegener
Coleman	Jensen	McCutcheon	Perpich, A. J.	Willet

So the bill passed and its title was agreed to.

H. F. No. 1567: A bill for an act relating to education; state aids for summer school or year-round classes; amending Minnesota Statutes 1971, Section 124.20.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schaaf
Arnold	Doty	Keefe, S.	Novak	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Kleinbaum	Olhott	Spear
Berg	Frederick	Knutson	Olson, A. G.	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Josefson	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 2234: A bill for an act relating to education; clarifying responsibilities of the higher education advisory council; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Spear
Bang	Frederick	Knutson	Olson, A. G.	Stassen
Berg	Gerty	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schaaf	
Doty	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 1714: A bill for an act authorizing the issuance of bonds by Independent School District No. 877.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Spear
Bang	Frederick	Knutson	Olson, A. G.	Stassen
Berg	Gerty	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schaaf	
Doty	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 1275: A bill for an act relating to education; school district elections; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 5 and 24, and by adding subdivisions.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hansen, Mel	Kleinbaum	Nelson
Arnold	Conzemius	Hanson, R.	Knutson	North
Bang	Davies	Hughes	Kowalczyk	Novak
Berg	Doty	Humphrey	Larson	Ogdahl
Bernhagen	Dunn	Jensen	Laufenburger	Olhoft
Blatz	Fitzsimons	Josefson	Lewis	Olson, A. G.
Brown	Frederick	Keefe, J.	Lord	Olson, H. D.
Chenoweth	Gerty	Keefe, S.	McCutcheon	Olson, J. L.
Chmielewski	Hansen, Baldy	Kirchner	Moe	O'Neill

Patton	Renneke	Sillers	Stokowski	Ueland
Perpich, A. J.	Schaaf	Spear	Tennessen	Wegener
Perpich, G.	Schrom	Stassen	Thorup	Willet
Pillsbury				

So the bill passed and its title was agreed to.

H. F. No. 1693: A bill for an act relating to the Village of New Hope; authorizing the village of New Hope to refund certain temporary improvement bonds.

Was read the third time.

With the unanimous consent of the Senate, Mr. Nelson moved to amend H. F. No. 1693 the printed bill, as follows:

Page 1, line 3, strike "1968 and 1969" and insert "1970, 1971, 1972 and 1973"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1693 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Renneke
Bang	Dunn	Keefe, S.	Novak	Schaaf
Berg	Fitzsimons	Kirchner	Ogdahl	Schrom
Bernhagen	Frederick	Kleinbaum	Olhoff	Sillers
Blatz	Gearty	Knutson	Olson, A. G.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Chenoweth	Hanson, R.	Laufenburger	O'Neil	Thorup
Chmielewski	Hughes	Lewis	Patton	Ueland
Coleman	Humphrey	Lord	Perpich, A. J.	Wegener
Conzemius	Jensen	Moe	Perpich, G.	Willet
Davies	Josefson	Nelson	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

H. F. No. 2052: A bill for an act relating to St. Louis county; providing funds for the maintenance and support of county extension work in St. Louis county; amending Laws 1971, Chapter 370, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chenoweth	Dunn	Hanson, R.	Keefe, S.
Bang	Chmielewski	Fitzsimons	Hughes	Kirchner
Berg	Coleman	Frederick	Humphrey	Kleinbaum
Bernhagen	Conzemius	Gearty	Jensen	Knutson
Blatz	Davies	Hansen, Baldy	Josefson	Kowalczyk
Brown	Doty	Hansen, Mel	Keefe, J.	Larson

Laufenburger	Novak	O'Neill	Schaaf	Tennessee
Lewis	Ogdahl	Patton	Schrom	Thorup
Lord	Olhoft	Perpich, A. J.	Sillers	Ueland
Moe	Olson, A. G.	Perpich, G.	Spear	Wegener
Nelson	Olson, H. D.	Pillsbury	Stassen	Willet
North	Olson, J. L.	Renneke	Stokowski	

So the bill passed and its title was agreed to.

H. F. No. 988: A bill for an act relating to Hennepin county; tax levies for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended; and Laws 1971, Chapter 954, Section 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Olson, A. G.	Spear
Bang	Frederick	Kleinbaum	Olson, H. D.	Stassen
Berg	Gearty	Knutson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Tennessee
Blatz	Hansen, Mel	Larson	Patton	Thorup
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hughes	Lewis	Perpich, G.	Wegener
Coleman	Humphrey	Lord	Pillsbury	Willet
Conzemius	Jensen	Moe	Renneke	
Davies	Josefson	Nelson	Schaaf	
Doty	Keefe, J.	North	Schrom	
Dunn	Keefe, S.	Olhoft	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 2127: A bill for an act relating to courts; setting the salary of the judge of municipal court in North St. Paul; amending Minnesota Statutes 1971, Section 488.21, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Novak	Schrom
Arnold	Doty	Keefe, S.	Ogdahl	Sillers
Ashbach	Dunn	Kirchner	Olhoft	Spear
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Stokowski
Berg	Frederick	Knutson	Olson, H. D.	Tennessee
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Thorup
Blatz	Hansen, Baldy	Larson	O'Neill	Ueland
Borden	Hansen, Mel	Laufenburger	Patton	Wegener
Brown	Hanson, R.	Lewis	Perpich, A. J.	Willet
Chenoweth	Hughes	Lord	Perpich, G.	
Chmielewski	Humphrey	Moe	Pillsbury	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 1639: A bill for an act authorizing the village of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1973; amending Laws 1971, Chapter 557, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	North	Renneke
Arnold	Doty	Keefe, S.	Novak	Schaaf
Ashbach	Dunn	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Moe	Perpich, G.	Willet
Coleman	Jensen	Nelson	Pillsbury	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 715: A bill for an act relating to metropolitan transit; exempting property not served by transit system from tax levies; amending Minnesota Statutes 1971, Section 473A.111, Subdivisions 1 and 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Moe	Pillsbury
Arnold	Davies	Josefson	Nelson	Renneke
Ashbach	Doty	Keefe, J.	North	Schaaf
Bang	Dunn	Keefe, S.	Novak	Schrom
Berg	Fitzsimons	Kirchner	Ogdahl	Sillers
Bernhagen	Frederick	Kleinbaum	Olhoft	Spear
Blatz	Gearty	Knutson	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Larson	O'Neill	Ueland
Chenoweth	Hanson, R.	Laufenburger	Patton	Wegener
Chmielewski	Hughes	Lewis	Perpich, A. J.	Willet
Coleman	Humphrey	Lord	Perpich, G.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 223, No. 206 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 223: A bill for an act relating to courts; increasing the number of associate justices on the supreme court; appropriating moneys; amending Minnesota Statutes 1971, Section 480.01.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Kowalczyk moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Perpich, A. J. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Schrom
Arnold	Doty	Kleinbaum	Othoff	Spear
Blatz	Gearty	Laufenburger	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Lewis	Olson, H. D.	Tennessen
Chenoweth	Hughes	Lord	O'Neill	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Keefe, J.	Moe	Perpich, G.	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Olson, J. L.	Stassen
Bang	Fitzsimons	Knutson	Patton	
Berg	Frederick	Kowalczyk	Pillsbury	
Bernhagen	Hansen, Mel	Larson	Renneke	
Brown	Hanson, R.	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 70, No. 117 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 70: A bill for an act relating to education; general powers of independent school districts; amending Minnesota Statutes 1971, Section 123.35, Subdivision 9.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 11, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kirchner	Novak	Schaaf
Ashbach	Hansen, Baldy	Kleinbaum	Ogdahl	Spear
Blatz	Hansen, Mel	Larson	Olhoff	Stassen
Chenoweth	Hanson, R.	Laufenburger	Olson, A. G.	Stokowski
Coleman	Hughes	Lewis	O'Neill	Tennessen
Conzemius	Humphrey	Lord	Patton	Thorup
Davies	Jensen	McCutcheon	Perpich, A. J.	Ueland
Doty	Keefe, J.	Moe	Perpich, G.	Wegener
Dunn	Keefe, S.	North	Pillsbury	Willet

Those who voted in the negative were:

Bang	Chmielewski	Josefson	Kowalczyk	Renneke
Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Schrom
Brown				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1404, No. 191 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1404: A bill for an act relating to veterans; the enforcement of veterans' preference rights by the commissioner of veterans affairs; authorizing the attorney general to represent veterans in certain cases; appropriating money; amending Minnesota Statutes 1971, Chapter 197, by adding a section.

Mr. Frederick moved to amend S. F. No. 1404 as follows:

Page 2, line 5, after "to" and before "records" insert "relevant"
Which motion prevailed. So the amendment was adopted.

S. F. No. 1404 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Olhoff	Solon
Ashbach	Dunn	Kirchner	Olson, A. G.	Stassen
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Stokowski
Berg	Frederick	Knutson	Olson, J. L.	Tennessen
Bernhagen	Gearty	Kowalczyk	O'Neill	Thorup
Blatz	Hansen, Baldy	Larson	Patton	Ueland
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Wegener
Brown	Hanson, R.	Lewis	Perpich, G.	Willet
Chenoweth	Hughes	Lord	Pillsbury	
Chmielewski	Humphrey	McCutcheon	Renneke	
Coleman	Jensen	Moe	Schaaf	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Ogdahl	Sillers	

Mr. Spear voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1478, No. 156 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1478: A bill for an act relating to highways; the establishment of recreational vehicle lanes on state, county and town road rights of way, including bridges and underpasses; appropriating money; amending Minnesota Statutes 1971, Sec-

tions 161.20, Subdivision 2; 161.21, Subdivision 1; 165.02; and 167.50, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Schaaf
Bang	Dunn	Keefe, S.	Novak	Schrom
Berg	Fitzsimons	Kirchner	Olhoft	Sillers
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Solon
Blatz	Gearty	Knutson	Olson, H. D.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Brown	Hansen, Mel	Larson	O'Neill	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Patton	Tennessee
Chmielewski	Hughes	Lewis	Perpich, A. J.	Thorup
Coleman	Humphrey	Lord	Perpich, G.	Ueland
Conzemius	Jensen	McCutcheon	Pillsbury	Wegener
Davies	Josefson	Moe	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1979, No. 177 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1979: A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Brown	Hansen, Mel	Larson	Olson, J. L.	Stassen
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chmielewski	Hughes	Lewis	Patton	Tennessee
Coleman	Humphrey	Lord	Perpich, A. J.	Thorup
Conzemius	Jensen	McCutcheon	Perpich, G.	Ueland
Davies	Josefson	Moe	Pillsbury	Wegener
Doty	Keefe, J.	North	Renneke	Willet
Dunn	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2426, No. 207 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2426: A bill for an act authorizing conveyance of certain state lands in Lyon county to the Southwest Minnesota College Foundation.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Novak	Schaaf
Ashbach	Fitzsimons	Kirchner	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olhft	Sillers
Berg	Gearty	Knutson	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Davies	Josefson	Moe	Pillsbury	Wegener
Doty	Keefe, J.	North	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 1213, No. 256 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1213: A bill for an act relating to public museums, galleries, and schools of arts or crafts in cities of the first class; tax levy; amending Minnesota Statutes 1971, Section 450.25.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Ashbach	Frederick	Knutson	Olson, H. D.	Spear
Bang	Gearty	Larson	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Lewis	Patton	Tennessee
Blatz	Hanson, R.	Lord	Perpich, A. J.	Thorup
Brown	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Jensen	North	Renneke	Willet
Davies	Josefson	Novak	Schaaf	
Doty	Keefe, S.	Ogdahl	Schrom	
Dunn	Kirchner	Olhft	Sillers	

Messrs. Keefe, J. and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:35 o'clock p.m. Which motion prevailed.

The hour of 1:35 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Dunn	Kirchner	Olson, A. G.	Spear
Berg	Gearty	Larson	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Borden	Hansen, Mel	Lewis	Patton	Tennessee
Coleman	Hanson, R.	Lord	Perpich, A. J.	Thorup
Conzemius	Humphrey	Moe	Perpich, G.	Wegener
Davies	Josefson	Novak	Schaaf	
Doty	Keefe, S.	Olhoft	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills a Special Orders Calendar to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 1575, 588, 1219, 1659, 1203, 961, and 2029. S. F. Nos. 968, 2113, 1806, 944, 926 and 1895.

SPECIAL ORDER

H. F. No. 1575: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes 1971, Sections 61A.13, Subdivision 1; 61A.14, Subdivision 5; 61A.15; 61A.17; 61A.19; 61A.21; and 61A.22.

Mr. Gearty moved that the amendment made to H. F. No. 1575 by the Committee on Rules and Administration in the report adopted May 11, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1575 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kowalczyk	Olhoft	Sillers
Ashbach	Hansen, Baldy	Larson	Olson, A. G.	Solon
Berg	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Borden	Hanson, R.	Lewis	Olson, J. L.	Tennessee
Brown	Hughes	Lord	O'Neill	Thorup
Chenoweth	Humphrey	McCutcheon	Patton	Wegener
Chmielewski	Jensen	Moe	Perpich, A. J.	Willet
Conzemius	Keefe, S.	Nelson	Perpich, G.	
Davies	Kirchner	North	Pillsbury	
Doty	Kleinbaum	Novak	Schaaf	
Dunn	Knutson	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on H. F. No. 295:

Messrs. Thorup; McCutcheon; Ogdahl; Hansen, Baldy and Doty. Which motion prevailed.

Pursuant to Rule 21, Mr. Perpich, A. J. moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Olson, A. G.; Conzemius; McCutcheon and Perpich, A. J. Which motion prevailed.

SPECIAL ORDER

H. F. No. 588: A bill for an act relating to trade regulations; hazardous toys and other articles; restricting the manufacture, sale, and other traffic of such articles in this state; granting regulatory, investigatory, and enforcement powers to the director of the consumer services section of the department of commerce; providing for the testing of such articles; providing penalties.

Was read the third time and placed on its final passage.

Mr. Jensen moved that the Senate recess until 4:00 o'clock p.m.

CALL OF THE SENATE

Mr. Borden imposed a call of the Senate. The following Senators answered to their names:

Arnold	Dunn	Keefe, S.	Mce	Perpich, G.
Berg	Fitzsimons	Kirchner	Nelson	Renneke
Bernhagen	Frederick	Kowalczyk	North	Schaaf
Blatz	Gearty	Krieger	Novak	Schrom
Borden	Hanson, R.	Larson	Ogdahl	Solon
Brown	Hughes	Laufenburger	Olhoft	Spear
Chmielewski	Humphrey	Lewis	Olson, J. L.	Wegener
Davies	Josefson	Lord	Patton	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question recurring on the motion of Mr. Jensen,

Mr. Krieger moved that those not voting be excused from voting.

And the roll being called, there were yeas 26 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Nelson	Stassen
Berg	Frederick	Kirchner	Olson, J. L.	Ueland
Bernhagen	Hansen, Mel	Knutson	O'Neill	
Blatz	Hanson, R.	Kowalczyk	Patton	
Brown	Jensen	Krieger	Pillsbury	
Dunn	Josefson	Larson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olhoft	Solon
Arnold	Hughes	Lord	Olson, A. G.	Spear
Borden	Humphrey	Milton	Olson, H. D.	Stokowski
Chenoweth	Keefe, S.	Moe	Perpich, A. J.	Tennessee
Chmielewski	Kleinbaum	North	Perpich, G.	Wegener
Davies	Laufenburger	Novak	Schrom	Willet

Which motion did not prevail.

The question again recurring on the motion of Mr. Jensen,

And the roll being called, there were yeas 26 and nays 34, as follows:

Ashbach	Dunn	Keefe, J.	Nelson	Stassen
Bang	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Berg	Frederick	Knutson	O'Neill	
Bernhagen	Hanson, R.	Kowalczyk	Patton	
Blatz	Jensen	Krieger	Pillsbury	
Brown	Josefson	Larson	Renneke	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olhoft	Solon
Arnold	Gearty	Lord	Olson, A. G.	Spear
Borden	Hughes	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Chmielewski	Keefe, S.	Moe	Perpich, G.	Wegener
Coleman	Kleinbaum	North	Schaaf	Willet
Conzemius	Laufenburger	Novak	Schrom	

Which motion did not prevail.

The question then recurred on the final passage of H. F. No. 588,

And the roll being called, there were yeas 38, and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Larson	North	Solon
Arnold	Gearty	Laufenburger	Ogdahl	Spear
Borden	Hansen, Mel	Lewis	Olhoft	Stassen
Chenoweth	Hughes	Lord	Olson, A. G.	Stokowski
Chmielewski	Humphrey	McCutcheon	Olson, H. D.	Tennessee
Coleman	Keefe, J.	Milton	Perpich, A. J.	Willet
Conzemius	Keefe, S.	Moe	Perpich, G.	
Davies	Kleinbaum	Nelson	Schaaf	

Those who voted in the negative were:

Ashbach	Blatz	Jensen	Patton	Wegener
Bang	Brown	Kirchner	Pillsbury	
Berg	Frederick	Kowalczyk	Renneke	
Bernhagen	Hanson, R.	Olson, J. L.	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 968: A bill for an act relating to crimes and criminals; providing penalties for the receipt, purchase or concealment of stolen goods; and providing for civil redress; amending Minnesota Statutes 1971, Section 609.53.

Mr. Hughes moved to amend S. F. No. 968 as follows:

Page 1, line 16, after "*knowing*" strike "*or believing*"

Page 1, after line 24 insert the following:

"Subd. 2. Any person who receives, buys or conceals any stolen property or property obtained by robbery, believing the same to be so stolen or obtained by robbery, may be sentenced to punishment as a misdemeanor.

Subd. 3. Any person convicted of a second or subsequent violation under subdivision 2 of this section within a period of one year may be sentenced as provided in subdivision 1, clause (1)."

Renumber the remaining subdivisions of section 1.

Which motion prevailed. So the amendment was adopted.

Mr. Hughes moved to amend S. F. No. 968, as follows:

Page 1, line 18, strike "*thing or things*" and insert "*property*"

Page 1, line 22, strike "*thing or things*" and insert "*property*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 968 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Blatz moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 47 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Ogdahl	Sillers
Arnold	Davies	Kleinbaum	Olhoff	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Stassen
Berg	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Laufenburger	O'Neill	Tennessee
Borden	Hansen, Mel	Lord	Perpich, A. J.	Wegener
Brown	Hanson, R.	Moe	Perpich, G.	Willet
Chenoweth	Hughes	Nelson	Pillsbury	
Chmielewski	Humphrey	North	Schaaf	
Coleman	Jensen	Novak	Schrom	

Those who voted in the negative were:

Bang	Keefe, J.	Krieger	Lewis	Spear
Blatz	Kirchner	Larson	Patton	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2113: A bill for an act relating to taxation; providing for a reduction in assessed value of apartment housing of type I or II construction; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

Mr. Ogdahl moved to amend S. F. No. 2113, as follows:

Page 1, line 17, strike "7" and insert "17"

Page 1, line 29, strike "1974" and insert "1975"

Which motion prevailed. So the amendment was adopted.

S. F. No. 2113 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 11, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Josefson	Olhoft	Stokowski
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Tennessen
Bang	Fitzsimons	Larson	Olson, J. L.	Ueland
Berg	Frederick	Laufenburger	Patton	Wegener
Bernhagen	Gearty	Lord	Pillsbury	Willet
Blatz	Hansen, Mel	Milton	Renneke	
Borden	Hanson, R.	Moe	Schrom	
Brown	Hughes	North	Solon	
Chenoweth	Humphrey	Ogdahl	Stassen	

Those who voted in the negative were:

Davies	Keefe, S.	Kowalczyk	Nelson	Schaaf
Jensen	Knutson	Lewis	Perpich, G.	Spear
Keefe, J.				

So the bill, as amended, passed and its title was agreed to.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, Borden, Sillers and O'Neill. Which motion prevailed.

SPECIAL ORDER

S. F. No. 1806: A bill for an act relating to the operation of the state government; providing for the purchase of electronic data processing equipment where bids are unsatisfactory; amending Minnesota Statutes 1971, Section 16.07, Subdivision 14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Nelson	Schaaf
Ashbach	Fitzsimons	Kleinbaum	North	Schrom
Bang	Frederick	Knutson	Novak	Solon
Berg	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Borden	Hughes	Lewis	Patton	Tennessee
Brown	Humphrey	Lord	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 944: A bill for an act relating to education; permitting certain teachers to apply for and receive life or permanent certificates.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Novak	Solon
Bang	Fitzsimons	Kowalczyk	Ogdahl	Spear
Berg	Frederick	Larson	Olhoft	Stassen
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Lewis	Olson, J. L.	Tennessee
Borden	Hanson, R.	Lord	Patton	Ueland
Brown	Hughes	Milton	Pillsbury	Wegener
Chmielewski	Humphrey	Moe	Renneke	Willet
Davies	Jensen	Nelson	Schaaf	
Doty	Josefson	North	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 926: A bill for an act establishing the Minnesota environmental education council; and describing the powers and duties thereof.

Mr. Borden moved to amend S. F. No. 926 as follows:

Page 1, line 22 strike "Six"

Page 3, line 14, after "[GENERALLY.]" add:

"The Minnesota environmental education council shall operate under the general supervision of the Minnesota environmental quality council. The environmental education council shall submit its budget to the environmental quality council each year for review and approval. Twice each year the state environmental

education council shall report to the environmental quality council on the status of its programs and operations."

Page 6, line 15, after "regional" insert "economic"

Which motion prevailed. So the amendment was adopted.

S. F. No. 926 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Novak	Spear
Bang	Fitzsimons	Knutson	Olhoft	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	Patton	Thorup
Borden	Hansen, Mel	Lewis	Perpich, G.	Ueland
Brown	Hanson, R.	Lord	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Renneke	Willet
Chmielewski	Jensen	Moe	Schaaf	
Davies	Josefson	Nelson	Schrom	
Doty	Keefe, S.	North	Solon	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1219: A bill for an act relating to the organization and operation of state government; providing the commissioner of natural resources with additional power to organize and reorganize the department; amending Minnesota Statutes 1971, Sections 84.081, Subdivision 1; and 84.083, Subdivision 1.

Mr. Borden moved to amend H. F. No. 1219, the printed bill as follows:

Page 2, line 8, after the period, insert: "*All authority of the commissioner to revise or abolish divisions within the department as described in Chapter 84 shall expire July 1, 1975.*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1219 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Nelson	Renneke
Ashbach	Fitzsimons	Kleinbaum	North	Solon
Bang	Frederick	Knutson	Novak	Spear
Bernhagen	Gearty	Kowalczyk	Olhoft	Stassen
Blatz	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Brown	Hughes	Lewis	O'Neill	Ueland
Chenoweth	Humphrey	Lord	Patton	Wegener
Chmielewski	Jensen	Milton	Perpich, G.	Willet
Davies	Keefe, J.	Moe	Pillsbury	

Mr. Schrom voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1659: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

Mr. Borden moved to amend H. F. No. 1659, the typewritten bill, as amended under Rule 49 and adopted by the Senate May 10, 1973, as follows:

Page 3, line 28, after "of" strike "the".

Page 6, line 1, after "required" strike "by" and insert in lieu thereof "in".

Page 6, line 2, after "permitted" insert "consistent with the policies of this act,".

Page 10, line 9, strike "THE" and insert in lieu thereof "AND".

Page 11, line 5, strike "PERMISSION" and insert in lieu thereof "PERMITS".

Page 12, line 1, after "which" insert "no".

Page 12, line 2, strike the period and insert in lieu thereof "; or".

Page 12, after line 2, insert the following new paragraph:

"(b) any application for a special development permit in any area of critical concern for which plans and regulations have become effective under the provisions of section 7."

Page 12, line 19, after "of" strike "the".

Page 13, line 4, after "or" strike "of".

Page 13, strike lines 16 through 22.

Which motion prevailed. So the amendment was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 835:

Messrs. Spear; Keefe, J. and Tennesen. Which motion prevailed.

SPECIAL ORDER—CONTINUED

H. F. No. 1659 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Ogdahl	Solon
Arnold	Gearty	Larson	Olhoft	Spear
Blatz	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Borden	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Brown	Hughes	Lord	O'Neill	Tennessee
Chmielewski	Humphrey	Milton	Patton	Thorup
Davies	Keefe, J.	Moe	Perpich, G.	Ueland
Doty	Keefe, S.	Nelson	Pillsbury	Wegener
Dunn	Kleinbaum	North	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Bernhagen	Hansen, Baldy	Kowalczyk	Schrom
Berg	Frederick	Jensen	Renneke	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1203: A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

Mr. Willet moved to amend H. F. No. 1203, the printed bill, as follows:

Page 3, line 5, strike "*or is about to violate*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1203 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Nelson	Pillsbury
Arnold	Davies	Knutson	North	Schaaf
Ashbach	Fitzsimons	Larson	Ogdahl	Solon
Bang	Gearty	Laufenburger	Olhoft	Stassen
Bernhagen	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Borden	Hanson, R.	Lord	Olson, H. D.	Tennessee
Brown	Hughes	McCutcheon	O'Neill	Ueland
Chmielewski	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Keefe, S.	Moe	Perpich, G.	Willet

Those who voted in the negative were:

Berg	Jensen	Patton	Renneke	Schrom
Frederick	Krieger			

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 961: A bill for an act relating to licensing boards;

providing for public members on professional examination and licensing boards; changing the per diem of board members; un-dedicating certain dedicated funds; defining public member; amending Minnesota Statutes 1971, Sections 144.01; 144.04; 144.952; 146.11; 147.01; 147.05; 148.03; 148.07, Subdivisions 2 and 3; 148.181; 148.201; 148.241; 148.29, Subdivision 2; 148.296, Subdivision 2; 148.45; 148.52; 148.60; 148.79; 148.85; 150A.02; 150A.03, Subdivision 2; 151.02; 151.03; 151.04; 151.27 153.02; 153.03; 153.12; 154.22; 154.23; 155.04; 155.05; 155.18, Sub-division 1; 156.01, Subdivisions 1 and 2; 156.14; 326.04; 326.05; 326.08, Subdivision 1; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.541; 341.01; 341.02; 341.03; 341.06; 386.63, Subdivisions 1 and 5; 386.64; 481.01; Chapters 144, by adding a section; and 148, by adding a section; repeal- ing Minnesota Statutes 1971, Section 45.16, Subdivision 3.

Mr. Wegener moved to amend H. F. No. 961, the typewritten bill, as amended under Rule 49 and adopted by the Senate May 10, 1973, as follows:

Page 14, line 12, after "association" and before the comma, insert "*and other professional nursing groups*"

Page 14, line 18, after "association" insert "*and other profes- sional nursing groups*"

Which motion prevailed. So the amendment was adopted.

Mr. Arnold moved to amend H. F. No. 961, the typewritten bill, as amended under Rule 49 and adopted by the Senate, May 10, 1973, as follows:

Page 6, line 7, strike "13" and insert "11"

Page 6, line 15, strike "five" and insert in lieu thereof "three"

Page 7, line 3, strike "two" and insert in lieu thereof "one"

Page 7, line 4, strike "two" and insert in lieu thereof "one"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 35 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jensen	Krieger	Patton
Arnold	Dunn	Josefson	Larson	Pillsbury
Ashbach	Fitzsimons	Keefe, J.	Lewis	Renneke
Bang	Frederick	Kirchner	Nelson	Sillers
Berg	Hansen, Mel	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Knutson	Olson, J. L.	Ueland
Blatz	Hughes	Kowalczyk	O'Neill	Willet

Those who voted in the negative were:

Borden	Humphrey	North	Schaaf	Tennessen
Brown	Keefe, S.	Olhoft	Schrom	Wegener
Coleman	Laufenburger	Olson, A. G.	Solon	
Davies	Milton	Perpich, A. J.	Spear	
Gearty	Moe	Perpich, G.	Stokowski	

Which motion prevailed. So the amendment was adopted.

Mr. Lewis moved to amend H. F. No. 961, the typewritten bill, as amended under Rule 49, and adopted by the Senate May 10, 1973, as follows:

Page 32, line 2, after "of" strike "a" and insert "an"

Page 32, line 3, strike "reputable" and insert "accredited"

Which motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend H. F. No. 961, the printed bill, as follows:

On page 8, line 26, strike "Six" and insert in lieu thereof "Eight"

Which motion prevailed. So the amendment was adopted.

H. F. No. 961 was then progressed, as amended.

SPECIAL ORDER

H. F. No. 2029: A bill for an act relating to mining; strengthening certain provisions relating to mineland reclamation; providing penalties; amending Minnesota Statutes 1971, Sections 93.46, Subdivision 3; 93.47, Subdivisions 2, 3, and 5; 93.49; 93.51; and Chapter 93, by adding a section; repealing Minnesota Statutes 1971, Section 93.46, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olson, A. G.	Solon
Arnold	Dunn	Kleinbaum	Olson, H. D.	Spear
Ashbach	Fitzsimons	Knutson	Olson, J. L.	Stassen
Bang	Gerty	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Mel	Krieger	Patton	Tennessee
Bernhagen	Hanson, R.	Larson	Perpich, A. J.	Ueland
Blatz	Hughes	Lord	Perpich, G.	Wegener
Borden	Humphrey	Milton	Pillsbury	Willet
Brown	Jensen	Moe	Renneke	
Chmielewski	Josefson	Nelson	Schaaf	
Coleman	Keefe, J.	North	Schrom	
Conzemius	Keefe, S.	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1895: A bill for an act relating to health benefits provided through nonprofit health service plans and insurance; requiring the provision of certain health benefits for the treatment of alcoholism and drug and chemical dependencies.

Mr. O'Neill moved to amend S. F. No. 1895, as follows:

Page 1, after line 31, insert:

“Sec. 2. [EFFECTIVE DATE.] This act is effective September 30, 1973.”

Which motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend S. F. No. 1895, as follows:

Page 1, after line 31, insert:

“Sec. 2. Coverage under section 1 shall be for at least 20 percent of the total patient days allowed by the policy and in no event shall coverage be for less than 28 days in each calendar year.”

Which motion prevailed. So the amendment was adopted.

S. F. No. 1895 was then progressed, as amended.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. Which motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Davies	Knutson	Olson, A. G.	Spear
Arnold	Dunn	Kowalczyk	Olson, H. D.	Tennessen
Ashbach	Gearty	Laufenburger	Olson, J. L.	Wegener
Bernhagen	Hansen, Mel	Lord	Perpich, A. J.	Willet
Borden	Humphrey	Milton	Perpich, G.	
Chmielewski	Keefe, J.	Moe	Pillsbury	
Coleman	Keefe, S.	Ogdahl	Purfeerst	
Conzemius	Kirchner	Olhoft	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Introduction of Bills, and proceed through the Agenda, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

INTRODUCTION OF BILLS

Messrs. Bang, Lewis and Gearty introduced—

S. F. No. 2495: A bill for an act relating to the state; authorizing commissioner of administration to contract directly with or purchase directly from businesses owned by the socially or economically disadvantaged; amending Minnesota Statutes 1971, Section 16.06, by adding a subdivision.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. O'Neill, Krieger and Blatz introduced—

S. F. No. 2496: A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state and local taxing and spending authority.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 496, 906, 1781, 2320, 925, 1128, 1708, 1954, 578, 1141, 1994, 2221, 650, 2230, 2232, 2317, 929 and 1037.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendment the concurrence of the Senate is respectfully requested:

S. F. No. 1809: A bill for an act relating to commerce; requiring the provision of certain information to consumers; providing remedies; amending Minnesota Statutes 1971, Chapter 325, by adding a section.

Senate File No. 1809 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

CONCURRENCE AND REPASSAGE

Mr. Borden moved that the Senate do now concur in the amendments by the House to S. F. No. 1809 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1809 was read the third time, as amended by the House, and placed on its final passage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ander-on	Dunn	Kowalczyk	Olson, H. D.	Spear
Arnold	Gearty	Laufenburger	Olson, J. L.	Tennessen
Ashbach	Hansen, Mel	Lord	Patton	Thorup
Bernhagen	Hughes	Milton	Perpich, A. J.	Wegener
Borden	Keefe, J.	Moe	Perpich, G.	Willet
Chmielewski	Keefe, S.	North	Pillsbury	
Coleman	Kirchner	Ogdahl	Purfeerst	
Conzemius	Kleinbaum	Olhft	Schrom	
Davies	Knutson	Olson, A. G.	Solon	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested.

S. F. No. 1972: A bill for an act relating to public welfare; submission of budget estimates; amending Minnesota Statutes 1971, Section 393.08, Subdivision 1.

Senate File No. 1972 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate do now concur in the amendments by the House to S. F. No. 1972 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1972 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 38 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Furfeerst
Arnold	Gearty	Kleinbaum	Ogdahl	Solon
Ashbach	Hansen, Mel	Knutson	Olhft	Spear
Bernhagen	Hanson, R.	Kowalczyk	Olson, A. G.	Tennessen
Borden	Hughes	Laufenburger	Olson, J. L.	Thorup
Coleman	Humphrey	Lord	Patton	Wegener
Conzemius	Keefe, J.	Milton	Perpich, G.	
Davies	Keefe, S.	Moe	Pillsbury	

Messrs. Chmielewski, Schrom and Willet voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the

request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 452: A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

There has been appointed as such committee on the part of the House:

Vento, Faricy and Pavlak, R. L.

Senate File No. 452 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2381, 2438, 2442, 2447, 1836, 1986, 2226, 2473, 1630, 2043, 2319, 2449, 1168, 1409, 2484, 1738, 1989, 1306, 1372, 1906, 2087.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 14, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 1630: A bill for an act relating to Hennepin county; retirement of county employees; amending Laws 1965, Chapter 855, Section 15, Subdivision 1.

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.

H. F. No. 2319: A bill for an act relating to the operation of the state government; providing for the purchase of electronic data processing equipment where bids are unsatisfactory; amending Minnesota Statutes 1971, Section 16.07, Subdivision 14.

H. F. No. 2449: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

H. F. No. 1168: A bill for an act relating to taxation; providing for a definition of cigarettes subject to tax; amending Minnesota Statutes 1971, Section 297.01, Subdivision 2.

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.

H. F. No. 2484: A bill for an act relating to taxation of property devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4.

H. F. No. 1738: A bill for an act relating to relocation assistance; authorizing payment of relocation expense in connection with housing code enforcement by municipalities and other public bodies.

H. F. No. 1989: A bill for an act relating to workmen's compensation; providing judicial relief for employees who have been thwarted in, or discriminated against for, the exercise of their lawful rights; providing penalties.

H. F. No. 1836: A bill for an act relating to the policemen's relief association and the firemen's relief association in the city of Eveleth, and membership in the public employees police and fire fund.

H. F. No. 1986: A bill for 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. 2226: A bill for an act relating to retirement; distribution of state aid to policemen's relief associations; amending Minnesota Statutes 1971, Sections 69.011, Subdivisions 1, 2, and 4; and 69.021, Subdivisions 5, 6, and 7.

H. F. No. 2473: A bill for an act relating to retirement; interest assumptions for police and firemen's relief purposes; amending Minnesota Statutes 1971, Sections 69.73; 69.77, Subdivision 2; and 69.772, Subdivision 3.

H. F. No. 2381: A bill for an act relating to retirement; bureau of health personnel in cities of the first class; repealing Laws 1971, Chapter 578, Section 2.

H. F. No. 2438: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

H. F. No. 2442: A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

H. F. No. 2447: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

H. F. No. 1372: A bill for an act relating to parole and probation; creating a single authority; transferring the powers and duties of the adult corrections commission and the youth conservation commission to the Minnesota corrections authority established hereby; abolishing the adult corrections commission and the youth conservation commission as now constituted; amending Minnesota Statutes 1971, Sections 242.03; 242.09; 242.10; 242.18; 242.19; 242.20; 242.21; 242.25; 242.27; 242.29; 242.32; 243.09; repealing Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.265; 242.54; 243.02; 243.03; and 243.04.

H. F. No. 1906: A bill for an act relating to the Minnesota highway patrolmen's retirement association; amending Minnesota Statutes 1971, Sections 352B.02; 352B.08, Subdivision 2; 352B.10; 352B.11, Subdivision 2; and Chapter 352B, by adding sections.

H. F. No. 2087: A bill for an act relating to the city of Duluth, authorizing the city of Duluth to create development districts within the city boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Which were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 1306: A bill for an act relating to insurance; regulating the terms of certain insurance contracts; amending Minnesota Statutes 1971, Sections 62A.041; and 62C.14, by adding subdivisions; repealing Minnesota Statutes 1971, Section 309.176; and Laws 1971, Chapter 680, Section 2.

Mr. Borden moved that H. F. No. 1306 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1409, 2484, 2043, 2449, 1836, 1986, 2226, 2473, 1738, 1989, 2225, 1381, 805, 647 and 1906 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 2449 to the Committee on Finance.

H. F. Nos. 1409, 2043, 1836, 1986, 2226, 2473, 1738 and 1906 to the Committee on Governmental Operations.

H. F. No. 1989 to the Committee on Labor and Commerce.

H. F. No. 2484 to the Committee on Taxes and Tax Laws.

The following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2225	2162				

and that the above Senate File be indefinitely postponed.

House File found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1381	711				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1381 be amended as follows:

Page 4, line 28, after "lake" insert "*basin*"

Page 5, line 3, after "lake" insert "*basin*"

Page 5, lines 4 and 5, delete "*of the state as defined by Minnesota Statutes, Section 105.38*"

Page 5, line 20, delete "*or court*"

Page 5, line 24, after "*shall*" insert "*include but not*"

Page 5, line 25, delete "*private and*"

Page 5, line 26, delete "*and costs*"

Page 8, line 15, after "*of the*" insert "*social, economic, and environmental*"

Page 9, line 2, delete "*make an advisory*"

Page 9, line 19, after "*from*" delete "*the*"

Page 10, line 10, after "utility" insert "*for any other reason*"

Page 13, line 20, after "improvements" insert a new comma

Page 13, line 21, delete "*shall be made available*"

Further, amend the title in line 7, after "policy" by inserting "with regard to leasing of state-owned shorelands; revising the state program for acquisition of wildlife lands to make it systematic and integrated with other state and federal programs;" ; further, in line 8 of title strike "establishments" and insert in lieu thereof "establishment"

And when so amended, H. F. No. 1381 will be identical to S. F. No. 711 and further recommends that H. F. No. 1381 be given its second reading and substituted for S. F. No. 711 and S. F. No. 711 be indefinitely postponed. Amendments adopted.

House File found not identical with its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
805	750				

Pursuant to Rule 49 the Committee recommends that H. F. No. 805 be amended as follows:

Page 3, after line 18, insert the following:

"(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29."

Page 8, delete lines 2 and 3

Page 8, line 11, after "*agricultural*" insert "*or horticultural*"

Page 8, line 15, strike "hedging" and insert in lieu thereof "hedging" "

Page 8, line 24, strike "*gross*" and insert in lieu thereof "*net*"

Page 9, line 9, strike "*gross*" and insert in lieu thereof "*net*"

Page 9, delete lines 13 through 15

And when so amended, H. F. No. 805 will be identical to S. F. No. 750 and further recommends that H. F. No. 805 be given its second reading and substituted for S. F. No. 750 and S. F. No. 750 be indefinitely postponed. Amendments adopted.

House File found not identical with companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
647	506				

Pursuant to Rule 49 the Committee recommends that H. F. No. 647 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. This act shall be known and may be cited as the “agricultural marketing and bargaining act of 1973.”

Sec. 2. [DECLARATION OF POLICY.] Since agricultural products are produced by numerous and often scattered individual producers, the marketing and bargaining position of individual producers will be adversely affected unless they are free to join together voluntarily in cooperative associations or other associations as authorized by law. Membership of a producer in such a cooperative association or other association can only be meaningful if a handler of agricultural products is required to bargain in good faith with an agricultural cooperative association or other association as the representative of the members of such association. Production and marketing of agricultural commodities constitutes a basic and essential industry. Agricultural producers do not now enjoy the opportunity, comparable to that of industrial workers and those in many other forms of enterprise or employment, to organize and bargain effectively. Neither is adequate government provision available to assure that the bargaining process shall be fair both to producers and handlers and in the public interest.

Sec. 3. Subdivision 1. For the purposes of sections 1 to 12, the terms defined in this section have the meanings given them.

Subd. 2. “Association” means an association of producers, or federation of cooperative association of producers engaged in producing, marketing, bargaining, shipping or processing functions of an agricultural commodity on behalf of its members who are producers of such agricultural commodity, which has been accredited by the commissioner.

Subd. 3. “Person” means an individual, partnership, corporation or association.

Subd. 4. “Producer” means any person, who in any one calendar year within the previous two calendar years, produces or causes to be produced any agricultural commodity in quantity beyond his own family use, and who is able to transfer, during the calendar year, to a handler or an association a merchantable title to the agricultural commodity or provide management, labor, machinery, facilities, or any other production input, with the assumption of risk, for the production of the agricultural commodity under a written contract.

Subd. 5. “Agricultural commodity” includes all agricultural goods produced under contract for marketing as defined by the commissioner of agriculture. It does not include any commodity sold by a producer to another producer for his own exclusive use and not for resale. The kinds, types and subtypes of products to be classed together as an agricultural commodity for the

purposes of this act shall be determined by the commissioner on the basis of common usage and practice.

Subd. 6. "Handler" means a person, other than an association, engaged in the business or practice of acquiring agricultural commodities from producers or associations for processing or sale; grading, packaging, handling, storing or processing agricultural commodities received from producers or associations; contracting or negotiating contracts or other arrangements with producers or associations with respect to the production of any agricultural commodity; or acting as an agent or broker for a handler in the performance of any function or act specified above. It does not include a producer who sells at a retail establishment which he owns and operates or who sells at a produce market, agricultural commodities produced by him and agricultural commodities produced by another producer subject to value limitation established by the commissioner.

Subd. 7. "Commissioner" means the commissioner of agriculture of the state of Minnesota or his designated authority.

Subd. 8. "Marketing year" shall mean, generally, any time between the second day of February of the previous calendar year and the first day of February of the subsequent year, unless the commissioner shall determine an alternative time period for a specific agricultural commodity to be designated as its marketing year.

Sec. 4. [ACCREDITATION.] Subdivision 1. Any association accredited under this section may engage in bargaining as provided for under this act.

(1) An association desiring accreditation shall file with the commissioner in the form required by the commissioner. The request shall contain properly certified evidence that the association meets the standards for accreditation and shall be accompanied by a report of the names and addresses of member producers, the name of each handler to whom the member producer delivered or contracted to deliver the agricultural commodity during the previous two calendar years and the quantity delivered or acreage grown. A fee to cover the costs of the commissioner in processing the request shall be established pursuant to Minnesota Statutes, Chapter 15, and paid by the association when the request is filed.

(2) The commissioner may require all handlers of an agricultural commodity produced in a bargaining unit area as individuals or through their trade association to file with the board within 30 days following such a request, a report, properly certified, showing the correct names and addresses of all producers of the agricultural commodity who have delivered the agricultural commodity to the handler during the two calendar years preceding the filing of the report and the quantities of the agricultural commodity received by the handler from each named producer during those periods. The information contained in the individual reports of handlers filed with the commissioner shall not be made public by the commissioner nor available to any person for private use.

Subd. 2. In determination of accreditation, the commissioner shall determine whether bargaining shall be appropriate by plant, processor, or company. This determination shall be the unit area for the bargaining provisions of this act as is applicable to associations and handlers. In making his determination, the commissioner shall define as appropriate the largest bargaining unit area in terms of the quantity of the agricultural commodity produced, the definition of the agricultural commodity, geographic area covered and number of producers included as is consistent with the following criteria:

- (a) The community of interest of the producers included;
- (b) The potential serious conflicts of interests among members of the proposed unit;
- (c) The effect of exclusions on the capacity of the association to effectively bargain for the bargaining unit as defined;
- (d) The kinds, types and subtypes of products to be classed together as agricultural commodity for which the bargaining unit is proposed;
- (e) Whether the producers eligible for membership in the proposed bargaining unit meet the definition of "producer" for the agricultural commodity involved;
- (f) The wishes of the producers;
- (g) The pattern of past marketing of the commodity.

Subd. 3. An association shall be accredited only if it complies with the following:

(a) The association meets the requirements of the Capper-Volstead Act, 7 U.S.C. 291-2.

(b) The association has submitted a copy of its bylaws which provide that: each member of the association shall have one vote in all votes of the membership of the association; that officers or directors shall be elected by a majority of the members voting or by delegates representing a majority of the membership; and that all elections shall be by secret ballot.

(c) The association would have marketing and bargaining contracts for the current or next marketing year with more than 50 percent of the producers of an agricultural commodity who are in the bargaining unit area and these contracts would cover more than 50 percent of the quantity of that commodity produced by producers in that bargaining unit area. The commissioner may determine the quantity produced by the bargaining unit area using information on production in the prior year, current marketing information, and projections on production during the current marketing year. The commissioner shall exclude from the quantity of the agricultural commodity contracted by producers with producer owned and controlled processing cooperatives and any quantity produced by handlers. An association whose main purpose is bargaining but which processes a surplus into a form which is not the subject of bargaining is not a processing cooperative. The contracts

with members shall specify the agricultural commodity and that the members have appointed the association as their exclusive agent in negotiations with handlers for prices and other terms of trade with respect to the sale and marketing of the agricultural commodity and obligate them to dispose of their production or holdings of the agricultural commodity through or at the direction of the association.

Subd. 4. Within 60 days of the filing date of the request for accreditation by an association, the commissioner shall determine whether the association shall be accredited. If the commissioner determines that insufficient evidence was filed by the association, the commissioner may permit the association to file an amended request for accreditation within 30 days following the determination and notification of the association. The commissioner shall then determine, within 30 days of the filing of the amended request, whether the association shall be accredited. An association which is denied accreditation after filing of an amended request may not file another request for accreditation for a period of one year.

Subd. 5. Accreditation of the association by the commissioner shall be effective 30 days after the notice of accreditation.

Subd. 6. [REVOCAION OF ACCREDITATION.] The commissioner shall consider revocation of accreditation upon any of the following conditions:

(a) Upon receipt of a request from an accredited association for its own disaccreditation.

(b) Upon receipt of a petition requesting that the accredited association be disaccredited and bearing the signatures of at least ten percent of the producers of an accredited association in the bargaining unit. Following the receipt of a petition bearing the signatures of at least ten percent of the producers of an accredited association in a bargaining unit the board shall order the commissioner to initiate a referendum among the members of the accredited association and if in the referendum a majority of the producers, producing 50 percent of the commodity approve, the association accreditation shall be revoked by the board.

Subd. 7. The accredited association shall represent all member producers who are in the bargaining unit area and it shall act as exclusive sales agents for the bargaining unit area in negotiations with handlers. The association may not assess, bargain for, or claim to represent those producers who choose not to be represented by the association or choose not to have a bargaining committee bargain for them.

Sec. 5. [MARKETING AND BARGAINING COMMITTEE.]
Subdivision 1. After accreditation of the association, the association shall establish and authorize a marketing and bargaining committee to negotiate, as the association's exclusive agent, with handlers for the sale and marketing of the agricultural commodity for which the association was accredited.

Subd. 2. This committee shall be comprised of members of the

association elected by the association in a secret ballot election, except that the association may contract with legal counsel who shall, at the discretion of the association, be eligible for membership on the committee.

Subd. 3. The production of the agricultural commodity shall comprise a significant portion of the total producing operation of each committee member.

Subd. 4. Members who have any quantity contracted with a producer owned and controlled processing cooperative are not eligible to serve on a marketing and bargaining committee for such a commodity.

Sec. 6. Subdivision 1. Producers of agricultural commodities are free to join together voluntarily in associations as authorized by law without interference by handlers. A handler shall not engage in any of the following practices, defined as unfair practices:

(a) To coerce a producer in the exercise of his right to join and belong to or to refrain from joining or belonging to an association or to refuse to deal with a producer because of the exercise of his right to join and belong to an association.

(b) To discriminate against a producer with respect to price, quantity, quality or other terms of purchase, acquisition or other handling of agricultural products because of his membership in or contract with an association.

(c) To coerce or intimidate a producer to breach, cancel or terminate a membership agreement or marketing contract with an association or a contract with a handler.

(d) To pay or loan money, give anything of value or offer any other inducement or reward to a producer for refusing or ceasing to belong to an association.

(e) To make or circulate unsubstantiated reports about the finances, management or activities of associations or other handlers.

(f) To conspire, combine, agree or arrange with any other person to do or aid or abet the doing of any practice which is in violation of this act.

(g) To refuse to bargain with an association with whom the handler has had prior dealings or with an association whose producers in the bargaining units have had dealings with the handler prior to the effective date of this act.

Subd. 2. An association shall not engage nor permit an employee or agent to engage in the following practices, defined as unfair practices:

(a) To enter into a contract which discriminates against a producer represented by that association.

(b) To act in a manner contrary to the bylaws of the association.

(c) To coerce or intimidate a handler to breach, cancel or terminate an agreement or marketing contract with an association or a contract with a producer.

(d) To make or circulate unsubstantiated reports about the finances, management or activities of other associations or handlers.

(e) To conspire, combine, agree or arrange with another person to do or aid or abet the doing of any practice which is in violation of this act.

Sec. 7. Subdivision 1. As used in this act, "bargaining" means the mutual obligation of a handler and an association or their designated representatives to meet at reasonable times and confer and negotiate in good faith. Negotiations may include all terms relative to trading between handlers and producers of the agricultural commodity such as:

(a) prices and terms of sale

(b) quality specifications

(c) quantity to be marketed by acreage or weight

(d) transactions involving products and services utilized by one party and provided by the other party.

Subd. 2. The association shall notify the commissioner of the commencement of negotiations.

Subd. 3. (a) If no agreement is reached at the expiration of ten days after service of such notice to the commissioner, the association may, at any time thereafter, petition the commissioner to assume supervision over the dispute, except as provided for by clause (e).

(b) The commissioner shall then set a time and place for conference with the parties to present facts representing each party's case and hearing arguments. The commissioner shall take such steps, in accordance with rules promulgated under this act, as he deems expedient to affect a voluntary, amicable and expeditious adjustment and settlement of the differences between the handler and the association.

(c) At any time prior to 15 days before the first day of the marketing year in dispute, if an agreement on the issues in dispute between the association and the handler has not been reached, the handler may elect not to purchase, directly or indirectly, any quantity of the agriculture commodity produced by the association during that marketing year; or, the affected producers may elect not to sell, directly or indirectly, any quantity of the agricultural commodity produced by the association during that marketing year, or, the affected producers may elect not to sell, directly or indirectly, any quantity of the agricultural commodity to the handler during that marketing year.

(d) If either party makes an election, the other party is not under an obligation to continue bargaining with the party so

electing for terms during the marketing period in dispute. Both parties may, however, engage immediately in bargaining for the following marketing year.

(e) If the petition requesting the commissioner to assume supervision over a dispute is presented 15 days or less before the marketing year in dispute, then the commissioner shall exercise his discretionary authority, according to rules promulgated under this act, in determining which disputes are arbitrable before the start of the marketing year in dispute.

Sec. 8. All decisions of mediation and bargaining which result from section 7 shall be based upon the following factors:

(a) Prices or projected prices for the agricultural commodity paid by the competing handlers in the market area or competing market areas.

(b) Amount of the commodity produced or projections of production in the production area or competing marketing areas.

(c) Relationship between the quantity produced and the quantity handled by the handler.

(d) The producers cost of production including the cost which would be involved in paying farm labor a fair wage rate and providing them with adequate housing.

(e) The average consumer prices for goods and services, commonly known as the cost of living.

(f) The impact of the award on the competitive position of the handler in the marketing area or competing areas.

(g) The impact of the award on the competitive position of the agricultural commodity in relationship to competing commodities.

(h) A fair return on investment.

(i) Kind, quality or grade of the commodity involved.

(j) Stipulation of the parties.

(k) Such other factors which are normally or traditionally taken into consideration in determining prices, quality, quantity and the costs of other services involved.

Sec. 9. The commissioner shall announce his findings of fact and decisions in all cases in which he has assumed supervision during the year previous to the marketing year in dispute by the fifteenth day of the marketing year in dispute. To expedite his decisions, the commissioner may engage the services of the bureau of mediation services, whose recommendations he shall consider in his final determination.

Sec. 10. Subdivision 1. For the purpose of this act, the commissioner may receive complaints with respect to violations or threatened violations. The commissioner may make all necessary investigations, examinations or inspections of any violation or threatened violation specified in the sworn complaint filed with the commissioner. If, upon such investigation, the commissioner considers that there is reasonable cause to believe that the person charged has committed a practice in

violation of this act, the commissioner shall issue and cause to be served a complaint upon the person. The complaint shall summon the person to a hearing before the commissioner at the time and place fixed.

Subd. 2. If the commissioner determines that the person complained of has committed a practice in violation of this act, he shall state his findings of fact and shall issue and cause to be served on the person an order requiring him to cease the violation and shall order further affirmative action as will effectuate the policies of this act.

Subd. 3. If the commissioner is of the opinion that the person complained of has not committed a practice in violation of this act, he shall make his findings of fact and issue an order dismissing the complaint.

Subd. 4. Until the record in a case has been filed in a court the commissioner may, at any time upon reasonable notice and in such manner as he deems proper, modify or set aside, in whole or in part, any finding or order he has made or issued, with jurisdiction for such a change specified in additional findings of fact.

Subd. 5. The commissioner may request the attorney general of the state of Minnesota to seek the appropriate temporary relief or restraining order of injunction in district court to insure the enforcement of his findings.

Sec. 11. The commissioner may promulgate rules necessary for the administration of this act in accordance with this act and Minnesota Statutes, Chapter 15.

Sec. 12. [EFFECTIVE DATE.] This act is effective July 1, 1973."

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to agriculture; collective bargaining; providing for bargaining between producers or associations and handlers; providing criteria."

And when so amended, H. F. No. 647 will be identical to S. F. No. 506 and further recommends that H. F. No. 647 be given its second reading and substituted for S. F. No. 506 and S. F. No. 506 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2225, 1381, 805 and 647 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Dunn moved that his name be stricken as co-author to S. F. No. 2197. Which motion prevailed.

Mr. Keefe, S. moved that S. F. No. 1247 be taken from the table. Which motion prevailed.

Mr. Keefe, S. moved that the Senate do not concur in the amendments by the House to S. F. No. 1247 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills a Special Order Calendar for immediate consideration, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 1059, 586, 1550, 961, 606, 221, 1825, 490, 1625, 1044, 685, and 901. S. F. No. 1895.

SPECIAL ORDER

H. F. No. 1059: A bill for an act relating to real estate: forcible entry and unlawful detainer; landlord and tenant; creating remedies for tenants of substandard housing; amending Minnesota Statutes 1971, Sections 566.01; 566.02; 566.05; 566.06; 566.09; 566.15; 566.16; and Chapter 566, by adding sections.

Mr. Tennessen moved to amend H. F. No. 1059, the printed bill, as amended under Rule 49 and adopted by the Senate April 25, 1973, as follows:

Strike the Rule 49 amendment, and further amend the printed bill as follows:

Page 1, line 9, after "and" insert "*, notwithstanding any provision of section 488.05 to the contrary,*"

Page 2, line 1, after "and" insert "*, notwithstanding any provision of subdivision 7 herein to the contrary,*"

Page 2, line 7, after "and" insert "*, notwithstanding any provision of subdivision 8 herein to the contrary,*"

Page 2, line 34, after "and" insert "*, notwithstanding any provision of subdivisions 4 and 5 herein to the contrary,*"

Page 6, line 6, strike "8 to 23" and insert "13 to 28"

Page 6, line 35, after "to" and before "this" insert "*sections 13 to 28 of*"

Page 7, line 5, strike "8" and insert "13"

Page 8, line 11, after "malicious," insert "negligent"

Page 8, line 30, strike "19" and insert "24"

Page 9, line 17, strike "15" and insert "20"

Page 10, line 18, strike "15" and insert "20"

Page 10, line 29, strike "19" and insert "24"

Page 10, line 36, strike "19" and insert "24"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1059 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Nelson	Renneke
Ashbach	Dunn	Kirchner	North	Schaaf
Bang	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Purfeerst	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 586: A bill for an act relating to landlords and tenants; restriction on automatic renewals of leases; amending Minnesota Statutes 1971, Chapter 504, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Ashbach	Fitzsimons	Knutson	Olhoft	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Berg	Hansen, Baldy	Krieger	O'Neill	Tennessee
Bernhagen	Hansen, Mel	Larson	Patton	Thorup
Borden	Hanson, R.	Laufenburger	Perpich, G.	Ueland
Brown	Hughes	Lord	Pillbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Coleman	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kirchner	North	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1550: A bill for an act relating to personnel in government; their rights, privileges and benefits; creating a department of personnel; defining its powers and duties; amending Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.101; 15A.12; 43.01, Subdivisions 6, 7, 8, and 9, and by adding subdivisions; 43.02; 43.03; 43.05; 43.06; 43.07; 43.08; 43.09; 43.111; 43.122; 43.128; 43.13; 43.15; 43.17, Subdivision 2; 43.18, Subdivision 1; 43.19; 43.21; 43.23; 43.24; 43.32; 43.43; 43.48; and Chapter 43, by adding sections; repealing Minnesota Statutes 1971, Sections 15A.14; 16.02, Subdivisions 20 and 22; 43.01, Subdivision 5; 43.041; 43.10; 43.18, Subdivision 3; 43.30 and 43.34.

Mr. Borden moved to amend H. F. No. 1550, the printed bill, as follows:

Page 6, line 22, reinstate the stricken "and"; on the same line strike ", and the higher education facilities authority" .

Page 13, after line 31, add a new clause to read:

"(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive civil service status and, upon his request, the commissioner of personnel shall reappoint him to his previous classified position, or to a comparable position."

Renumber clauses in sequence.

Page 34, line 27, after "board" and before "and" insert: ", the state employees insurance benefit board"

Page 34, line 29, after "board." insert: "Notwithstanding any other law to the contrary, the state employees insurance benefit board shall retain its present members and elect no new members pending the transfer of its duties and responsibilities to the commissioner of personnel."

Which motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 1550, the printed bill, as follows:

Page 1, line 11, after "commissioners" strike the comma and insert "and"

Page 1, line 11, strike "and"

Page 2, line 1, strike "such additional deputies, as the personnel board shall authorize,"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1550 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olhoff	Schaaf
Arnold	Dunn	Kirchner	Olson, A. G.	Schrom
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Berg	Gearty	Larson	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lord	Patton	Stokowski
Chenoweth	Hanson, R.	Milton	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Moe	Perpich, G.	Thorup
Coleman	Humphrey	North	Pillsbury	Ueland
Conzemius	Jensen	Novak	Furfeerst	Wegener
Davies	Keefe, J.	Ogdahl	Renneke	Willet

Those who voted in the negative were:

Frederick	Kowalczyk	Krieger	Nelson	Sillers
Knutson				

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1895: A bill for an act relating to health benefits provided through nonprofit health service plans and insurance; requiring the provision of certain health benefits for the treatment of alcoholism and drug and chemical dependencies.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Schrem
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Krieger	O'Neill	Stokowski
Borden	Hansen, Baldy	Larson	Patton	Tennessee
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lord	Pillsbury	Ueland
Chmielewski	Hughes	Milton	Purfeerst	Wegner
Coleman	Humphrey	Moe	Renneke	Willet
Davies	Keefe, S.	North	Schaaf	

Messrs. Nelson, Olhoft, Perpich, G. and Sillers voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 961: A bill for an act relating to licensing boards; providing for public members on professional examination and licensing boards; changing the per diem of board members; undedicating certain dedicated funds; defining public member; amending Minnesota Statutes 1971, Sections 144.01; 144.04; 144.952; 146.11; 147.01; 147.05; 148.03; 148.07, Subdivisions 2 and 3; 148.181; 148.201; 148.241; 148.29, Subdivision 2; 148.296, Subdivision 2; 148.45; 148.52; 148.60; 148.79; 148.85; 150A.02; 150A.03, Subdivision 2; 151.02; 151.03; 151.04; 151.27; 153.02; 153.03; 153.12, 154.22; 154.23; 155.04; 155.05; 155.18, Subdivision 1; 156.01, Subdivisions 1 and 2; 156.14; 326.04; 326.05; 326.08, Subdivision 1; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.541; 341.01; 341.02; 341.03; 341.06; 386.63, Subdivisions 1 and 5; 386.64; 481.01; Chapters 144, by adding a section; and 148, by adding a section; repealing Section 45.16, Subdivision 3.

Mr. Coleman moved to amend H. F. No. 961, the typewritten bill, as amended under rule 49, and adopted by the Senate May 10, 1973, as follows:

On page 9, after line 22, add a new section to read:

“Sec. 7. Minnesota Statutes 1971, Section 147.031, Subdivision 1, is amended to read:

147.031. [EXAMINATIONS AND LICENSES OF OSTEOPATHS.] Subdivision 1. Any doctor of osteopathy licensed by the state board of osteopathy under Minnesota Statutes 1961, Sections 148.11 to 148.16, desiring to obtain a license to practice medicine shall apply to the secretary of the board and pay a fee of \$50 for the use of the board, which in no case shall be refunded. The applicant shall be examined in the subjects that the board then examines applicants under section 147.02 in which he was not examined by the state board of osteopathy prior to the issuance to him of a license under Minnesota Statutes 1961, Sections 148.11 to 148.16, prior to May 1, 1963. All applicants shall be known to the board members or examiners only by number, without names, or other methods of identification on examination papers by which the board members or examiners may be able to identify such applicants, until the final grades of all the examination papers have been determined, and the licenses refused or granted. After such examination, the board, if ~~six~~ *eight* members thereof consent, shall grant such doctor of osteopathy a license to practice medicine. The board may refuse to grant such a license to any person guilty of immoral, dishonorable, or unprofessional conduct, as defined in Minnesota Statutes 1961, Chapter 147, but subject to the right of the applicant to appeal to the district court of the county in which the principal office of the board is located on the questions of law and fact.”

Renumber the remaining sections accordingly.

On page 12, after line 4, insert a new section to read:

“Sec. 9. Minnesota Statutes 1971, Section 148.04, is amended to read:

148.04. [PROCEDURE.] The officers of the state board of chiropractic examiners shall have power to administer oaths, summon witnesses, and take testimony as to matters pertaining to its duties. It shall adopt a minimum of educational requirements not inconsistent with the provisions of sections 148.01 to 148.10, which shall be without prejudice, partiality, or discrimination as to the different schools or colleges of chiropractic. The board shall meet each year in March and September and at such other times as the majority of the board may deem proper. ~~Three members~~ *A majority of the board* shall constitute a quorum for the transaction of business. The secretary shall keep a record of its proceedings. This report shall be prima facie evidence of all matters therein recorded.”

Renumber the remaining sections accordingly

Page 35, after line 12, add a new section to read:

“Sec. 41. Minnesota Statutes 1971, 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 ~~five~~ *eight* members, of whom two shall be architects, and three engineers, and *three public members.*"

Renumber the sections in sequence.

Further amend the title as follows:

Line 9, after "147.01;" insert "147.031, Subdivision 1;"

Line 10, after "148.03;" insert "148.04;"

Line 19, after "326.05;" insert "326.07;"

Which motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 961, the typewritten bill, as amended under Rule 49, and adopted by the Senate May 10, 1973, as follows:

On page 9, after line 22, add a new section to read as follows:

"Sec. 7. Minnesota Statutes 1971, Section 147.02, Subdivision 2, is amended to read:

Subd. 2. [LICENSING.] After such examination of the applicant, and upon proof (a) that he has received the degree of M.D. or D.O., from a medical or osteopathic school approved by the board, and (b) that he has satisfactorily completed either one year of graduate training in an institution approved for internship training by the board or other graduate training approved by the board, the board, if ~~six~~ *eight* members thereof consent, shall grant him a license to practice medicine."

Renumber the remaining sections accordingly.

Amend the title as follows:

Page 54, in the title amendment, line 9, after "147.01;" insert "147.02, Subdivision 2;"

Which motion prevailed. So the amendment was adopted.

H. F. No. 961 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Dunn	Jensen	Kowalczyk
Arnold	Chenoweth	Fitzsimons	Josefson	Larson
Ashbach	Chmielewski	Gearty	Keefe, J.	Laufenburger
Bang	Coleman	Hansen, Baldy	Keefe, S.	Lord
Berg	Conzemius	Hansen, Mel	Kirchner	McCutcheon
Bernhagen	Davies	Hanson, R.	Kleinbaum	Milton
Borden	Doty	Hughes	Knutson	Moe

North	Olson, J. L.	Pill-bury	Solon	Ueland
Novak	O'Neill	Purfeerst	Spear	Wegener
Ogdahl	Patton	Renneke	Stassen	Willet
Olhoft	Perpich, A. J.	Schaaf	Stokowski	
Olson, H. D.	Perpich, G.	Sillers	Thorup	

Messrs. Frederick, Krieger and Schrom voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1825: A bill for an act relating to insurance; the merger and consolidation of insurance companies; permitting the issuance of securities of a corporation which is not a merging or consolidating corporation or the payment of cash; amending Minnesota Statutes 1971, Section 60A.16, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Ogdahl	Sillers
Ashbach	Frederick	Kirchner	Olhoft	Solon
Bang	Gearty	Kleinbaum	Olson, H. D.	Spear
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessen
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Davies	Jensen	Moe	Pillsbury	Wegener
Doty	Josefson	Nelson	Renneke	
Dunn	Keefe, J.	North	Schrom	

Messrs. Purfeerst and Willet voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 1269, No. 134 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1269: A bill for an act relating to employees' benefits; providing an exemption for the sale of securities to an employee stock ownership trust and tax exemptions and deductions for contributions to an employee stock ownership trust; amending Minnesota Statutes 1971, Sections 80.06, by adding a subdivision; 290.01, by adding a subdivision; 290.21, Subdivision 3; 290.26, by adding a subdivision; 291.05; and 292.04.

Mr. Pillsbury moved to amend S. F. No. 1269 as follows:

Page 2, line 12, after the “;” delete “and”

Page 2, line 19, after “employees” insert “; and (d) provides that the employees eligible as beneficiaries of the trust shall have the right to elect by majority vote thereof no less than that proportion of a duly constituted advisory committee to the trustee or trustees which the aggregate number of shares of the employer stock in the trust that is unencumbered by debt bears to the total number of shares of the employer stock owned by the trust, but in any event no less than one member of such advisory committee”

Which motion prevailed. So the amendment was adopted.

S. F. No. 1269 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	McCutcheon	Perpich, G.
Arnold	Dunn	Keefe, J.	Mce	Pillsbury
Ashbach	Fitzsimons	Keefe, S.	Nelson	Renneke
Bang	Frederick	Kirchner	North	Schrom
Berg	Gearty	Kleinbaum	Ogdahl	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olhoff	Solon
Borden	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Brown	Hanson, R.	Krieger	Olson, J. L.	Stokowski
Chmielewski	Hughes	Larson	O'Neill	Ueland
Coleman	Humphrey	Laufenburger	Patton	Willet
Davies	Jensen	Lord	Perpich, A. J.	

Messrs. Novak, Purfeerst and Wegener voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 1960, No. 104 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1960: A bill for an act relating to taxation; providing for assessment and valuation of cooperative associations; amending Minnesota Statutes 1971, Section 273.133.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Ogdahl	Schrom
Arnold	Dunn	Keefe, S.	Olhoff	Sillers
Ashbach	Fitzsimons	Kirchner	Olson, H. D.	Solon
Bang	Frederick	Kleinbaum	Olson, J. L.	Spear
Berg	Gearty	Laufenburger	Patton	Stassen
Bernhagen	Hansen, Mel	Lord	Perpich, A. J.	Tennessen
Borden	Hanson, R.	McCutcheon	Perpich, G.	Thorup
Chmielewski	Hughes	Moe	Pillsbury	Ueland
Coleman	Humphrey	Nelson	Purfeerst	Wegener
Davies	Josefson	North	Renneke	Willet

Those who voted in the negative were:

Brown	Jensen	Kowalczyk	Krieger	O'Neill
Hansen, Baldy	Knutson			

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 1080, No. 253 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1080: A bill for an act relating to taxation; requiring the payment of certain taxes prior to the registration or licensing of aircraft; amending Minnesota Statutes 1971, Chapters 297A and 360, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Schrom
Arnold	Dunn	Kirchner	Olhoft	Solon
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Berg	Frederick	Knutson	O'Neill	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Tennessee
Brown	Hansen, Mel	Larson	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Laufenburger	Perpich, G.	Wegener
Chmielewski	Hughes	Lewis	Pillsbury	Willet
Coleman	Humphrey	McCutcheon	Purfeerst	
Conzemius	Josefson	Mce	Renneke	
Davies	Keefe, J.	North	Schaaf	

Those who voted in the negative were:

Hansen, Baldy	Nelson	Olsen, J. L.	Sillers	Stassen
Krieger				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 606: A bill for an act relating to eminent domain; providing for uniform relocation assistance, services, payments and benefits for displaced persons; repealing Minnesota Statutes 1971, Section 117.095.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Chenoweth	Davies	Frederick
Arnold	Bernhagen	Chmielewski	Doty	Gearty
Ashbach	Borden	Coleman	Dunn	Hansen, Baldy
Bang	Brown	Conzemius	Fitzsimons	Hansen, Mel

Hanson, R.	Knutson	North	Perpich, G	Stokowski
Hughes	Kowalczyk	Novak	Pillsbury	Tennessee
Humphrey	Krieger	Ogdahl	Purfeerst	Thorup
Jensen	Laufenburger	Olhoft	Renneke	Ueland
Josefson	Lewis	Olson, H. D.	Schaaf	Wegener
Keefe, J.	Lord	Olson, J. L.	Schrom	Willet
Keefe, S.	McCutcheon	O'Neill	Solon	
Kirchner	Milton	Patton	Spear	
Kleinbaum	Nelson	Perpich, A. J.	Stassen	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that H. F. No. 2319 be withdrawn from the Committee on Rules and Administration. Which motion prevailed.

SUSPENSION OF RULES

Mr. Chmielewski moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2319 and that the rules of the Senate be so far suspended as to give H. F. No. 2319 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2319 was read the second time.

H. F. No. 2319: A bill for an act relating to the operation of the state government; providing for the purchase of electronic data processing equipment where bids are unsatisfactory; amending Minnesota Statutes 1971, Section 16.07, Subdivision 14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Novak	Schaaf
Arnold	Dunn	Keefe, S.	Ogdahl	Schrom
Ashbach	Fitzsimons	Kirchner	Olhoft	Solon
Berg	Frederick	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Gearty	Knutson	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Brown	Hansen, Mel	Krieger	Patton	Tennessee
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chmielewski	Hughes	Lord	Perpich, G.	Ueland
Coleman	Humphrey	McCutcheon	Pillsbury	Wegener
Conzemius	Jensen	Nelson	Purfeerst	Willet
Davies	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 490: A bill for an act relating to decedent's estates;

abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

Mr. O'Neill moved to amend H. F. No. 490 as follows:

On page 1, lines 3 and 4, reinstate the stricken language

Page 1, lines 4 to 17, strike the new language

Page 1, line 17, after "." insert "*In an estate which is insolvent, such notice shall also be mailed to creditors who have filed claims in the estate. If the estate is solvent, hearing may be waived by written consent to the proposed account and distribution by all heirs or distributees, and the court may thereupon enter its order allowing the account and issue a decree of distribution.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoff	Sillers
Arnold	Fitzsimons	Knutson	Olson, A. G.	Stassen
Ashbach	Frederick	Kowalczyk	Olson, H. D.	Tennessee
Bang	Hansen, Baldy	Krieger	O'Neill	Ueland
Berg	Hanson, R.	Larson	Patton	Willet
Bernhagen	Hughes	Milton	Pillsbury	
Chenoweth	Jensen	North	Renneke	
Chmielewski	Josefson	Ogdahl	Schrom	

Those who voted in the negative were:

Borden	Doty	Kleinbaum	Perpich, A. J.	Spear
Brown	Gearty	Lewis	Perpich, G.	Stokowski
Coleman	Hansen, Mel	Moe	Purfeerst	Thorup
Conzemius	Humphrey	Nelson	Schaaf	Wegener
Davies	Keefe, S.	Novak	Solon	

Which motion prevailed. So the amendment was adopted.

H. F. No. 490 was then progressed as amended.

SPECIAL ORDER

H. F. No. 1625: A bill for an act relating to workmen's compensation; suicide; amending Minnesota Statutes 1971, Section 176.-021, Subdivision 1.

Mr. Gearty moved to amend H. F. No. 1625, the printed bill, as follows:

Page 1, line 9, strike "fact" and insert "facts"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1625 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, A. G.	Sillers
Arnold	Fitzsimons	Knutson	Olson, H. D.	Solon
Ashbach	Gearty	Lewis	Olson, J. L.	Spear
Berg	Hansen, Baldy	Lord	O'Neill	Stassen
Borden	Hansen, Mel	McCutcheon	Patton	Stokowski
Brown	Hanson, R.	Milton	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Moe	Perpich, G.	Thorup
Chmielewski	Humphrey	Nelson	Pillsbury	Ueland
Coleman	Jensen	North	Purfeerst	Wegener
Conzemius	Josefson	Novak	Renneke	Willet
Davies	Keefe, J.	Ogdahl	Schaaf	
Doty	Keefe, S.	Olhoff	Schrom	

Mr. Bernhagen voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1044: A bill for an act relating to insurance; making the unfair processing of the claim or complaint of a natural person an unfair trade practice; providing a penalty for violation; amending Minnesota Statutes 1971, Sections 72A.20, Subdivision 1; and 72A.28.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Schrom
Arnold	Doty	Kirchner	Olhoff	Sillers
Ashbach	Dunn	Knutson	Olson, A. G.	Solon
Bang	Fitzsimons	Kowalczyk	Olson, H. D.	Spear
Berg	Gearty	Laufenburger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Brown	Hughes	Milton	Perpich, G.	Thorup
Chenoweth	Humphrey	Moe	Pillsbury	Ueland
Chmielewski	Jensen	Nelson	Purfeerst	Wegener
Coleman	Josefson	North	Renneke	Willet
Conzemius	Keefe, J.	Novak	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 685: A bill for an act relating to investments; legal investments for certain financial institutions; amending Minnesota Statutes 1971, Sections 48.67; and 50.14, Subdivision 8.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoft	Sillers
Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Ashbach	Frederick	Knutson	Olson, H. D.	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Borden	Hughes	Lord	Perpich, G.	Thorup
Brown	Humphrey	Moe	Pillsbury	Ueland
Chenoweth	Jensen	Nelson	Purfeerst	Wegener
Conzemius	Josefson	North	Renneke	Willet
Davies	Keefe, J.	Novak	Schaaf	
Doty	Keefe, S.	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 901: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete Statutory references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 15.50, Subdivision 2; 124.32, Subdivision 1; 290.92, Subdivisions 3, 6, 7, 8, 9, 11, 12, 13, and 15; 297A.24; 340.60, Subdivision 4; 463A.03, Subdivision 2; 462A.17, Subdivision 1; 481.15, Subdivision 2; and 488A.76, Subdivision 1; repealing Minnesota Statutes 1971, Section 35.832; and Laws 1969, Chapter 528.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Novak	Schrom
Arnold	Dunn	Keefe, S.	Ogdahl	Sillers
Ashbach	Fitzsimons	Kirchner	Olhoft	Solon
Berg	Frederick	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lord	Perpich, A. J.	Tennessee
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Thorup
Chmielewski	Hughes	Milton	Pillsbury	Ueland
Coleman	Humphrey	Moe	Purfeerst	Wegener
Conzemius	Jensen	Nelson	Renneke	Willet
Davies	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Hughes moved that the vote whereby the O'Neill amendment was adopted to H. F. No. 490 on May 14, 1973 be now re-

considered. Which motion prevailed. So the vote on the amendment was reconsidered.

The question recurred on the adoption of the amendment of Mr. O'Neill,

And the roll being called, there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kirchner	Olson, H. D.	Sillers
Bang	Frederick	Knutson	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Ueland
Bernhagen	Hanson, R.	Krieger	Patton	
Chmielewski	Jensen	Larson	Renneke	
Dunn	Josefson	Ogdahl	Schrom	

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Spear
Borden	Hansen, Mel	Milton	Perpich, A. J.	Stokowski
Brown	Hughes	Moe	Perpich, G.	Tennessee
Chenoweth	Humphrey	Nelson	Pillsbury	Thorup
Coleman	Keefe, S.	North	Purfeerst	Wegener
Conzemius	Kleinbaum	Novak	Schaaf	Willet
Davies	Lewis	Olhoft	Solon	

Which motion did not prevail. So the amendment was not adopted.

SPECIAL ORDER—CONTINUED

H. F. No. 490: A bill for an act relating to decedent's estates; abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lord	Olson, H. D.	Stassen
Arnold	Gearty	Milton	Perpich, A. J.	Stokowski
Ashbach	Hansen, Mel	Moe	Perpich, G.	Tennessee
Borden	Hughes	Nelson	Pillsbury	Thorup
Brown	Humphrey	North	Purfeerst	Wegener
Chenoweth	Kirchner	Novak	Schaaf	Willet
Coleman	Kleinbaum	Olhoft	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Ogdahl	Schrom
Berg	Frederick	Knutson	Olson, J. L.	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Ueland
Chmielewski	Hanson, R.	Larson	Patton	
Dunn	Jensen	McCutcheon	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 515 be made a Special Order for immediate consideration. Which motion prevailed.

SPECIAL ORDER

H. F. No. 515: A bill for an act relating to the metropolitan council; providing for election of council members from designated districts; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 473B.02, Subdivisions 1, 2, 3, and 4.

Mr. Chenoweth moved to amend H. F. No. 515, the unofficial engrossment, as follows:

Page 6, line 13, after "45" and before the period insert "*, including only that portion of the villages of Hanover and Dayton within the metropolitan area, plus that portion of the village of Rockford within the metropolitan area*"

Page 6, line 24, after "county" and before the period insert "*plus that portion of the city of New Prague within the metropolitan area*"

Page 25, line 15, after "No" and before "action" insert "*local government*"

Page 27, line 26, after "*improvement*" and before "may" insert "*of metropolitan significance*"

Page 9, line 25, after the period insert:

"Each commission may appoint a vice-chairman to act for the chairman during his temporary absence or disability."

Page 16, line 11, strike "*othr*" and insert "*other*"

Page 19, line 6, strike "*th*" and insert "*the*"

Page 20, line 1, strike "*employ*" and insert "*make maximum use of*"

Page 30, line 19, after "PREPARATION" insert "; REVIEW"

Page 34, line 26, strike "6,"

Page 36, line 9, strike "board's" and insert "*commission's*"

Page 39, line 2, after "7," and before "and" insert "8"

Page 43, line 25, after "*agencies*" insert "*, counties,*"

Page 43, lines 27 and 28, after "*planning*" strike "*responsibilities of the council*" and insert "*and coordinating requirements of section 134 of the Federal Highway Act of 1962.*"

Page 43, strike line 28

Page 44, strike lines 1 to 5 and insert the following new subdivision:

“Subd. 3. [FEDERAL AID.] If federal aid 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 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.”

Page 45, line 18, strike *“state highway or”* and insert *“highway or road of metropolitan significance in the area which is not included in an existing development program”*

Page 45, line 19, strike *“principal arterial road in the area”*

Page 46, strike lines 6 to 28

Page 47, strike lines 1 to 5

Renumber the remaining sections accordingly

Page 51, line 24, strike *“DEVELOPMENT PROGRAMS”* and insert *“MASTER PLANS”*

Page 51, line 28, strike *“commission”* and insert *“council”*

Page 52, line 1, strike *“development programs”* and insert *“master plan”*

Amend the title as follows:

Line 41, strike "Subdivision 3,"

Line 42, strike "and"

Which motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend H. F. No. 515, the unofficial engrossment, as follows:

Page 23, line 15, after "*application of*" strike "*such commissions and local*" and insert "*the commissions*"

Page 23, line 16, strike "*governmental units*"

Which motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend H. F. No. 515, the unofficial engrossment, as follows:

Page 21, line 22, after the period, strike the remainder of the line

Page 21, strike lines 23 and 24

Page 21, line 25, strike "*metropolitan significance. In addition, in*" and insert "*In*"

Page 27, strike lines 3 through 13, and insert the following:

"*Subd. 8. [JUDICIAL REVIEW OF METROPOLITAN SIGNIFICANCE.] When, under the regulations established pursuant to subdivision 2, the council determines that an improvement is of metropolitan significance, the*"

Page 27, line 14, strike "*hearing may be continued. The*"

Mr. North requested division of the amendment as follows:

First Portion: Page 21, line 22, after the period, strike the remainder of the line

Page 21, strike lines 23 and 24

Page 21, line 25, strike "*metropolitan significance. In addition, in*" and insert "*In*"

The question being taken on the first portion of the Chenoweth amendment,

Which motion prevailed. So the first portion of the amendment was adopted.

Second Portion: Page 27, strike lines 3 through 13, and insert the following:

"*Subd. 8. [JUDICIAL REVIEW OF METROPOLITAN SIGNIFICANCE.] When, under the regulations established pursuant to subdivision 2, the council determines that an improvement is of metropolitan significance, the*"

Page 27, line 14, strike "*hearing may be continued. The*"

The question being taken on the second portion of the Chenoweth amendment,

Which motion prevailed. So the second portion of the amendment was adopted.

Mr. Krieger moved to amend H. F. No. 515, the unofficial engrossment as follows:

Page 2, lines 17 and 18, strike "*the metropolitan airports commission,*"

Page 9, line 27, after "governor" strike the remainder of the line
Page 9, strike line 28

Page 10, strike lines 1 and 2 and insert a period

Which motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend the Senate unofficial engrossment to H. F. No. 515 as follows:

Page 21, line 22, after the period strike remainder of line.

Strike lines 22 through 28.

Page 22, strike lines 1 through 11.

Page 22, line 12, strike everything before the word "The" and insert "*To develop these regulations the council shall establish an advisory board with a membership equally representative of all council districts and consisting of elected officials of local governmental units. The advisory board shall be charged with recommending to the council, standards and guidelines for determining whether improvements are of metropolitan significance. The Advisory board in developing and the Council in adopting these regulations shall consider the following:*

(A) the impact of improvements on the orderly economic development, public and private, of the metropolitan area and their consistency with the development guide;

(B) the relationship of improvements to the policy statements, goals, standards, programs and other applicable provisions of the development guide;

(C) the impact of improvements on policy plans adopted by the council and on the development programs and functions performed and to be performed by the commissions;

(D) the functions of municipal governments in respect to control of land use as provided for under the Municipal Planning Act; and

(E) such other factors the council deems relevant to whether or not an undertaking has metropolitan significance.

The regulations shall include procedures for adoption of the regulation and review of improvements not inconsistent with other provisions of this act and shall provide that no person or local government unit will be required to submit a proposed improvement more than once, unless it is materially altered, and shall further provide reasonable times by which the council shall complete its review and, where appropriate, within 90 days after receipt of the advisory board's recommendation, the council shall hold a public hearing on the recom-

mended regulations and the council's comments therein, if any. Thirty days before the hearing, the recommended regulations and notice thereof shall be published in a newspaper or newspapers circulated throughout the metropolitan area and shall be mailed to all state agencies and all local governmental units which may be affected by the proposed regulations. Any major alterations or amendments the subsequent regulations adopted by the council shall be acted upon by the council in the same manner as the original regulation for determining metropolitan significance."

Which motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 515, the Senate unofficial engrossment as follows:

Page 12, line 9, after "members" strike the balance of the line

Page 12, strike line 10

Page 12, line 11, strike everything before the period

Page 20, line 21, strike "all"

Which motion prevailed. So the amendment was adopted.

Mr. Stokowski moved to amend H. F. No. 515, the Senate unofficial engrossment, as follows:

Page 10, line 6, strike "or any elective public office"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 34 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Spear
Bang	Hansen, Mel	Lord	O'Neill	Stassen
Berg	Hughes	McCutcheon	Pillsbury	Stokowski
Brown	Humphrey	Milton	Purfeerst	Thorup
Chmielewski	Josefson	Nelson	Renneke	Ueland
Doty	Keefe, J.	Olhoft	Schaaf	

Those who voted in the negative were:

Arnold	Frederick	Krieger	Novak	Tennessee
Coleman	Gearty	Lewis	Ogdahl	Willet
Davies	Keefe, S.	Moe	Patton	
Dunn	Kirchner	North	Perpich, A. J.	

Which motion prevailed. So the amendment was adopted.

Mr. Hughes moved to amend the Senate unofficial engrossment to H. F. No. 515 as follows:

Page 3, line 13, after "created." strike the balance of the line

Page 3, strike all of lines 14 and 15

Page 3, line 25, strike " , other than"

Page 3, strike all of lines 26 through 28

Page 4, strike all of lines 1 through 23 and insert "*shall coincide with their terms as members of the Minnesota state senate.*"

Page 4, line 26, after the headnote strike the balance of the line

Page 4, strike all of lines 27 and 28

Strike all the language on page 5

Page 6, strike all the language on lines 1 through 24 and insert:

"The metropolitan council shall be made up of those members of the Minnesota state senate whose senate districts lie wholly or partly within the metropolitan area. Each member's council district shall be that part of his senate district lying within the metropolitan area and shall have the same number as his senate district.

On any matter during the proceedings of the council which requires a recorded vote, each member whose senate district lies wholly within the metropolitan area shall be entitled to one full vote and each member whose senate district lies partly within the metropolitan area shall be entitled to a portion of one full vote, to the nearest one-tenth of a vote, in the proportion that the population of his senate district residing within the metropolitan area is to the total population of his senate district. The population is the population according to the most recent federal census, as certified to the council by the secretary of state."

Page 7, strike all the language on lines 1 through 5, and insert: "*council from among its members, and shall serve at the pleasure of the council.*"

Page 8, line 28, delete "1" and insert "62, 63, 64"

Page 9, line 1, delete "2" and insert "65"

Page 9, line 2, delete "3" and insert "50, 51, 66"

Page 9, line 3, delete "14" and insert "67"

Page 9, line 4, delete "4" and insert "19, 46, 47, 48"

Page 9, line 5, delete "13" and insert "49"

Page 9, line 6, delete "5" and insert "54, 55, 56"

Page 9, line 7, delete "6" and insert "57"

Page 9, line 8, delete "7" and insert "58, 59, 60"

Page 9, line 9, delete "8" and insert "61"

Page 9, line 10, delete "9" and insert "25, 37, 38, 52"

Page 9, line 11, delete "15" and insert "53"

Page 9, line 12, delete "10" and insert "23, 24, 36, 39, 40"

Page 9, line 13, delete "16" and insert "41"

Page 9, line 14, delete "11" and insert "22, 42, 43, 44"

Page 9, line 15, delete "12" and insert "45"

Further amend the title on page 1, as follows:

Line 4, strike "from six to"

Line 5, strike "four years; increasing" and insert "; changing"

Line 6, strike "from 15 to 17;"

Line 7, strike the whole line

Line 8, strike "members"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Knutson	Novak	Schrom
Ashbach	Hansen, Mel	Kowalczyk	Ogdahl	Sillers
Berg	Hughes	Krieger	Olson, J. L.	Thorup
Brown	Jensen	Lewis	Perpich, A. J.	Ueland
Dunn	Josefson	McCutcheon	Pillsbury	Wegener
Fitzsimons	Kirchner	Milton	Purfeerst	Willet
Frederick	Kleinbaum	Nelson	Renneke	

Those who voted in the negative were:

Arnold	Coleman	Keefe, S.	Olson, A. G.	Stassen
Bang	Davies	Lord	Olson, H. D.	Stokowski
Borden	Doty	Moe	O'Neill	Tennessee
Chenoweth	Gearty	North	Schaaf	
Chmielewski	Humphrey	Olhoft	Spear	

Which motion prevailed. So the amendment was adopted.

H. F. No. 515 was then progressed as amended.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1978, No. 157 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1978: A bill for an act relating to the Minnesota Historical Society; appropriating money for the acquisition, maintenance, and security of a historic site.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Hansen, Baldy	Kirchner	McCutcheon
Ashbach	Conzemius	Hansen, Mel	Kleinbaum	Moe
Bang	Davies	Hughes	Knutson	Nelson
Berg	Doty	Humphrey	Kowalczyk	North
Bernhagen	Dunn	Jensen	Krieger	Novak
Brown	Fitzsimons	Josefson	Lewis	Ogdahl
Chmielewski	Frederick	Keefe, S.	Lord	Olhoft

Olson, H. D.	Pillsbury	Schrom	Spear	Willet
Olson, J. L.	Purfeerst	Sillers	Tennessee	
Patton	Renneke	Solon	Ueland	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 221: A bill for an act relating to provisions of Minnesota Statutes; changing various legal provisions relating to age from 21 years of age to 18 years of age; granting 18, 19 and 20 years olds broad powers, duties, rights and obligations; redefining the terms minor, adult, minority, majority and legal or full age; revising certain penalties accordingly; amending Minnesota Statutes 1971, Sections 64A.24, Subdivision 3; 72B.04, Subdivision 2; 82.03, Subdivision 2; 97.83, Subdivision 1; 136.11, Subdivision 1; 144.175, Subdivision 2; 144.51; 144.52; 144.60, Subdivision 1; 144.953, Subdivision 1; 146.06, Subdivision 1; 146.09; 147.16; 147.26, Subdivision 2; 148.37; 148.57, Subdivision 1; 148.70; 148.81, Subdivision 1; 149.03, Subdivision 1; 151.10; 153.04; 156.02, Subdivision 1; 171.07, Subdivision 1; 171.27; 177.02, Subdivisions 6 and 7; 181.41; 183.51, Subdivisions 4, 5, 6, 7, 8, 9, 10 and 11; 184.26, Subdivision 3; 200.02, Subdivision 25; 201.14; 201.15; 202.04, Subdivision 1; 208.22; 242.44; 246.43, Subdivisions 1 and 2; 246.51; 256.871, Subdivision 1; 256B.06; 256B.14; 257.01; 257.05, Subdivision 1; 259.21, Subdivision 2; 260.015, Subdivision 9; 268.04, Subdivision 12; 290.23, Subdivision 11; 290.25, Subdivision 4; 292.04; 299F.77; 326.19, Subdivisions 1 and 2; 330.01, Subdivision 1; 332.36, Subdivision 1; 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; 340.81; 359.01; 471.61, Subdivisions 1, 1a and 2a; 500.13, Subdivision 2; 517.02; 517.08, Subdivision 1; 518.54, Subdivision 2; 518.57; 525.092, Subdivision 2; 525.80; 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; 527.07, Subdivision 4; 541.15; 609.295 and 645.45; Chapters 501, by adding a section; and 525, by adding a section; repealing Minnesota Statutes 1971, Section 61A.12, Subdivision 3.

Mr. North moved to amend H. F. No. 221, the printed bill, as amended by the Senate, as follows:

Strike section 92 which was added by the Judiciary Committee report adopted by the Senate May 7, 1973, and insert:

"Sec. 92. For purposes of any program for foster children or children under state guardianship for which benefits are made available on the effective date of this act, unless specifically provided therein, the age of majority shall be 21 years of age."

Which motion prevailed. So the amendment was adopted.

Mr. Novak moved to amend H. F. No. 221, the printed bill, as follows:

Page 35, Line 12, strike "18" and insert "19"

Page 35, line 24, strike "18" and insert "19"

Page 35, line 30, strike "18" and insert "19"

Page 36, line 8, strike "18" and insert "19"

Page 36, line 10, strike "18" and insert "19"

Page 36, line 17, strike "18" and insert "19"

Page 36, line 32, after "*minor*," before "*habitual*" insert: *or person under the age of 19 years.*"

Page 37, line 7, after "*minor*" and before "*intemperate*" insert "*or person under the age of 19 years.*"

Page 43, line 9, after "*years*" and before the semicolon insert "*or, for any purposes concerning consumption, possession or use of alcoholic or non intoxicating malt beverages, an individual under the age of 19 years*"

Page 43, line 22, after "18" and before the period insert "*or, for any purposes concerning consumption, possession or use of alcoholic or non intoxicating malt beverages, an individual under the age of 19 years*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Baldy	Moe	O'Neill
Ashbach	Davies	Hansen, Mel	Novak	Patton
Berg	Dunn	Jensen	Ogdahl	Renneke
Bernhagen	Fitzsimons	Josefson	Olhoft	Sillers
Borden	Frederick	Kirchner	Olson, H. D.	Stassen
Brown	Gearty	Krieger	Olson, J. L.	

Those who voted in the negative were:

Arnold	Keefe, J.	Lord	Schaaf	Ueland
Blatz	Keefe, S.	McCutcheon	Schrom	Wegener
Chenoweth	Kleinbaum	Milton	Solon	Willet
Coleman	Knutson	North	Spear	
Conzemius	Kowalczyk	Perpich, A. J.	Stokowski	
Doty	Larson	Pillsbury	Tennessee	
Humphrey	Lewis	Purfeerst	Thorup	

Which motion did not prevail. So the amendment was not adopted.

H. F. No. 221 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Conzemius	Gearty	Jensen
Arnold	Brown	Davies	Hansen, Baldy	Josefson
Bang	Chenoweth	Doty	Hansen, Mel	Keefe, J.
Berg	Chmielewski	Dunn	Hughes	Keefe, S.
Blatz	Coleman	Frederick	Humphrey	Kirchner

Kleinbaum	McCutcheon	Olson, A. G.	Schaaf	Tennessee
Knutson	Milton	Olson, H. D.	Schrom	Thorup
Kowalczyk	Moe	Olson, J. L.	Sillers	Ueland
Krieger	Nelson	O'Neill	Solon	Wegener
Larson	North	Perpich, A. J.	Spear	Willet
Lewis	Novak	Pillsbury	Stassen	
Lord	Ogdahl	Purfeerst	Stokowski	

Messrs. Bernhagen, Fitzsimons, Olhoft, Patton and Renneke voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 31, Mr. Ashbach gave notice of intention to move for reconsideration of the Hughes amendment to H. F. No. 515.

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Tuesday, May 15, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-FIRST DAY

St. Paul, Minnesota, Tuesday, May 15, 1973.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Berg	Frederick	Kleinbaum	Ogdahl	Solon
Bernhagen	Gearty	Kowalczyk	Olhoff	Spear
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Borden	Hanson, R.	Larson	Patton	Stokowski
Brown	Humphrey	Laufenburger	Perpich, G.	Tennessee
Chmielewski	Jensen	Lewis	Pillsbury	Thorup
Coleman	Josefson	Lord	Purfeerst	Ueland
Conzemius	Keefe, S.	Moe	Renneke	Wegener
Doty	Kirchner	Novak	Schrom	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoff	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Keefe, J. was excused from this morning's Session. Mr. Pillsbury was excused from this morning's Session, beginning at 10:30

o'clock a.m. Mr. Patton was excused from the Session of this afternoon. Mr. Borden was excused from the last half of the morning's Session.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 2437:

Messrs. Davies; Olson, J. L.; Ashbach; Arnold and Hughes. Which motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 7, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

I respectfully request that the nomination of Mr. Jeno Paulucci for appointment to the Minnesota State Arts Council be withdrawn and returned to my office.

Sincerely,
Wendell R. Anderson, Governor

Which was referred to the Committee on Transportation and General Legislation.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 992, 1101, 1194 and 1847.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 342, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 342: A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

Senate File No. 342 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1961: A bill for an act relating to taxes on and measured by net income; definition of gross income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20.

Senate File No. 1961 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. Coleman moved that S. F. No. 1961 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 384: A bill for an act relating to hospital, boarding care homes, and nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding sections; 154, by adding a section; 256B, by adding a section; 609, by adding a section; and 626, by adding a section; repealing Minnesota Statutes 1971, Section 144.583.

Senate File No. 384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 14, 1973

Mr. Ogdahl moved that the Senate do not concur in the amendments by the House to S. F. No. 384 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 611.

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members

of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sieben, H.; Growe and Bennett have been appointed as such committee on the part of the house.

House File No. 611 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 14, 1973

Mr. Coleman moved that H. F. No. 611 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2100, 2482, 2485, 2491, 469 and 1991.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 14, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 308, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 308: A bill for an act relating to the organization and operation of the state government; creating a department of finance; a legislative audit commission and a legislative auditor; appropriating moneys; amending Minnesota Statutes 1971, Sections 6.21; 9.031; 11.10; 215.04; 215.05; 215.06; 215.07; 215.08 and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11, 12, 20 and 22; and 215.02.

House File No. 308 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 14, 1973

Mr. Gearty moved that H. F. No. 308 and the Conference Committee Report be laid on the table. Which motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 2100: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; transferring certain administrative

duties to commissioner of taxation; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.10; 298.12; 298.13; 298.28, Subdivision 1; 298.282, Subdivisions 2, 3, and 4; 298.283; 299.012, Subdivision 3; 299.05; 299.06; 299.07; 299.08; 299.09; and 299.10.

H. F. No. 2482: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

H. F. No. 2485: A bill for an act relating to taxation; transferring administration of homestead property tax relief in taconite and iron ore areas to commissioner of taxation; amending Minnesota Statutes 1971, Sections 273.135, Subdivisions 3 and 4; and 273.136, Subdivisions 2 and 3.

H. F. No. 2491: A bill for an act relating to reassessment of improperly valued property; removing residency as a qualification for assessors; amending Minnesota Statutes 1971, Section 270.17.

H. F. No. 469: A bill for an act relating to intoxicating liquor; prohibiting discrimination by importers; granting the liquor control commissioner subpoena powers; removing the residency requirement for obtaining a wholesaler's or manufacturer's license; changing the method of determining the number of "off-sale" licenses which can be issued in cities of the first class; regulating the advertising of intoxicating liquor; annually appropriating liquor excise taxes for detoxification centers; providing a penalty; amending Minnesota Statutes 1971, Chapter 340, by adding a section; Sections 340.09; 340.11, Subdivisions 2 and 13; 340.15; and 340.19; and repealing Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.983; and 340.985.

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.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration to which were referred

H. F. Nos. 1606, 469 and 1991 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1606 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1991 to the Committee on Governmental Operations.

H. F. No. 469 to the Committee on Labor and Commerce.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Olson, A. G., moved that S. F. No. 690 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 690

A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

May 11, 1973

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. 690, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 690 be amended as follows:

Page 1, line 18, after "choosing" insert "to"

Page 1, line 27, after "nurse" strike the comma and insert "*of his own choosing*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Alec G. Olson, Roger Hanson and B. Robert Lewis.

House Conferees: (Signed) John C. Lindstrom, John J. Salchert and Charles R. Weaver.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 889, No. 148 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 889: A bill for an act relating to health; payment of medical and hospital benefits to governmental institutions in certain instances.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	North	Sillers
Berg	Fitzsimons	Kowalczyk	Novak	Solon
Bernhagen	Frederick	Krieger	Ogdahl	Spear
Blatz	Gearly	Larson	Olhoft	Stokowski
Borden	Hansen, Baldy	Laufenburger	Olson, A. G.	Tenneessen
Brown	Hanson, R.	Lewis	Olson, H. D.	Thorup
Chenoweth	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	McCutcheon	Ferpich, G.	Wegener
Coleman	Keefe, S.	Milton	Pillsbury	Willet
Conzemius	Kirchner	Moe	Renneke	
Doty	Kleinbaum	Nelson	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1617, No. 176 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1617: A bill for an act relating to public welfare; increasing amounts of income disregarded in computing aid to disabled persons; amending Minnesota Statutes 1971, Section 256.455, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	North	Schrom
Berg	Fitzsimons	Kowalczyk	Novak	Sillers
Bernhagen	Frederick	Krieger	Ogdahl	Solon
Blatz	Gearty	Larson	Olhft	Spear
Borden	Hansen, Baldy	Laufenburger	Olson, A. G.	Stokowski
Brown	Hanson, R.	Lewis	Olson, H. D.	Tennesen
Chenoweth	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	McCutcheon	Perpich, G.	Wegener
Coleman	Keefe, S.	Milton	Pillsbury	Willet
Conzemius	Kirchner	Moe	Purfeerst	
Doty	Kleinbaum	Nelson	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 767, No. 171 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 767: A bill for an act relating to public health; authorizing the state board of health to prescribe fees for certain services provided by the board; appropriating money; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kleinbaum	North	Schrom
Bang	Fitzsimons	Knutson	Novak	Sillers
Berg	Frederick	Kowalczyk	Ogdahl	Solon
Bernhagen	Gearty	Krieger	Olhft	Spear
Blatz	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Tennesen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, G.	Wegener
Conzemius	Jensen	Milton	Pillsbury	Willet
Davies	Keefe, S.	Moe	Purfeerst	
Doty	Kirchner	Nelson	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, Borden, O'Neill and Sillers. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1327, No. 160 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1327: A bill for an act relating to the state college board; authorizing the board to apply and receive federal funds for the planning and construction of an emergency driving and research facility and for the construction and operation of the facility; appropriating money for the operation and maintenance thereof.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Kowalczyk	Novak	Purfeerst
Berg	Gearty	Krieger	Ogdahl	Renneke
Bernhagen	Hansen, Baldy	Larson	Olhcft	Schrom
Blatz	Hansen, Mel	Laufenburger	Olson, A. G.	Solon
Brown	Hanson, R.	Lewis	Olson, H. D.	Stassen
Chenoweth	Hughes	Lord	Olson, J. L.	Stokowski
Chmielewski	Humphrey	McCutcheon	O'Neill	Thorup
Coleman	Jensen	Milton	Patton	Ueland
Conzemius	Keefe, S.	Moe	Perpich, A. J.	Wegener
Davies	Kleinbaum	Nelson	Perpich, G.	Willet
Dunn	Knutson	North	Pillsbury	

Messrs. Ashbach, Kirchner and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1146, No. 174 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1146: A bill for an act relating to the city of Bloomington; appropriating funds for special assessments levied by the city against property of the Normandale state junior college.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Nelson	Purfeerst
Ashbach	Fitzsimons	Kleinbaum	North	Renneke
Bang	Frederick	Knutson	Novak	Schrom
Berg	Gearty	Kowalczyk	Ogdahl	Solon
Bernhagen	Hansen, Baldy	Krieger	Olhoff	Spear
Blatz	Hansen, Mel	Larson	Olson, A. G.	Stassen
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Hughes	Lewis	Olson, J. L.	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet
Davies	Keefe, S.	Moe	Pillsbury	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1110, No. 147 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1110: A bill for an act relating to commerce; providing for the registration and regulation of franchises by the commissioner of securities; requiring certain disclosures; defining and prohibiting unfair practices; providing penalties.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Knutson	Ogdahl	Solon
Bang	Gearty	Kowalczyk	Olhoff	Spear
Berg	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Lewis	Olson, J. L.	Tennesen
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Pillsbury	Willet
Conzemius	Keefe, S.	Nelson	Purfeerst	
Davies	Kirchner	North	Renneke	
Dunn	Kleinbaum	Novak	Schrom	

Mr. Krieger voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1042, No. 138 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1042: A bill for an act relating to waters; southern Minnesota river basin commission; appropriating money; amend-

ing Laws 1971, Chapter 705, Section 3, Subdivision 1; and Section 5; repealing Laws 1971, Chapter 705, Section 11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Larson	Olhoft	Spear
Berg	Hansen, Baldy	Laufenburger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Blatz	Hughes	Lord	Perpich, A. J.	Thorup
Brown	Humphrey	McCutcheon	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Dunn	Kirchner	North	Schaaf	
Fitzsimons	Knutson	Novak	Schrom	
Frederick	Kowalczyk	Ogdahl	Solon	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1486, No. 175 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1486: A bill for an act relating to corrections; industrial enterprises conducted at the state prison and the state reformatory; appropriating money; amending Minnesota Statutes 1971, Sections 243.66 and 243.67; and repealing Minnesota Statutes 1971, Sections 243.65; 243.69; 243.81; 243.82; and 243.86.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Knutson	North	Solon
Berg	Hansen, Mel	Kowalczyk	Novak	Spear
Bernhagen	Hanson, R.	Krieger	Ogdahl	Stassen
Blatz	Hughes	Larson	Olhoft	Stokowski
Brown	Humphrey	Laufenburger	Perpich, A. J.	Tennesen
Chenoweth	Jensen	Lewis	Perpich, G.	Thorup
Chmielewski	Josefson	Lord	Pillsbury	Ueland
Coleman	Keefe, J.	McCutcheon	Purfeerst	Wegener
Conzemius	Keefe, S.	Milton	Renneke	
Dunn	Kirchner	Moe	Schaaf	
Fitzsimons	Kleinbaum	Nelson	Schrom	

Messrs. Frederick; Hansen, Baldy; and Willet voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1326, No. 149 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1326: A bill for an act relating to education; authorizing and directing the higher education coordinating commission to establish and supervise a student loan program; appropriating money; amending Minnesota Statutes 1971, Sections 136A.14; 136A.15, Subdivisions 5 and 7; 136A.16, Subdivisions 3 and 8; and 136A.17, Subdivisions 1, 3, 4 and 10.

Mr. Hughes moved to amend S. F. No. 1326, as follows:

Amend the title on page 1, line 6 by striking "appropriating money" and insert "providing for the issuance of revenue bonds"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1326: A bill for an act relating to education; authorizing and directing the higher education coordinating commission to establish and supervise a student loan program; providing for the issuance of revenue bonds; amending Minnesota Statutes 1971, Sections 136A.14; 136A.15, Subdivisions 5 and 7; 136A.16, Subdivisions 3 and 8; and 136A.17, Subdivisions 1, 3, 4 and 10.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearly	Knutson	Novak	Schrom
Berg	Hansen, Baldy	Kowalczyk	Ogdahl	Solon
Bernhagen	Hansen, Mel	Krieger	Olhoft	Spear
Blatz	Hanson, R.	Larson	Olson, A. G.	Stassen
Brown	Hughes	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Lewis	Patton	Tennessee
Chmielewski	Jensen	Lord	Perpich, A. J.	Thorup
Coleman	Josefson	McCutcheon	Perpich, G.	Ueland
Conzemius	Keefe, J.	Milton	Pillsbury	Wegeener
Dunn	Keefe, S.	Moe	Purfeerst	Willet
Fitzsimons	Kirchner	Nelson	Renneke	
Frederick	Kleinbaum	North	Schaaf	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1557, No. 163 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1557: A bill for an act relating to education; establishing a work-study program for post-secondary education students; appropriating money therefor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kleinbaum	Novak	Schrom
Berg	Hansen, Baldy	Knutson	Ogdahl	Solon
Bernhagen	Hansen, Mel	Kowalczyk	Olhoff	Spear
Blatz	Hanson, R.	Larson	Olson, A. G.	Stassen
Brown	Hughes	Laufenburger	Patton	Stokowski
Chenoweth	Humphrey	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Jensen	Lord	Perpich, G.	Thorup
Coleman	Josefson	Milton	Pillsbury	Ueland
Conzemius	Keefe, J.	Moe	Purfeerst	Wegener
Dunn	Keefe, S.	Nelson	Renneke	Willet
Fitzsimons	Kirchner	North	Schaaf	

Mr. Olson, H. D., voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., moved that H. F. No. 1755, No. 120 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1755: A bill for an act relating to taxation; providing certain credits for brewers; amending Minnesota Statutes 1971, Section 340.47, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Josefson	McCutcheon	Schaaf
Berg	Frederick	Keefe, J.	Milton	Schrom
Bernhagen	Gearty	Keefe, S.	North	Solon
Blatz	Hansen, Baldy	Kleinbaum	Ogdahl	Spear
Brown	Hansen, Mel	Krieger	Olhoff	Stokowski
Chenoweth	Hanson, R.	Larson	Olson, A. G.	Thorup
Chmielewski	Hughes	Laufenburger	Olson, H. D.	Ueland
Coleman	Humphrey	Lewis	Perpich, A. J.	Wegener
Conzemius	Jensen	Lord	Purfeerst	Willet

Those who voted in the negative were:

Dunn	Patton	Perpich, G.	Renneke	Tennessee
Moe				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that S. F. No. 2321, No. 119 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2321: A bill for an act relating to taxation; sales and use tax; exemptions; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended by Laws 1973, Chapter 75, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Kirchner	Milton	Purfeerst
Berg	Frederick	Kleinbaum	Moe	Renneke
Bernhagen	Gearty	Knutson	Nelson	Schrom
Blatz	Hansen, Baldy	Kowalczyk	North	Solon
Brown	Hansen, Mel	Krieger	Olhoff	Stassen
Chenoweth	Hanson, R.	Larson	Olson, A. G.	Tennessee
Chmielewski	Humphrey	Laufenburger	Olson, H. D.	Ueland
Conzemius	Jensen	Lord	Patton	Wegener
Dunn	Keefe, S.	McCutcheon	Perpich, A. J.	Willet

Those who voted in the negative were:

Coleman	Keefe, J.	Perpich, G.	Spear	Stokowski
Josefson	Lewis	Schaaf		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 805, No. 228 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 805: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 9, as follows:

Those who voted in the affirmative were:

Bernhagen	Hanson, R.	Laufenburger	Olhoff	Solon
Chenoweth	Humphrey	Lewis	Olson, A. G.	Spear
Chmielewski	Jensen	Lord	Olson, H. D.	Stokowski
Coleman	Josefson	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Keefe, J.	Milton	Perpich, G.	Wegener
Dunn	Keefe, S.	Moe	Purfeerst	Willet
Fitzsimons	Kleinbaum	Nelson	Renneke	
Gearty	Kowalczyk	North	Schaaf	
Hansen, Baldy	Larson	Novak	Schrom	

Those who voted in the negative were:

Bang	Brown	Kirchner	Stassen	Ueland
Blatz	Hansen, Mel	Krieger	Tennessee	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No.

1255, No. 2 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1255: A bill for an act relating to taxation based upon gross earnings; defining certain businesses subject thereto; amending Minnesota Statutes 1971, Section 295.01, Subdivision 9, and by adding a subdivision.

Mr. Bang moved to amend H. F. No. 1255, the printed bill, as follows:

Page 1, line 11, strike "1972" and insert "1973"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1255 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

CALL OF THE SENATE

Mr. Perpich, A. J. imposed a call of the Senate.

The following Senators answered to their names:

Bang	Frederick	Kleinbaum	North	Schrom
Berg	Gearty	Knutson	Novak	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Olhoff	Spear
Blatz	Hansen, Mel	Krieger	Olson, A. G.	Stassen
Borden	Hanson, R.	Larson	Olson, H. D.	Tennessee
Brown	Humphrey	Laufenburger	Patton	Thorup
Chenoweth	Jensen	Lewis	Perpich, A. J.	Ueland
Coleman	Josefson	Lord	Perpich, G.	Wegener
Conzemius	Keefe, J.	Milton	Purfeerst	Willet
Dunn	Keefe, S.	Moe	Renneke	
Fitzsimons	Kirchner	Nelson	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Bang moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Stassen moved that those not voting be excused from voting. Which motion did not prevail.

And the roll being called, there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Solon
Arnold	Doty	Lewis	Olson, H. D.	Spear
Borden	Gearty	Lord	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Moe	Perpich, G.	Tennessee
Chmielewski	Humphrey	North	Purfeerst	Thorup
Coleman	Keefe, S.	Novak	Schaaf	Wegener
Conzemius	Kleinbaum	Olhoff	Schrom	Willet

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Larson	Renneke
Berg	Frederick	Keefe, J.	McCutcheon	Stassen
Bernhagen	Hansen, Baldy	Kirchner	Nelson	Ueland
Blatz	Hansen, Mel	Knutson	Ogdahl	
Brown	Hanson, R.	Kowalczyk	Olson, J. L.	
Dunn	Jensen	Krieger	Patton	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1059, No. 197 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1059: A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money, amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

Mr. Thorup moved to amend S. F. No. 1059, as follows:

Pages 4 through 8, strike all of Section 3

Renumber the sections in sequence

Amend the title in lines 4 and 5 by striking "creating the offices of district attorney;"

Which motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Thorup imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Frederick	Kowalczyk	Olson, H. D.	Spear
Ashbach	Gearty	Larson	Olson, J. L.	Stassen
Bang	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Berg	Hansen, Mel	Lewis	Patton	Tennessee
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Thorup
Blatz	Hughes	McCutcheon	Perpich, G.	Ueland
Chenoweth	Humphrey	Milton	Purfeerst	Wegener
Coleman	Jensen	Moe	Renneke	Willet
Conzemius	Josefson	Nelson	Schaaf	
Davies	Keefe, S.	North	Schram	
Dunn	Kirchner	Ogdahl	Sillers	
Fitzsimons	Kleinbaum	Olson, A. G.	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 1059: A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; prescribing powers and duties; and appropriating money; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Thorup moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 36 and nays 22, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knutson	Nelson	Stokowski
Berg	Hansen, Mel	Kowalczyk	Novak	Thorup
Blatz	Hanson, R.	Krieger	O'Neill	Ueland
Chenoweth	Hughes	Laufenburger	Patton	Wegener
Conzemius	Humphrey	Lewis	Schaaf	
Davies	Keefe, J.	Lord	Sillers	
Doty	Keefe, S.	McCutcheon	Solon	
Fitzsimons	Kleinbaum	Moe	Stassen	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Milton	Olson, J. L.	Tennessee
Bang	Jensen	North	Purfeerst	Willet
Bernhagen	Josefson	Ogdahl	Renneke	
Dunn	Kirchner	Olson, A. G.	Schrom	
Frederick	Larson	Olson, H. D.	Spear	

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. No. 23 a Special Order for consideration after the recess. Which motion prevailed

Mr. Coleman moved that the following bills be designated a Special Orders Calendar to be heard immediately. Which motion prevailed.

H. F. Nos. 1436, 334, 2145, 1038, 1720, 2098, 2004, 2207, 2244, 1870, and 1635. S. F. Nos. 1355, 2356 and 2272.

SPECIAL ORDER

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center and Brooklyn Park; creating housing and redevelopment authorities.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Nelson	Schrom
Ashbach	Frederick	Kirchner	North	Sillers
Bang	Gearty	Kleinbaum	Novak	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olhoff	Stassen
Blatz	Hansen, Mel	Krieger	Olson, A. G.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Coleman	Hughes	Lewis	Perpich, A. J.	Thorup
Conzemius	Humphrey	Lord	Perpich, G.	Ueland
Davies	Jensen	McCutcheon	Purfeerst	Wegener
Doty	Josefson	Milton	Renneke	
Dunn	Keefe, J.	Moe	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1355: A bill for an act relating to county parks and park districts; amending Minnesota Statutes 1971, Section 398.01; repealing Laws 1971, Chapter 950, Section 7.

Mr. Milton moved to amend S. F. No. 1355, as follows:

Page 1, line 20, after the "." reinstate the stricken language

Page 1, lines 21 to 24, reinstate the stricken language

Page 1, line 25, before "No" reinstate the stricken language

Page 1, strike lines 29 and 30 and insert the following new Section 2:

"Sec. 2. Minnesota Statutes 1971, Section 398.16, is amended to read:

398.16 [TAX LEVY, BUDGET.] The park district board, as soon after organization as practicable and on or before the first day of July of each year thereafter, shall prepare a detailed budget of its proposed expenditures during the next fiscal year, other than those to be met by bond issues or by revenues described in section 398.17 and section 398.09, paragraph d, which budgets shall in no year exceed 18 cents per person in the district as determined by the last federal decennial census. ~~But no such assessment shall be made upon the people or property of a city of the first class.~~

As soon after organization as practicable, and on the first day of July each year thereafter, the park district board shall certify to the governing body of each township, town, borough, village or city included in the district, the budget adopted pursuant to this section, together with a statement of the proportion of the budget to be provided by such governmental subdivision. The budget shall be apportioned among such subdivisions within the district in the same proportion as their respective populations bear to the total population of the district, population figures to be based on the last federal decennial census.

For the purpose of this section the governing body of any city or village means that board, council, commission or officer authorized by law or charter to levy taxes for park and recreation purposes and the governing body of each unorganized township means the county board. It shall be the duty of each such governing body in the district to provide the funds necessary to meet its proportionate share of such budget, such funds to be raised by tax levies or other means within the authority of said governing bodies, and to pay the same over to the treasurer of the district in such amounts and at such times as may fairly be required by the park district board.

Any such governing body is hereby authorized to levy annually upon all taxable property within its boundaries a tax at the rate

necessary to raise, at 98 percent collection, its proportionate share of the park district's budget, which tax, except in the case of cities of the first class, may be levied in excess of and over and above all other tax limitations.

All moneys received from said levies shall be turned over by the county treasurer collecting the same to the treasurer of the park district. All moneys received by the park district shall be used to carry out the powers and duties imposed on the park district board by this chapter and shall not be subject to review or reduction by other boards, commissions or councils.

If the governing body of any subdivision fails before October 1 of any year to pay its proportionate share of the park district budget for the next fiscal year or to certify to the county auditor a tax levy specifically designated for said purpose, the park district board shall certify to the county auditor of each county in which such governmental subdivision is located such amount of taxes as is deemed necessary to raise such subdivision's proportionate share of the budget, for collection with and as a part of other taxes on taxable property within such subdivision, which tax, may be levied in excess of and over and above all other tax limitations.

The park district board may by resolution, submit to the electors of the park district at a general or primary state election the question of raising the limit on the park district's budget from 18 cents to not to exceed 35 cents per person in the district. Any resolution providing for an election on raising the budgetary limit shall specify the proposed additional amount per person in the district to be authorized and the number of consecutive years such increase in the limit shall be effective. The resolution shall be certified to the county auditor of each county wherein lies any part of the territory of the district, and the county auditor or auditors shall cause the same to be submitted to the electors residing within such territory at the next ensuing general or primary election on a ballot setting forth the proposed additional amount per person and the number of years such increase shall be effective as provided in the resolution, and shall forward the official returns of the judges of election in the precincts voting on such ballot to the park district board for canvas, and the increase shall be authorized if approved by a majority of the electors of the district voting on such ballot.

The board may borrow money in anticipation of the collection of all taxes levied in its behalf and issue the negotiable notes of the district in an amount not in excess of 90 percent of the amount so levied which has not been received by the district at the time of the borrowing. Such notes shall mature not later than March 1 of the year following the year in which the tax levies are to be collected and shall be payable primarily from the proceeds of the levies anticipated thereby, but the full faith and credit of the district shall be pledged to the payment of the notes, and if such levies are not sufficient to pay all principal due and interest accrued thereon the park district board shall levy for the repayment of the principal and interest on such notes and ad valorem tax in the next ensuing year and for so long thereafter as may be necessary upon all of the taxable property within its corporate limits, which levy may be made without limitation as to rate or amount and shall not be included in applying statutory limitations to other tax levies."

Amend the title as follows:

Page 1, line 4, strike everything after the semicolon and insert "and 398.16."

Page 1, strike line 5.

Which motion prevailed. So the amendment was adopted.

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.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Novak	Schrom
Ashbach	Frederick	Kleinbaum	Olhoft	Spear
Bang	Gearty	Knutson	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Blatz	Hughes	Lewis	Patton	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	Milton	Perpich, G.	Wegener
Davies	Josefson	Moe	Purfeerst	Willet
Doty	Keefe, J.	Nelson	Renneke	
Dunn	Keefe, S.	North	Schaaf	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2356: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kleinbaum	Novak	Schaaf
Ashbach	Gearty	Knutson	Olhoft	Schrom
Bang	Hansen, Baldy	Larson	Olson, A. G.	Spear
Berg	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Hughes	Lewis	Olson, J. L.	Stokowski
Blatz	Humphrey	Lord	O'Neill	Tennessee
Coleman	Jensen	McCutcheon	Patton	Thorup
Davies	Josefson	Milton	Perpich, A. J.	Ueland
Doty	Keefe, J.	Moe	Perpich, G.	Wegener
Dunn	Keefe, S.	Nelson	Purfeerst	Willet
Fitzsimons	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2272: A bill for an act authorizing the county of Anoka to establish subordinate service districts in order to provide and finance governmental services.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Ashbach	Hansen, Mel	Larson	Olson, H. D.	Spear
Bang	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Berg	Hughes	Lewis	O'Neill	Stokowski
Bernhagen	Humphrey	Lord	Patton	Tennessee
Blatz	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Purfeerst	Wegener
Doty	Keefe, S.	Nelson	Renneke	Willet
Dunn	Kirchner	North	Schaaf	
Fitzsimons	Kleinbaum	Novak	Schrom	
Gearty	Knutson	Olhoff	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 334: A bill for an act relating to port authorities; removing the requirement for unanimous approval in the sale of real property; amending Minnesota Statutes 1971, Section 458.17.

Mr. Chenoweth moved to amend House File No. 334, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that the purposes and policies of Minnesota Statutes, Chapters 458 and 474, can best be achieved within the city of Saint Paul by providing that the members of the city council shall be the commissioners of the Saint Paul port authority and that all employees of the Saint Paul port authority be subject to the same supervision and control as are employees of the city of Saint Paul, subject to the provisions hereinafter set forth.

Sec. 2. [CITY COUNCIL AS COMMISSIONERS.] Notwithstanding any provision of law or the charter of the city of Saint Paul to the contrary, the Saint Paul city council shall be the commissioners of the Saint Paul port authority.

Sec. 3. [EMPLOYEES.] Notwithstanding any provision of law or the charter of the city of Saint Paul to the contrary, all employees of the port authority of the city of Saint Paul shall be subject to the same supervision and control as are employees of the city of Saint Paul. The employees of the port authority of the

city of Saint Paul shall be placed in the classified service of the city of Saint Paul except the positions presently known as executive vice-president, assistant executive vice-president and director of industrial development. These positions shall be in the unclassified service. The placement in the classified service of any person who is a port authority employee on the effective date of this act shall be without examination. Provided, however, that nothing in this act or any other act shall prevent the city of Saint Paul from re-classifying any employment position pursuant to the provisions of its charter. The council may take such action as they deem appropriate to provide that persons employed by the port authority on the effective date of this act obtain the equivalent of pension rights and all other benefits and protection to which they are presently entitled by contract or law.

Sec. 4. [IMPAIRMENT OF EXISTING OBLIGATIONS.] Except as provided in Section 3 of this act, no existing obligation, contract, agreement or covenant made or entered into by the Saint Paul port authority shall be in any manner impaired by the adoption of this act.

Sec. 5. [SALE OF PROPERTY.] In exercising the powers granted under Minnesota Statutes, Section 458.17, particularly as to the sale of land, the provisions contained therein for unanimous approval of all members of the port authority shall not apply to the port authority of the city of Saint Paul, and said port authority of the city of Saint Paul shall have the power to sell, convey, and exchange any real property owned by the authority upon approval of a majority plus one of all the members of the port authority when such sale, conveyance, exchange or transfer of real property is authorized; provided that no such sale, conveyance, exchange or transfer of real property shall be considered at any meeting unless all commissioners have been given at least ten days' written notice that such a sale, conveyance, exchange or transfer will be voted upon at a special or regular meeting, which notice shall contain a complete description of the affected real estate, and provided further that such authorization shall not be given unless there is at least a quorum present.

Sec. 6. [EFFECTIVE DATE.] This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Amend the title by striking it and inserting:

"A bill for an act relating to the city of Saint Paul; providing that the city council shall serve as the board of commissioners of the Saint Paul port authority; making certain provisions relating to employees of the Saint Paul port authority; and removing the requirement for unanimous approval in the sale of real property of said port authority."

Which motion prevailed. So the amendment was adopted.

H. F. No. 334 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 56 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	Ogdahl	Solon
Bang	Gearty	Krieger	Olhoft	Spear
Bernhagen	Hanson, R.	Larson	Olson, A. G.	Stassen
Blatz	Hughes	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Lewis	Olson, J. L.	Tennessee
Chmielewski	Jensen	Lord	Perpich, A. J.	Thorup
Coleman	Josefson	McCutcheon	Perpich, G.	Wegener
Conzemius	Keefe, J.	Milton	Purfeerst	Willet
Davies	Keefe, S.	Moe	Renneke	
Doty	Kirchner	Nelson	Schaaf	
Dunn	Kleinbaum	North	Schrom	
Fitzsimons	Knutson	Novak	Sillers	

Messrs. Ashbach; Hansen, Baldy; Hansen, Mel; O'Neill and Patton voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2145: A bill for an act relating to the city of Alexandria, the townships of Alexandria, Carlos, Hudson and LaGrand and the sanitary sewer board of the Alexandria lake area sanitary district in the county of Douglas; amending Laws 1971, Chapter 869, Sections 2, Subdivision 2; 4, Subdivision 5; 12, Subdivisions 1 and 2; 13, Subdivision 4; 17, Subdivision 7; and 18, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	Moe	Renneke
Ashbach	Dunn	Keefe, S.	Nelson	Schaaf
Bang	Fitzsimons	Kirchner	North	Sillers
Berg	Frederick	Kleinbaum	Novak	Solon
Bernhagen	Gearty	Knutson	Olhoft	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Brown	Hansen, Mel	Krieger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Larson	O'Neill	Tennessee
Chmielewski	Hughes	Laufenburger	Patton	Thorup
Coleman	Humphrey	Lewis	Perpich, A. J.	Ueland
Conzemius	Jensen	Lord	Perpich, G.	Wegener
Davies	Josefson	McCutcheon	Purfeerst	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1038: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Rice Lake state park.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	North	Renneke
Ashbach	Dunn	Keefe, S.	Novak	Schaaf
Bang	Fitzsimons	Kirchner	Ogdahl	Sillers
Berg	Frederick	Kleinbaum	Olhoft	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Perpich, G.	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1720: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Sibley state park.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olhoft	Solon
Berg	Gearty	Larson	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Lewis	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lord	O'Neill	Tennessee
Chmielewski	Hughes	McCutcheon	Patton	Thorup
Coleman	Jensen	Milton	Perpich, A. J.	Ueland
Conzemius	Josefson	Moe	Perpich, G.	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2098: A bill for an act relating to St. Louis county; authorizing the issuance of seasonal on-sale intoxicating liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Davies	Hansen, Baldy	Jensen
Ashbach	Chenoweth	Doty	Hansen, Mel	Keefe, J.
Berg	Chmielewski	Dunn	Hanson, R.	Keefe, S.
Bernhagen	Coleman	Fitzsimons	Hughes	Kleinbaum
Blatz	Conzemius	Gearty	Humphrey	Kowalczyk

Krieger	Moe	Perpich, A. J.	Sillers	Ueland
Larson	Nelson	Perpich, G.	Solon	Wegener
Laufenburger	North	Purfeerst	Spear	Willet
Lewis	Olson, A. G.	Renneke	Stokowski	
Lord	Olson, H. D.	Schaaf	Tennessee	
Milton	O'Neill	Schrom	Thorup	

Messrs. Kirchner, Novak, Olhoff and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2004: A bill for an act relating to Cass county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Ogdahl	Spear
Arnold	Doty	Keefe, S.	Olson, A. G.	Stokowski
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Tennessee
Berg	Fitzsimons	Kowalczyk	O'Neill	Thorup
Bernhagen	Gearty	Krieger	Perpich, A. J.	Ueland
Blatz	Hansen, Baldy	Larson	Perpich, G.	Wegener
Brown	Hansen, Mel	Laufenburger	Purfeerst	Willet
Chenoweth	Hanson, R.	Lewis	Schaaf	
Chmielewski	Hughes	Lord	Schrom	
Coleman	Humphrey	Nelson	Sillers	
Conzemius	Jensen	North	Solon	

Those who voted in the negative were:

Bang	Novak	Olhoff	Olson, J. L.	Renneke
Kirchner				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2207: A bill for an act relating to intoxicating liquor; authorizing one additional on-sale license within Todd county.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Fitzsimons	Humphrey	Larson
Arnold	Chmielewski	Frederick	Jensen	Laufenburger
Ashbach	Coleman	Gearty	Keefe, J.	Lewis
Berg	Conzemius	Hansen, Baldy	Keefe, S.	Lord
Bernhagen	Davies	Hansen, Mel	Kleinbaum	Moe
Blatz	Doty	Hanson, R.	Kowalczyk	Nelson
Brown	Dunn	Hughes	Krieger	North

Ogdahl	Perpich, A. J.	Schrom	Stokowski	Wegener
Olson, A. G.	Perpich, G.	Sillers	Tennessee	Willet
Olson, H. D.	Purfeerst	Solon	Thorup	
O'Neill	Schaaf	Spear	Ueland	

Those who voted in the negative were:

Bang	Novak	Olhoft	Olson, J. L.	Renneke
Josefson				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2244: A bill for an act relating to the city of Winona; authorizing the issuance of two additional on-sale liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	North	Sillers
Arnold	Doty	Keefe, J.	Ogdahl	Solon
Ashbach	Dunn	Keefe, S.	Olhoft	Spear
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Frederick	Kowalczyk	Olson, H. D.	Tennessee
Blatz	Gearty	Krieger	O'Neill	Thorup
Brown	Hansen, Baldy	Larson	Perpich, A. J.	Ueland
Chenoweth	Hansen, Mel	Laufenburger	Perpich, G.	Wegener
Chmielewski	Hanson, R.	Lewis	Purfeerst	Willet
Coleman	Hughes	Lord	Schaaf	
Conzemius	Humphrey	Nelson	Schrom	

Those who voted in the negative were:

Bang	Kirchner	Novak	Olson, J. L.	Renneke
Josefson	Moe			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1870: A bill for an act relating to the city of Minneapolis and authorizing condemnation of real property in certain instances pursuant to procedures set forth in its home rule charter or Minnesota Statutes 1971, Chapter 430.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Davies	Hansen, Mel	Keefe, J.
Arnold	Brown	Doty	Hanson, R.	Keefe, S.
Ashbach	Chenoweth	Dunn	Hughes	Kirchner
Bang	Chmielewski	Fitzsimons	Humphrey	Kleinbaum
Berg	Coleman	Frederick	Jensen	Kowalczyk
Bernhagen	Conzemius	Gearty	Josefson	Krieger

Larson	North	O'Neill	Sillers	Ueland
Laufenburger	Novak	Patton	Solon	Wegener
Lewis	Ogdahl	Perpich, A. J.	Spear	Willet
Lord	Olhoft	Furfeerst	Stassen	
McCutcheon	Olson, A. G.	Renneke	Stokowski	
Moe	Olson, H. D.	Schaaf	Tennessee	
Nelson	Olson, J. L.	Schrom	Thorup	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1635: A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Ogdahl	Schrom
Arnold	Doty	Keefe, S.	Olhoft	Sillers
Bang	Dunn	Kirchner	Olson, A. G.	Solon
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Larson	O'Neill	Stokowski
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessee
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Thorup
Chmielewski	Hughes	Moe	Purfeerst	Ueland
Coleman	Humphrey	Nelson	Renneke	Wegener
Conzemius	Josefson	North	Schaaf	Willet

Messrs. Frederick, Novak and Patton voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that H. F. No. 611 be taken from the table. Which motion prevailed.

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 611 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. Doty moved that S. F. No. 488 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 488

A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice har-

vesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

May 11, 1973

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. 488, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Ralph R. Doty, George R. Conzemius and William G. Kirchner.

House Conferees: (Signed) Jack H. LaVoy, Richard A. Andersen and Douglas J. Johnson.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Purfeerst moved that S. F. No. 733 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

Honorable Alec G. Olson,
President of the Senate

May 15, 1973

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. 733, 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. 733 be amended as follows:

Page 2, line 11, delete "C-5 B-10 A-15" and insert in lieu thereof "C-3 B-5"

Page 2, line 14, strike "(b)"

Page 2, lines 15, 16 and 17, delete all of the new language

Page 4, after line 8, insert:

"Sec. 4. Minnesota Statutes 1971, Section 171.07, Subdivision 1, is amended to read:

171.07 [DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES.] Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of ~~21~~ 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection."

Page 6, after line 14, insert:

"Sec. 7. Minnesota Statutes 1971, Section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSES.] The expiration date for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the ~~21st~~ 18th birthday of the licensee. Upon the provisional licensee attaining the age of ~~21~~ 18 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

All provisional licenses issued prior to the effective date of this act will remain in effect until the licensee's 21st birthday."

Renumber the sections in sequence

Further amend the title:

In line 6, after the semicolon insert "171.07, Subdivision 1;"

In line 7, delete "and 171.18" and insert in lieu thereof "171.18; and 171.27"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Clarence M. Purfeerst, William McCutcheon and Stanley N. Thorup.

House Conferees: (Signed) Victor H. Schulz, Richard R. Lemke and Joe T. Niehaus.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that S. F. No. 2166 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2166

A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

May 14, 1973

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. 2166, 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. The sums hereinafter set forth and designated "AP-PROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1973", "1974", "1975" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.

	1973	1974	1975
	\$	\$	\$
APPROPRIATIONS			
Available for the Year			
Ending June 30,			
Sec. 2. LEGAL DIVISION			
Subdivision 1. Salaries		465,498	466,926
Subd. 2. Supplies and Expense		23,525	25,025
Sec. 3. ADMINISTRATIVE OPERATIONS			
Subdivision 1. Salaries		2,187,853	2,187,853
Subd. 2. Supplies and Expense		1,469,207	1,548,337
Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE		44,646,270	44,737,570
Sec. 5. CONSTRUCTION OPERATIONS, SALARIES, SUPPLIES AND EXPENSE			
(a) Construction Design		7,266,046	7,143,812
(b) Right of Way Operations		2,862,282	2,686,315
(c) Central Office		4,742,884	4,646,789
(d) District Offices		19,594,941	19,388,533
Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE		1,186,449	1,198,006
Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE		218,657	218,957
Sec. 8. PLANNING AND PROGRAMMING, SALARIES, SUPPLIES AND EXPENSE		2,552,442	2,567,114
Sec. 9. EQUIPMENT		3,875,000	3,298,000
Sec. 10. BUILDINGS AND IMPROVEMENTS		1,100,250	

As recommended on page 129 of the report of the legislative building commission to the 1973 legislature, the location of the equipment storage buildings at Hopkins and Proctor authorized by laws 1967, Chapter 887, are hereby changed to Eden

	1973	1974	1975
	\$	\$	\$

Prairie and Nopeming respectively. The location of the equipment storage building at Big Lake authorized by laws 1971, Chapter 965, is hereby changed to Monticello.

In addition, moneys are provided for the purchase of land for a driver training facility near Duluth, the construction of field maintenance stations at Caledonia and Littlefork, and 4% planning for headquarters buildings at Morris, Willmar and Marshall.

No building shall be constructed to be paid for out of moneys appropriated by this act or by any other act unless the commissioner of highways has first consulted with and obtained advice from the finance and appropriation committees.

Sec. 11. WEIGH STATION FACILITIES NEAR SCANLON ON INTERSTATE HIGHWAY

319,000

Not more than 25% of the cost of these facilities shall be from trunk highway funds.

Sec. 12. INTERSTATE SAFETY REST AREA FACILITIES.

626,400

Includes safety rest area facilities and tourist information centers as enumerated on page 129 of the report of the legislative building commission to the 1973 legislature.

Sec. 13. TRUNK HIGHWAY REST AREA FACILITIES. . . .

300,000

Improvement of existing and development of new safety rest areas provided that federal funds are available for that purpose. Not more than 30 percent of the cost of these facilities shall be from trunk highway funds.

	1973	1974	1975
	\$	\$	\$

The appropriations provided in sections 10, 11, 12, and 13 shall be available until expended or the projects or purposes are completed or abandoned.

Sec. 14. FEDERAL/STATE SAFETY ACCOUNT. The Commissioner of Highways may establish a Federal/State Safety Account within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in Sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local governmental agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Safety Account and will be available until June 30, 1975.

Sec. 15. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 8.

Sec. 16. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leasees, interest subsidies and relocation expenses.

Sec. 17. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 9 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 18. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways with the approval of the Governor may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

Sec. 19. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby on June 30 of any fiscal year shall cancel into the trunk highway fund.

Sec. 20. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 21. The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, M.S. 219.401."

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: (Signed) Norbert Arnold, Gerald Willet, Harmon Ogdahl, Mel Hansen and Ralph Doty.

House Conferees: (Signed) Tony Eckstein, Robert Culhane, Delbert Anderson, Walter Klaus and Phyllis Kahn.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:45 o'clock p.m. Which motion prevailed.

The hour of 1:45 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate on H. F. No. 23 and H. F. No. 647.

The following Senators answered to their names:

Arnold	Dunn	Kirchner	Nelson	Perpich, G.
Ashbach	Frederick	Kowalczyk	North	Pillsbury
Berg	Gearty	Larson	Novak	Renneke
Bernhagen	Hansen, Mel	Laufenburger	Olhoft	Schaaf
Borden	Hanson, R.	Lewis	Olson, A. G.	Schrom
Chmielewski	Hughes	Lord	Olson, H. D.	Solon
Coleman	Humphrey	McCutcheon	Olson, J. L.	Stassen
Conzemius	Jensen	Milton	O'Neill	Willet
Davies	Keefe, S.	Moe	Perpich, A. J.	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

H. F. No. 23: A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; prohibiting certain unfair practices; requiring the posting of certain drug prices; providing remedies; amending Minnesota Statutes 1971, Chapter 151, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Nelson	Renneke
Ashbach	Dunn	Kirchner	North	Schaaf
Berg	Fitzsimons	Kleinbaum	Novak	Schrem
Bernhagen	Frederick	Knutson	Olhoff	Solon
Borden	Gearty	Kowalczyk	Olson, A. G.	Stassen
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Tennesen
Chenoweth	Hanson, R.	Lewis	O'Neill	Wegener
Chmielewski	Hughes	Lord	Perpich, A. J.	Willet
Coleman	Humphrey	Milton	Perpich, G.	
Conzemius	Jensen	Moe	Pillsbury	

Mr. Larson voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. No. 647 a Special Order to be heard immediately. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 295:

Messrs. Hansen, Baldy; Thorup; Doty; McCutcheon and Ogdahl. Which motion prevailed.

SPECIAL ORDER

H. F. No. 647: A bill for an act relating to agriculture; collective bargaining; providing for bargaining between producers or associations and handlers; providing criteria.

Mr. Berg moved to amend H. F. No. 647, as amended, as follows:

Page 7, line 3, strike "them" and insert "the members of the association"

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved that H. F. No. 647 be referred to the Committee on Finance.

The question being taken on the adoption of the motion,

Mr. Moe moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 13 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Larson	Pillsbury	Ueland
Blatz	Kowalczyk	Nelson	Sillers	
Brown	Krieger	O'Neill	Stassen	

Those who voted in the negative were:

Anderson	Conzemius	Jensen	Moe	Renneke
Arnold	Dunn	Keefe, S.	North	Schaaf
Bang	Fitzsimons	Kirchner	Olhoff	Schrom
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Spear
Borden	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	Milton	Perpich, G.	

Which motion did not prevail.

H. F. No. 647 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Moe moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 43 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Olhoff	Solon
Arnold	Dunn	Keefe, S.	Olson, A. G.	Spear
Berg	Fitzsimons	Kirchner	Olson, H. D.	Stassen
Bernhagen	Frederick	Laufenburger	Olson, J. L.	Stokowski
Borden	Gearty	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lord	Perpich, G.	Wegener
Chmielewski	Hughes	Milton	Renneke	Willet
Coleman	Humphrey	Moe	Schaaf	
Conzemius	Jensen	North	Schrom	

Those who voted in the negative were:

Ashbach	Brown	Kowalczyk	Nelson	Purfeerst
Bang	Hansen, Mel	Krieger	O'Neill	Sillers
Blatz	Knutson	Larson	Pillsbury	Ueland

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills a Special Orders Calendar to be heard immediately. Which motion prevailed.

H. F. Nos. 1508, 294, 938, 622, 1381, 83, 548, 1638, 2247, 1230, 1871. S. F. Nos. 980 and 21.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, Borden, O'Neill and Sillers. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1508: A bill for an act relating to the incorporation of villages; the annexation and detachment of property from municipalities; the consolidation of municipalities; and the powers and duties of the Minnesota municipal commission in relation thereto; amending Minnesota Statutes 1971, Chapter 414, by adding sections; Sections 414.01, Subdivision 14; 414.031, Subdivision 5; 414.032, Subdivisions 1 and 3; 414.041, Subdivisions 3, 4, and by adding a subdivision; 414.061, Subdivision 4; 414.067, by adding a subdivision; and repealing Minnesota Statutes 1971, Section 414.031, Subdivision 2.

Mr. Gearty moved that the amendment made to H. F. No. 1508 by the Committee on Rules and Administration in the report adopted May 10, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

Mr. Frederick moved to amend H. F. No. 1508, the printed bill, as follows:

On pages 3 & 4, strike section 6 in its entirety and renumber the remaining sections accordingly.

Which motion prevailed. So the amendment was adopted.

H. F. No. 1508 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 40 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Schaaf
Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Ohoft	Spear
Bang	Gearty	Laufenburger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Baldy Lewis	Perpich, A. J.	Stokowski
Borden	Hughes	Lord	Perpich, G.	Tennessee
Coleman	Humphrey	McCutcheon	Pillsbury	Thorup
Conzemius		Moe	Purfeerst	Wegener

Those who voted in the negative were:

Berg	Frederick	Kowalczyk	Olson, H. D.	Ueland
Brown	Jensen	Krieger	Olson, J. L.	
Chmielewski	Keefe, J.	Larson	Renneke	

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 384, pursuant to the request of the Senate.

Messrs. Ogdahl, Lewis, Tennessen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1854, pursuant to the request of the House.

Messrs. O'Neill, Milton, North.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1355, pursuant to the request of the House.

Messrs. Chenoweth, Purfeerst, Ogdahl, Kleinbaum, O'Neill.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1247, pursuant to the request of the House.

Messrs. Keefe, S.; Hansen, Mel; Schaaf.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 611, pursuant to the request of the House.

Messrs. Perpich, A. J.; Josefson; Arnold.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

SPECIAL ORDER

S. F. No. 980: A bill for an act relating to consumer protection; restricting door to door distribution of certain items; broadening enforcement powers; providing penalties; amending Minnesota Statutes 1971, Section 325.925.

Mr. Keefe, S. moved to amend S. F. No. 980 as follows:

Page 1, line 13, after "door to door" and before the comma, insert "*to residences*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 980 was then progressed, as amended.

SPECIAL ORDER

H. F. No. 938: A bill for an act relating to employment agencies; providing reimbursement to a referred job applicant where there is no job opening; amending Minnesota Statutes 1971, Sections 184.21, by adding a subdivision; 184.38, Subdivisions 6 and 8, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Solon
Ashbach	Gearty	Kowalczyk	Ogdahl	Spear
Bang	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Berg	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hughes	Lewis	Perpich, A. J.	Tennessee
Brown	Humphrey	Lord	Perpich, G.	Thorup
Chmielewski	Jensen	McCutcheon	Pillsbury	Ueland
Coleman	Keefe, J.	Milton	Renneke	Wegener
Davies	Keefe, S.	Nelson	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 622: A bill for an act relating to courts; grand juries; causes of challenge to a grand juror; amending Minnesota Statutes 1971, Section 628.54.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kleinbaum	Olhoft	Stassen
Ashbach	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Bang	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Berg	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Bernhagen	Hughes	Lewis	Perpich, G.	Ueland
Brown	Humphrey	McCutcheon	Pillsbury	Wegener
Chmielewski	Jensen	Milton	Renneke	
Coleman	Keefe, J.	Nelson	Schrom	
Davies	Keefe, S.	North	Solon	
Dunn	Kirchner	Ogdahl	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1381: A bill for an act relating to natural resources; imposing certain duties on the commissioner of natural resources and counties; providing standards and enforcement of permits for utility crossings; establishing state policy with regard to leasing of state-owned shorelands; revising the state program for acquisition of wildlife lands to make it systematic and integrated with other state and federal programs; providing for the establishment of standards and criteria governing drainage systems as they affect lakes, wetlands, wildlife lands, related natural resources, and erosion and flood control; amending Minnesota Statutes 1971, Sections 84.415, Subdivisions 1 and 5; 92.46 by adding a subdivision; 106.021, Subdivisions 1, 2, and 4, and by adding a subdivision; 106.081, Subdivisions 1, 3, and 4; 106.091, Subdivision 2; 106.101, Subdivisions 2, 4, and 5; 106.121, Subdivision 4; 106.131; 106.201; 106.221, Subdivision 2; and 106.631, Subdivision 1.

Mr. Renneke moved that the amendment made to H. F. No. 1381 by the Committee on Rules and Administration in the report adopted May 14, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1381 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	North	Spear
Bang	Frederick	Keefe, S.	Olhoft	Stascen
Berg	Gearty	Kirchner	Olson, H. D.	Tennessee
Bernhagen	Hansen, Baldy	Kleinbaum	Olson, J. L.	Thorup
Brown	Hansen, Mel	Knutson	Perpich, G.	Ueland
Coleman	Hughes	Kowalczyk	Pillsbury	Wegener
Conzemius	Humphrey	Laufenburger	Renneke	
Davies	Jensen	Lord	Schrom	
Dunn	Josefson	Nelson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 83: A bill for an act relating to licenses; prohibiting issuance of licenses in certain instances.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	North	Solon
Berg	Frederick	Kirchner	Novak	Spear
Bernhagen	Gearty	Knutson	Olhoff	Stassen
Chenoweth	Hansen, Mel	Kowalczyk	Olson, A. G.	Stokowski
Chmielewski	Hughes	Laufenburger	Olson, H. D.	Tennessee
Coleman	Humphrey	Lewis	Olson, J. L.	Ueland
Conzemius	Jensen	Lord	Perpich, G.	Willet
Davies	Josefson	Milton	Pillsbury	
Dunn	Keefe, J.	Nelson	Schaaf	

Messrs. Brown; Hansen, Baldy and Larson voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER—CONTINUED

The question recurred on S. F. No. 980.

S. F. No. 980: A bill for an act relating to consumer protection; restricting door to door distribution of certain items; broadening enforcement powers; providing penalties; amending Minnesota Statutes 1971, Section 325.925.

Mr. Frederick moved to amend S. F. No. 980, as follows:

Page 1, line 12, delete "*deliver or*"

Which motion prevailed. So the amendment was adopted.

Mr. Tennessee moved to amend S. F. No. 980, as follows:

Page 1, line 26, strike "*A violation of this section*"

Page 1, strike line 27

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend S. F. No. 980, as follows:

After line 22 on page 1, add the following:

"Subd. 2. Any election campaign literature, brochures, letters, promises, threats, voting records, propositions, to be delivered indiscriminately door to door, shall, before being delivered, be certified as approved as to accuracy of content by the chairmen of the political party of the persuasion opposite of the political party causing the indiscriminate door to door delivery of said materials."

Renumber the remaining subdivisions accordingly

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 980 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 37 and nays 22, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Lewis	Olson, A. G.	Stokowski
Borden	Gearty	Lord	Olson, H. D.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Keefe, S.	Moe	Purfeerst	Willet
Conzemius	Kleinbaum	North	Solon	
Davies	Kowalczyk	Novak	Spear	
Doty	Laufenburger	Olhoft	Stassen	

Those who voted in the negative were:

Bang	Dunn	Josefson	Olson, J. L.	Schrom
Berg	Fitzsimons	Keefe, J.	O'Neill	Ueland
Bernhagen	Hansen, Baldy	Knutson	Pillsbury	
Blatz	Hansen, Mel	Krieger	Renneke	
Brown	Jensen	Larson	Schaaf	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 294: A bill for an act relating to labor; prescribing penalties for employers who fail to pay certain benefits and wage supplements required by law or agreement.

Mr. Ashbach moved to amend H. F. No. 294, the printed bill, as follows:

Page 1, line 1, strike "required by law or"

Page 1, line 4, strike "30" and insert "60"

Page 1, line 6, after "corporation," strike the remainder of the line and on line 7 strike "cising corresponding functions" and insert in lieu thereof "any officer who intentionally violates the provisions of this act"

Page 1, line 7, strike "each"

Which motion prevailed. So the amendment was adopted.

H. F. No. 294 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hansen, Mel	Knutson	Nelson
Ashbach	Coleman	Hughes	Kowalczyk	North
Bang	Conzemius	Humphrey	Krieger	Novak
Berg	Doty	Jensen	Larson	Ogdahl
Bernhagen	Dunn	Josefson	Laufenburger	Olhoft
Blatz	Fitzsimons	Keefe, J.	Lewis	Olson, A. G.
Borden	Frederick	Keefe, S.	Lord	Olson, H. D.
Brown	Gearty	Kirchner	McCutcheon	Olson, J. L.
Chenoweth	Hansen, Baldy	Kleinbaum	Milton	O'Neill

Perpich, A. J.	Renneke	Solon	Tennessee	Willet
Perpich, G.	Schaaf	Spear	Thorup	
Pillsbury	Schrom	Stassen	Ueland	
Purfeerst	Sillers	Stokowski	Wegener	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 548: 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 duplicative and conflicting provisions superseded by or conflicting with other provisions of laws; amending Minnesota Statutes 1971, Chapter 3, by adding a section; Chapter 46, by adding a section; Sections 9.071; 62C.14, by adding a subdivision; 124.221; 169.121, Subdivision 3; 179.68, Subdivision 3; 197.45, Subdivision 1; 412.851; 462.581; 475.-67, Subdivision 12; 490.025, Subdivisions 1 and 2; 645.023, Subdivision 2; and Laws 1969, Chapter 251, Section 2; repealing Minnesota Statutes 1971, Chapter 41; and Section 309.176.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Ogdahl	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olhoff	Solon
Bang	Frederick	Krieger	Olson, A. G.	Spear
Berg	Gerty	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	Lord	Perpich, G.	Thorup
Chmielewski	Humphrey	Milton	Pillsbury	Ueland
Coleman	Jensen	Moe	Renneke	Wegener
Conzemius	Josefson	North	Schaaf	Willet
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1638: A bill for an act relating to labor relations; charitable hospitals; amending Minnesota Statutes 1971, Section 179.35. Subdivision 2.

Mr. Solon moved to amend H. F. No. 1638, the printed bill, as follows:

Page 1, line 2, strike "university,"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1638 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Lewis	Perpich, A. J.	Stokowski
Bernhagen	Hughes	Lord	Perpich, G.	Tennessee
Blatz	Humphrey	McCutcheon	Pillsbury	Thorup
Chmielewski	Jensen	Milton	Renneke	Ueland
Coleman	Josefson	Moe	Schaaf	Wegener
Doty	Keefe, J.	Nelson	Schrom	Willet
Dunn	Knutson	North	Sillers	
Fitzsimons	Kowalczyk	Novak	Solon	
Frederick	Larson	Olhoft	Spear	

Messrs. Ashbach and Hansen, Mel, voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 21: A bill for an act relating to insurance; group hospital and medical coverage; continuation of group coverage upon termination of employment.

Mr. Novak moved to amend S. F. No. 21, as follows:

Strike everything after the enacting clause and insert:

“Section 1. [APPLICABILITY.] The provisions of this act shall apply to all group insurance policies or group subscriber contracts providing coverage for hospital and medical expense which are issued or renewed in this state after the effective date of this act. The act shall also apply to health care plans established by employers in this state through health maintenance organizations regulated under any health care maintenance organization enabling act enacted in 1973 or thereafter.

Sec. 2. Subdivision 1. [CONTINUATION OF COVERAGE.] Every group insurance policy, group subscriber contract and health care plan included within the provisions of Section 1, except policies, contracts or health care plans covering employees of an agency of the federal government, shall contain a provision which permits every eligible employee whose employment is terminated, if the policy, contract or health care plan remains in force for active employees of the employer, to elect to continue the coverage for himself and his dependents.

Subd. 2. [RESPONSIBILITY OF EMPLOYEE.] Every eligible employee electing to continue coverage shall pay his former employer, on a monthly basis, the cost of the continued coverage. The employee shall be eligible to continue the coverage until he becomes re-employed by the same or another employer, or for a period of six months after the termination of employment, whichever is shorter.

Subd. 3. [ELIGIBILITY FOR CONTINUED COVERAGE.] An employee shall be eligible to make the election for himself and his dependents provided for in subdivision 1 if:

(a) In the period preceding the termination of his employment, he and his dependents were covered through his employment by a group insurance policy, subscriber's contract or health care plan included within the provisions of Section 1;

(b) The termination of employment was for reasons other than the discontinuance of the business, bankruptcy, the employee's disability or retirement.

Subd. 4. [RESPONSIBILITY OF EMPLOYER.] After timely receipt of the monthly payment from an eligible employee, if the employer fails to make the payment to the insurer, the nonprofit health service plan corporation or the health maintenance organization, with the result that the employee's coverage is terminated, the employer shall become liable for the employee's coverage to the same extent as the insurer, the nonprofit health service plan corporation or the health maintenance organization, would be if the coverage were still in effect.

Subd. 5. Upon the termination of employment of an eligible employee, the employer shall inform the employee within five days of such termination of:

(a) his right to elect to continue the coverage;

(b) the amount he must pay monthly to the employer to retain the coverage;

(c) the manner in which and the office of the employer to which the payment to the employer must be made; and

(d) the time by which the payments to the employer must be made to retain coverage.

Such notice may be in writing and sent by first class mail to the employee's home address as shown on the records of the employer. If the employer fails to so notify the employee, the employee is conclusively presumed to elect to retain coverage and is relieved of his obligation to make monthly payments to the employer."

Which motion prevailed. So the amendment was adopted.

S. F. No. 21 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hughes	Kowalczyk	Moe
Arnold	Davies	Humphrey	Krieger	Nelson
Ashbach	Doty	Jensen	Larson	North
Bang	Dunn	Josefson	Laufenburger	Novak
Bernhagen	Fitzsimons	Keefe, J.	Lewis	Olhoff
Blatz	Gearty	Keefe, S.	Lord	Olson, A. G.
Brown	Hansen, Baldy	Kirchner	McCutcheon	Olson, H. D.
Chmielewski	Hansen, Mel	Knutson	Milton	Olson, J. L.

Perpich, A. J.	Renneke	Solon	Stokowski	Ueland
Perpich, G.	Schrom	Spear	Tennessen	Willet
Pillsbury	Sillers	Stassen	Thorup	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2247: A bill for an act authorizing the city of Saint Paul to create development districts within its 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; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Mr. North moved that the amendment made to H. F. No. 2247 by the Committee on Rules and Administration in the report adopted May 12, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

Mr. North moved to amend H. F. No. 2247 as follows:

Page 1, line 27, strike "in the central city area"

Page 1, line 31, after "of the" insert "city" and on page 1, line 32, strike "central city area"

Page 2, line 2, after "activities" insert a comma and strike "in"

Page 2, line 3, strike "the center city"

Page 3, line 18, strike "arcades,"

Page 6, line 14, strike "arcades,"

Page 6, line 28, strike "arcades,"

Page 7, line 14, strike "arcades,"

Which motion prevailed. So the amendment was adopted.

H. F. No. 2247 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Hansen, Baldy	Keefe, J.
Arnold	Brown	Doty	Hansen, Mel	Kirchner
Ashbach	Chmielewski	Dunn	Hughes	Kowalczyk
Bang	Coleman	Fitzsimons	Humphrey	Larson
Blatz	Conzemius	Gearty	Jensen	Laufenburger

Lewis	Moe	Olhoft	Renneke	Stokowski
Lord	Nelson	Olson, A. G.	Schrom	Tennessee
McCutcheon	North	Perpich, A. J.	Sillers	Thorup
Milton	Novak	Pillsbury	Solon	Ueland

Those who voted in the negative were:

Bernhagen	Josefson	Olson, J. L.	Spear	Willet
Frederick	Knutson	Perpich, G.		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1230: A bill for an act relating to Hennepin county; medical care for the poor; amending Laws 1963, Chapter 738, Section 1, Subdivision 2.

Mr. Nelson moved to amend H. F. No. 1230, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Laws 1963, Chapter 738, Section 1, is amended by adding a subdivision to read:

Subd. 8. Medical care, service and treatment may be provided, in addition to public or private hospitals as provided in subdivision 2, at such other health centers and clinics as the Hennepin county board of commissioners may determine. The county of Hennepin may finance such medical care, service and treatment at such other health centers and clinics from the general revenue fund of the county budget. Such financing at such other health centers and clinics and financed from the general revenue fund of the county budget shall not in any way affect the financing of Hennepin county general hospital or charges for medical services as otherwise provided by this act.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of the county of Hennepin, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title in line 1 after "county" but before the semicolon by inserting "general hospital; providing for medical care and treatment at various locations and providing for financing thereof" and by striking "medical care for the poor;"

In line 2 of the title strike "Subdivision 2" and insert in lieu thereof "by adding a subdivision"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1230 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Moe	Renneke
Arnold	Doty	Keefe, S.	Nelson	Schrom
Ashbach	Dunn	Knutson	North	Sillers
Bang	Fitzsimons	Kowalczyk	Novak	Solon
Berg	Frederick	Krieger	Olhoff	Spear
Bernhagen	Gearty	Larson	Olson, A. G.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Lewis	Olson, J. L.	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Milton	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1871: A bill for an act relating to the village of Roseville and the city of Brooklyn Center; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	Lord	Pillsbury
Arnold	Davies	Jensen	McCutcheon	Schrom
Ashbach	Doty	Keefe, S.	Milton	Sillers
Berg	Dunn	Knutson	Nelson	Solon
Bernhagen	Fitzsimons	Kowalczyk	North	Spear
Blatz	Frederick	Krieger	Novak	Tennessee
Borden	Gearty	Larson	Olson, H. D.	Thorup
Brown	Hansen, Baldy	Laufenburger	Perpich, A. J.	Ueland
Coleman	Hughes	Lewis	Perpich, G.	Wegener

Those who voted in the negative were:

Bang	Kirchner	Olhoff	Olson, J. L.	Stokowski
Chmielewski	Moe	Olson, A. G.	Renneke	Willet
Hansen, Mel				

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that the vote whereby S. F. No. 2356 was passed by the Senate on May 15, 1973 be now reconsidered and that S. F. No. 2356 be returned to General Orders. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. Which motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Willet imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Laufenburger	Patton	Stokowski
Arnold	Dunn	Lord	Perpich, G.	Tennessee
Berg	Hansen, Mel	Milton	Pillsbury	Wegener
Bernhagen	Hanson, R.	Moe	Purfeerst	Willet
Borden	Humphrey	Novak	Renneke	
Chenoweth	Keefe, S.	Olhoft	Schrom	
Chmielewski	Kirchner	Olson, H. D.	Sillers	
Conzemius	Kleinbaum	Olson, J. L.	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Conzemius moved that the rules of the Senate be so far suspended as to revert to Messages From the House and proceed through the Agenda, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

Senate File No. 1302 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. Borden moved that the Senate do not concur in the amendments by the House to S. F. No. 1302 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chapter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. Borden moved that the Senate do not concur in the amendments by the House to S. F. No. 1964 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 880: A bill for an act relating to taxation; sales and use tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

Senate File No. 880 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S. F. No. 880 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 880 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Conzemius	Hansen, Mel	Keefe, S.
Arnold	Chenoweth	Davies	Hanson, R.	Kirchner
Berg	Chmielewski	Dunn	Humphrey	Kleinbaum
Bernhagen	Coleman	Gearty	Keefe, J.	Knutson

Laufenburger	Nelson	Olson, J. L.	Purfeerst	Spear
Lewis	North	Patton	Renneke	Stokowski
Lord	Novak	Perpich, A. J.	Schrom	Tennessee
Milton	Olhft	Perpich, G.	Sillers	Wegener
Moe	Olson, H. D.	Pillsbury	Solon	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2119: A bill for an act relating to welfare; implementing provisions of the social security amendments of 1972; repealing certain obsolete statutory provisions; providing for the centralized disbursement of medical assistance payments; appropriating money; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 6.20; 98.47, Subdivision 8; 245.0313; 253A.15, Subdivision 11; 256.01, Subdivision 2; 256.12, Subdivision 10; 256.462, Subdivision 3; 256.935; 256.-98; 256B.02, Subdivision 3; 256B.06; 256B.09; 256B.22; 260.38; 261.03; 261.063; 261.07, Subdivision 2; 275.50, Subdivision 5; 393.06; 393.07, Subdivisions 2 and 6; 462.485; 573.02, Subdivision 1; and Chapter 256B, by adding sections; repealing Minnesota Statutes 1971, Sections 245.033; 256.11; 256.12, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 16, and 17; 256.13 to 256.23; 256.26; 256.27 to 256.461; 256.462, Subdivisions 1, 4, 5, 6, and 7; 256.463 to 256.64; 256.66 to 256.71; and 256.73, Subdivision 3.

Senate File No. 2119 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Perpich, G. moved that the Senate do now concur in the amendments by the House to S. F. No. 2119 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 2119 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Kowalczyk	Olson, J. L.	Solon
Arnold	Hanson, R.	Laufenburger	O'Neill	Spear
Berg	Hughes	Lewis	Patton	Stassen
Bernhagen	Humphrey	Lord	Perpich, A. J.	Stokowski
Chenoweth	Jensen	Milton	Perpich, G.	Tennessee
Chmielewski	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet
Dunn	Keefe, S.	North	Renneke	
Fitzsimons	Kleinbaum	Novak	Schrom	
Gearty	Knutson	Olhft	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 9.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Faricy, Ferderer and LaVoy have been appointed as such committee on the part of the House.

House File No. 9 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. Milton moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 9 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 633.

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Niehaus, Peterson and Schulz have been appointed as such committee on the part of the House.

House File No. 633 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. Renneke moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 633 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act

with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 491.

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Anderson, I.; Enebo and McFarlin have been appointed as such committee on the part of the House.

House File No. 491 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 491 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1028: A bill for an act relating to employees of the fire department of the city of Cloquet; transferring the active employees to the public employees police and fire fund and establishing trust for retired employees.

Senate File No. 1028 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 1028 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1028 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Renneke
Arnold	Dunn	Kleinbaum	Olhoft	Schaaf
Ashbach	Gearty	Knutson	Olson, A. G.	Schrom
Berg	Hansen, Mel	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Hanson, R.	Krieger	Olson, J. L.	Solon
Blatz	Hughes	Larson	O'Neill	Spear
Borden	Humphrey	Laufenburger	Patton	Stassen
Chenoweth	Jensen	Lewis	Perpich, A. J.	Stokowski
Chmielewski	Josefson	Lord	Perpich, G.	Tennessee
Coleman	Keefe, J.	Nelson	Pillsbury	Wegener
Conzemius	Keefe, S.	North	Purfeerst	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

Senate File No. 1824 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Larson moved that the Senate do now concur in the amendments by the House to S. F. No. 1824 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1824 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, A. G.	Schaaf
Arnold	Gearty	Kowalczyk	Olson, J. L.	Sillers
Berg	Hanson, R.	Larson	O'Neill	Solon
Blatz	Hughes	Lewis	Patton	Spear
Borden	Humphrey	Lord	Perpich, A. J.	Stassen
Chmielewski	Keefe, J.	Moe	Perpich, G.	Tennessee
Coleman	Keefe, S.	Nelson	Pillsbury	Willet
Conzemius	Kirchner	North	Purfeerst	
Davies	Kleinbaum	Olhoft	Renneke	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 501: A bill for an act relating to mobile homes; the taxation thereof; prohibiting the issuance of special permits to move oversize mobile homes on the highways in certain cases without certification by the county assessor that all taxes have been paid; amending Minnesota Statutes 1971, Sections 168.012, Subdivision 9; 168A.02, by adding a subdivision; and 169.86, Subdivision 1.

Senate File No. 501 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate do now concur in the amendments by the House to S. F. No. 501 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 501 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Chenoweth	Doty	Hanson, R.
Arnold	Bernhagen	Chmielewski	Dunn	Hughes
Ashbach	Blatz	Coleman	Gearty	Humphrey
Bang	Borden	Davies	Hansen, Mel	Jensen

Josefson	Larson	Novak	Perpich, G.	Spear
Keefe, J.	Laufenburger	Olhoff	Pillsbury	Stassen
Keefe, S.	Lewis	Olson, A. G.	Purfeerst	Stokowski
Kirchner	Lord	Olson, H. D.	Renneke	Tennessee
Kleinbaum	Milton	Olson, J. L.	Schaaf	Wegener
Knutson	Moe	O'Neill	Schrom	Willet
Kowalczyk	Nelson	Patton	Sillers	
Krieger	North	Perpich, A. J.	Solon	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 899, 979, 226, 1872, 261, 752, 962, 1025, 137, 415, 1296 and 1941.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1297, 2303, 266, 1697, 1944, 2393, 2065, and 53.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 15, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 118, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 118: A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

Senate File No. 118 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 266: A bill for an act relating to education; providing for loans to medical students who agree to practice in rural communities; providing for the issuance of revenue bonds; appropriating money.

H. F. No. 1697: A bill for an act relating to the city of Wheaton; authorizing special tax treatment for real properties used for recreational swimming.

H. F. No. 1944: A bill for an act relating to handicapped persons; establishing and prescribing duties of the Minnesota commission for the handicapped; transferring certain powers and duties to the commission; appropriating money; repealing Minnesota Statutes 1971, Sections 4.08 and 121.34.

H. F. No. 2393: A bill for an act relating to St. Louis county; providing for its tax levy for health purposes; amending Laws 1967, Chapter 501, Section 1.

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.

H. F. No. 2303: A bill for an act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.

H. F. No. 53: A bill for an act relating to municipalities; building officials instructional courses; appropriating money; amending Minnesota Statutes 1971, Section 16.861, Subdivision 3, by adding a subdivision.

Which were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 1297: A bill for an act relating to taxation; excise tax on gasoline; certain unrefunded taxes; providing for the distribution and use of unrefunded taxes used for snowmobile purposes; appropriating money; amending Minnesota Statutes 1971, Section 296.16, Subdivision 1; 296.18, Subdivision 1; and 296.421, by adding subdivisions.

Mr. Olson, A. G. moved that H. F. No. 1297 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of those pertaining to appointments. Which motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which were re-referred the following appointments:

POLLUTION CONTROL AGENCY

Steve J. Gadler, 2120 Carter Avenue, St. Paul, Ramsey County, appointed effective April 2, 1973, for a term expiring February 15, 1977.

Burton Genis, 5941 29th Place North, Crystal, Hennepin County, appointed effective April 2, 1973, for a term expiring February 15, 1977.

Joseph Grinnell, 6101 Idylwood Drive, Edina, Hennepin County, appointed effective April 2, 1973, for a term expiring February 15, 1977.

Art Engelbrecht, Rural Route 4, Alexandria, Douglas County, appointed effective April 2, 1973, for a term expiring February 15, 1977.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing Committee report be laid on the table. Which motion prevailed.

Mr. Hughes from the Committee on Education, to which were referred the following appointments:

HIGHER EDUCATION COORDINATING COMMISSION

Mrs. Eunice Johnson, Rural Route, Butterfield, Watonwan County, appointed effective April 3, 1973, for a term expiring February 15, 1977.

Mrs. Mary Schertler, 875 Clear Avenue, St. Paul, Ramsey County, appointed effective April 3, 1973, for a term expiring February 15, 1977.

Carl Kroening, 3539 Vincent Avenue, North, Minneapolis, Hennepin County, appointed effective April 3, 1973, for a term expiring February 15, 1977.

Emil A. Erickson, 1009 Third Street South, Virginia, St. Louis County, appointed effective April 3, 1973, for a term expiring February 15, 1977.

Mrs. Judy Hamilton, 11309 Timberline Road, Minnetonka, Hennepin County, appointed effective April 8, 1973, for a term expiring February 15, 1975.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing Committee report be laid on the table. Which motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1263: A bill for an act relating to the Minnesota highway patrolmen's retirement association; amending Minnesota Statutes 1971, Section 352B.08, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Section 352B.02, is amended to read:

352B.02 [RETIREMENT ASSOCIATION.] *Subdivision 1.* There is hereby established a highway patrolmen's retirement

association, the membership of which shall consist of highway patrolmen all persons defined in section 352B.01, subdivision 2. Every highway patrolman who is employed by the state of Minnesota, as such, on July 1, 1943, and every person employed as a patrolman thereafter, shall become a member of this association. Each patrolman member while in the service of the state highway patrol shall pay a sum equal to seven ~~eight~~ percent of his monthly salary. Such amounts shall be deducted monthly by the commissioner of public safety department head, who shall cause the total amount of said monthly deductions to be paid to the state treasurer, and shall cause a detailed report of all monthly deductions to be made each month to the secretary of the association. In addition thereto, there shall be paid out of highway state funds, monthly, by the commissioner of public safety department heads, a sum equal to ~~11.2~~ 12 percent of the salary upon which deductions were made, and a sum equal to ~~eight~~ ten percent of the salaries upon which deductions were made for the purpose of amortizing the actuarial deficit of the fund, the same to be credited to the highway patrolmen's retirement fund created by Laws 1943, Chapter 637. All moneys received by said association shall be deposited by the state treasurer in the highway patrolmen's retirement fund created by Laws 1943, Chapter 637. Out of said fund shall be paid the expenses of the association, and the benefits and annuities as hereinafter provided.

Subd. 2. The assets, obligations, liabilities, books, papers and records of the state police officers' retirement fund heretofore transferred to the highway patrolmen's retirement association are assets, obligations, liabilities, books, papers and records of the highway patrolmen's retirement association.

Sec. 2. Minnesota Statutes 1971, Section 352B.08, Subdivision 2, is amended to read:

Subd. 2. The annuity shall be paid in monthly installments equal to that portion of the average monthly salary of the annuitant as a patrolman from which deductions were made for contribution to either fund, member multiplied by two and one-half percent for each year of service not exceeding 20 and two percent for each year of service in excess of 20. for purposes of this subdivision, that portion of the monthly salary of an annuitant from which such deductions were made for the period before June 4, 1969, shall be treated as \$500. Effective June 1, 1973, "average monthly salary" shall mean the average of the monthly salaries for the five high years of service as a member. The monthly salary for the period prior to July 2, 1969 shall be deemed to be \$600. In lieu of the life annuity herein provided, the patrolman member or former member with 20 years or more of service may elect a joint and survivor annuity payable to his surviving spouse during her natural life, adjusted to the actuarial equivalent value of such life annuity. The joint and survivor annuity elected by a patrolman member may also provide that the elected annuity be reinstated to the life annuity herein provided, if after drawing the elected joint and survivor annuity, the surviving spouse dies prior to the death of the patrolman member

This reinstatement shall not be retroactive but shall be in effect for the first full month subsequent to the death of the surviving spouse. This additional joint and survivor option with reinstatement clause shall be adjusted to the actuarial equivalent value of a regular life annuity. The ~~patrolman~~ *member* with 20 years or more of service may elect a joint and survivor annuity at any age but payable only on or after his 55th birthdate.

Sec. 3. Minnesota Statutes 1971, Section 352B.10, is amended to read:

352B.10 [DISABILITY BENEFITS.] (1) Any ~~patrolman~~ *member* less than 55 years of age, who shall become disabled and physically unfit to perform his duties as ~~such subsequent to the effective date of Laws 1943, Chapter 637~~ as a direct result of an injury, sickness, or other disability incurred in or arising out of any act of duty, which shall render him physically or mentally unable to perform his duties as ~~such highway patrolman~~, shall receive disability benefits during the period of such disability. The benefits shall be paid in monthly installments equal to that portion of the average monthly salary of the beneficiary as a ~~patrolman from which deductions were made for contribution to the state employees' retirement fund and highway patrolmen's retirement fund,~~ multiplied (a) by 50 percent and, (b) by an additional two percent for each year of service in excess of 20. ~~For purposes of this section, that portion of the monthly salary of an annuitant from which such deductions were made for the period before June 4, 1959, shall be treated as \$600.~~

(2) If a ~~patrolman~~, as described in clause (1), ~~member~~ is injured under circumstances which entitle him to receive benefits under the Workmen's Compensation Law, he shall receive the same benefits as provided in clause (1), less the amount paid to him in weekly benefits under the Workmen's Compensation Law.

(3) Any ~~patrolman~~ *member* who after not less than five years of service, before reaching the age of 55, ~~retires terminates his employment~~ because of sickness or injury occurring while not on duty and not engaged in state ~~highway patrol~~ work ~~entitling him to membership in the association~~, and the ~~retirement termination~~ is necessary because the ~~patrolman~~ *member* is unable to perform ~~state highway patrol~~ his duties shall be entitled to receive a ~~life annuity disability benefit~~. The ~~annuity benefit~~ shall be in the same amount and paid in the same manner as if the annuitant were 55 years of age at the date of his disability and the annuity were paid pursuant to section 352B.08. Should disability under this clause occur after five but in less than ten years service, the disability benefit shall be the same as though the ~~patrolman~~ *member* had at least ten years service.

(4) No ~~patrolman~~ *member* shall receive any disability benefit payment when there remains to his credit unused annual leave or sick leave or under any other circumstances, when during the period of disability there has been no impairment of his salary and should such ~~patrolman~~ *member* or former member resume a gainful occupation and his earnings are less than his salary

at the date of disability or the salary currently paid for similar positions, the association shall continue the disability benefit in an amount which when added to such earnings does not exceed his salary at the date of disability or the salary currently paid for similar positions, whichever is higher, provided the disability benefit in such case does not exceed the disability benefit originally allowed.

(5) No disability benefit payment shall be made except upon adequate proof furnished to the association of the existence of such disability, and during the time when any such benefits are being paid, the association shall have the right, at reasonable times, to require the disabled ~~patrolman~~ *former member* to submit proof of the continuance of the disability claimed.

Sec. 4. Minnesota Statutes 1971, Section 352B.11, Subdivision 2, is amended to read:

Subd. 2. [DEATH; PAYMENT TO SPOUSE AND CHILDREN.] In the event any ~~patrolman~~ who is a member of the association, and serving actively as a ~~patrolman~~, *member* shall die from any cause, the association shall grant annuities or benefit payments from the retirement fund to ~~any widow who was his legally married wife, residing with him at the time of his death and who was married to him, for a period of at least one year, while or prior to the time he was an active member of the association, his surviving spouse~~ and to a *dependent child or dependent children*. ~~under the age of 18 years who were living while the deceased patrolman was an active member of the association,~~ *The widow surviving spouse and dependent child or dependent children shall be entitled to annuity as follows:*

(a) To the ~~widow surviving spouse~~, for her natural life, a monthly annuity equal to 20 percent of that portion of the average monthly salary of the decedent as a ~~patrolman member~~ from which deductions were made for ~~contribution retirement to the state employees' retirement fund and highway patrolmen's retirement fund.~~ For purposes of this clause, the monthly salary of a decedent from which such deductions were made for the period before June 4, 1969, shall be treated as \$600. If the ~~widow surviving spouse~~ remarries, the annuity shall cease as of the date of the remarriage. The ~~widow surviving spouse~~ of a ~~patrolman former member~~ who, after attaining 55 years of age, elected to receive a joint and survivor annuity, shall, notwithstanding her remarriage, receive such joint and survivor annuity, for her natural life, in lieu of the ~~widow's~~ annuity prescribed by this subdivision. In the event such ~~patrolman former member~~ did not elect to receive a joint and survivor annuity his ~~widow surviving spouse~~ shall receive the ~~widow's~~ annuity provided herein.

(b) *Notwithstanding the provisions of clause (a), the surviving spouse of any member who had served for 20 years or more and who was not 55 years of age at his death, shall receive the benefit equal to 20 percent of the average monthly salary as described in clause (a) until the deceased member would have reached his 55th birthday, and beginning the first of the month following*

that date, she shall be entitled to receive the joint and survivor annuity designated as Option 1 under the administrative procedure of the association dated November 1, 1965. If the surviving spouse remarries prior to the deceased member's 55th birthday, all benefits or annuities shall cease as of the date of remarriage. The provisions of this clause shall be retroactive to July 1, 1969, but no payments shall be made until July 1, 1973.

(b) (c) To each ~~unmarried~~ dependent child, until the child reaches the age of 18 years, a monthly annuity equal to eight ten percent of that portion of the average monthly salary of the decedent as a ~~patrolman former member~~ from which deductions were made for ~~contribution retirement to the state employees' retirement fund and highway patrolman's retirement fund.~~ For purposes of this clause, the monthly salary of a decedent from which such deductions were made for the period before June 4, 1969, shall be treated as \$200. A dependent child over the age of 18 years and under the age of 22 years also may receive the monthly benefit provided herein, if said child is continuously attending an accredited school as a full-time student during the normal school year as determined by the board of the fund. If said child does not continuously attend school but separates himself during any portion of a school year, the annuity shall cease at the end of the month of separation. In addition, the association shall make a payment of \$20 per month to be prorated equally to such children when the ~~patrolman former member~~ is survived by one or more dependent children. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the widow surviving spouse, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed ~~\$200~~ \$400 for any number of children. The provisions of this clause are effective retroactively to March 1, 1967, provided that the increase in the maximum monthly benefit shall not take effect until July 1, 1973; and provided further that the increase in the maximum monthly benefit from \$200 to \$400 shall not be effective retroactively.

(e) In the event that a patrolman died after July 1, 1943, and prior to the effective date of Laws 1957, Chapter 869, who, at the time of his death was an active member of the association and who was survived by his widow, such widow shall receive during the time she remains unmarried an amount in the sum of 23 percent of the salary of the highest paid patrol officer as defined by law, per month for her natural life, to be paid monthly by the association commencing upon the effective date of Laws 1957, Chapter 869.

(d) If the ~~patrolman member~~ shall die under circumstances which entitle his widow surviving spouse and dependent children to receive benefits under the Workmen's Compensation Law, the amounts so received by them shall not be deducted from the benefits payable under this section. The provisions of this clause are effective retroactively to June 30, 1964.

(e) In the event any ~~patrolman former member~~ who had separated from service prior to having completed 20 years of

service except ~~patrolmen~~ former members permanently disabled in performance of duty and was not employed as a ~~patrolman~~ by the state in a capacity entitling him to accumulate allowable service credit at the time of his death, his widow and children or heirs shall be entitled to receive any funds he may have left on deposit in the highway patrolmen's retirement fund, but shall receive no further benefits under ~~Laws 1957, Chapter 860~~ this chapter .

Sec. 5. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.261] [RETIREMENT BENEFIT INCREASE.] *The benefits payable from the Minnesota adjustable fixed benefit fund authorized and in effect on May 31, 1973 shall be increased in the same ratio that the actuarially computed reserve for such benefits determined by using an interest assumption of three and one-half percent bears to the actuarially computed reserve for such benefits determined by using an interest assumption of five percent. The reserves upon which such increase shall be based shall be the actuarially determined reserve for benefits in effect at June 30, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of three and one-half percent and five percent. Such ratio of increase computed to the last full one 1/100 of one percent shall be applied to benefits in effect on May 31, 1973 and shall begin to accrue July 1, 1973. Notwithstanding section 356.18, increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the highway patrolmen's retirement association requesting that the increase shall not be made.*

Sec. 6. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.28] [WIDOWS BENEFITS.] *Subdivision 1. Upon the death of any highway patrolman who retired or separated from state service prior to July 1, 1965, his widow, if she was legally married to him during his service as a partolman and residing with him at the time of death, shall receive for life an annuity of \$125 per month.*

Subd. 2. The annuity of a widow of a member of the highway patrol who retired or separated from active service prior to July 1, 1965, and the widow of a highway patrolman who dies in service prior to the effective date of Laws 1969, Chapter 693, and who on the effective date of this act is receiving an annuity of less than \$125 per month, shall thereafter be increased to \$125 per month.

Subd. 3. The annuity of a widow currently receiving an annuity by way of the state police officers retirement fund where there was no option of eligibility, shall on the effective date of this act be increased to \$125 per month.

Subd. 4. The annuity of any widow granted or supplemented

by this section shall cease in the event of remarriage of the recipient.

Sec. 7. *Notwithstanding other provisions of chapters 352 and 352B as amended, effective July 1, 1973, all powers, duties, responsibilities, books, papers and records of the highway patrolmen's retirement association and of the officers of the highway patrolmen's retirement association are hereby transferred to the Minnesota state retirement system. The officers of the highway patrolmen's retirement association as constituted under chapter 352B as amended are hereby abolished. The members of the highway patrolmen's retirement association shall elect one of their membership to serve as a member of the board of directors of the Minnesota state retirement system. Such member shall be in addition to the board of directors as constituted under chapter 352 and shall serve for a term of four years. The election of such member shall be at a time and in a manner as prescribed by the board. The chief of the highway patrol shall serve as the board member until a member is duly elected.*

Sec. 8. *Unless otherwise specifically provided this act is effective the day following the final enactment."*

Further, amend the title as follows:

Strike line 5, and insert in lieu thereof "Sections 352B.02; 352B.08, Subdivision 2; 352B.10; 352B.11, Subdivision 2; and Chapter 352B, by adding sections."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 185: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 27, after period strike balance of line

Page 1, strike lines 28 and 29

Page 1, strike "\$6,000 per year." and insert the following:

"Assistance may be granted in the amount that the commission determines sufficient for the purpose of this act, not to exceed \$6,000 per year. Loans shall be renewed on an annual basis contingent on the good standing of the student in the program. No student shall receive loans to exceed \$24,000."

Page 2, strike lines 4 through 6 and insert the following:

"Sec. 2. The higher education coordinating commission is au-

thorized to issue revenue bonds in accordance with the provisions on revenue bonds for student loans in Minnesota Statutes, Chapter 136A for the purpose of securing funds necessary for loans for up to a maximum of 20 recipients as authorized by this act.

Sec. 3. Subdivision 1. The commission shall maintain a reserve fund for the purpose of repaying loans which are cancelled under the provisions of this act or which are not collectible as due. The reserve funds may be held and may be invested by the commission in accordance with provisions on investment of reserves for student loans in Minnesota Statutes, Chapter 136A.

Subd. 2. If there are insufficient monies in the reserve funds to repay loans made under this act which are cancelled or uncollectible as due, there is hereby appropriated to the commission from any monies in the state treasury not otherwise appropriated, such monies as are required to meet the deficiencies. The amount of the appropriation made by these provisions shall be certified by the executive director of the higher education coordinating commission to the state auditor whenever the appropriation shall be necessary.

Sec. 4. The sum of \$100,000 is hereby appropriated from the general fund of the state treasury for the biennium beginning July 1, 1973. The appropriation shall be used for a reserve fund for repayment of cancelled or uncollectible loans made in accordance with the provisions of this act.

Sec. 5. The state board of medical examiners shall make recommendations to the commission with respect to areas of need and applicants for assistance."

Page 2, line 7, renumber "Sec. 3" as "Sec. 6" and strike "becomes" and insert "is"

Further amend the title as follows:

Page 1, line 5, after "communities;" insert "authorizing the issuance of revenue bonds;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1473: A bill for an act abolishing the legislative buildings commission; transferring the commission's functions, powers and duties to the legislative advisory committee; repealing Minnesota Statutes 1971, Sections 3.421 to 3.471.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, strike lines 5 through 16 and insert in lieu thereof:

"Subd. 2. All functions, powers and duties heretofore imposed upon, vested in and exercised by the legislative buildings commission are hereby transferred to, imposed upon and vested in the chairmen of

the Minnesota house of representatives appropriations committee and the Minnesota senate finance committee. Such functions, powers and duties shall be exercised jointly by said chairmen, who may delegate such powers and duties to chairmen of appropriate subcommittees.

Subd. 3. The committee chairmen referred to in subdivision 2 shall be deemed and held to constitute a continuation of the legislative buildings commission as to matters within the commission's jurisdiction, and not a new authority, for purpose of succession to all rights, powers, duties and obligations of the commission as constituted at the time of the transfer of functions, with the same force and effect as if such functions, powers and duties had not been assigned or transferred.

Subd. 4. Any proceeding, court action, prosecution or other business or matter undertaken or commenced prior to the effective date of this act by the legislative buildings commission may be conducted and completed by the committee chairmen referred to in subdivision 2.

Subd. 5. The legislative buildings commission shall transfer and deliver to the committee chairmen referred to in subdivision 2 all property of every description within its control. Said chairmen are hereby authorized to take possession of such property."

Page 2, strike lines 1 through 4

Further amend the title as follows:

In the second line of the title, strike "legislative advisory committee" and insert in lieu thereof "chairmen of the house appropriations committee and the senate finance committee"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 1283: A bill for an act relating to cable communications; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 161.45, Subdivision 1; and 222.37, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 6, strike "*state planning agency*" and insert in lieu thereof "*department of administration*"

Page 6, line 7, strike "*state planning agency*" and insert in lieu thereof "*department of administration*"

Page 7, line 12, strike "*state planning agency*" and insert in lieu thereof "*department of administration*"

Page 17, line 18, after "*commission*" insert "*, provided that in no case shall the amount collected pursuant to this section diminish the amount collected by the municipality from the cable communications company*"

Page 35, line 17, after "\$" insert "300,000"

Page 35, line 18 and 19, strike "*state planning agency*" and insert in lieu thereof "*department of administration*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 3, line 32, strike "protection goals" and insert in lieu thereof "policies".

Page 3, line 36, strike "When" and insert in lieu thereof "Effective 60 days following the adoption of agency guidelines as provided in subdivision 3 of this section, when"

Page 4, line 1, strike "or environmental protection problem" and insert in lieu thereof, "problem or be inconsistent with state environmental policies,"

Page 4, line 8, strike "prepare" and insert in lieu thereof "adopt".

Page 4, line 9, after "review" strike the period and add "after notice and hearing as provided in Minnesota Statutes, Chapter 15."

Page 4, line 12, after "cause." insert, "The Agency shall keep the samples and information confidential if the person submitting them certifies that disclosure of said samples and information would affect the competitive position of the person."

Page 4, line 31, after "imposed by this section." add "The exemption shall terminate upon expiration of the contract."

Page 5, line 8, strike "July 1, 1974" and insert in lieu thereof "September 1, 1973"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1541: A bill for an act relating to highway traffic regulations; vehicle lighting; requiring use of lighted lamps under certain conditions; amending Minnesota Statutes 1971, Section 169.48.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to

which were referred H. F. Nos. 53, 2303, 266, 1697, 2393, 2087, 1168, 1372 and 2438 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 53, 266 and 2303 to the Committee on Finance.

H. F. No. 2393 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1697 to the Committee on Taxes and Tax Laws.

The following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2438	2356				
2087	2097				

And that the above Senate Files be indefinitely postponed.

The following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1168	1193				
1372	1448				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1168 be amended as follows:

Page 1, delete all the underscored language in lines 11 through 17 and insert in lieu thereof the following:

“either:

(1) Any roll of tobacco wrapped in paper or in a substance not containing tobacco; or

(2) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, size, the type of tobacco used in the filler, or its packaging and labeling is likely to be offered to, or purchased by, consumers as a cigarette described in clause (1) above”

And when so amended, H. F. No. 1168 will be identical to S. F. No. 1193 and further recommends that H. F. No. 1168 be given its second reading and substituted for S. F. No. 1193 and S. F. No. 1193 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1372 be amended as follows:

Page 1, strike lines 20 through 36

Page 2, strike lines 1 through 28

Page 3, strike lines 1 through 28

Page 4, strike lines 1 through 27 and insert in lieu thereof:

“Section 1. Subdivision 1. [CREATION.] There is hereby created the Minnesota corrections authority consisting of five full time members; four of whom shall be appointed by the governor, with the advice and consent of the senate. No more than two members appointed by the governor shall belong to the same political party. Appointments to a vacancy shall be made in the same manner as other appointments, and shall be for the unexpired term. The chairman of the authority shall be an officer of the department of corrections in the unclassified service of the state appointed by the commissioner of corrections to serve at his pleasure.

Subd. 2. [QUALIFICATIONS.] Candidates for appointment to the Minnesota corrections authority shall not be required to have specific or professional attainment, but shall be selected on the basis of sound judgment and the ability to consider both the needs of persons over whom the authority has jurisdiction and the safety of the public. Among the members appointed by the governor, there shall be at least one woman, one man, and one member of a racial minority.

Subd. 3. [TERM OF OFFICE.] The members of the authority first appointed by the governor shall be appointed to serve for the following terms: one member for two years; one member for four years; and two members for six years. Thereafter, each gubernatorial appointment shall be for six years. Members shall be eligible for reappointment. Each term shall terminate on the first day of January; except that it shall continue until his successor has been duly appointed and qualified.

Subd. 4. [COMPENSATION; EXPENSES.] Each member of the authority other than the chairman shall receive as compensation the sum of \$20,000 per year, payable in the same manner as other employees of the state. The chairman of the authority shall receive as compensation his salary as an officer of the department of corrections, which shall not be less than the salary of the other members of the authority. In addition to the compensation herein provided, each member of the authority shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties in the same manner as other employees of the state. This compensation and these expenses shall be paid out of the general fund in the same manner as the salaries and expenses of other state officers are paid, except that the salary and expenses of the chairman of the authority shall be paid out of funds appropriated to the commissioner of corrections.

Subd. 5. [REMOVAL.] The governor may remove any member of the authority appointed by him for good cause shown after the submission of written charges and an opportunity to be heard.

Subd. 6. [QUORUM.] Except for the parole of persons serving life sentences under the provisions of section 609.185, persons serving extended terms of imprisonment as dangerous offenders under section 609.16, a transfer of a person in the care and custody of

the authority under the provisions of section 242.27, or the discharge of such person pursuant to section 242.31, the authority may sit in units of two or three as designated by the chairman under rules prescribed by the authority, and such a unit shall constitute a quorum.

Subd. 7. [TRANSFER OF POWERS AND DUTIES.] All the powers and duties now vested in and imposed upon the youth conservation commission and the adult corrections commission as now constituted, including but not limited to those relating to the disposition of persons committed to the youth conservation commission by the district courts of this state, the granting or revoking of probation or parole, issuing final discharge, and the power to grant or revoke parole and issue final discharge to persons convicted of crime and committed to the adult corrections commission as now constituted are hereby vested in and imposed upon the corrections authority, and the youth conservation commission and the adult corrections commission are hereby abolished. The authority may not delegate the making of such decisions to another body or person.

Subd. 8. [REFERENCES.] All references in Minnesota Statutes to the youth conservation commission relating to persons committed to the commission by the district courts of this state shall, after the effective date of this act, be deemed to refer to the Minnesota corrections authority established by this act.

All references in Minnesota Statutes to the youth conservation commission or its director relating to juveniles adjudicated delinquent by the juvenile courts of this state shall, after the effective date of this act be deemed to refer to the commissioner of corrections."

Page 11, line 1, delete "home of" and insert in lieu thereof "child's home or guardian"

Page 11, line 2, delete "his parents or guardian"

Page 11, line 6, after "in" and before "foster" insert "a"

And when so amended, H. F. No. 1372 will be identical to S. F. No. 1448 and further recommends that H. F. No. 1372 be given its second reading and substituted for S. F. No. 1448 and S. F. No. 1448 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 185 and 1283 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2438, 2087, 1168, 1372, 1473 and 1821 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that S. F. No. 765 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S F. NO. 765

A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

May 15, 1973

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. 765, 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. 765 be amended as follows:

Page 1, line 18, after "REGULATIONS" and before "." insert "ABOVE THE MOUTH OF THE SNAKE RIVER"

Page 1, line 20, after "90-542" and before "of" insert "and Public Law 92-560"

Page 1, line 23, after "90-542" and before "," insert "and Public Law 92-560"

Page 1, line 29, after "West." and before "Rules" insert:

"Subd. 3. [REGULATIONS BELOW THE MOUTH OF THE SNAKE RIVER.] After October 1, 1974, if the commissioner of natural resources has not established regulations relating to the use of watercraft on that part of the St. Croix river south of the mouth of the Snake river but north of the nine foot navigational channel at mile 24.5, measured from the mouth of the St. Croix river, pursuant to the request of a local governmental unit in the manner provided by Minnesota Statutes, Section 361.26, he may establish such regulations pursuant to section 361.26 notwithstanding the absence of a request from a local governmental unit and notwithstanding the absence of approval of the regulations by a majority of the counties affected.

Subd. 4. [CONCURRENT REGULATIONS REQUIRED.]"

Page 1, line 30, after "commissioner" and before "are" insert "pursuant to this act"

Page 2, line 8, strike "3" and insert in lieu thereof "5"

Further amend the title in line 4 by striking "motorboats" and inserting in lieu thereof "watercraft"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Jerald C. Anderson and Florian Chmielewski.

House Conferees: (Signed) Phyllis Kahn, Rodney Searle and Fred Norton.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and resolutions. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that S. F. No. 609 now on the Senate Calendar be returned to its author. Which motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 615: A bill for an act relating to commerce; gasoline and fuel oil sales regulations; providing for report to the governor on energy sources; providing penalties.

Was read the third time.

With the unanimous consent of the Senate, Mr. Olson, A. G. moved to amend S. F. No. 615 as follows:

Strike everything after the enacting clause and insert:

“Section 1. Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act shall have the meanings given them.

Subd. 2. [SUPPLIER.] “Supplier” means any person engaged in the business of importing, storing, or generating energy sources in Minnesota. This definition shall not apply to distributors, jobbers, or dealers of petroleum products.

Subd. 3. [ENERGY.] “Energy supplies”, or “Energy sources” means gasoline, fuel oil, natural gas, propane, coal, special fuels, and electricity.

Sec. 2. [INFORMATION.] Subdivision 1. The governor may require or, with the assistance of the attorney general, subpoena from any supplier or energy source any information pertaining to the supply and distribution of energy sources to be used within the state. The information shall be furnished within the times specified by the governor.

Subd. 2. For the six-month periods beginning on April 1 and October 1 of each year, each such energy supplier shall file a statement which indicates any anticipated change in quantity of energy sources which he will supply for that six-month period. The statement shall be filed at least six months prior to the beginning of any reporting period. If at any time subsequent

to filing the statement, the supplier receives any additional information affecting the accuracy of the statement, he shall amend the statement within 15 days of receiving the information. Included in the statement shall be an explanation of the causes for the changes in distribution patterns.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to commerce; fuel information report to the governor on energy sources; providing subpoena power."

Which motion prevailed. So the amendment was adopted.

S. F. No. 615 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Arnold	Dunn	Kleinbaum	Olhoft	Sillers
Ashbach	Gearly	Kowalczyk	Olson, A. G.	Solon
Bang	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Berg	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hanson, R.	Lewis	O'Neill	Tennessee
Blatz	Hughes	Lord	Patton	Ueland
Borden	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Jensen	Milton	Perpich, G.	Willet
Chmielewski	Josefson	Moe	Purfeerst	
Coleman	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Messrs. Frederick, Knutson, Krieger and Pillsbury voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 40, Mr. Bang moved that H. F. No. 469 be withdrawn from the Committee on Labor and Commerce and placed on General Orders.

CALL OF THE SENATE

Mr. Bang imposed a call of the Senate. The following Senators answered to their names:

Anderson	Chenoweth	Frederick	Jensen	Kowalczyk
Ashbach	Chmielewski	Gearly	Josefson	Krieger
Bang	Coleman	Hansen, Baldy	Keefe, J.	Larson
Berg	Davies	Hansen, Mel	Keefe, S.	Laufenburger
Bernhagen	Doty	Hanson, R.	Kirchner	Lewis
Blatz	Dunn	Hughes	Kleinbaum	Lord
Borden	Fitzsimons	Humphrey	Knutson	McCutcheon

Milton	Olhoft	Perpich, A. J.	Schrom	Tennessee
Moe	Olson, A. G.	Perpich, G.	Solon	Thorup
Nelson	Olson, H. D.	Pillsbury	Spear	Willet
North	Olson, J. L.	Purfeerst	Stassen	
Ogdahl	Patton	Renneke	Stokowski	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on adoption of the motion of Mr. Bang,

And the roll being called, there were yeas 24 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Krieger	Renneke
Bang	Fitzsimons	Keefe, J.	Nelson	Sillers
Berg	Frederick	Kirchner	O'Neill	Stassen
Bernhagen	Hansen, Mel	Knutson	Patton	Ueland
Brown	Hanson, R.	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olhoft	Solon
Arnold	Gearty	Lewis	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Borden	Hughes	McCutcheon	Olson, J. L.	Tennessee
Chenoweth	Humphrey	Milton	Perpich, A. J.	Thorup
Chmielewski	Jensen	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	North	Purfeerst	Willet
Conzemius	Kleinbaum	Novak	Schaaf	
Davies	Larson	Ogdahl	Schrom	

Which motion did not prevail.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that S. F. No. 2485 be withdrawn from the Committee on Rules and Administration and placed on General Orders.

The question being taken on the adoption of the motion,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Ogdahl	Sillers
Bang	Frederick	Kirchner	Olson, J. L.	Stassen
Berg	Hansen, Mel	Knutson	O'Neill	Ueland
Bernhagen	Hanson, R.	Kowalczyk	Patton	
Blatz	Jensen	Krieger	Pillsbury	
Dunn	Josefson	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Chenoweth	Conzemius	Gearty	Humphrey
Arnold	Chmielewski	Davies	Hansen, Baldy	Keefe, S.
Borden	Coleman	Doty	Hughes	Kleinbaum

Laufenburger	Moe	Olson, H. D.	Schrcm	Thorup
Lewis	North	Perpich, A. J.	Solon	Wegener
Lord	Novak	Perpich, G.	Spear	Willet
McCutcheon	Olhoft	Purfeerst	Stokowski	
Milton	Olson, A. G.	Schaaf	Tennessee	

Which motion did not prevail.

MEMBERS EXCUSED

Mr. Bang was excused from the first hour of tomorrow's Session. Mr. Nelson was excused from tomorrow's Session, beginning at 11:30 o'clock a.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, May 16, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-SECOND DAY

St. Paul, Minnesota, Wednesday, May 16, 1973.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Keefe, S.	Milton	Schaaf
Arnold	Frederick	Kirchner	North	Schrom
Ashbach	Gearty	Kleinbaum	Ogdahl	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Mel	Larson	Olson, H. D.	Spear
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Humphrey	Lewis	Perpich, A. J.	Thorup
Chmielewski	Jensen	Lord	Perpich, G.	Ueland
Coleman	Keefe, J.	McCutcheon	Pillsbury	Wegener

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Ogdahl	Schrom
Berg	Gearty	Kowalczyk	Olhoft	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Blatz	Hansen, Mel	Larson	Olson, H. D.	Spear
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Chenoweth	Hughes	Lewis	O'Neill	Stokowski
Chmielewski	Humphrey	Lord	Patton	Tennessee
Coleman	Jensen	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willett

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Doty and Borden were excused from the Session of this morning. Mr. Bang was excused from the first hour of this morning's Session. Mr. Nelson was excused from the Session of today, beginning at 11:30 o'clock a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 15, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 6, An act relating to real estate; liens for improvements thereto; extent and amount thereof; requiring notice to owners; prescribing penalties; amending Minnesota Statutes 1971, Sections 514.01; 514.03; 514.05; 514.07; 514.08; and 514.11; and Chapter 514, by adding a section.

Sincerely,

Wendell R. Anderson, Governor

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
454		Res. #6		May 11, 1973
626		Res. #7		May 11, 1973
	803	Res. #8		May 11, 1973
	7	Chapter 204	May 11, 1973	May 11, 1973
	267	Chapter 205	May 11, 1973	May 11, 1973
	678	Chapter 206	May 11, 1973	May 11, 1973
	694	Chapter 207	May 11, 1973	May 11, 1973
	723	Chapter 208	May 11, 1973	May 11, 1973
	864	Chapter 209	May 11, 1973	May 11, 1973
	1162	Chapter 210	May 11, 1973	May 11, 1973
	1201	Chapter 211	May 11, 1973	May 11, 1973
	1433	Chapter 212	May 11, 1973	May 11, 1973
	1434	Chapter 213	May 11, 1973	May 11, 1973
	1590	Chapter 214	May 11, 1973	May 11, 1973
	1624	Chapter 215	May 11, 1973	May 11, 1973
531		Chapter 216	May 11, 1973	May 11, 1973
613		Chapter 217	May 11, 1973	May 11, 1973
627		Chapter 218	May 11, 1973	May 11, 1973
632		Chapter 219	May 11, 1973	May 11, 1973
667		Chapter 220	May 11, 1973	May 11, 1973

912	Chapter 221	May 11, 1973	May 11, 1973
1013	Chapter 222	May 11, 1973	May 11, 1973
1056	Chapter 223	May 11, 1973	May 11, 1973

Sincerely,
Arlen Erdahl
Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
1073		Chapter 224	May 11, 1973	May 11, 1973
1080		Chapter 225	May 11, 1973	May 11, 1973
1092		Chapter 226	May 11, 1973	May 11, 1973
1124		Chapter 227	May 11, 1973	May 11, 1973
1187		Chapter 228	May 11, 1973	May 11, 1973
1287		Chapter 229	May 11, 1973	May 11, 1973
1354		Chapter 230	May 11, 1973	May 11, 1973
1377		Chapter 231	May 11, 1973	May 11, 1973
1386		Chapter 232	May 11, 1973	May 11, 1973
1401		Chapter 233	May 11, 1973	May 11, 1973
1503		Chapter 234	May 11, 1973	May 11, 1973
1507		Chapter 235	May 11, 1973	May 11, 1973
1559		Chapter 236	May 11, 1973	May 11, 1973
1583		Chapter 237	May 11, 1973	May 11, 1973
1584		Chapter 238	May 11, 1973	May 11, 1973
1593		Chapter 239	May 11, 1973	May 11, 1973
1594		Chapter 240	May 11, 1973	May 11, 1973
1622		Chapter 241	May 11, 1973	May 11, 1973
1627		Chapter 242	May 11, 1973	May 11, 1973
1695		Chapter 243	May 11, 1973	May 11, 1973
1925		Chapter 244	May 11, 1973	May 11, 1973

Sincerely,
Arlen Erdahl
Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts

of the 1973 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 1973	Date Filed 1973
658		Chapter 245	May 11, 1973	May 14, 1973
	942	Chapter 246	May 12, 1973	May 14, 1973

Sincerely,

Arlen Erdahl
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos.: 47, 672, 546, 476, 721, 1602, 1667, 678, 1164, 1436, 2016.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1505: A bill for an act relating to pollution; livestock, poultry and other animal lots; permitting counties to exercise certain permit processing powers; amending Minnesota Statutes 1971, Section 116.07, by adding a subdivision.

Senate File No. 1505 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate do now concur in the amendments by the House to S. F. No. 1505 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1505 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Moe	Schaaf
Arnold	Frederick	Kirchner	North	Schrom
Ashbach	Gearty	Kleinbaum	Novak	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olhoft	Solon
Blatz	Hansen, Mel	Kowalczyk	Olson, A. G.	Spear
Brown	Hanson, R.	Larson	Olson, J. L.	Tennessee
Chenoweth	Hughes	Laufenburger	O'Neill	Thorup
Coleman	Humphrey	Lewis	Perpich, A. J.	Ueland
Conzemius	Jensen	Lord	Perpich, G.	Wegener
Davies	Josefson	McCutcheon	Pillsbury	Willet
Dunn	Keefe, J.	Milton	Purfeerst	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2275: A bill for an act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Sub-division 3.

Senate File No. 2275 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate do now concur in the amendments by the House to S. F. No. 2275 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 2275 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Milton	Schaaf
Ashbach	Gearty	Kirchner	Novak	Schrom
Bernhagen	Hansen, Baldy	Kleinbaum	Olhofs	Sillers
Blatz	Hansen, Mel	Knutson	Olson, A. G.	Solon
Brown	Hanson, R.	Kowalczyk	Olson, J. L.	Spear
Chenoweth	Hughes	Larson	O'Neill	Tennessee
Coleman	Humphrey	Laufenburger	Perpich, A. J.	Ueland
Conzemius	Jen-en	Lewis	Perpich, G.	Wegener
Davies	Josefson	Lord	Pillsbury	Willet
Dunn	Keefe, J.	McCutcheon	Purfeerst	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 965: A bill for an act relating to real estate; landlord and tenant; deposit of money; amending Minnesota Statutes 1971, Chapter 504, by adding a section; and repealing Minnesota Statutes 1971, Section 504.19.

Senate File No. 965 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 15, 1973

CONCURRENCE AND REPASSAGE

Mr. Tennessee moved that the Senate do now concur in the amendments by the House to S. F. No. 965 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 965 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	North	Schrom
Arnold	Frederick	Kleinbaum	Novak	Sillers
Ashbach	Gearty	Knutson	Olhofs	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Lord	Perpich, G.	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Davies	Josefson	Milton	Purfeerst	Willet
Dunn	Keefe, S.	Moe	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1659.

H. F. No. 1659: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Messrs. Vento; Sieben, H. and Fjoslien have been appointed as such committee on the part of the House.

House File No. 1659 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 15, 1973

Mr. Borden moved that H. F. No. 1659 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2100, 2485, 2491 and 2482 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2100	2010				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2100 be amended as follows:

Page 2, delete lines 8 through 19, and insert in lieu thereof the following:

“298.10 [COMMISSIONER TO CERTIFY AMOUNT OF TAXES DUE AND TO BILL PERSONS LIABLE.] The commissioner of taxation shall enter on his records the amount of taxes found and determined by him to be due from any person, as herein provided; and, on or before June first, shall certify such amount to the state auditor, who thereupon shall make his draft upon such person for the amount of taxes as thus certified, and place the same in the hands of the state treasurer for collection person subject to the tax, which shall be payable to the commissioner of taxation and deposited in the state treasury.”

Page 2, line 22, strike "ASSESSMENT" and insert in lieu thereof "CERTIFICATION"

Page 2, line 23, strike "assessment" and insert in lieu thereof "certification"

Page 10, line 27, restore the stricken language

Page 10, line 28, delete the underscored language

Page 11, line 1, strike "June"

Page 11, line 2, strike "30" and insert "July 15"

Page 12, line 19, strike "15" and insert "31"

Page 15, line 1, strike "assessment" and insert in lieu "certificate"

Page 15, line 7, strike "assessed" and insert in lieu thereof "certified"

Page 15, line 11, strike "TAX" and insert in lieu "DRAFTS"

Page 15, line 12, restore the stricken language and delete the underscored language

Page 15, line 12, strike "July 15" and insert "August 1"

Page 15, line 15, strike "July 16" and insert "August 10"

Page 15, line 17, after "of" insert "all"

And when so amended, H. F. No. 2100 will be identical to S. F. No. 2010 and further recommends that H. F. No. 2100 be given its second reading and substituted for S. F. No. 2010 and S. F. No. 2010 be indefinitely postponed. Amendments adopted.

The following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2485	2445				
2491	2087				
2482	2444				

And that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2100, 2485, 2491 and 2482 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lord moved that the name of Mr. Coleman be added as co-author to S. F. No. 2197. Which motion prevailed.

Mr. Gearty moved that H. F. No. 1906 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration. Which motion prevailed.

Mr. Gearty moved that H. F. No. 308 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 308

A bill for an act relating to the organization and operation of the state government; creating a department of finance; a legislative audit commission and a legislative auditor; appropriating moneys; amending Minnesota Statutes 1971, Sections 6.21; 9.031; 11.10; 215.04; 215.05; 215.06; 215.07; 215.08 and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11, 12, 20 and 22; and 215.02.

May 10, 1973

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. 308, 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. [DEPARTMENT OF FINANCE; CREATION.]
Subdivision 1. The department of finance is hereby created under the control and supervision of the commissioner of finance, which office is hereby established. The commissioner is the chief accounting officer, the principal financial officer and the state controller.

Subd. 2. The commissioner of finance is appointed by the governor by and with the advice and consent of the senate. The commissioner so appointed shall have broad experience as an executive financial manager. The commissioner shall serve at the pleasure of the governor. A vacancy in the office of the commissioner shall be filled by the governor, with the advice and consent of the senate.

Subd. 3. The commissioner may appoint two deputy commissioners, and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service. Except

as may be otherwise provided for by law, the commissioner shall fix the compensation of each deputy. A deputy may perform and exercise a power, duty, or responsibility imposed by law on the commissioner when authorized so to do by the commissioner.

Subd. 4. Subject to the provisions of this act and to other applicable laws governing a state department or agency, the commissioner shall organize the department and employ such other officers, employees, and agents as he may deem necessary to discharge the functions of his department, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his control and under such conditions as he may prescribe. Personnel employed pursuant to this subdivision are in the classified service of the state civil service.

Sec. 2. [TRANSFER OF DUTIES FROM STATE AUDITOR.]
Subdivision 1. Except as otherwise provided for in this section, all the powers, duties, and responsibilities now vested in and imposed upon the state auditor are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 2. The state auditor shall continue to exercise the powers, duties, and responsibilities which heretofore have been or which may hereafter be by law vested in, and imposed upon him relating to certifying the state tax to the several county auditors, certifying the tax necessary to be levied in connection with the repayment of moneys borrowed by the state or its department and agencies or moneys loaned by the state as authorized by law; he shall also continue to exercise such powers, duties and responsibilities prescribed by the constitution and as a member of a governmental council, board or association.

Sec. 3. Minnesota Statutes 1971, Section 6.21, is amended to read:

6.21 [DUTIES.] ~~The state auditor~~ *commissioner of finance shall continue to exercise the rights, powers, and duties vested in and imposed upon his office. He shall have charge of the administration of the financial affairs of the state. He shall keep the general books of account of the state. The general books of account shall be on a double entry control basis, with such revenue, expenditure, asset and liability accounts as will give complete control over all financial and expenditure operations of the state and over all officials, departments, and agencies of the state government. Accounts shall be set both as to expenditures and revenue according to generally accepted practice in governmental accounting. The auditor, with the advice and assistance of the commissioner of administration and the public examiner, commissioner of finance shall formulate and prescribe for all departments and other state agencies a system of uniform records, accounts, statements, estimates, revenue receipt forms, vouchers, bills, and demands with suitable instructions governing the installation and use thereof. The accounting system and form so prescribed shall be adopted and employed by all officials, departments, and agencies of the state government. The auditor, with the assistance of the public examiner, commissioner of finance shall exercise constant super-*

vision and control thereof. All accounting and financial records shall be kept on the fiscal year basis of 12 months ending at midnight between June 30 and July 1. The ~~auditor~~ *commissioner of finance* and his designated agents shall at all times have free access to the books, records, accounts, and papers of the several departments and agencies. ~~The commissioner of administration and his designated employees shall have free access at all times to the books, records, accounts, and papers of the state auditor and the auditor shall allow the commissioner and his agents sufficient desk space for using and inspecting the same.~~

Sec. 4. [TRANSFER OF POWERS FROM DEPARTMENT OF ADMINISTRATION.] *Subdivision 1. The department of finance shall prepare a biennial budget and a ten year cash receipts and disbursement projection in consultation with the commissioner of administration under the supervision of the governor. In even numbered years immediately before the inauguration of a new governor, such budget and a ten year cash receipts and disbursement projection shall be prepared under the supervision of the governor-elect.*

Subd. 2. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by Minnesota Statutes, Sections 3.30, relating to the contingent fund; 16.027, relating to payrolls; 16.138, relating to reimbursements; 16.14, 16.15, and 16.155 relating to budgets and the budget, are transferred to, vested in and imposed upon the department of finance.

Subd. 3. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by Minnesota Statutes, Sections 16.20, 16.245, 16.25, 16.62, 16.63, 16.64 and any other law relating to the supervision and control of accounts and expenditures of the state government, its departments and agencies including but not limited to fees, payroll deductions, tax withholding, and compensation schedules, are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 4. The department of finance may make rules and regulations governing the powers, duties, and responsibilities transferred to it under the terms of this act.

Sec. 5. [TRANSFER OF CERTAIN APPROPRIATIONS.] *The moneys heretofore appropriated to the commissioner of administration in the payroll clearance revolving fund in the state treasury is hereby reappropriated to the department of finance for the same purposes and uses as set forth in Minnesota Statutes, Section 16.80, Subdivision 1, Clause(g). Any accumulation in said fund from profits or otherwise is also reappropriated to the department of finance for such purposes.*

Sec. 6. [DEPARTMENT OF FINANCE OTHER POWERS.] *The commissioner of finance:*

(1) Shall require each department in the executive branch to prepare financial reports in such form, and to be made at such intervals, as he may prescribe which will permit administrative and

legislative comparisons of spending plans in relation to appropriations for programs and activities;

(2) Shall formulate and prescribe a system of measuring the effect of fund expenditures which will permit the evaluation and comparisons of the cost of functions or programs;

(3) Shall require each department to state in writing objectives of each activity or function authorized against which performance may be measured. The objectives shall be specific as to amount and time and for a period including the current and the following biennium and reported at such times and in such form as the commissioner shall direct;

(4) Shall require the department of taxation and other departments in the executive branch to report at his designated intervals concerning estimates of income and receipts whether from taxes or otherwise, and use such information in evaluating the financial condition and affairs of the state;

(5) Shall make such reports concerning the financial affairs of the state as the governor or the commissioner of administration may direct in addition to such reporting as may be otherwise prescribed by law.

(6) Shall require such reports and other information of the state treasurer and other departments and agencies in the executive branch as will permit formulation of policy on all fiscal and financial matters of state government.

Sec. 7. [TRANSFER OF POWERS TO STATE AUDITOR.]
Except as otherwise provided for in this act relating to the legislative auditor, all the powers, duties and responsibilities of the public examiner relating to audits of cities of all classes, villages, counties, towns, school districts, and other governmental subdivisions or bodies corporate and politic as contained in Minnesota Statutes, Sections 215.10, 215.11, 215.12, 215.13, 215.14, 215.16, 215.17, 215.19, 215.20, 215.21, 215.22, 215.225, 215.23, 215.24, 215.25, 215.26, 215.261, 215.31, 215.32, 215.33, 215.34, 215.35, 215.36, 215.37, 215.38, or any other law are hereby transferred to, vested in, and imposed upon the state auditor.

Sec. 8. Minnesota Statutes 1971, Section 9.031, is amended by adding a subdivision to read:

Subd. 13. [DEPOSIT OF FUNDS.] *(a) Deposit of state funds in depositories by the treasurer under section 9.031 is subject to regulation by the commissioner of finance. He may determine the amount of funds to deposit in a depository and any other matter which he deems in the public interest. The treasurer shall comply with such regulations.*

(b) All depositories with various noninterest bearing deposits which, as a group, total over \$100,000 shall report such balances as of the close of the previous business day by 9:00 a.m. daily to the treasurer and the commissioner of finance. The commissioner of finance shall record these daily balances, which shall be a matter

of public record at the legislative reference library and reported monthly to the legislative audit commission.

(c) All state accounts shall be established by competitive bid among the designated depositories. The commissioner of finance shall send written notice of his intent to accept bids for the handling of the state account, or accounts, to all designated depositories. The notice shall specify such considerations, fiscal activities, and conditions as the commissioner may require. All such deposits shall be awarded by competitive bid to the lowest bidding depository which, in the opinion of the commissioner, has the capacity to discharge the required considerations, fiscal activities, and conditions.

(d) In exceptional cases, the commissioner may dispense with the bid procedure. In such event, he shall report the circumstances and reasons therefor to the legislative audit commission within five days after establishing the account.

(e) All presently existing state accounts shall be closed, and new accounts shall be established in compliance with the bid procedure established in clause (c) no later than one year after the effective date of this act.

(f) Notwithstanding any provision in section 9.031 to the contrary, the commissioner of finance may agree to pay a depository a reasonable charge or keep appropriate compensating balances for handling state funds, for cashing state warrants, vouchers and the like. Such moneys as may be necessary for such purpose are hereby appropriated annually to the commissioner of finance.

Sec. 9. Minnesota Statutes 1971, Section 11.10, Subdivision 1, is amended to read:

11.10 [INVESTMENT OF MONEY IN STATE TREASURY NOT CURRENTLY NEEDED. Subdivision 1. [INVESTMENT OF TREASURY FUND.] *The state treasurer shall make a report to the commissioner of finance daily or at such other times as the commissioner of finance shall determine of the moneys in the state treasury together with such other information which the commissioner may prescribe. When there shall be any is money in the state treasury ~~that~~ over and above the amount that the commissioner of finance has advised the treasurer is ~~not~~ currently needed, the state treasurer shall certify to the state board of investment the amount thereof. The board of investment may then invest said amount, or any part thereof, in the following:*

(a) Treasury bonds, certificates of indebtedness, bonds or notes of the United States of America or bonds, notes or certificates of indebtedness of the state of Minnesota, all of which must mature not later than three years from date of purchase.

(b) Bonds, notes, debentures or other obligations issued by any agency or instrumentality of the United States or any securities guaranteed by the United States government, or for which the credit of the United States is pledged for the payment of the principal and interest thereof, all of which must mature not later than three years from date of purchase.

(c) Commercial paper of prime quality, or rated among the top third of the quality categories, not applicable to defaulted paper, as defined by a nationally recognized organization which rates such securities as eligible for investment in the state employees retirement fund except that any non-banking issuing corporation, or parent company in the case of paper issued by operating utility or finance subsidiaries, must have total assets exceeding \$500,000,000. Such commercial paper may constitute no more than 30 percent of the book value of the fund at the time of purchase, and the commercial paper of any one corporation shall not constitute more than four percent of the book value of the fund at the time of such investment.

(d) Any securities eligible under the preceding provisions, purchased with simultaneous repurchase agreement under which the securities will be sold to the particular dealer on a specified date at a predetermined price. In such instances, all maturities of United States government securities, or securities issued or guaranteed by the United States government or an agency thereof, may be purchased so long as any such securities which mature later than three years from the date of purchase have a current market value exceeding the purchase price by at least five percent on the date of purchase, and so long as such repurchase agreement involving securities extending beyond three years in maturity be limited to a period not exceeding 45 days.

(e) Shares of an investment company registered under the investment company act of 1940, whose shares are registered under the securities act of 1933, provided that the only investments of that company are in obligations of the United States government, in obligations fully guaranteed by the United States government or in obligations of instrumentalities of the United States government such as treasury bonds, certificates of indebtedness, bonds or notes of the United States of America, all of which must mature not later than three years from date of purchase; bonds, notes, debentures or other obligations issued by any agency or instrumentality of the United States or any securities guaranteed by the United States government, or for which the credit of the United States is pledged for the payment of the principal and interest thereof, all of which must mature not later than three years from date of purchase.

Sec. 10. Minnesota Statutes 1971, Section 11.10, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER OF FINANCE TO CERTIFY.] When it shall appear to the ~~state auditor~~ *commissioner of finance* that any invested funds are needed for current purposes before the maturity dates of the securities held, he shall so certify and it shall then be the duty of the board of investment to order the sale or conversion into cash of securities of the amount so certified.

Sec. 11. [COMMISSIONER OF ADMINISTRATION; ADDITIONAL POWERS.] *Subdivision 1. In addition to the other powers, duties and responsibilities of the commissioner of administration, he may appoint two deputy commissioners, and a confi-*

dential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service.

Subd. 2. The governor, unless otherwise provided by law, may delegate to the commissioner of administration the administration of such programs and projects of the office of the governor directed by either state or federal law, or which may be made available to the state under a grant of funds either public or private. Unless specifically prohibited by law, the governor may delegate to the commissioner of administration general supervision of any program or activity of any state department or agency the head of which is either appointed by the governor or by a gubernatorially appointed board. The provisions of this subdivision shall not be construed as authority to transfer programs or activities, or part of them, from one department to another.

Sec. 12. [AUDIT POLICY.] Subdivision 1. Continuous legislative review of the effect of grant-in-aid programs, the spending of public funds and their financing at all levels of government is required in the public interest to enable the enactment of appropriate legislation.

Subd. 2. [LEGISLATIVE AUDIT COMMISSION CREATION.] A legislative commission to be known as the legislative audit commission, designated herein as "the commission" is hereby created. The commission shall consist of the majority leader of the senate and the president pro-tempore of the senate, or their respective designees; the chairman of the senate committee on taxes or his designee, who shall be a member of the senate tax committee; the chairman of the senate committee on governmental operations or his designee, who shall be a member of the governmental operations committee; the chairman of the senate committee on finance or his designee, who shall be a member of the senate finance committee; and three members of the senate appointed by the senate minority leader; the speaker of the house and the chairman of the house committee on rules, or their respective designees; the chairman of the house committee on taxes or his designee, who shall be a member of the house tax committee; the chairman of the house committee on governmental operations or his designee, who shall be a member of the house governmental operations committee; the chairman of the house appropriations committee or his designee, who shall be a member of the house appropriations committee; and three members of the house appointed by the house minority leader. The appointed members of the commission shall serve for a term commencing upon appointment and expiring at the opening of the next regular session of the legislature in the odd numbered year and until a successor is appointed. A vacancy in the membership of the commission shall be filled for the unexpired term in such a manner as to preserve the representation established by this subdivision.

The commission shall elect its chairman and such other officers as it may determine necessary. It shall meet at the call of the chairman or at the call of its executive secretary. The members of the commission shall serve without compensation but shall be

reimbursed for their reasonable expenses as members of the legislature. The commission may exercise the powers prescribed by Minnesota Statutes, Section 3.153.

Subd. 3. The department of public examiner is transferred from the executive to the legislative branch.

Subd. 4. Until the expiration of his term the incumbent public examiner upon the effective date of this section shall continue in the legislative branch but as the legislative auditor. Thereafter, the commission shall appoint a legislative auditor. The legislative auditor is the executive secretary of the commission. After the expiration of the term of the incumbent public examiner the legislative auditor shall serve at the pleasure of the commission until May 1, 1977. Thereafter, the legislative auditor shall be appointed by the commission for a six year term. He shall serve in the unclassified service. He shall not at any time while in office hold any other public office. The legislative auditor appointed on May 2, 1977, shall not be removed from his office before the expiration of his term of service except for cause after public hearing.

Subd. 5. The legislative auditor may appoint a deputy legislative auditor and a confidential secretary each of whom shall serve at his pleasure in the unclassified service. Except as may be otherwise provided for by law the legislative auditor shall fix their salaries. The deputy may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor and is authorized so to do by the legislative auditor. All other officers and employees of the legislative auditor shall continue to be in the classified civil service.

Subd. 6. All the powers, duties and responsibilities of the department of public examiner relating to the state of Minnesota, its departments and agencies as described in Minnesota Statutes 1971, Section 215.03, and any other law concerning powers, duties and responsibilities of the public examiner not otherwise dealt with by this act are hereby transferred to the legislative auditor. Nothing in this subdivision shall be deemed to supersede the powers conferred upon the commissioner of finance under Minnesota Statutes, Section 6.21.

Subd. 7. In addition to the legislative auditing duties concerning state financial matters, the legislative auditor shall also exercise and perform such duties as may be prescribed by rule or regulation of the legislature or either body thereof or by the commission. The legislative auditor shall review department policies and evaluate projects or programs requested by the commission. Any standing legislative committee having legislative jurisdiction may request the commission to review projects or programs.

Subd. 8. The legislature may provide by rule or regulation such testimonial powers as are conferred by law on legislative standing commissions or committees on the legislative auditor.

Sec. 13. [EFFECT OF TRANSFER OF FUNCTIONS.] *Subdivision 1. With reference to the powers, duties, and responsibilities which by this act have been transferred to the department of*

finance, the department of finance is deemed to be the successor of the state auditor, and the commissioner of administration and the matters within the jurisdiction of such former offices shall not be deemed to be a new authority.

Subd. 2. Any proceeding, court action, prosecution, or other business or matter undertaken or commenced prior to the passage of this act with reference to powers, duties, and responsibilities of the state auditor, or the commissioner of administration which by this act are transferred to the commissioner of finance are hereby assigned to the department of finance, and such pending matters may be continued and completed by the department of finance in the same manner and under the same terms and conditions and with the same effect as if such matters were undertaken, commenced and completed prior to the time of such transfer.

Subd. 3. With reference to the powers, duties, and responsibilities transferred by this act from the state auditor, and the department of administration to the department of finance, the state auditor, the state treasurer and the commissioner of administration shall transfer and deliver to the department of finance all contracts, books, maps, papers, notes, bonds, cash, securities, money, records, and other property of every description within their jurisdiction or control relating thereto. The commissioner of finance is directed to take possession of such matters which have been transferred to his department. The commissioner of finance may require the public examiner to make such audits as he may deem necessary in addition to those required by law in connection with this section.

Subd. 4. Whenever in any other general law, heretofore or hereafter adopted, or any document, record, or proceeding authorized by the same, any word or phrase is used in reference to or descriptive of any power, duty, or responsibility which by this act is transferred from the state auditor, or the commissioner of administration to the department of finance, such word, phrase, or reference shall hereafter, unless the context or provision of this act otherwise requires, be deemed to refer to, include, or describe the department of finance.

Subd. 5. All unexpended funds appropriated to the state auditor, or the commissioner of administration for the purposes of any of the powers, duties, and responsibilities which by this act are transferred to the department of finance are hereby transferred and reappropriated to such department. Where unexpended funds appropriated to the state auditor or the department of administration include funds for powers, duties, and responsibilities which are not transferred, the governor shall allocate the appropriation between the state auditor, and the department of finance and the commissioner of administration and the department of finance, and the money so allocated is hereby reappropriated to the department of finance.

Subd. 6. Except as otherwise provided in this act, all persons in the classified service of the state and employed by the state auditor or the department of administration for the purposes of any of

the powers, duties or responsibilities which are transferred by this act to the department of finance are hereby transferred to the department of finance.

Subd. 7. The state auditor is the successor of the public examiner as to such powers, duties, and responsibilities as have been transferred to him from the public examiner and not a new authority. The legislative auditor is the public examiner as to such powers, duties, and responsibilities which the public examiner will continue to perform but as the legislative auditor.

Subd. 8. All persons in the classified service of the state and employed by the public examiner in performing the duties transferred to the state auditor are transferred to the state auditor without loss of any right or privilege. All persons in the classified service of the state and employed by the public examiner in performing duties which will be performed by the public examiner as legislative auditor will continue in the classified service without loss of right or privilege.

Subd. 9. All unexpended funds appropriated to the public examiner shall be allocated by the governor between the state auditor and the legislative auditor to carry out the divisions of authority prescribed by this act governing such officers and such reallocated funds are appropriated accordingly.

Sec. 14. [INSTRUCTIONS TO REVISOR.] *In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology so as to record the powers, duties, and responsibilities which are transferred by this act.*

Sec. 15. [APPROPRIATION.] *The sum of \$50,000 is appropriated to the department of finance from the general fund of the state treasury for the purpose of organizing the department of finance, to be available for expenditure as soon as a commissioner of finance is appointed. Notwithstanding the provisions of any other law, such appropriation is for salaries, supplies and expenses, shall not cancel and shall be available until expended.*

Sec. 16. [OFFICE FACILITIES.] *The commissioner of administration if necessary shall rearrange the offices and space allotted therefor to the state auditor, the state treasurer and the commissioner of administration in order to provide the department of finance with adequate and proper offices, and to that end may move the office facilities.*

Sec. 17. Minnesota Statutes 1971, Section 16.141, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT OF PROGRAM.] *The commissioner of administration in consultation with the commissioner of finance shall develop and implement a system of program budgeting the budget process to accomplish the policy as stated in subdivision 1 for state departments and agencies ; , provided, that such program budgets process need not comply with other provisions of law relating to the setting forth of expenditures by funds, organizational units, character and objects of expenditure. The commis-*

sioner of *finance* shall promulgate regulations and instructions applicable to ~~program~~ budget *preparation* governing the classification of expenditures and the content, ~~preparation~~, and submission of budget requests and appropriation measures. In order to assure an orderly development of sound budgeting methods, the commissioner of *administration* may continue to select agencies and departments to implement the ~~program~~ budget system. The commissioner of ~~administration~~ *finance* shall make recommendations to the legislature on the subject of any legislation or special appropriations which may be required for implementation of the ~~program~~ budgeting system for all state departments and agencies. Such ~~program~~ budget system shall, to the greatest extent practicable, emphasize alternative approaches in the program development and criteria for performance evaluation and measurement. All state departments and agencies shall cooperate with the ~~commissioner~~ *commissioners of administration and finance* to assure implementation of ~~program~~ budgets which meet the requirements of the commissioner of *administration* and which give due regard to the requirements of the various departments and agencies involved. No state agency shall begin or install any system of program or programmatic budgeting until they have first secured the explicit permission of the commissioner of *administration*.

Sec. 18. Minnesota Statutes 1971, Section 16.141, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any other law to the contrary, the commissioner of ~~administration~~ *finance* may waive the requirement for submitting a budget by object of expenditure for ~~not more than three~~ agencies and departments which are requesting programmatic appropriation.

Sec. 19. Minnesota Statutes 1971, Section 16.16, Subdivision 1, is amended to read:

16.16 [ALLOTMENT AND ENCUMBRANCE.] Subdivision 1. [ALLOTMENT PERIOD.] For the purposes of *operation* of the quarterly allotment system, each fiscal year shall be ~~divided into four quarterly allotment periods, beginning, respectively, on the first days of July, October, January, and April; one fiscal year of 12 months which shall end at midnight between each June 30 and July 1, provided, that in any case where the quarterly allotment period is impracticable,~~ the commissioner of *finance* may prescribe a different period suited to the circumstances, not exceeding 12 months nor extending beyond the end of the fiscal year. *This provision does not apply to allotments made with respect to appropriations made for constructions or permanent improvement.*

Sec. 20. Minnesota Statutes 1971, Section 16.16, Subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS AVAILABLE FOR ALLOTMENT; SPENDING PLANS.] No appropriation to any agency shall become available for expenditure thereby during any allotment period until such agency shall have submitted to the commissioner of *administration* ~~an estimate~~ a *spending plan* in advance, in such form as the commissioner of *finance* shall prescribe,

for such allotment period next ensuing, of the amount required for each activity to be carried on and each purpose for which money is to be expended during that period, and until such *estimate spending plan* shall have been approved, increased, or decreased by the commissioner of administration and funds allotted therefor, as provided in Laws 1939, Chapter 431.

Sec. 21. Minnesota Statutes 1971, Section 16.16, Subdivision 4, is amended to read:

Subd. 4. [SPENDING PLANS WITHIN APPROPRIATION; APPROVAL; PROCEDURE.] If the *estimate spending plan* is within the terms of the appropriation as to amount and purposes, having due regard for the probable further needs of the agency for the remainder of the fiscal year or other term for which the appropriation was made, and if there is a need for such appropriation for the next ensuing allotment period, the commissioner of administration shall approve *after consultation with the commissioner of finance* the same and allot the estimated amount for expenditure. Otherwise the commissioner of administration shall modify the *estimate spending plan* so as to conform with the terms of the appropriation and the prospective needs of the agency, and shall reduce the amount allotted accordingly. The commissioner of administration shall act promptly upon all *estimates spending plans*, and shall notify every agency of its allotments at least five days before the beginning of each allotment period, and shall notify the ~~state auditor~~ commissioner of finance. The total amount allotted to any agency for the fiscal year or other terms for which the appropriation was made shall not exceed the amount appropriated for such year or term.

Sec. 22. Minnesota Statutes 1971, Section 16.16, Subdivision 5, is amended to read:

Subd. 5. [MODIFICATION.] The commissioner of administration shall also have authority at any time to modify or amend any ~~allotment~~ *spending plan* previously made approved by him, upon application of or upon notice to the agency concerned, and upon a showing of emergency or other cause; provided, no deficit or undue reduction of funds to meet future needs of such agency will result therefrom.

Sec. 23. Minnesota Statutes 1971, Section 16.16, Subdivision 6, is amended to read:

Subd. 6. [REDUCTION.] In case the commissioner of finance shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the term of the appropriation or for any allotment period will be less than the amount estimated or allotted therefor, he shall, notify the commissioner of administration who shall, with the approval of the governor, and after notice to the agency concerned, request the commissioner of finance to reduce the amount allotted or to be allotted so as to prevent a deficit. In like manner he shall ~~reduce~~ request reduction of the amount allotted or to be allotted to any agency by the amount of any saving

which can be effected upon previous ~~estimates~~ *spending plans* through a reduction in prices or other cause.

Sec. 24. Minnesota Statutes 1971, Section 16.16, Subdivision 7, is amended to read:

Subd. 7. [COMMISSIONER OF FINANCE; ACCOUNTING SYSTEM.] There shall be kept in the office of the ~~state auditor~~ *commissioner of finance* an accounting system showing at all times, by funds and items, the amounts appropriated for and the estimated revenues of such agency, the amounts allotted and available for expenditure, the amounts of expenditures or obligations authorized to be incurred, actual receipts and disbursements, actual balances on hand, and the unencumbered balances after deduction of all actual and authorized expenditures.

Sec. 25. Minnesota Statutes 1971, Section 16.16, Subdivision 8, is amended to read:

Subd. 8. [PAYMENT WITHIN ALLOTMENT AND ENCUMBRANCE; EXCEPTIONS.] No payment shall be made and no obligation shall be incurred against any fund, allotment, or appropriation unless the ~~state auditor~~ *commissioner of finance* shall first certify that there is a sufficient unencumbered balance in such fund, allotment, or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of Laws 1939, Chapter 431, shall be presumed invalid and shall be ineleigible for payment until its validity is established as hereinafter provided. Every payment made in violation of the provisions of Laws 1939, Chapter 431, shall be deemed illegal, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the state for the full amount so paid or received. If any appointive officer or employee of the state shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of Laws 1939, Chapter 431, or take part therein, it shall be grounds for his removal by the officer appointing him, and, if the appointing officer be other than the governor and shall fail to remove such officer or employee, the governor may exercise such power of removal, after giving notice of the charges and opportunity for hearing thereon to the accused officer or employee and to the officer appointing him. Claims presented against existing appropriations without prior allotment or encumbrance may, upon investigation, review, and approval by the commissioner of ~~administration~~ *finance* be determined valid where the services, materials, and supplies for which payment is claimed have been actually rendered or furnished to the state in good faith without collusion and without intent to defraud. Thereafter the ~~state auditor~~ *commissioner of finance* may draw his warrant in payment of such claims in the same manner in which other claims, properly allotted and encumbered prior to inception thereof, are paid.

Sec. 26. Minnesota Statutes 1971, Section 16.16, Subdivision 8a, is amended to read:

Subd. 8a. [PERIODIC ALLOTMENT.] In the case of appro-

priations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of *administration finance* may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 27. Minnesota Statutes 1971, Section 215.04, is amended to read:

215.04 [POWERS AND DUTIES OF LEGISLATIVE AUDITOR.] The public examiner shall keep such books of account as shall be necessary to properly carry out the provisions of this chapter and formulate and prescribe for all departments a system of uniform records, accounts, statements, estimates, vouchers, bills, and demands, with suitable books of instruction covering the installation and use thereof. The accounting system and forms so prescribed shall be adopted and employed in all such departments. The public examiner *legislative auditor* shall post-audit and make a complete examination and verification of all accounts, records, inventories, vouchers, receipts, funds, securities, and other assets of all state departments, boards, commissions, and other state agencies at least once a year, if funds and personnel permit, and oftener if deemed necessary or as directed by the governor or by the legislature or the *legislative audit commission*. Audits may include detailed checking of every transaction or test checking as the public examiner *legislative auditor* deems best. The books of the state treasurer and *state auditor commissioner of finance* may be examined monthly. The public examiner *legislative auditor* shall see that all provisions of law respecting the *installation and use of accounting systems, books, records, and forms appropriate and economic use of public funds* are complied with by all departments and agencies of the state government.

The powers and duties of the board of audit and of the former public examiner heretofore transferred to, vested in, and imposed upon the comptroller, are hereby transferred to, vested in, and imposed upon the public examiner. A copy of all post-audits, reports and results of examinations made by the legislative auditor shall be deposited with the legislative reference library.

Sec. 28. Minnesota Statutes 1971, Section 215.05, is amended to read:

215.05 [DUTIES AS TO STATE AGENCIES AND SEMI-STATE AGENCIES.] The public examiner *legislative auditor* shall exercise *make* a constant audit supervision over the books and accounts of the several public offices, institutions, properties, industries, and improvements of all financial affairs of all departments and agencies of the state, and over of the financial records and transactions of public boards, associations, and societies supported, wholly or in part, by state funds. In all offices where the records of such public affairs are kept and the finances thereof handled, he shall enforce correct methods of accountancy and, in

his discretion, prescribe and install systems of accounts and financial reports. Once in each year, if funds and personnel permit, without previous notice, he shall visit each of such offices, institutions, and industries state departments and agencies, associations or societies and, so far as practicable, inspect such properties and improvements agencies, thoroughly examine the books and accounts thereof, verifying the funds, securities and other assets, check the items of receipts and disbursements with the voucher records thereof, ascertain the character of the official bonds for the officers thereof and the financial ability of the bondsmen, inspect the sources of revenue thereof, the use and disposition of state appropriations and property, investigate the methods of purchase and sale, the character of contracts on public account, enforce a ascertain proper custody and depository for the funds and securities thereof, verify the inventory of public property and other assets held in trust, and ascertain that all financial transactions and operations involving the public funds and property of the state comply with the spirit and purpose of the law, and are sound by modern standards of financial management and are for the best protection of the public interest.

Sec. 29. Minnesota Statutes 1971, Section 215.06, is amended to read:

215.06 [TO FILE WRITTEN REPORTS.] The public examiner legislative auditor shall file a written report covering his audits with the department, agency, society, or association concerned, the governor, and the legislature; and, if he deems necessary, present special reports to the legislative advisory committee and the legislative audit commission for its consideration and action.

Such audit reports shall set forth:

- (1) Whether all funds have been expended for the purposes authorized in the appropriations therefor;
- (2) Whether all receipts have been accounted for and paid into the state treasury as required by law;
- (3) All illegal and unbusinesslike practices, if any;
- (4) Recommendations for greater simplicity, accuracy, efficiency, and economy; and Assessment of the financial control practices used in the agency, measurement of performance and recommendations for improved effectiveness; and
- (5) Such other data, information, and recommendations as the public examiner legislative auditor may deem advisable and necessary.

Sec. 30. Minnesota Statutes 1971, Section 215.07, is amended to read:

215.07 [DUTIES WHEN VIOLATIONS ARE DISCOVERED.] If any such public examiner's legislative auditor's examinations shall disclose malfeasance, misfeasance, or non-feasance in office on the part of any officer or employee, a copy of such report shall be signed and verified, and it shall be the duty of the public

~~examiner~~ legislative auditor to file such report with the secretary of the legislative advisory committee audit commission and the attorney general. It shall be the duty of the attorney general to institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as may be appropriate to secure to the state the recovery of any funds or other assets misappropriated, and he shall cause such criminal proceedings to be instituted by the proper authorities as the evidence may warrant.

Sec. 31. Minnesota Statutes 1971, Section 215.08, is amended to read:

215.08 [INFORMATION COLLECTED FROM LOCAL GOVERNMENTS.] The ~~public examiner~~ state auditor, or his designated agent, shall collect annually from all city, village, county, and other local units of government, ~~except towns,~~ information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, borrowing, debts, principal and interest payments on debts, and such other information as may be needful. The data shall be supplied upon blanks prescribed by the ~~public examiner~~ state auditor, and all public officials so called upon shall fill out properly and return promptly all blanks so transmitted. The ~~public examiner,~~ state auditor or his assistants, may examine local records in order to complete or verify the information. *Copies of all reports so received shall be forwarded by the state auditor to the legislative auditor.*

Sec. 32. Minnesota Statutes 1971, Section 215.09, is amended to read:

215.09 [ANNUAL REPORT.] The ~~public examiner~~ state auditor shall make and file, annually, in his office a summary report of the information collected, with such compilations and analyses and interpretations as may be deemed helpful. Copies of such report may be made and distributed to interested persons and governmental units. *A copy of the report shall be forwarded to the legislative auditor.*

Sec. 33. [REPEALER.] *Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02 and 215.18 are hereby repealed.*

Sec. 34. [EFFECTIVE DATE.] *Except as otherwise provided herein, this act is in effect upon the appointment by the governor of a commissioner of finance. The transfer of powers, duties, and responsibilities from the state auditor, the state treasurer or the commissioner of administration, shall be accomplished as soon as the commissioner of finance advises the secretary of state in writing that his department is organized and ready to begin functioning. Until then the state auditor, the state treasurer and the commissioner of administration shall continue to exercise the powers, duties, and responsibilities which by this act are transferred to the department of finance. The sections creating a legislative audit commission, a legislative auditor and transferring powers of the*

public examiner to the state auditor are in effect September 1, 1973."

Further, amend the title in line 4, after the semicolon, by striking "a", and by striking all of lines 5 through 12 and inserting in lieu thereof:

"transferring the powers of the public examiner to the state auditor; creating a legislative audit commission and legislative auditor; appropriating money; amending Minnesota Statutes 1971, Sections 6.21; 9.031, by adding a subdivision; 11.10, Subdivisions 1 and 2; 16.141, Subdivisions 2 and 3; 16.16, Subdivisions 1, 3, 4, 5, 6, 7, 8, and 8a; 215.04; 215.05; 215.06; 215.07; 215.08; and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02; and 215.18."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) E. W. Quirin, Irvin N. Anderson, William N. Kelly, Fred C. Norton and Thomas W. Newcome.

Senate Conferees: (Signed) Edward J. Gearty, George S. Pillsbury, David D. Schaaf, John Milton and William McCutcheon.

Mr. Gearty moved that the foregoing recommendations and Conference Committee report on H. F. No. 308 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 308: A bill for an act relating to the organization and operation of the state government; creating a department of finance; transferring the powers of the public examiner to the state auditor; creating a legislative audit commission and legislative auditor; appropriating money; amending Minnesota Statutes 1971, Sections 6.21; 9.031, by adding a subdivision; 11.10, Subdivisions 1 and 2; 16.141, Subdivisions 2 and 3; 16.16, Subdivisions 1, 3, 4, 5, 6, 7, 8, and 8a; 215.04; 215.05; 215.06; 215.07; 215.08; and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02; and 215.18.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

CALL OF THE SENATE

Mr. Gearty imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Dunn	Kirchner	North	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Ashbach	Frederick	Knutson	Ohlhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Daldy	Krieger	Olson, J. L.	Spear
Blatz	Hansen, Mel	Larson	O'Neill	Stassen
Brown	Hansen, R.	Laufenburger	Patton	Stokowski
Chenoweth	Hughes	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Lord	Perpich, G.	Thorup
Coleman	Jensen	McCutcheon	Pillsbury	Ueland
Conzemius	Josefson	Milton	Purfeert	Wegener
Davies	Keefe, S.	Mce	Renneke	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

Mr. Gearty moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	McCutcheon	Olson, H. D.	Spear
Arnold	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	North	Pillsbury	Thorup
Coleman	Kleinbaum	Novak	Purfeerst	Wegener
Conzemius	Laufenburger	Ogdahl	Schaaf	Willet
Davies	Lewis	Olhoft	Schrom	
Doty	Lord	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Krieger	Sillers
Bang	Fitzsimons	Josefson	Larson	Stassen
Berg	Frederick	Keefe, J.	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Kirchner	O'Neill	
Blatz	Hansen, Mel	Knutson	Patton	
Brown	Hanson, R.	Kowalczyk	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Dunn moved that S. F. No. 211 and the Conference Committee Report be laid on the table, the Report be printed in the Journal and a copy placed on each member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 211

A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

May 8, 1973

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. 211, 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 further amended as follows:

Page 4, at the end of line 14 following the word "create" strike the comma and insert a semicolon. Strike lines 15 and 16.

Page 7, at the end of line 17 following the word "create" strike the comma and insert a semicolon. Strike lines 18 and 19.

Page 10, line 12, after "abolished" strike ", the office of civil"

Page 10, strike all of line 13.

Page 10, line 14, strike "this option pursuant to section 9 of this act,"

Page 10, line 15, strike "county sheriff,"

Page 16, at the end of line 3 insert:

"This subdivision shall not apply to any person who on January 1, 1973, held the office of county administrator pursuant to Minnesota Statutes, Sections 375.48 to 375.50 and did not on that date concurrently hold an elective county office."

Page 18, strike all of lines 21 and 22 and insert in lieu thereof "any other law to the contrary and in addition to the other options provided by this act,"

Page 19, line 1, strike "Unless a county has" and insert in lieu thereof "In addition to the other options provided by this act,"

Page 19, strike all of line 2.

Page 19, line 3, strike "plan"

Page 19, line 10, after "offices" insert "if they have not been abolished by the adoption of other options"

Page 20, line 19, after "office" insert "; provided that if a county adopts either the elected executive or the county manager plan, the county civil counsel shall be appointed and removed by the elected executive or county manager, subject to the approval of the county board"

Page 21, line 2, after "counsel" insert "and the county attorney"

Page 21, line 4, after "general" strike "in the same manner as the county attorney" and insert in lieu thereof "on matters of public importance"

Page 23, line 26, strike "through" and insert in lieu thereof "to"

Page 26, lines 5 and 6, strike all the language on line 5 and before "upon" on line 6.

Page 26, line 18, after "15." insert:

"A non-commissioner from each commissioner district shall be appointed to a study commission. In addition three members shall be county commissioners and two shall be elected county officials."

Page 28, line 5, strike "11" and insert in lieu thereof "12"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert Dunn, Florian Chmielewski, Arnulf Ueland, Jack Kleinbaum and Jim Lord.

House Conferees: (Signed) Arlan Stangeland, Harry Peterson, David Cummiskey, Willis Eken and Neil Haugerud.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. O'Neill moved that the names of Messrs. Gearty and Kirchner be added as co-authors to S. F. No. 2315. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 515: A bill for an act relating to the metropolitan council; providing for election of council members from designated districts; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 473B.02, Subdivisions 1, 2, 3, and 4.

RECONSIDERATION

Mr. McCutcheon moved that the vote whereby the Hughes amendment to H. F. No. 515 was adopted on May 14, 1973 be now reconsidered.

CALL OF THE SENATE

Mr. McCutcheon imposed a call of the Senate. The following Senators answered to their names:

Arnold	Davies	Jensen	Milton	Purfeerst
Ashbach	Doty	Josefson	Moe	Schaaf
Bang	Dunn	Keefe, J.	Nelson	Schrom
Berg	Fitzsimons	Kirchner	North	Sillers
Bernhagen	Frederick	Knutson	Ogdahl	Solon
Blatz	Gearty	Kowalczyk	Olhoft	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lewis	Patton	Thorup
Coleman	Hughes	Lord	Perpich, G.	Ueland
Conzemius	Humphrey	McCutcheon	Pillsbury	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the motion,

Mr. Hughes moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lewis	Olhoff	Solon
Arnold	Doty	Lord	Olson, A. G.	Spear
Borden	Gearty	McCutcheon	Olson, H. D.	Stassen
Chenoweth	Humphrey	Moe	O'Neill	Stokowski
Chmielewski	Keefe, S.	North	Perpich, A. J.	Tennessee
Coleman	Larson	Novak	Perpich, G.	Willett
Conzemius	Laufenburger	Ogdahl	Schaaf	

Those who voted in the negative were:

Ashbach	Fitzsimons	Josefson	Nelson	Sillers
Bang	Frederick	Keefe, J.	Olson, J. L.	Thorup
Berg	Hansen, Baldy	Kirchner	Patton	Ueland
Bernhagen	Hansen, Mel	Knutson	Pillsbury	Wegener
Blatz	Hanson, R.	Kowalczyk	Purfeerst	
Brown	Hughes	Krieger	Renneke	
Dunn	Jensen	Milton	Schrom	

Which motion prevailed. So the vote was reconsidered.

The question recurring on the adoption of the Hughes amendment to H. F. No. 515,

CALL OF THE SENATE

Mr. Hughes imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Ogdahl	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoff	Solon
Ashbach	Frederick	Knutson	Olson, A. G.	Spear
Bang	Gearty	Kowalczyk	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Larson	Patton	Tennessee
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Borden	Hughes	Lord	Perpich, G.	Ueland
Brown	Humphrey	McCutcheon	Pillsbury	Wegener
Chenoweth	Jensen	Moe	Purfeerst	Willett
Coleman	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schaaf	
Doty	Keefe, S.	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Jensen	Nelson	Schrom
Ashbach	Fitzsimons	Josefson	Novak	Sillers
Bang	Frederick	Kirchner	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Knutson	Patton	Thorup
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	Ueland
Blatz	Hanson, R.	Krieger	Purfeerst	Wegener
Brown	Hughes	Larson	Renneke	

Those who voted in the negative were:

Arnold	Doty	Lewis	Olhoff	Solon
Borden	Gearty	Lord	Olson, A. G.	Spear
Chenoweth	Humphrey	McCutcheon	Olson, H. D.	Stokowski
Chmielewski	Keefe, J.	Milton	O'Neill	Tennessee
Coleman	Keefe, S.	Moe	Perpich, A. J.	Willett
Conzemius	Kleinbaum	North	Perpich, G.	
Davies	Laufenburger	Ogdahl	Schaaf	

Which motion prevailed. So the amendment was adopted.

H. F. No. 515 was then progressed as amended.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that H. F. No. 1659 be taken from the table. Which motion prevailed.

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1659 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. Milton moved that S. F. No. 82 and the Conference Committee Report be laid on the table, the Report be printed in the Journal and a copy placed on each member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 82

A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

May 15, 1973

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. 82, 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. 82 be amended as follows:

Page 1, line 23, after the period add a sentence to read: "*The provisions of this subdivision do not apply to any county wherein the chairman of the board of county commissioners is a mayor of any municipality within that county.*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) John Milton, Robert G. Dunn and Joseph T. O'Neill.

House Conferees: (Signed) Arlan I. Stangeland, Thomas W. Newcome and John E. Boland.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that H. F. Nos. 1697 and 2484 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Rules and Administration. Which motion prevailed.

Mr. Novak moved that H. F. No. 2360 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. Which motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Knutson	Olson, H. D.	Stokowski
Ashbach	Dunn	Kowalczyk	Patton	Tennessen
Berg	Gearty	Larson	Pillsbury	Thorup
Blatz	Hansen, Mel	Lewis	Purfeerst	Wegener
Borden	Hanson, R.	Lord	Renneke	Willet
Chenoweth	Humphrey	Moe	Schrom	
Chmielewski	Keefe, S.	Ogdahl	Sillers	
Coleman	Kirchner	Olhoft	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House and First Reading of House Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2531.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2531: A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund; appropriating moneys in connection therewith.

Was read the first time.

SUSPENSION OF RULES

Mr. Novak moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2531 and that the rules of the Senate be so far suspended as to give H. F. No. 2531 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2531 was read the second time.

Mr. Novak moved to amend H. F. No. 2531, the typewritten bill, as follows:

Strike everything after the enacting clause and insert:

“Section 1. State government; public buildings, appropriation. Except as otherwise provided by this act there is hereby appropriated from the Minnesota state building fund in the state treasury for the purposes hereinafter stated, the sums of money herein set forth or so much thereof as may be necessary. There is also appropriated from federal funds or other sources the moneys made available for any of the purposes prescribed in this act and in accordance with the terms hereof.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provision of this act.

Subd. 2. Department of Public Welfare:

(1) At the state institutions for alterations, betterments, construction, improvements, rehabilitation, fire safety, and demolition of buildings.....\$3,150,000

Provided that the expenditure of these funds shall be preceded by a plan which shall be forwarded to the Senate Finance Committee and the House Appropriations Committee not less than 30 days prior to the implementation of such plan. The demolition of buildings shall be included in such plan. Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to demolish any old or obsolete buildings immediately

(2) At Gillette State Hospital

For designing, rehabilitation and constructing.....\$3,700,000

Provided that no more than \$170,000 may be expended for architectural planning, however, these funds shall not be expended unless Ramsey county or an agency thereof provides its share.

Provided that the remainder of these funds may be expended only after the Gillette Authority has sub-

mitted its plan to the Senate Finance Committee and the House Appropriations Committee and has received their favorable recommendation, such recommendation shall be advisory only. No affirmative recommendation may be given until Ramsey county or an agency thereof has committed to fund and construct its share of the project.

Provided further that these funds shall not be available unless separate legislation is enacted by the legislature which authorizes a Gillette Authority.

(3) At the Lake Owasso Children's Home, Glenn Lake State Sanatorium and Oak Terrace Nursing Home, Ah-Gwah-Ching Nursing Home, Braille and Sight Saving School, and the School for the Deaf for alterations, betterments, construction, reconstruction, improvements, rehabilitation, and fire safety 540,000

Subd. 3. Department of Corrections:

- (1) At the Minnesota State Prison
 - (a) Power plant 200,000
 - (b) Remodel minimum security building 135,000

Sec. 3. To the commissioner of administration to landscape and improve grounds at certain junior colleges. . . \$2,000,000

Of the sum of \$4,680,000 appropriated from the Minnesota state building fund by Laws 1971, chapter 963, section 3, to construct and equip Cambridge State Junior College and Fairmont State Junior College, the sum of \$1,680,000 is reappropriated to the commissioner of administration for this purpose.

Sec. 4. To the commissioner of administration to construct, rehabilitate, and equip certain state college buildings \$1,497,400

This appropriation and anticipated federal grants are for the construction and equipping of the following state college buildings in the amounts indicated:

- (1) At Bemidji State College:
 - (a) Construct parking lot \$132,000
- (2) At Mankato State College:
 - (a) Install oil tanks 35,000
 - (b) Assessment to Mankato State College on Cherry/Warren projects.. 42,000

- (3) At Moorhead State College:
 - (a) Install boiler\$235,000
 - (b) City street assessment 6,400
- (4) At St. Cloud State College:
 - (a) Rehabilitate Stewart Hall..... 200,000
 - (b) Install and rehabilitate boiler..... 200,000
 - (c) Install city utilities 150,000
 - (d) Complete and equip remodeling of
Kiehle Hall 397,000
- (5) At Southwest State College:
 - (a) Complete site work and landscap-
ing and develop road and circulation
patterns 100,000

The commissioner of administration is authorized to make applications for the maximum federal share for any project. In the event the amount of federal funds obtained for these projects exceeds the amount appropriated for it in the above appropriation, the commissioner of administration shall reduce the state share for individual projects.

The state auditor shall establish a single control account for the construction and equipping of state colleges. The appropriation in this section, federal grants received for state college construction and transfers from the higher education facilities contingent account shall be recorded in this account. The commissioner of administration shall maintain individual project accounts for each project authorized by this section.

Notwithstanding limitations on cost of projects approved, the commissioner of administration may exceed the cost approved for an authorized project within the limitations of total funds available from appropriation, from federal funds granted and from transfer from the higher education facilities contingent account. The moneys in excess of project authorizations are hereby appropriated for the purposes expressed in this paragraph.

Expenditure of funds in excess of the project authorization shall be made only after the commissioner of administration has consulted with the house appropriation committee and the senate finance committee and such committees have made their recommendation thereon. Such recommendation shall be advisory only.

Sec. 5. To the commissioner of administration.....\$ 1,000,000

(A) For land acquisition including improvements and preparation of sites for construction at the following sites:

- (1) At State Capitol Area

Sec. 6. Subdivision 1. To the commissioner of ad-

ministration to be expended for the purposes and in accordance with the provisions of this act

- (1) Remodel Capitol for Supreme Court and rent temporary quarters, Phase I..... \$ 800,000

Notwithstanding the provisions of Minnesota Statutes 1971, Chapter 15.50 or any other law to the contrary, no architectural competition shall be required in the completion of this project.

- (2) Capitol building annex—preliminary plans and cost estimates 1,200,000

Notwithstanding the provisions of Minnesota Statutes 1971, Chapter 15.50 or any other law to the contrary, no architectural competition shall be required in the completion of this project.

- (3) Special improvements to present State Office building 330,000
- (4) Building remodeling, rehabilitation and special projects 1,290,000
- (5) Supplemental for Centennial building parking facility 100,000
- (6) Improvements to Historical building 100,000
- (7) Expansion of state archives and records center.. 720,334

Provided that the funds shall not be expended without the written approval of the director of the state historical society.

- (8) Replace windows and install two elevators in the infirmary, tuckpoint, improve electrical service, install kitchen equipment and install bathrooms in building 6 domiciliary, install auditorium elevator. 50 percent to be federal funds furnished by the Veteran administration — total cost to the state\$ 100,000
- (9) Remodel property in area bounded by 12th and 14th Streets and Robert and Jackson Streets, including Champion Chevrolet property 400,000

Sec. 7. Subdivision 1. To the regents of the University of Minnesota to be expended for the purposes and in accordance with the provisions of this act

Subd. 2. At the University of Minnesota, Twin Cities Campus

- (1) Preliminary planning of Music building.....\$ 100,000
- (2) Working drawings for Veterinary medicine, Phase II 480,000
- (3) Construct and equip Home Economics building expansion, Phase I 5,800,000

(4) Remodel and rehabilitate to upgrade for the handicapped	300,000
(5) Remodel Cook Hall/Norris Gym	781,800
(6) Land acquisition at Minneapolis Campus	100,000
(7) Minneapolis primary electrical system, Phase V.	460,000
(8) St. Paul primary electrical system, Phase III....	270,000
(9) St. Paul gas main extension, Phase II.....	25,000
(10) Boiler additions and pollution control at Minneapolis and St. Paul, Phase II.....	2,048,800
(11) St. Anthony sewer assessment, Phase II.....	125,000
Subd. 3. At the University of Minnesota, Twin Cities	
(1) Planning for basic science remodeling	200,000
(2) Construct Unit B/C, health science	14,000,000
Construction not to start until \$14,000,000 non-state funds are available.	
(3) Primary electrical distribution system.....	250,000
Subd. 4. At University of Minnesota, Duluth Campus	
(1) Remodeling of Science building, Phase III.....	411,000
(2) Boiler addition to heating plant	550,000
(3) Road and campus improvements, Phase I.....	100,000
(4) Library addition	1,893,800
(5) Preliminary Planning Social Science building...	100,000
The funds are not to be expended until the special study on all buildings at the University of Minnesota, Duluth,	
Subd. 5. At Northwest Experiment Station, Crookston	
(1) Construct control for runoff from animal facilities	30,000
Subd. 6. At West Central Experiment Station, Morris	
(1) Road surfacing and improve drainage.....	15,000
Subd. 7. At Southwest Experiment Station, Lambertson	
(1) Complete drainage system	12,356
Subd. 8. At North Central Experiment Station, Grand Rapids	
(1) Construct two Herdsman's Residences (to be built by station personnel)	35,000
Subd. 9. At Cloquet Forest Research Center	

(1) Improve campus roads, surfacing and lighting.. 15,000

Subd. 10. At Lake Itasca Forestry and Biological Station

(1) Rehabilitate station facilities, Phase II, kitchen dining-meeting room facility 81,000

(2) Central student cabin 13,845

Subd. 11. Horticultural Research Center, Excelsior

(1) Remodel superintendent house 10,000

(2) Connect sewer to new main sewer line..... 20,000

Subd. 12. ENERGY CONSERVATION. In all University building construction, both new buildings and improvements to existing structures, structural modifications and design features shall be incorporated, where practicable, to reduce energy consumption. Such changes shall include, but not be limited to, improved insulation, efficient lighting systems and efficient heating and cooling systems. The University shall submit to the legislature by January 1, 1974, a report indicating measures taken in on-going construction to implement the above requirement, and outlining a procedure to evaluate energy needs and structural and design alternatives to conserve energy in future building construction.

The regents of the University of Minnesota are authorized to make applications for the maximum federal share for each project including interest subsidies. In the event the amount of federal funds obtained for any of these projects exceeds the amount appropriated for it in the above appropriation, the regents of the University shall reduce the state share for individual projects.

Sec. 8. Subdivision 1. To the state auditor to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Expenses incidental to the sale, printing, execution, and delivery of the bonds authorized by this act, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for such purposes not to exceed\$ 39,665

Sec. 9. 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 house appropriation committee and the senate finance committee and the committees have made their recommendations thereon. Such recommendations shall be advisory only.

Sec. 10. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the regents of the University of Minnesota in the case of lands for the University and by the commissioner of administration in the case of other lands. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 11. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in any of the sections 3 through 6, the commissioner of administration may transfer any unexpended funds in said project account to any other project enumerated in the same section.

Subd. 2. Upon the awarding of final contracts for the completion of any projects enumerated in section 7, the regents of the University of Minnesota may transfer any unexpended funds in said project account to any other project therein enumerated.

Subd. 3. The moneys which may be transferred pursuant to this section are hereby appropriated for the purposes for which transferred.

Subd. 4. The commissioner of administration, and the University of Minnesota shall report to the House Appropriations Committee and the Senate Finance Committee on any transfer of funds made pursuant to this section.

Subd. 5. The balance of each appropriation made by this and any prior act to the commissioner of administration from the Minnesota state building fund, remaining when the specific purpose of such appropriation is accomplished as certified by the commissioner to the House Appropriations Committee and Senate Finance Committee and to the state auditor, may be transferred to any other account for which an appropriation from the fund is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the House Appropriations Committee and the Senate Finance Committee, which shall be advisory only.

Sec. 12. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$100,000 which may be expended by him for the administration of the building program covered by this appropriation, including the employment of personnel. The commissioner may expend these funds for microfilming of plans of all state buildings.

Sec. 13. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$250,000 which may be expended for plans, studies and surveys, and for the alterations, betterments, construction, reconstruction, improve-

ments or rehabilitation of any state-owned building or structure, if it appears to the commissioner that such an expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and funds have not been otherwise appropriated for such purposes. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the House Appropriations Committee and Senate Finance Committee and such committees have made their recommendations thereon. Such recommendations shall be advisory only.

Sec. 14. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$50,000 which may be expended for the purpose of preparing preliminary plans, or other documentation that may be required, for assistance in obtaining non-state participation in state buildings programs. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted the House Appropriations Committee and Senate Finance Committee and such committees have made their recommendation thereon. Such recommendations shall be advisory only.

Sec. 15. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$500,000 for a higher education facilities contingent account. The commissioner may transfer these funds when the amount of the federal share for a project is less than the amount anticipated or if it appears that the total cost of constructing and equipping an entire project will exceed the total cost authorized notwithstanding limitations on state funds appropriated therefor.

The commissioner may transfer these funds to the building accounts projects authorized in sections 3, 4, and 7, and to the building accounts of projects authorized by Laws 1967, Extra Session, Chapter 8, Section 9 and by Laws 1969, Chapter 1159, Section 8. Moneys transferred are hereby reappropriated for such purposes. All transfers authorized by this section shall be made only after the commissioner has consulted with the House Appropriations Committee and Senate Finance Committee and such committees have made their recommendation thereon. Such recommendation shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. Funds for the transfer of moneys to a project under the authority of the University of Minnesota are hereby reappropriated to the board of regents to carry out the purpose of the transfer.

Sec. 16. Minnesota state building bond issue and appropriation. For the purpose of providing the moneys appropriated by this act to the state agencies herein designated, for the acquisition and betterment of the public lands and buildings and other public improvements of a capital nature herein designated, the state auditor is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$44,750,000 in the manner and upon the terms and conditions prescribed by Minnesota Statutes, Sections 6.30 and 6.31 and by the Constitution, Article IX, Section 6. The proceeds of such bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Sec. 17. Minnesota state building bond account; appropriation. In order to reduce the amount of taxes otherwise required by the Constitution, Article IX, Section 6, Subdivision 4, to be levied for the payment of interest and principal on the bonds authorized in Section 16 of this act, there is hereby appropriated annually to the Minnesota state building bond account in the state bond fund from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on November 1 in each year in said Minnesota state building bond account, to pay all principal and interest due and to become due on said bonds within the then ensuing year and to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to the appropriation annually made by this section are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 18. Where an amount is payable to a creditor of the state from a project account which is financed partly with federal funds and such project is one included in appropriations now or hereafter made to the commissioner of administration for public buildings and equipment therefor and such amount cannot be timely paid because of a deficiency of money in such project account caused by a delay in the receipt of federal funds, the commissioner may provide such money as is needed to pay the amount by temporarily transferring such sum from any other appropriation made to him in the same act as contains the project account wherein the deficiency has occurred. Such moneys as are required therefor are hereby appropriated for such purpose. When the delayed federal funds are received the commissioner shall cause the amount of money transferred to be returned to the account from whence it came.

Sec. 19. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 20. Notwithstanding any other provision of law, all moneys appropriated by this act and all previous acts for the purposes of the Minnesota state building fund shall be and remain available for such purposes until and unless such appropriations are specifically rescinded by law. The state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects, incidental expenses or contingencies.

Sec. 21. This act is in effect the day following enactment."

Further amend the title by striking it in its entirety and inserting:

"A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and re-appropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund; appropriating moneys in connection therewith."

Which motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Novak imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	O'Neill	Stokowski
Ashbach	Gearty	Larson	Patton	Tennessee
Berg	Hansen, Mel	Lewis	Pillsbury	Thorup
Blatz	Hanson, R.	Milton	Purfeerst	Ueland
Borden	Humphrey	Moe	Renneke	Wegener
Chenoweth	Jensen	Nelson	Schaaf	Willet
Chmielewski	Josefson	Novak	Sillers	
Coleman	Keefe, S.	Ogdahl	Solon	
Davies	Kirchner	Olhoft	Spear	
Doty	Kleinbaum	Olson, H. D.	Stassen	

The Sergeant-at-Arms was instructed to bring in the absent members.

H. F. No. 2531 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Novak	Schrom
Ashbach	Gearty	Knutson	Ogdahl	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Spear
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Borden	Hughes	Lewis	O'Neill	Stokowski
Chenoweth	Humphrey	Lord	Patton	Tennessee
Chmielewski	Jensen	Milton	Pillsbury	Thorup
Coleman	Josefson	Moe	Purfeerst	Ueland
Davies	Keefe, S.	Nelson	Renneke	Wegener
Doty	Kirchner	North	Schaaf	Willet

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on S. F. No. 384:

Messrs. Ogdahl, Tennessee and Lewis. Which motion prevailed.

Mr. Olson, H. D. moved that H. F. No. 266 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 185 now on General Orders. Which motion prevailed.

SPECIAL ORDER—CONTINUED

The question recurred on H. F. No. 515.

Mr. Lord moved to amend H. F. No. 515, the Senate unofficial engrossment, as follows:

Page 49, line 10, strike "*Subdivision 1.*"

Page 49, strike lines 19 to 25

Page 50, strike lines 24 to 26

Page 55, line 18, strike "*nine-tenths*" insert "*three-fourths*"

Page 56, strike lines 3 to 16

Page 57, line 13, after "*open space*" strike "*and mosquito control functions;*" and insert "*function,*"

Page 57, strike lines 17 to 28

Page 58, strike lines 1 to 2

Renumber the remaining sections and subdivisions accordingly.

Page 58, after line 9, insert:

"Sec. 9. Minnesota Statutes 1971, Section 399.01, Subdivision 5, is amended to read:

Subd. 5. "Eligible counties" means the counties which have now joined together in a joint agreement to control mosquitoes, and such counties are the counties of Anoka, *Carver*, Dakota, Hennepin, Ramsey, Scott, and Washington."

Page 58, strike lines 10 and 11.

Amend the title as follows:

Page 1, Lines 15 to 18, strike "transferring the functions of the Metropolitan Mosquito Control District to the Parks and Open Space Commission;"

Line 38, after "287.12;" insert "399.01, Subdivision 5;"

Line 52, strike "Chapter 399;"

Mr. Schaaf moved to amend H. F. No. 515, the unofficial engrossment, as follows:

Page 56, line 3, before "*The*" insert "*Subdivision 1.*"

Page 56, after line 16, insert the following new subdivision:

"*Subd. 2. In planning for and operating the mosquito control functions transferred to the commission under this article, the commission should work with any advisory committee appointed by the Metropolitan Inter-County Council.*"

Page 58, after line 6, insert the following new subdivision:

"Subd. 9. The commission may assign up to 30 permanent employees to work under the direction of individual county boards when such employees are not required for the work of the commission."

Which motion did not prevail. So the amendment was not adopted.

The question recurred on the Lord amendment.

Mr. Chenoweth moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Lord moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 30 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jensen	Milton	Renneke
Ashbach	Dunn	Josefson	Nelson	Sillers
Berg	Fitzsimons	Kowalczyk	Novak	Stassen
Bernhagen	Frederick	Krieger	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Thorup
Brown	Hansen, Mel	Lord	Patton	Ueland

Those who voted in the negative were:

Arnold	Doty	Kirchner	Ogdahl	Solon
Bang	Gearty	Kleinbaum	Olhoff	Spear
Borden	Hanson, R.	Knutson	Olson, A. G.	Tennessee
Chenoweth	Hughes	Lewis	O'Neill	Wegener
Coleman	Humphrey	McCutcheon	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

Mr. Lord moved that the vote whereby the Schaaf amendment failed be now reconsidered. Which motion prevailed.

The question recurred on the Schaaf amendment. Which motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 515, the Senate unofficial engrossment, as follows:

Page 8, Line 24, strike "*appointed*" and insert "*elected*"

Page 8, line 25, strike "*governor with the advice and consent of the senate*" and insert "*legislators representing the precincts, with members of the House of Representatives and the Senate having equal votes, except that legislators serving only a portion of the precinct shall have a proportional vote. Each commission member shall serve with the advice and consent of the Senate*"

Page 10, line 19, strike "*appointed*" and insert "*elected*"

Page 11, line 11, strike "*appointment*" and insert "*election*"

Page 11, line 11, strike "*governor*" and insert "*legislators*"

Page 11, line 12, strike "*appointment*" and insert "*election*"

Which motion did not prevail. So the amendment was not adopted.

CALL OF THE SENATE

Mr. Keefe, J. imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Coleman	Keefe, S.	Olhoft	Pillsbury
Blatz	Davies	Kirchner	Olson, J. L.	Renneke
Borden	Dunn	Kowalczyk	Patton	Solon
Brown	Frederick	Nelson	Perpich, A. J.	Spear
Chenoweth	Humphrey	North	Perpich, G.	Thorup

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, Borden, O'Neill and Sillers. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President.

Which motion prevailed.

After a brief recess, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Stokowski was excused from the remainder of this afternoon's Session.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

**REPORTS OF COMMITTEES
APPOINTMENTS**

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1302, pursuant to the request of the Senate:

Messrs. Borden, Stassen, Milton.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1964, pursuant to the request of the Senate:

Messrs. Borden; Olson, J. L.; Moe.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 491, pursuant to the request of the House:

Messrs. Chenoweth; Thorup; Hanson, R.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1659 pursuant to the request of the House:

Messrs. Borden, Dunn, Moe.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 633, pursuant to the request of the House:

Messrs. Renneke, Chmielewski, Willet.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 9, pursuant to the request of the House:

Messrs. Milton; Kowalczyk; Olson, H. D.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

The question recurred on H. F. No. 515.

Mr. Coleman moved that H. F. No. 515 be returned to the top of General Orders.

Mr. Thorup moved that H. F. No. 515 be returned to the Committee on Metropolitan and Urban Affairs.

CALL OF THE SENATE

Mr. Thorup imposed a call of the Senate. The following Senators answered to their names:

Anderson	Bernhagen	Chenoweth	Doty	Gearty
Arnold	Blatz	Coleman	Dunn	Hansen, Mei
Ashbach	Borden	Conzemius	Fitzsimons	Hanson, R.
Berg	Brown	Davies	Frederick	Hughes

Humphrey	Krieger	Novak	Pillsbury	Tennessee
Jensen	Larson	Ogdahl	Purfeerst	Thorup
Keefe, J.	Laufenburger	Olhoft	Renneke	Wegener
Keefe, S.	Lewis	Olson, A. G.	Schrom	Willet
Kirchner	McCutcheon	Olson, J. L.	Sillers	
Kleinbaum	Milton	O'Neill	Spear	
Knutson	Moe	Patton	Stassen	
Kowalczyk	Nelson	Perpich, A. J.	Stokowski	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on adoption of the motion of Mr. Thorup,

And the roll being called, there were yeas 36 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Olson, H. D.	Stassen
Bang	Fitzsimons	Knutson	Olson, J. L.	Thorup
Berg	Frederick	Kowalczyk	Patton	Ueland
Bernhagen	Hansen, Baldy	Krieger	Pillsbury	Wegener
Blatz	Hansen, Mel	Larson	Purfeerst	
Brown	Hanson, R.	McCutcheon	Renneke	
Chmielewski	Jensen	Nelson	Schrom	
Coleman	Josefson	Novak	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olson, A. G.	Stokowski
Arnold	Hughes	Lord	O'Neill	Tennessee
Borden	Humphrey	Milton	Perpich, A. J.	Willet
Chenoweth	Keefe, J.	Moe	Perpich, G.	
Conzermius	Keefe, S.	North	Schaaf	
Davies	Kleinbaum	Ogdahl	Solon	
Doty	Laufenburger	Olhoft	Spear	

Which motion prevailed.

Pursuant to Rule 31, Mr. Coleman gave notice of intention to move for reconsideration of the motion to return H. F. No. 515 to the Committee on Metropolitan and Urban Affairs.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1626: A bill for an act relating to retirement; the Minnesota unclassified employees retirement programs; amending Minnesota Statutes 1971, Chapter 352D, by adding sections; Sections 352D.01, 352D.02, 302D.03, 352D.04, 352D.05, 352D.06, and 352D.09; repealing Minnesota Statutes 1971, Sections 352D.07, and 352D.08.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Nelson	Schaaf
Bang	Frederick	Keefe, S.	North	Schrom
Berg	Gearty	Kirchner	Novak	Solon
Bernhagen	Hansen, Baldy	Kleinbaum	Olhoft	Spear
Blatz	Hansen, Mel	Knutson	Olson, J. L.	Stassen
Borden	Hanson, R.	Kowalczyk	Patton	Stokowski
Chenoweth	Hughes	Krieger	Perpich, G.	Ueland
Conzemius	Humphrey	Larson	Pillsbury	Wegener
Davies	Jensen	Laufenburger	Purfeerst	Willet
Dunn	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1585: A bill for an act relating to commerce; prohibiting the use of powdered asbestos in the construction or improvement of buildings; providing a penalty.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	North	Schrom
Bang	Fitzsimons	Keefe, S.	Novak	Solon
Berg	Gearty	Kirchner	Olhoft	Spear
Bernhagen	Hansen, Baldy	Kleinbaum	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Kowalczyk	Patton	Stokowski
Borden	Hanson, R.	Larson	Perpich, G.	Ueland
Chenoweth	Hughes	Lord	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	
Davies	Jensen	Nelson	Schaaf	

Messrs. Knutson, Krieger and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1045: A bill for an act relating to automobile insurance; cancellation; right to complain; amending Minnesota Statutes 1971, Section 65B.19, and 65B.21.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Chmielewski	Fitzsimons	Hansen, Baldy
Bang	Borden	Davies	Frederick	Hansen, Mel
Berg	Chenoweth	Dunn	Gearty	Hanson, R.

Hughes	Kleinbaum	North	Pillsbury	Stassen
Humphrey	Knutson	Novak	Purfeerst	Stokowski
Jensen	Krieger	Olhoff	Renneke	Ueland
Josefson	Larson	Olson, J. L.	Schaaf	Willet
Keefe, S.	Moe	Patton	Schrom	
Kirchner	Nelson	Perpich, G.	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 255: A bill for an act relating to barbering by nursing aides; amending Minnesota Statutes 1971, Section 154.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Krieger	Olson, J. L.	Spear
Berg	Hansen, Mel	Larson	Patton	Stassen
Bernhagen	Hanson, R.	Laufenburger	Perpich, G.	Stokowski
Chenoweth	Hughes	Lord	Pillsbury	Ueland
Davies	Humphrey	Moe	Purfeerst	Wegener
Dunn	Jensen	Novak	Renneke	Willet
Fitzsimons	Josefson	Nelson	Schaaf	
Frederick	Keefe, S.	Olhoff	Schrom	
Gearty	Kirchner	Olson, H. D.	Solon	

Messrs. Chmielewski and North voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1293: A bill for an act relating to adult corrections; parole; eliminating certain limitations on parole; amending Minnesota Statutes 1971, Section 243.05.

Mr. Spear moved that the amendment made to H. F. No. 1293 by the Committee on Rules and Administration in the report adopted May 11, 1973, pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1293 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Berg moved that those not voting be excused from voting. Which motion did not prevail.

And the roll being called, there were yeas 35 and nays 22, as follows:

Those who voted in the affirmative were:

Borden	Humphrey	Lewis	Olson, H. D.	Solon
Coleman	Jensen	Lord	Patton	Spear
Conzemius	Keefe, S.	Milton	Perpich, A. J.	Stassen
Davies	Kirchner	Moe	Perpich, G.	Tennessee
Gearty	Kleinbaum	Nelson	Pillsbury	Thorup
Hansen, Mel	Knutson	North	Schaaf	Ueland
Hughes	Laufenburger	Olhoft	Sillers	Wegener

Those who voted in the negative were:

Anderson	Chmielewski	Hansen, Baldy	Ogdahl	Schrom
Bang	Doty	Hanson, R.	Olson, J. L.	Willet
Berg	Dunn	Josefson	O'Neill	
Bernhagen	Fitzsimons	Kowalczyk	Purfeerst	
Blatz	Frederick	Larson	Renneke	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Olson, A. G.; Perpich, A. J.; Conzemius and McCutcheon. Which motion prevailed.

SPECIAL ORDER

H. F. No. 2225: A bill for an act relating to insurance; providing for legal expense insurance; amending Minnesota Statutes 1971, Sections 60A.06, Subdivision 1; 60A.07, Subdivisions 5a, 5b, and 5c; and 60A.08, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	North	Schaaf
Bang	Dunn	Josefson	Olhoft	Schrom
Berg	Fitzsimons	Keefe, J.	Olson, A. G.	Solon
Bernhagen	Frederick	Keefe, S.	Olson, H. D.	Spear
Blatz	Gearty	Kowalczyk	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Larson	Patton	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Lord	Perpich, G.	Wegener
Coleman	Hughes	Moe	Pillsbury	Willet
Davies	Humphrey	Nelson	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the following bills a Special Orders Calendar, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 134, 1271, 1410, 702, 377, 624, 1940, 1065, 358, 1302, 1612, 534, 2174, 1897, 924, 133, 1765, 735, 1307 and 677. S. F. Nos. 1840, 2370, 552, 2246 and 2243.

SPECIAL ORDER

H. F. No. 134: A bill for an act relating to labor; establishing procedures for determining wage rates on state projects and state highway construction; prohibiting wage rates lower than prevailing wage rates; providing penalties.

Mr. Olson A. G. moved to amend H. F. No. 134, the printed bill, as follows:

Page 3, line 34, after "establish" insert "by regulation"

Which motion prevailed. So the amendment was adopted.

H. F. No. 134 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olhoft	Solon
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Berg	Frederick	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Lewis	Patton	Thorup
Borden	Hansen, R.	Lord	Perpich, A. J.	Ueland
Brown	Hughes	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 702: A bill for an act relating to probate proceedings; partition of property in probate decree; amending Minnesota Statutes 1971, Section 525.485.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Fitzsimons	Hansen, Mel
Bang	Borden	Davies	Frederick	Hansen, R.
Berg	Chmielewski	Doty	Gearty	Hughes
Bernhagen	Coleman	Dunn	Hansen, Baldy	Humphrey

Jensen	Laufenburger	Novak	Pillsbury	Stassen
Josefson	Lewis	Olhoft	Renneke	Tennessee
Keefe, J.	Lord	Olson, A. G.	Schaaf	Thorup
Kirchner	McCutcheon	Olson, H. D.	Schrom	Wegener
Knutson	Moe	Olson, J. L.	Sillers	Willet
Kowalczyk	Nelson	Perpich, A. J.	Solon	
Larson	North	Perpich, G.	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2370: A bill for an act relating to education; peddling and canvassing on school grounds; repealing Minnesota Statutes 1971, Section 126.19.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	North	Schrom
Bang	Dunn	Josefson	Novak	Sillers
Berg	Fitzsimons	Kirchner	Olhoft	Solon
Bernhagen	Frederick	Knutson	Olson, A. G.	Spear
Borden	Gearty	Larson	Olson, J. L.	Stassen
Brown	Hansen, Baldy	Laufenburger	Perpich, A. J.	Thorup
Chmielewski	Hansen, Mel	Lewis	Perpich, G.	Ueland
Coleman	Hansen, R.	Lord	Pillsbury	Wegener
Conzemius	Hughes	Moe	Renneke	Willet
Davies	Humphrey	Nelson	Schaaf	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. Which motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	Novak	Purfeerst
Berg	Fitzsimons	Krieger	Olhoft	Renneke
Bernhagen	Gearty	Larson	Olson, A. G.	Tennessee
Blatz	Humphrey	Laufenburger	Olson, J. L.	Ueland
Brown	Josefson	Lord	Patton	Willet
Chmielewski	Keefe, S.	McCutcheon	Perpich, A. J.	
Coleman	Kirchner	Milton	Perpich, G.	
Davies	Kleinbaum	Nelson	Pillsbury	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Introduction of Bills, and proceed through the Agenda, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

INTRODUCTION OF BILLS

Mr. Perpich, G. introduced—

S. F. No. 2497: A bill for an act relating to the village of Hibbing, the town of Stuntz, and Independent School District Number 701; permitting tax levy by joint recreation and park board regardless of existing mill rates and per capita limit.

Which was read the first time and referred to the Committee on Local Government.

Mr. Perpich, G. introduced—

S. F. No. 2498: A bill for an act relating to the village of Hibbing; taxation; levy for library purposes.

Which was read the first time and referred to the Committee on Local Government.

Mr. Perpich, G. introduced—

S. F. No. 2499: A bill for an act relating to the city of Hibbing; financing of firemen's relief; amending Laws 1971, Chapter 807, Section 3.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Perpich, G. introduced—

S. F. No. 2500: A bill for an act relating to the city of Chisholm; financing of firemen's relief; amending Laws 1971, Chapter 810, Section 7.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Purfeerst, Bernhagen and Lord introduced—

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.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Purfeerst, Larson and Laufenburger introduced—

S. F. No. 2502: A bill for an act relating to counties; establishment and use of imprest cash funds in counties.

Which was read the first time and referred to the Committee on Local Government.

Mr. Chmielewski introduced—

S. F. No. 2503: A bill for an act relating to intoxicating liquor; authorizing issuance of one additional on-sale liquor license by the village of Cromwell.

Which was read the first time and referred to the Committee on Labor and Commerce.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 903, 1125, 1948, and 1949.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 16, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 34, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 34: A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; requiring the retail price of burial caskets to be clearly marked; authorizing cremation or calcination without a casket; providing a penalty; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

Senate File No. 34 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 16, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2167, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2167: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders'; dairymen's, horticultural and poultry association and societies; for sheriff's per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capital area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 373.23.

Senate File No. 2167 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1772, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

House File No. 1772 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Keefe, J. moved that H. F. No. 1772 and the Conference Committee Report be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 557: A bill for an act relating to taxation; wheelage taxes in the seven county metropolitan area; exempting certain vehicles from the wheelage tax; amending Minnesota Statutes 1971, Section 163.051, Subdivision 1.

Senate File No. 557 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. Ogdahl moved that S. F. No. 557 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 879: A bill for an act relating to Ramsey county; providing for the commissioner districts, membership, and the removal of the mayor of the city of Saint Paul as a member and chairman of the board of commissioners; amending Special Laws 1891, Chapter 438, Section 1, as amended; and Special Laws 1871, Chapter 73, Section 4.

Senate File No. 879 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. Chenoweth moved that S. F. No. 879 be laid on the table. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1526: A bill for an act relating to welfare; assistance, claim against a blind person's estate; repealing Minnesota Statutes 1971, Section 256.65.

Senate File No. 1526 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

CONCURRENCE AND REPASSAGE

Mr. Ueland moved that the Senate do now concur in the amendments by the House to S. F. No. 1526 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1526: A bill for an act relating to welfare; assistance, claim against a blind person's estate; releasing claims of the state; repealing Minnesota Statutes 1971, Section 256.65.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Stassen
Bang	Fitzsimons	Krieger	Olson, H. D.	Stokowski
Berg	Gearty	Larson	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Wegener
Borden	Hansen, Mel	Lord	Perpich, A. J.	Willet
Brown	Hanson, R.	Milton	Pillsbury	
Chmielewski	Hughes	Nelson	Renneke	
Conzemius	Jensen	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to

the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 384: A bill for an act relating to hospital, boarding care homes, and nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding sections; 154, by adding a section; 256B, by adding a section; 609, by adding a section; and 626, by adding a section; repealing Minnesota Statutes 1971, Section 144.583.

There has been appointed as such committee on the part of the House:

Flakne, Salchert and Swanson.

Senate File No. 384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

There has been appointed as such committee on the part of the House:

Tomlinson, Sarna and Cleary.

Senate File No. 1247 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1203:

H. F. No. 1203: A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sherwood, McFarlin and Kahn have been appointed as such committee on the part of the House.

House File No. 1203 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1203 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1547:

H. F. No. 1547: A bill for an act relating to Hennepin county; permitting county to lease real property for periods up to 15 years; amending Laws 1969, Chapter 476, Section 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Enebo, Parish and Pleasant have been appointed as such committee on the part of the House.

House File No. 1547 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Ogdahl moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1547 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1837 and 701.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 1837: A bill for an act relating to water well contractors; requiring compliance with Minnesota Statutes, Chapter 156A, by certain nonlicensees; providing for limited licenses; establishing procedures for examination and licensing of water well contractors; authorizing the department of health to coordinate a state water information system; prohibiting imposition of fees by political subdivisions; amending Minnesota Statutes 1971, Sections 156A.02, Subdivisions 2 and 3; 156A.03, Subdivision 2; 156A.06, Subdivision 1; 156A.07, Subdivisions 1 and 4; and by adding subdivisions; repealing Minnesota Statutes 1971, Sections 156A.06, Subdivision 2; and 156A.07, Subdivision 3.

Which was read the first time and referred to the Committee on Rules and Administration

H. F. No. 701: A bill for an act relating to education; authorizing and directing the higher education coordinating commission to establish and supervise a student loan program; providing for the issuance of revenue bonds; amending Minnesota Statutes 1971, Sections 136A.14; 136A.15, Subdivisions 5 and 7; 136A.16, Subdivisions 3 and 8; and 136A.17, Subdivisions 1, 3, 4 and 10.

Mr. Hughes moved that H. F. No. 701 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2092: A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; and 270.47.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 3, add a section to read:

"Sec. 3. Minnesota Statutes 1971, Chapter 270, is amended by adding a section to read:

[270.493] [CERTAIN TOWNSHIPS OPTION TO CONTINUE EXISTING SYSTEM.]

Notwithstanding the provisions of section 270.49, any township which failed to certify by resolution to the commissioner of taxation its intention to employ or continue to employ a certified assessor on or before April 1, 1972, may if done prior to December 1, 1974, hire a certified assessor in which case the assessment function will be returned to the local assessor by the county assessor."

Amend the title, as follows:

Page 1, line 6, after the semicolon strike "and"

Page 1, line 6, after "270.47" insert "; and Chapter 270 by adding a section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1676: A bill for an act relating to taxation; private outdoor recreational, open space and park land tax; amending Minnesota Statutes 1971, Section 273.112, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [WHEATON, CITY OF; SPECIAL TAXING PROVISIONS FOR REAL PROPERTY USED FOR RECREATIONAL SWIMMING.] Notwithstanding any law, regulation or ordinance to the contrary, the city of Wheaton is hereby authorized to provide special valuation, assessment and tax deferments for real estate within the corporate bounds of that city upon which is situated an establishment or facility that is actively and exclusively devoted to recreational swimming and other recreational uses. Except as otherwise provided in this act, the valuation, assessment and deferment of taxes for such real property shall be in accordance with the requirements and procedures set out in Minnesota Statutes 1971, Section 273.112.

Sec. 2. Notwithstanding the provisions of Minnesota Statutes 1971, Section 273.112, Subdivision 6, the provisions of section 1 are effective for taxes assessed and levied in 1973 and thereafter and payable in 1974 and thereafter.

Sec. 3. This act shall take effect only after its approval by a majority of the governing body of the city of Wheaton, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title on page 1 by striking all of lines 2 through 5 and inserting in lieu thereof "relating to the city of Wheaton; authorizing special tax treatment for real properties used for recreational swimming."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2443: A bill for an act relating to taxation of property

devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1779: A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Section 125.04, is amended to read:

125.04 [QUALIFIED TEACHER DEFINED.] A qualified teacher is one holding a valid certificate ~~from the state board~~, as hereinafter provided, to perform the particular service for which he is employed in a public school.

Sec. 2. Minnesota Statutes 1971, Section 125.05, Subdivision 1, is amended to read:

125.05 [COMMISSION TO ISSUE CERTIFICATES.] Subdivision 1. [QUALIFICATIONS.] The authority to certify teachers *as defined herein* is vested in the ~~state board~~ *commission but teacher standards and certification commission but based solely on criteria and qualifications approved by the state board of education. The authority to certify superintendents and principals is vested in the state board of education*. Certificates shall be issued to such persons as the ~~state board~~ *commission* finds to be physically competent and morally fit to teach. Qualifications of teachers and other professional employees shall be determined by the ~~state board~~ *commission* under the rules which it promulgates. Certificates of qualifications of teachers shall be issued by the commissioner and the commissioner shall issue certificates to any qualified blind graduates of a school of education.

Sec. 3. Minnesota Statutes 1971, Section 125.05, Subdivision 2, is amended to read:

Subd. 2. [EXPIRATION AND RENEWAL.] Each certificate shall bear the date of issue. Certificates shall expire and be renewed in accordance with rules promulgated by the ~~state board of education~~ *commission*. Renewal requirements for the renewal of a certificate shall include the production of satisfactory evidence

of successful teaching experience for at least one school year during the period covered by the certificate in grades or subjects for which the certificate is valid or the completion of such additional preparation as the state board *commission* shall prescribe.

Sec. 4. Minnesota Statutes 1971, Section 125.06, is amended to read:

125.06 [APPLICANTS TRAINED IN OTHER STATES.] When a certificate to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state college or of the University of Minnesota, or of a liberal arts college, or a technical training institution, such certificate may also, in the discretion of the state board *commission*, be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state, granted by virtue of the completion of a course in teacher preparation essentially equivalent in content to that required by such Minnesota State college or the university of Minnesota or a liberal arts college in Minnesota or a technical training institution as preliminary to the granting of a diploma or a degree of the same rank and class.

Sec. 5. Minnesota Statutes 1971, Section 125.08, is amended to read:

125.08 [TEACHERS' CERTIFICATES, FEES.] Each application for the issuance, renewal, or extension of a certificate to teach shall be accompanied by a nonrefundable fee of \$5 *in an amount set by the commission*. Such fee shall be paid to the commissioner, who shall deposit them with the state treasurer, as provided by law, and report each month to the state auditor the amount of fees collected.

Sec. 6. Minnesota Statutes 1971, Section 125.09, is amended to read:

125.09 [SUSPENSION OR REVOCATION OF CERTIFICATES.] Subdivision 1. [GROUNDS FOR REVOCATION.] The state board *commission* may, on the written complaint of the board employing a teacher, or of the superintendent of schools where such teacher is employed, or of a teacher organization, or of a teacher in a district where no teacher organization exists, or of the commissioner, which complaint shall specify ~~generally~~ the nature and character of the charges, suspend or revoke such teacher's certificate or license to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of his contract;
- (3) Gross inefficiency or wilful neglect of duty; or
- ~~(4) A violation of the professional code of ethics, when, in the determination of the state board, in consultation with the commission, such violation constitutes gross misconduct.~~
- (4) Failure to meet recertification requirements; or

(5) *Fraud or misrepresentation in obtaining a certificate.*

Subd. 2. [HEARING ON CHARGES.] The ~~commissioner~~ *chairman of the commission* shall, within 10 days after the filing of the complaint, serve a copy thereof upon the teacher in person or by registered mail addressed to such teacher at his last known address and such teacher shall, within 10 days after the service of such copy upon him, file with the ~~state board~~ *state board commission* his answer to the charges specified. The ~~commissioner~~ *chairman of the commission* shall thereupon fix in writing a time for a hearing upon the complaint, and serve a copy thereof on the teacher. Such hearing shall be conducted by the ~~state board commission~~ or by the ~~commissioner~~ *chairman of the commission* or ~~assistant commissioner~~, as the rules of the ~~state board commission~~ may provide; ~~unless the complaint is filed by the commissioner, in which case it shall be conducted by the state board or a member thereof designated by the state board. In the case of a complaint of a violation of the professional code of ethics, the hearing shall be conducted by the professional teaching practices commission unless the teacher charged requests otherwise.~~ The hearing shall be held in the office of the ~~state board commission~~ unless the teacher at the time of filing his answer shall file therewith a written demand that the hearing be held in the county seat of the county wherein he is employed, in which case it shall be held at such county seat. Such hearing shall be either private or public, as the teacher may elect, and the teacher shall have the right to appear in person and by counsel and produce evidence thereat. All witnesses shall be sworn before testifying and the official conducting such hearing is hereby authorized to administer the oath prescribed by law for witnesses in judicial proceedings. A record in writing shall be made of the proceedings and of all evidence produced thereat and forthwith filed with the ~~state board commission~~ upon the conclusion of such hearing. A copy thereof shall be furnished to such teacher upon his request.

Subd. 3. [DECISION BY COMMISSION.] Upon concluding such hearing, if conducted by the ~~state board commission~~, the ~~state board commission~~ shall ~~consider the same and make its decision within 30 days from the date of such hearing.~~ If the hearing is conducted by the ~~commissioner, deputy commissioner chairman or such other person as is authorized by rules of the commission; member of the state board, or the professional teaching practices commission,~~ the ~~state board commission~~ shall make its decision within 30 days from the date of the filing of the hearing report with the ~~state board commission~~, which report shall be filed within 30 days from the date of such hearing. ~~The report of a hearing conducted by the professional teaching practices commission shall also include the findings and recommendation of such commission.~~ In case of suspension or revocation, the order of the ~~state board commission~~ shall fix the date at which suspension or revocation becomes effective and, in case of suspension, the duration thereof, and notice thereof shall forthwith be given in writing to the teacher and to the school board by which he is employed.

The action of the ~~state board~~ *commission* shall be ~~final and subject to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0426.~~ All orders of suspension or revocation shall be included in the certificate records of the ~~department~~ *commission*.

Sec. 7. Minnesota Statutes 1971, Section 125.181, is amended to read:

125.181. [PROFESSIONAL PRACTICES; INTENT.] The purpose of ~~Extra session Laws 1967, Chapter 25 sections 125.181 to 125.185~~, is to develop standards of ethical conduct for the guidance and improvement of the teaching profession and to provide measures through which the observance of such standards by the members of the profession may be promoted and enforced.

Sec. 8. Minnesota Statutes 1971, Section 125.182, is amended to read:

125.182 [DEFINITIONS.] Subdivision 1. For the purpose of ~~Extra Session Laws 1967, Chapter 25 this act~~, the words, phrases and terms defined in this section shall have the meanings ascribed to them.

Subd. 2. "Teacher" means a ~~superintendent, principal,~~ supervisor, classroom teacher, or other similar professional employee required to hold a certificate from the state department of education.

Subd. 3. "Commission" means the ~~professional teaching practices teacher standards and certification~~ commission.

Subd. 4. "State board" means the state board of education.

Sec. 9. Minnesota Statutes 1971, Section 125.183, is amended to read:

125.183 [MEMBERSHIP.] Subdivision 1. A ~~professional teaching practices teacher standards and certification~~ commission consisting of ~~12~~ 15 members is hereby established. Each member shall be appointed by the governor for a four year term and serve until his successor is duly appointed and qualified. No member shall be reappointed for more than one additional term. A vacancy during the term of a member shall be filled by the governor for the unexpired term.

Subd. 2. ~~Of the first members appointed, three shall be appointed for a term ending the first Monday in January 1968; three shall be appointed for a term ending the first Monday in January 1969; three shall be appointed for a term ending the first Monday in January 1970; and three shall be appointed for a term ending the first Monday in January 1971. Initial appointments shall be made by November 15, 1973 for terms as follows: five members shall be appointed for terms ending November 15 in each of the years 1974, 1975 and 1976. Thereafter each member shall be appointed for a full four year term.~~

Subd. 3. *Except for the representatives of higher education and the public*, to be eligible for appointment to the commission a person must be fully certificated for the position he holds and

have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The commission shall be composed of *one teacher whose responsibilities are those either of a counsellor, librarian, psychologist, remedial reading teacher, speech therapist, vocational teacher, or certified school nurse, four elementary school classroom teachers, four secondary classroom teachers, three school administrators, one of whom shall be a superintendent, one of whom shall be an elementary school administrator, one of whom shall be a secondary school administrator, and one other teacher higher education representatives, from higher education faculties preparing teachers, two of whom shall be representatives of state institutions and one of whom shall be a representative of private institutions; one school administrator and two members of the public. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and certification.*

Subd. 4. The position of a member who leaves Minnesota or whose employment status changes to a category different from that from which he was appointed shall be deemed vacant.

Sec. 10. Minnesota Statutes 1971, Section 125.184, is amended to read:

125.184 [MEETINGS.] Subdivision 1. The commission shall meet regularly at quarterly intervals at the seat of government and at such other times and places as the commission shall determine. Meetings shall be called by the chairman or at the written request of any ~~six~~ eight members. ~~Each member shall be reimbursed for travel, subsistence and other reasonable expenses incurred in the performance of his duties in the same manner and in the same amounts as other state officers and employees are reimbursed~~ *The members of the commission shall receive compensation of the sum of \$35 per day for attendance at commission meetings and ordinary and necessary expenses in the same amount and manner as state employees. When attendance at commission meetings requires a member to absent himself from other public employment, the compensation paid for other public employment shall be reduced by the amount of compensation paid for attendance at commission meetings.*

Subd. 2. The commissioner of education *shall serve as secretary of the commission and*, in his discretion, may assign such persons as may be required to perform clerical and professional assistance to the commission.

Sec. 11. Minnesota Statutes 1971, Section 125.185, is amended to read:

125.185 [DUTIES.] Subdivision 1. The commission shall, after public hearings, develop a code of ethics covering standards of professional teaching practices, including areas of ethical conduct and professional performance *and methods of enforcement.*

Subd. 2. The commission shall act in an advisory capacity ~~to~~

the state board of education and to members of the profession in matters of interpretation of the code of ethics.

Subd. 3. In the case of a complaint under section 125.09, the commission shall conduct the hearing if the complaint is based upon an alleged violation of the professional code of ethics, except that, upon request of the teacher against whom the charges are brought, such hearing shall be held in the manner otherwise provided in section 125.09.

Subd. 4. 3. The commission shall elect a chairman and such other officers as it may deem necessary.

Subd. 4. The commission shall develop and create criteria, rules, and regulations for the certification of public school teachers and interns, which shall be submitted to the state board of education for approval, and from time to time the commission shall revise or supplement the criteria for certification of public school teachers subject to approval by the state board. It shall be the duty of the commission to establish criteria for the approval of teacher education programs subject to approval by the board. Subject to criteria, rules, and regulations approved by the state board of education, the commission shall also grant certificates to interns and to candidates for original certificates and receive recommendations from local committees as established by the commission for the renewal of teaching certificates, grant life certificates to those who qualify according to requirements established by the commission, and suspend or revoke certificates pursuant to Minnesota Statutes, Section 125.09. With regard to vocational education teachers the commission shall adopt and maintain as its criteria the state plan for vocational education.

In the event the state board of education disapproves any proposal from the commission, it shall give written notice of such disapproval within 120 days after the receipt of the proposal including its reasons. Any proposal disapproved by the state board may be resubmitted by the commission at any time after the expiration of 90 days after the date of disapproval.

Subd. 5. The secretary of the commission shall keep a record of the proceedings of and a register of all persons certificated under this act. The register shall show the name, address, certificate number and the renewal thereof. The commission shall on July 1, 1974, or as soon thereafter as is practicable, and each year thereafter compile a list of such duly certificated teachers and transmit a copy thereof to the board. A copy of the register shall be available during business hours at the office of the commission to any interested person.

Subd. 6. The state board shall provide all necessary materials and assistance for the transaction of the business of the commission and all moneys received by the commission shall be paid into the state treasury as provided by law.

Subd. 7. Any person who shall in any manner represent himself as a certificated teacher without a valid existing certificate issued to him by the commission or any person who employs fraud or

deception in applying for or securing a certificate shall be guilty of a gross misdemeanor.

Subd. 8. The sum of \$30,000 or so much thereof as may be necessary is appropriated to the state board of education from the general fund in the state treasury for the establishment of the commission to carry out the purposes of this act.

Subd. 9. The commission may adopt rules and regulations, pursuant to Minnesota Statutes, Chapter 15, in order to effect the purposes of this act. Rules and regulations so adopted shall be subject to the approval of the state board as provided in this act. The state board shall not hold a public hearing pursuant to Minnesota Statutes, Chapter 15, with respect to rules and regulations adopted by the commission.

Sec. 12. No regulation adopted by the teacher standards and certification commission shall affect the validity of certificates or licenses to teach in effect on July 1, 1974, or the rights and privileges of the holders thereof, except that any such certificate or license may be suspended or revoked for any of the causes and by the procedures specified by law.

Sec. 13. This act is effective July 1, 1973. The present rules and regulations of the state board of education shall continue in full force and effect relative to teacher certification and approval of teacher preparation programs until superseded."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1000: A bill for an act creating a commission on Minnesota's future; describing its duties and functions; and appropriating funds for its operation; repealing Minnesota Statutes 1971, Section 4.14.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 6, strike "two nor more than eight representatives" and insert in lieu thereof "one representative"

Page 2, line 20, strike "requiring recourse to them or to" and insert in lieu thereof "or"

Page 2, line 29, strike "The legisla-"

Page 2, line 30, strike "tive representatives" and insert in lieu thereof "This committee"

Page 2, line 30, after "majority leader; three" strike "senators"

Page 2, line 31, before "by the minority leader;" strike "appointed"

Page 3, strike line 3

Further amend the title as follows:

In the second line of the title, strike “; repealing Minnesota Statutes 1971, Section 4.14”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1536: A bill for an act relating to the department of corrections; community corrections centers; amending Minnesota Statutes 1971, Sections 241.31; and 241.32.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2290: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; appropriating moneys; amending Minnesota Statutes 1971, Section 297.03, Subdivision 6.

Reports the same back with the recommendation that the bill do pass. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2092, 1676, 2443 and 2290 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1779, 1000 and 1536 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Larson moved that the vote whereby S. F. No. 1824 was repassed by the Senate on May 15, 1973 be now reconsidered. Which motion prevailed.

Mr. Larson moved that the vote whereby the amendments by the House to S. F. No. 1824 were adopted by the Senate on May 15, 1973 be now reconsidered. Which motion prevailed.

Mr. Larson moved that the Senate do not concur in the amendments by the House to S. F. No. 1824 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. Hughes moved that H. F. No. 701 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Hughes moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Min-

nesota, with respect to H. F. No. 701 and that the rules of the Senate be so far suspended as to give H. F. No. 701 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 701 was read the second time.

H. F. No. 701: A bill for an act relating to education; authorizing and directing the higher education coordinating commission to establish and supervise a student loan program; providing for the issuance of revenue bonds; amending Minnesota Statutes 1971, Sections 136A.14; 136A.15, Subdivisions 5 and 7; 136A.16, Subdivisions 3 and 8; and 136A.17, Subdivisions 1, 3, 4 and 10.

Was read the third time and place on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olhoff	Sillers
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	Patton	Stokowski
Borden	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	Lord	Perpich, G.	Ueland
Chmielewski	Humphrey	McCutcheon	Pillsbury	Willet
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Kirchner	North	Schaaf	
Doty	Kleinbaum	Novak	Schrom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that H. F. No. 1306 be taken from the table.

SUSPENSION OF RULES

Mr. Conzemius moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 1306 and that the rules of the Senate be so far suspended as to give H. F. No. 1306 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 1306 was read the second time.

H. F. No. 1306: A bill for an act relating to insurance; regulating the terms of certain insurance contracts; amending Minnesota Statutes 1971, Sections 62A.041; and 62C.14, by adding subdivisions; repealing Minnesota Statutes 1971, Section 309.176; and Laws 1971, Chapter 680, Section 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kowalczyk	North	Schrom
Ashbach	Hansen, Mel	Krieger	Novak	Sillers
Berg	Hanson, R.	Larson	Olhoft	Solen
Borden	Hughes	Laufenburger	Olson, A. G.	Spear
Coleman	Humphrey	Lewis	Perpich, A. J.	Stassen
Conzemius	Keefe, J.	Lord	Perpich, G.	Stokowski
Doty	Kirchner	McCutcheon	Pillsbury	Tennessee
Gearty	Knutson	Moe	Schaaf	Wegener

Those who voted in the negative were:

Fang	Brown	Fitzsimons	Olson, J. L.	Renneke
Bernhagen	Chmielewski	Nelson	Patton	Willet
Blatz	Dunn	Olson, H. D.	Purfeerst	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that S. F. No. 2472 be indefinitely postponed. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1283, No. 187 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1283: A bill for an act relating to cable communications; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 161.45, Subdivision 1; and 222.37, Subdivision 1.

Mr. Borden moved to amend S. F. No. 1283 as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [DECLARATION OF LEGISLATIVE FINDINGS AND INTENT.] *Upon investigation of the public interest associated with cable communications, the legislature of the state of Minnesota has determined that while cable communications serve in part as an extension of interstate broadcasting, that their operations also involve public rights-of-way, municipal franchising, and vital business and community service, which are of state concern; that while said operations must be subject to state oversight, they also must be protected from undue restraint and regulation so as to assure development of cable systems with optimum technology and maximum penetration in this state as rapidly as economically and technically feasible; that the municipalities and the state would benefit from valuable educational and public services through cable communications systems; that the cable communications industry must provide the opportunity for minority participation and benefit which its diversity promises; that the public and the business community would benefit if served by cable channels sufficient*

to meet the needs of producers and distributors of program and other communication content services; that the cable communications industry is in a period of rapid growth and corporate consolidation and should proceed in accord with regional and statewide service objectives; that these objectives should encourage area-wide service where consistent with the public interest and discourage concentration of control and ownership when not in the public interest; and that many municipalities lack the necessary resources and expertise to plan for and secure these benefits and to protect subscribers and other parties to the public interest in franchise negotiations.

There is, therefore, a need for a state agency to develop a state cable communications policy; to promote the rapid development of the cable communications industry responsive to community and public interest and consonant with policies, regulations and statutes of the federal government; to assure that cable communications companies provide adequate, economical and efficient service to their subscribers, the municipalities within which they are franchised and other parties to the public interest; to encourage the endeavors of public and private institutions, municipalities, associations and organizations in developing programming for public interest; and to provide minorities with the fullest opportunity to make effective use of the medium.

It is the intent of the legislature in the provisions of this act to vest authority in a commission to oversee development of the cable communications industry in Minnesota in accordance with the statewide service plan; to review the suitability of practices for franchising cable communications companies to protect the public interest; to set standards for cable communications systems and franchise practices; to assure channel availability for municipal services, educational television, program diversity, local expression and other program and communications content services; to assure that municipal franchising results in communication across metropolitan areas and in neighborhood communities in larger municipalities; to provide consultant services to community organizations and municipalities in franchise negotiations; and, to stimulate the development of diverse instructional, educational, community interest and public affairs programming with full access thereto by cable communications companies, educational broadcasters and public and private institutions operating closed circuit television systems and instructional television fixed services.

Sec. 2. [DEFINITIONS.] Subdivision 1. The words and phrases used in the provisions of this act shall have the following meanings unless a different meaning clearly appears in the text.

Subd. 2. "Cable communications company" shall mean any person owning, controlling, operating, managing or leasing a cable communications system within the state.

Subd. 3. "Cable communications system" shall mean any system which operates for hire the service of receiving and amplifying programs broadcast by one or more television or radio stations and any other programs originated by a cable communications company or by another party, and distributing such programs by wire, cable, microwave or other means, whether such means are owned or leased, to persons who subscribe to such service. Such definition does not include:

- (a) any system which serves fewer than 50 subscribers;
- (b) any master antenna television system;
- (c) any specialized closed-circuit system which does not use the public rights-of-way for the construction of its physical plant; and
- (d) any translator systems which receives and rebroadcasts over-the-air signals.

Subd. 4. "Commission" shall mean the commission on cable communications created by the provisions of this act.

Subd. 5. "Franchise" shall mean any authorization granted by a municipality in the form of a franchise, privilege, permit, license or other municipal authorization to construct, operate, maintain, or manage a cable communications system in any municipality.

Subd. 6. "Gross annual receipts" shall mean all compensation received directly or indirectly by a cable communications company from its operations within the state, limited to sums received from subscribers in payment for programs received.

Gross annual receipts shall not include any taxes on services furnished by a cable communications company imposed directly on any subscriber or user by any municipality, state, or other governmental unit and collected by the company for such governmental unit.

Subd. 7. "Master antenna television system" shall mean any system which serves only the residents of one or more apartment dwellings under common ownership, control or management and any commercial establishment located on the premises of such apartment house and which transmits only signals broadcast over the air by stations which may be normally viewed or heard locally without objectionable interference, and which does not provide any additional service over its facilities other than closed-circuit security viewing services.

Subd. 8. "Municipality" shall mean any village, town, city, borough, county, or any combination of these which undertakes to issue a franchise.

Subd. 9. "State" shall mean the state of Minnesota.

Subd. 10. "State agency" shall mean any office, department, board, commission, bureau, division, public corporation, agency or instrumentality of the state.

Subd. 11. "Person" shall mean any individual, trustee, partnership, association, corporation or other legal entity.

Subd. 12. "Program" shall mean any broadcast-type program, signal, message, graphics, data, or communication content service.

Sec. 3. [APPLICATION OF THIS ACT.] *The provisions of this act shall apply to every cable communications system and every cable communications company as defined in section 2, operating within the state, including a cable communications company which constructs, operates and maintains a cable communications system in whole or in part through the facilities of a person fran-*

chised to offer common or contract carrier services. Persons possessing franchises for any of the purposes contemplated by the provisions of this act shall be deemed to be subject to the provisions of this act although no property may have been acquired, business transacted or franchises exercised.

Sec. 4. [COMMISSION CREATED.] *Subdivision 1. A state commission on cable communication is hereby created within the department of administration and shall consist of seven members. The commission shall reside within the department of administration for a period not to exceed two years from the effective date of this act.*

The members of the commission shall be representative of the broad range of interests related to telecommunication needs and concerns.

Subd. 2. Each member shall be appointed by the governor, by and with the advice and consent of the senate, for seven years provided, however, that of the seven members first appointed, one shall be appointed for one year, one for two years, one for three years, one for four years, one for five years, one for six years and one for seven years from January 1 next succeeding their appointment. Their successors shall be appointed for terms of seven years each. Members shall continue in office until their successors have been appointed and qualified. No more than four members shall be from the same political party.

Subd. 3. The governor shall designate one of the members to be chairman who shall be the chief executive officer of the commission. The members shall elect one of their number as vice chairman of the commission.

Subd. 4. Vacancies in the commission occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as original appointments.

Subd. 5. The chairman and the other members of the commission shall receive per diem compensation fixed by the governor within the amounts made available by appropriation therefor.

Subd. 6. A majority of the members of the commission then in office shall constitute a quorum for the transaction of any business or the exercise of any power or function of the commission. The commission may delegate to one or more of its members, or its officers, agents, or employees, such powers and duties as it may deem appropriate.

Subd. 7. The department of administration may appoint an executive director and such other officers, employees, agents, and consultants as it may deem necessary, and prescribe their duties.

The attorney general shall appoint a counsel for the commission.

Subd. 8. The executive director shall serve in the unclassified service of the state. All other employees shall serve in the classified service of the state.

Subd. 9. The commission shall be established within three months of the effective date of this act. The commission shall adopt the regu-

lations required by this act necessary for franchising and certification within one year after it is established.

Sec. 5. [DUTIES OF THE COMMISSION.] *Subdivision 1. The commission shall develop and maintain a statewide plan for development of cable communications services, setting forth the objectives which the commission deems to be of regional and state concern.*

Subd. 2. The commission shall, to the extent permitted by, and not contrary to, applicable federal and state law, rules and regulations;

(a) prescribe procedures and practices which municipalities shall follow in granting franchises, including those providing for issuance of a public invitation to compete for the franchise, said invitation containing the outlines for the municipality's cable system and the desired services, as well as the criteria and priorities which shall be applied;

(b) prescribe minimum standards for inclusion in franchises, including maximum initial, renegotiation and renewal periods, a requirement that no such franchise may be exclusive, length of residential subscriber contracts, and municipal purchase; taking into account the size of the cable communications system, the commission shall also prescribe minimum standards for channel capacity, access to, and facilities to make use of, channels for education, government and public access, two-way capability, performance bonds, and construction and operation of the cable communication system;

(c) prescribe a list of items for inclusion in franchises;

(d) prescribe standards for: franchises awarded in the twin cities metropolitan area which designate a uniform regional channel reserved for public use; the interconnection of all cable systems within this area; and the designation of a single entity to schedule programs and facilitate use of this channel.

Subd. 3. The commission shall provide advice and technical assistance to the cable communications industry, federal, state and local governments, members of the citizenry without commercial cable interests, community organizations, and other private and public agencies interested in matters relating to cable communications, franchises and services.

Subd. 4. The commission shall issue certificates of confirmation in accordance with the standards prescribed by the commission.

Subd. 5. The commission shall represent the interests of the people of the state before the federal communications commission.

Subd. 6. The commission shall adopt, after consulting with the metropolitan council and regional development commissions of the state, a set of minimum standards for the size of cable territories within which a franchise may be awarded, and procedures to be followed for alteration of cable service territory boundaries, by municipalities in the twin cities metropolitan area as designated in Minnesota Statutes 1971, Section 473B.01, and other designated standard metropolitan statistical areas.

Subd. 7. The commission shall approve, modify or reject boundaries for specific territories proposed by municipalities or cable communi-

cations applicants, after consultation with the affected regional planning commission.

Subd. 8. The commission shall prohibit invasion of privacy.

Subd. 9. The commission shall insure that minorities and all other groups have the fullest access to cable communications at all levels, including the establishment of an affirmative action regulation and compliance mechanism consistent with Federal Executive Order 11246, of the President, as amended by Executive Order No. 11375 and Executive Order No. 11478.

Subd. 10. The commission shall establish standards pertaining to transfer, renewal, termination or amendment of franchises.

Subd. 11. The commission shall establish standards pertaining to ownership and control of cable communications companies.

Subd. 12. The commission shall prescribe standards for interconnection and compatability of cable communications systems.

Subd. 13. The commission shall establish provisions pertaining to liability for obscenity and defamation.

Subd. 14. The commission shall encourage experimental, innovative approaches to the building and operation of cable communications systems.

Subd. 15. The commission shall encourage the establishment of non-profit corporations to facilitate production for the access channels.

Subd. 16. The commission shall establish standards covering the construction, operation and abandonment of cable communications systems.

Sec. 6. [POWERS OF COMMISSION.] *Subdivision 1. The commission may promulgate, issue, amend, rescind, and provide for the enforcement of such orders, rules and regulations as it may find necessary or appropriate to carry out the provisions of this act in accordance with Minnesota Statutes 1971, Chapter 15. Such orders, rules and regulations may classify persons and matters within the jurisdiction of the commission and prescribe different requirements for different classes of persons or matters. A copy of any order, rule or regulation promulgated hereunder shall be subject to public inspection during reasonable business hours.*

Subd. 2. The commission or other aggrieved party shall have the right to institute or to intervene as a party in any action in any court of competent jurisdiction seeking mandamus, injunctive or other relief to compel compliance with any provision of this act or any rules, regulations or orders issued hereunder.

Sec. 7. [COSTS AND EXPENSES OF THE COMMISSION.] *On or before December 1 of each year, the commission shall estimate the total costs and expenses, including compensation for personal services necessary to operate and administer the commission for the next ensuing state fiscal year. The commission shall, at such time or times and pursuant to such procedure as it shall determine by regulation, bill and collect from each franchised cable communication company funds to carry on the work of the commission, according to an equitable formula established by the commission; provided that the amount billed to or collected from any operating cable communications company pursuant to this section shall never exceed one percent of the gross annual receipts*

of such company during the 12 month period designated by the commission, and further provided that in no case shall the amount collected pursuant to this section diminish the amount collected by the municipality from the cable communications company. The proceeds collected pursuant to this section shall be annually appropriated to the general fund of the state treasury.

Sec. 8. [FRANCHISE REQUIREMENTS.] *Subdivision 1. A municipality shall have the power to require a franchise of any cable communications system providing service within the municipality.*

Subd. 2. Nothing in the provisions of this act shall be construed to prevent franchise requirements in excess of those prescribed by the commission, unless such requirement is inconsistent with the provisions of this act or any regulation, policy or procedure of the commission.

Subd. 3. Nothing in this act shall be construed to limit any municipality from the right to construct, purchase, and operate a cable communications system.

Subd. 4. Nothing in this act shall be construed to limit the power of any municipality to impose upon any cable communications company a fee, tax or charge.

Sec. 9. [CERTIFICATE OF CONFIRMATION.] *Subdivision 1. Except as provided in subdivision 4 and 5 of this section, after the effective date of this act, no person shall exercise a franchise, and no such franchise shall be effective, until the commission has confirmed such franchise.*

Subd. 2. The commission may issue a certificate of confirmation contingent upon compliance with standards, terms or conditions set by the commission.

Subd. 3. Any cable communications company which, pursuant to an existing franchise was lawfully engaged in actual operations on the effective date of this act, may continue to exercise said franchise pursuant to the terms thereof, provided such company files with the commission by such date as the commission shall set, an application in such form and containing such information and supporting documentation as the commission may require. The commission shall issue a certificate of confirmation to such a cable communications company valid for five years without further proceedings.

Subd. 4. Cable communications companies which have been granted a franchise prior to April 1, 1973, and which were not in operation prior to the effective date of this act, shall be given a 10-year certificate of confirmation provided such company files with the commission by such date as the commission shall set, an application in such form and containing such information and supporting documentation as the commission may require, and further provided such companies have commenced substantial construction, indicated by erection of the "head end" and stringing of no less than 5 miles of trunk and distribution cable, by January 1, 1974.

Subd. 5. Notwithstanding the provisions of section 9, subdivision 6, of this act, a municipality may issue a franchise by September 15, 1973, if done so pursuant to a municipal enabling ordinance on cable com-

munications enacted by April 1, 1973, containing detailed specifications for the construction and operation of a cable communications system. Any cable communications company so franchised may exercise its franchise pursuant to the terms thereof, provided such company files with the commission an application in such form and containing such information and supporting documentation as the commission may require. The commission shall issue a certificate of confirmation to such a cable communications company valid for 10 years.

Subd. 6. Any cable communications company granted a franchise after April 1, 1973, shall be required to secure a certificate of confirmation from the commission before becoming operational. Such certificate may be granted after full commission proceedings and shall be for a period of 10 years.

Subd. 7. Any renewal of a certificate of confirmation shall be for a period of five years.

Subd. 8. Nothing in this section shall be deemed to validate a franchise not granted in accordance with law or affect any claims in litigation on the effective date of this act. No confirmation under this section shall preclude invalidation of any franchise illegally obtained.

Sec. 10. [REGIONAL DEVELOPMENT COMMISSIONS.] For the purposes of assisting in the implementation of this act, the metropolitan council and regional development commissions of the state may engage in a program of research and study concerning interconnection, cable territories, regional use of cable communications and all other aspects which may be of regional concern.

Sec. 11. [CENSORSHIP PROHIBITED.] Subdivision 1. The commission may not promulgate any regulation or condition which would interfere with the right of free speech by means of cable communications.

Subd. 2. No cable communications company may prohibit or limit any program or class or type of program presented over a leased channel or any channel made available for public access, governmental or educational purposes.

Sec. 12. [RATES.] Subdivision 1. Except as otherwise provided in this section, the rates charged by a cable communications company shall be those specified in the franchise, which may establish, or provide for the establishment of reasonable classifications of service and categories of subscribers, or specify different rates for differing services or for subscribers in different categories.

Subd. 2. Such rates may not be changed except as provided for in the approved franchise.

Subd. 3. The commission shall provide assistance regarding rates and related economic matters to interested municipalities and their citizens. The commission shall study, or cause to be studied, the desirability of regulation of all rates and charges of cable communications systems.

Sec. 13. [POLES, DUCTS AND CONDUITS.] The commission shall within two years from the effective date of this act adopt com-

plete and detailed rules specifying necessary regulations for contractual agreements between cable communications operators and any public utilities with respect to the use of poles, ducts, conduits, and other appurtenances related to the cable communications transmission lines.

Sec. 14. [APPEALS TO THE COMMISSION.] Any franchised cable communications company, who is aggrieved by action of any franchise authority in modifying, suspending, cancelling, revoking, or declaring forfeited the franchise, may appeal to the commission within 30 days following notice of such action by a petition in writing, setting forth all the material facts in the case. Any municipality which is aggrieved by the failure of its franchisee to perform according to the municipal ordinance may appeal to the commission for assistance in gaining franchisee compliance with the municipal ordinance by a petition in writing, setting forth all the material facts in the case.

The commission at its discretion shall hold a hearing upon such appeals, requiring due notice to be given to all interested parties.

If the commission approves the action of the municipality it shall issue notice to it that effect, but if the commission disapproves of its action it shall issue a decision in writing advising the municipality of the reasons for its decision and ordering the municipality to conform with such decision. If the commission approves the action of the cable communications company it shall issue notice to it to that effect, but if the commission disapproves of its action it shall issue a decision in writing advising the cable communications company of the reasons for its decision and ordering the cable communications company to conform with the decision.

Upon request, or upon its own initiative, the commission may investigate the renewal or assignment of such franchise or the conduct of the business being done thereunder, and may, after hearing, modify, suspend, revoke or cancel such license for cause.

If the municipality fails to suspend, revoke, cancel or declare forfeited a license or to perform any other disciplinary act when lawfully ordered so to do by the commission upon appeal or otherwise, within such reasonable time as it may prescribe, the commission may itself revoke such license or perform such act with the same force and effect as if performed by the municipality.

Sec. 15. [FINANCIAL INTEREST OF MEMBERS AND EMPLOYEES.] No member of the commission and no employee of the commission shall be employed by, or shall have any significant financial interest in any cable communications company holding a franchise in the state, their subsidiaries, major equipment or programming suppliers, or in any broadcasting company holding an operating license issued by the federal communications commission, their subsidiaries, major equipment or programming suppliers. Members of any elected body granting franchises and employees of any franchising body who would be directly involved in the granting or administration of franchises for cable communications and who are employed or have any significant financial interest in any cable communications company holding a franchise in the state, their subsidiaries, major equipment or

program suppliers shall abstain from participation in the franchising of cable communications companies.

Sec. 16. [FINES AND PENALTIES.] *Subdivision 1. The commission may seek such injunctive relief as is necessary to prevent violations of the orders, rules or regulations of the commission.*

Subd. 2. Any person violating the provisions of this act or any rules or regulations made pursuant thereto, is guilty of a gross misdemeanor. Any term of imprisonment imposed for any violation by a corporation shall be served by the senior resident officer of the corporation.

Sec. 17. [APPROPRIATION.] *The sum of \$300,000 is hereby appropriated from the general fund to the department of administration as an appropriation for the commission.*

Sec. 18. [ENACTMENT.] *The act shall take effect the day following enactment.*

Sec. 19. Minnesota Statutes 1971, Section 161.45, Subdivision 1, is amended to read:

161.45 [PUBLIC UTILITIES AND WORKS ON TRUNK HIGHWAYS; RELOCATION OF UTILITIES.] **Subdivision 1.** *Electric transmission, telephone or telegraph lines, pole lines, community antenna television lines, railways, ditches, sewers, water, heat or gas mains, gas and other pipe lines, flumes, or other structures which, under the laws of this state or the ordinance of any village, borough or city, may be constructed, placed, or maintained across or along any trunk highway, or the roadway thereof, by any person, persons, corporation, or any subdivision of the state, may be so maintained or hereafter constructed only in accordance with such regulations as may be prescribed by the commissioner who shall have power to prescribe and enforce reasonable rules and regulations with reference to the placing and maintaining along, across, or in any such trunk highway of any of the utilities hereinbefore set forth. Nothing herein shall restrict the actions of public authorities in extraordinary emergencies nor restrict the power and authority of the department of public service as provided for in other provisions of law. *Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of highways shall require compliance with such local ordinance.**

Sec. 20. Minnesota Statutes 1971, Section 222.37, Subdivision 1, is amended to read:

222.37 [PUBLIC ROADS; USE, RESTRICTION.] **Subdivision 1.** *Any water power, telegraph, telephone, pneumatic tube, community antenna television, or electric light, heat, or power company may use public roads for the purpose of constructing, using, operating, and maintaining lines, subways, canals, or conduits, for their business, but such lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along or over the same; and, in the construction and maintenance of such line,*

subway, canal, or conduit, the company shall be subject to all reasonable regulations imposed by the governing body of any county, town, village, *borough* or city in which such public road may be. Nothing herein shall be construed to grant to any person any rights for the maintenance of a telegraph, telephone, pneumatic tube, *community antenna television system*, light, heat, or power system within the corporate limits of any city ~~or~~, *village or borough* until such person shall have obtained the right to maintain such system within such city ~~or~~, *village or borough*, or for a period beyond that for which the right to operate such system is granted by such city ~~or~~, *village or borough*."

Which motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend S. F. No. 1283, as amended, as follows:

Page 10, line 3, Strike "five" and insert in lieu thereof "ten"

Which motion did not prevail. So the amendment was not adopted.

Mr. McCutcheon moved to amend S. F. No. 1283, as amended, as follows:

Page 13, line 7, after "*any*" strike "*significant*"

Page 13, line 14, after "*any*" strike "*significant*"

Which motion prevailed. So the amendment was adopted.

Mr. North moved to amend S. F. No. 1283, as amended, as follows:

On page 5, line 2, delete "*seven*" and insert in lieu thereof "*four*"

On page 5, line 3, strike "*one shall be appointed for one year,*"

On page 5, delete all of line 4 and add in lieu thereof "*three for two years, four for four years,*"

On page 5, line 5, delete everything before "*from*"

On page 5, line 6, delete the word "*seven*" and insert in lieu thereof "*four*"

On page 5, line 16, after "*receive*" and before "*per diem*" insert "\$35" and delete everything after "*compensation*" and insert a period

On page 5, delete all of line 17

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend S. F. No. 1283, as amended, as follows:

Page 5, line 8, strike "*four*" and insert "*three*"

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend S. F. No. 1283, as amended, as follows:

Page 5, line 22, after the period, insert "*The commission shall be subject to section 471.705.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kirchner	North	Renneke
Bang	Hansen, Baldy	Knutson	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Blatz	Hanson, R.	Larson	Patton	Ueland
Brown	Keefe, J.	Nelson	Pillsbury	

Those who voted in the negative were:

Anderson	Gearty	Milton	Purfeerst	Tennessee
Borden	Hughes	Moe	Schaaf	Willet
Chenoweth	Humphrey	Novak	Schrom	
Chmielewski	Kleinbaum	Olhoft	Solon	
Davies	Lewis	Olson, H. D.	Spear	
Doty	Lord	Perpich, G.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Blatz moved to amend S. F. No. 1283, as amended, as follows:

Page 10, line 6, strike "10" and insert "15"

Page 10, line 22, strike "10" and insert "15"

Page 10, line 26, strike "10" and insert "15"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 27, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Olson, J. L.	Solon
Bang	Doty	Kowalczyk	Patton	Stassen
Berg	Hansen, Baldy	Krieger	Pillsbury	Thorup
Bernhagen	Hansen, Mel	Larson	Renneke	Ueland
Blatz	Hanson, R.	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Hughes	Milton	Perpich, G.	Tennessee
Borden	Humphrey	Moe	Purfeerst	Wegener
Chenoweth	Keefe, J.	North	Schaaf	Willet
Davies	Kleinbaum	Novak	Schrom	
Dunn	Lewis	Olhoft	Spear	
Gearty	Lord	Olson, H. D.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Bernhagen moved to amend S. F. No. 1283, as amended, as follows:

Page 8, line 29, before "one" insert "one half of"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 26 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Kirchner	O'Neill	Stassen
Bang	Fitzsimons	Knutson	Patton	Ueland
Berg	Hansen, Baldy	Kowalczyk	Pillsbury	
Bernhagen	Hansen, Mel	Larson	Renneke	
Blatz	Hanson, R.	Nelson	Sillers	
Brown	Keefe, J.	Olson, J. L.	Solon	

Those who voted in the negative were:

Anderson	Gearty	Milton	Perpich, G.	Tennessee
Borden	Hughes	Moe	Purfearst	Wegener
Chenoweth	Humphrey	North	Schaaf	
Chmielewski	Kleinbaum	Novak	Schrom	
Davies	Lewis	Olhoft	Spear	
Dunn	Lord	Olson, H. D.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

CALL OF THE SENATE

Mr. Borden imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	Olhoft	Schrom
Ashbach	Fitzsimons	Krieger	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Solon
Blatz	Hansen, Mel	Lewis	O'Neill	Spear
Borden	Hanson, R.	Lord	Patton	Stassen
Brown	Hughes	Milton	Perpich, G.	Stokowski
Chenoweth	Humphrey	Moe	Pillsbury	Tennessee
Chmielewski	Keefe, J.	Nelson	Purfearst	Ueland
Davies	Kirchner	North	Renneke	Wegener
Doty	Knutson	Novak	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 1283 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Keefe, J. moved that those not voting be excused from voting. Which motion did not prevail.

And the roll being called, there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Doty	Hughes	Kleinbaum
Borden	Davies	Dunn	Humphrey	Lewis
Chenoweth	Conzemius	Gearty	Keefe, S.	Lord

McCutcheon	Novak	Perpich, A. J.	Schrom	Tennessen
Milton	Olhoft	Perpich, G.	Solon	Wegener
Moe	Olson, A. G.	Purfeerst	Spear	Willet
North	Olson, H. D.	Schaaf	Stokowski	

Those who voted in the negative were:

Ashbach	Chmielewski	Josefson	Larson	Renneke
Bang	Fitzsimons	Keefe, J.	Nelson	Sillers
Berg	Hansen, Baldy	Kirchner	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Knutson	O'Neill	Thorup
Blatz	Hanson, R.	Kowalczyk	Patton	Ueland
Brown	Jensen	Krieger	Pillsbury	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1473, No. 188 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1473: A bill for an act abolishing the legislative buildings commission; transferring the commission's functions, powers and duties to the legislative advisory committee; repealing Minnesota Statutes 1971, Sections 3.421 to 3.471.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Nelson	Sillers
Ashbach	Doty	Josefson	Novak	Spear
Bang	Dunn	Kirchner	Olhoft	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Olson, J. L.	Stokowski
Blatz	Gearty	Knutson	O'Neill	Tennessen
Borden	Hansen, Baldy	Kowalczyk	Perpich, G.	Thorup
Brown	Hansen, Mel	Larson	Pillsbury	Ueland
Chenoweth	Hanson, R.	Lewis	Purfeerst	Wegener
Chmielewski	Hughes	Lord	Schaaf	Willet
Coleman	Humphrey	Moe	Schrom	

Mr. Renneke voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1821, No. 189 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

CALL OF THE SENATE

Mr. Lord imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Keefe, S.	Novak	Renneke
Bang	Gearty	Kirchner	Olhoff	Solon
Bernhagen	Hansen, Baldy	Kleinbaum	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	Tennessee
Borden	Hanson, R.	Lewis	O'Neill	Thorup
Brown	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	Moe	Perpich, G.	Wegener
Davies	Jensen	Nelson	Pillsbury	Willet
Doty	Josefson	North	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Lord moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 6, line 12, after "adopt" and before "guidelines" insert "and may amend or rescind".

Page 6, line 15, strike "Chapter 15" and insert in lieu thereof "Section 15.0412, Subdivision 4."

Page 8, line 6, strike "July 1, 1974" and insert in lieu thereof "September 1, 1973".

Which motion prevailed. So the amendment was adopted.

Mr. Lord then moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 5, line 23, strike everything after "closures."

Page 5, line 24, strike the entire line.

Page 5, line 25, strike "section, when" and insert in lieu thereof "When".

Which motion prevailed. So the amendment was adopted.

Mr. Brown moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 2, after line 16, insert:

"Subd. 8. "Beverage" means beer, ale, or other malt drink containing one half of one percentum or more of alcohol by volume; and mineral waters, soda waters or any other carbonated soft drink in liquid form and intended for human consumption.

Subd. 9. "Bottler" means every person bottling, canning or otherwise filling beverage containers for sale to distributors or dealers.

Subd. 10. "Consumer" means every person who purchases a beverage in a beverage container for use or consumption.

Subd. 11. "Container" means an individual, hermetically sealed glass, metal or plastic bottle, can, jar or carton used for the purpose of containing a beverage.

Subd. 12. "Dealer" means every person in this state who engages in the sale of beverages in beverage containers to a consumer.

Subd. 13. "Deposit" means a sum of money which is added to the price of each beverage container and refunded to the bearer when the empty container is returned.

Subd. 14. "Distributor" means every person who engages in the sale of beverages in beverage containers to a dealer in this state including any bottler who engages in such sales.

Subd. 15. "In the state" means within the exterior limits of the state of Minnesota and includes all territory within these limits owned by or ceded to the United States of America.

Subd. 16. "Nonrefillable, nonreturnable or disposable beverage container" means any container, containing or made for the purpose of containing any beverage, which is not suitable for refilling.

Subd. 17. "Place of business of a dealer" means the location at which a dealer sells or offers for sale beverages in beverage containers to consumers.

Subd. 18. "Use or consumption" includes the exercise of any right or power over a beverage incident to the ownership thereof, other than the sale, the keeping or retention of a beverage for the purposes of sale, or for the purpose of transportation of a beverage container through the state."

Page 8, after line 22, insert:

"Sec. 9. [REFUND.] Subdivision 1. [REFUND VALUE OF CONTAINERS.] Except as otherwise provided in this section, every beverage container sold or offered for sale in this state shall have a refund value of not more than

(a) five cents on a container holding 16 ounces or less;

(b) ten cents on a container holding less than 32 ounces, but more than 16 ounces;

(c) twenty five cents on a container holding 32 ounces or more. Provided, however, that every beverage container certified as provided in section 6 sold or offered for sale in this state, shall have a refund value of not less than three cents.

Subd. 2. [REFUND PAYMENT REQUIRED.] Except as provided in subdivision 3,

(a) A dealer shall accept from a consumer any empty beverage containers of the brand sold by the dealer, and shall pay to the consumer the refund value therefor as provided in subdivision 1.

(b) A distributor or bottler or a designee of a distributor or bottler shall accept from a dealer any empty beverage containers of the kind, size and brand sold by the distributor or bottler, and shall pay the dealer the refund value therefor as provided in subdivision 1.

Subd. 3. [EXCEPTIONS.] A dealer may refuse to accept from a consumer, and a distributor, bottler or designee may refuse to

accept from a dealer, any empty beverage container which does not state thereon a refund value as required by section 5.

Sec. 10. [TRUTH IN PRICING.] Beverage dealers shall display an itemized listing on each container or group of containers sold to the consumer as a packaged unit showing the deposit charge separate from the actual cost of the beverage.

Sec. 11. [CONTAINER DESIGN.] Subdivision 1. Every beverage container sold or offered for sale in this state by a dealer shall clearly indicate by embossing, by a stamp, by a label or other method securely affixed to the beverage container, the refund value therefor as provided in section 3, subdivision 1.

Subd. 2. Subdivision 1 shall not apply to returnable beverage containers having a brand name permanently marked thereon which, on the effective date of this section, had a refund value of not less than five cents.

Sec. 12. [CONTAINER CERTIFICATION.] Subdivision 1. [PROMOTION OF UNIFORM CONTAINERS.] To promote the use in this state of reusable beverage containers of uniform design, and to facilitate the return of containers to bottlers for reuse as a beverage container, the agency director shall certify beverage containers which satisfy the requirements of this section.

Subd. 2. [REQUIREMENTS FOR CERTIFICATION AS UNIFORM CONTAINER.] A beverage container shall be certified if:

(a) It is reusable as a beverage container by bottlers representing more than one corporation's beverage product line in the ordinary course of business; and

(b) More than one bottler will, in the ordinary course of business, accept the beverage container for reuse as a beverage container and pay the refund value of the container.

Subd. 3. [NON-UNIFORM CONTAINERS.] A beverage container shall not be certified under this section:

(a) If by reason of its quality, weight, shape, color or design, or by reason of words or symbols permanently inscribed thereon, whether by engraving, embossing, painting or other permanent method, it is reusable as a beverage container in the ordinary course of business only by a bottler of a beverage sold under a specific brand name, or

(b) If the bottler's proposed system of identifying the contents of the beverage container causes an adverse environmental effect worse than that caused by the use of non-uniform beverage containers.

Subd. 4. [AUTOMATIC CERTIFICATION.] Unless an application for certification under this section is denied by the agency within 60 days after the filing of the application for certification, the beverage container shall be deemed certified.

Subd. 5. [CERTIFICATION REVIEW.] The agency board may at any time review the certification of any beverage container. If the agency board determines that certification was improperly withheld by the agency director and that the container is qualified for certification, the board shall grant certification.

Sec. 13. [PENALTY.] Violation of sections 9 through 11 shall be a misdemeanor. For each day on which a violation occurs, a separate offense may be charged.

Sec. 14. [STANDARDS AND REGULATIONS.] Pursuant to the provisions of chapter 15 and to the rules of procedure of the Minnesota pollution control agency, the agency board may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of sections 9 to 15. The regulations or standards may be of general application throughout the state, or may be limited as to times, places, circumstances or conditions in order to make due allowances for variations therein."

Page 9, after line 9, insert:

"Sec. . [EFFECTIVE DATE.] Except as otherwise provided in this section, sections 9 to 14 shall take effect January 1, 1976. Applications and certifications referred to in section 12 may be made prior to January 1, 1976. Prior to March 31, 1974 the agency board shall adopt rules and regulations applying to this act."

Renumber the sections in sequence

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	North	Snear
Berg	Frederick	Kowalczyk	Olson, J. L.	Willet
Bernhagen	Hansen, Mel	Krieger	O'Neill	
Brown	Josefson	Tarson	Patton	
Doty	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Anderson	Davies	Lord	Pillsbury	Tennessee
Arnold	Fitzsimons	Milton	Purfeerst	Thorup
Ashbach	Gearty	Moe	Renneke	Ueland
Blatz	Hughes	Novak	Schrom	Wegener
Borden	Humphrey	Olhaft	Sillers	
Chmielewski	Keefe, S.	Olson, A. G.	Solon	
Coleman	Kirchner	Olson, H. D.	Stassen	
Conzemius	Lewis	Perpich, A. J.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Olson, J. L. moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 9, line 8, strike "September 1, 1973" and insert "July 1, 1974"

The question being taken on the adoption of the amendment,

Mr. Olson, J. L. moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Hughes moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Lord moved that those not voting be excused from voting.

The question being taken on the adoption of the motion of Mr. Lord,

And the roll being called, there were yeas 42 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, H. D.	Stassen
Arnold	Hansen, Baldy	Lord	Olson, J. L.	Stokowski
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Pillsbury	Thorup
Coleman	Humphrey	Moe	Purfeerst	Wegener
Conzemius	Jensen	North	Schaaf	Willet
Davies	Keefe, S.	Novak	Schrom	
Doty	Kleinbaum	Olhoff	Solon	
Fitzsimons	Knutson	Olson, A. G.	Spear	

Those who voted in the negative were:

Bang	Frederick	Kirchner	O'Neill	Ueland
Berg	Hansen, Mel	Kowalczyk	Patton	
Bernhagen	Josefson	Krieger	Renneke	
Blatz	Keefe, J.	Nelson	Sillers	

Which motion prevailed.

The question recurred on the adoption of the amendment,

And the roll being called, there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Josefson	Olhoff	Sillers
Berg	Fitzsimons	Keefe, J.	Olson, H. D.	Stassen
Bernhagen	Frederick	Kirchner	Olson, J. L.	Ueland
Blatz	Hansen, Baldy	Knutson	O'Neill	
Brown	Hansen, Mel	Kowalczyk	Patton	
Chmielewski	Hanson, R.	Krieger	Pillsbury	
Doty	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	Purfeerst	Thorup
Arnold	Hughes	Milton	Schaaf	Wegener
Borden	Humphrey	Moe	Schrom	Willet
Chenoweth	Keefe, S.	North	Solon	
Coleman	Kleinbaum	Novak	Spear	
Conzemius	Lewis	Olson, A. G.	Stokowski	
Davies	Lord	Perpich, A. J.	Tennessee	

Which motion did not prevail. So the amendment was not adopted.

Mr. Berg moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 9, line 7, strike everything following "1974," and delete lines 8 and 9 and insert in lieu thereof "and the remainder of this act shall take effect September 1, 1973."

Which motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 2, after line 16, add:

"Subd. 8. "Beverage" means beer, ale or other malt drink containing one half of one percentum or more of alcohol by volume; and mineral waters, soda waters or any other carbonated soft drink in liquid form and intended for human consumption."

Pages 7 and 8, strike section 7 and insert:

"Sec. 7. A tax of 0.2 cents shall be levied on each beverage container which is not suitable for refilling. Such tax shall be collected by the state commissioner of taxation in a manner determined by him. Proceeds from this tax shall be paid into the general fund of the state treasury."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 17 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	Nelson	Patton
Berg	Fitzsimons	Knutson	Olson, J. L.	Pillsbury
Bernhagen	Frederick	Kowalczyk	O'Neill	Schaaf
Brown	Josefson			

Those who voted in the negative were:

Anderson	Davies	Lewis	Olhoft	Spear
Arnold	Doty	Lord	Olson, A. G.	Stassen
Borden	Gearty	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Hansen, Baldy	Milton	Purfeerst	Thorup
Chmielewski	Hughes	Moe	Renneke	Wegener
Coleman	Humphrey	North	Schrom	Willet
Conzemius	Kleinbaum	Novak	Solon	

Which motion did not prevail. So the amendment was not adopted.

Mr. Berg moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Pages 7 and 8, delete all of section 7 and renumber the following sections accordingly.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 21 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Kirchner	Olson, H. D.	Stassen
Berg	Frederick	Knutson	Olson, J. L.	
Bernhagen	Jensen	Kowalczyk	Patton	
Blatz	Josefson	Knieger	Pillsbury	
Brown	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Tennessee
Arnold	Gearty	Lord	O'Neill	Thorup
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Hansen, Mel	Milton	Purfeerst	Willet
Chmielewski	Hughes	Moe	Schaaf	
Coleman	Humphrey	North	Solon	
Conzemius	Keefe, S.	Novak	Spear	
Davies	Kleinbaum	Olhoft	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that the Senate do now adjourn.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 23 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Kirchner	Nelson	Pillsbury
Berg	Hansen, Mel	Knutson	Olson, H. D.	Renneke
Bernhagen	Jensen	Kowalczyk	Olson, J. L.	Ueland
Blatz	Josefson	Knieger	O'Neill	
Brown	Keefe, J.	McCutcheon	Patton	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Stassen
Arnold	Doty	Lord	Perpich, A. J.	Stokowski
Borden	Dunn	Milton	Purfeerst	Tennessee
Chenoweth	Gearty	Moe	Schaaf	Thorup
Chmielewski	Humphrey	North	Schrom	Wegener
Coleman	Keefe, S.	Novak	Solon	Willet
Conzemius	Kleinbaum	Olhoft	Spear	

Which motion did not prevail.

SPECIAL ORDER—CONTINUED

Mr. Chmielewski moved to amend H. F. No. 1821, the unofficial engrossment, as follows:

Page 8, line 6, strike "July 1, 1974" and insert "March 1, 1974"

Page 9, line 8, strike "September 1, 1973" and insert "March 1, 1974"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 31 and nays 28, as follows:

Those who voted in the affirmative were:

Bang	Blatz	Doty	Hansen, Baldy	Josefson
Berg	Brown	Dunn	Hansen, Mel	Keefe, J.
Bernhagen	Chmielewski	Fitzsimons	Jensen	Kirchner

Knutson	Nelson	Olson, J. L.	Pillsbury	Stassen
Kowalczyk	Olhoft	O'Neill	Renneke	Thorup
Krieger	Olson, H. D.	Patton	Solon	Ueland
McCutcheon				

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Perpich, A. J.	Tennessee
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	Willet
Coleman	Keefe, S.	North	Schrom	
Conzemius	Kleinbaum	Novak	Spear	

Which motion prevailed. So the amendment was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that the Senate do now adjourn.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 19 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Brown	Keefe, J.	Krieger	Pillsbury
Berg	Fitzsimons	Kirchner	Nelson	Renneke
Bernhagen	Jensen	Knutson	Olson, J. L.	Ueland
Blatz	Josefson	Kowalczyk	O'Neill	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, H. D.	Stokowski
Arnold	Dunn	Lord	Perpich, A. J.	Tennessee
Borden	Gearty	Milton	Purfeerst	Thorup
Chenoweth	Hansen, Baldy	Moe	Schaaf	Wegener
Chmielewski	Hughes	North	Schrom	Willet
Coleman	Humphrey	Novak	Solon	
Conzemius	Keefe, S.	Olhoft	Spear	
Davies	Kleinbaum	Olson, A. G.	Stassen	

Which motion did not prevail.

SPECIAL ORDER—CONTINUED

H. F. No. 1821 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	O'Neill	Stassen
Arnold	Dunn	McCutcheon	Patton	Stokowski
Bernhagen	Gearty	Milton	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	Moe	Pillsbury	Thorup
Brown	Hansen, Mel	Nelson	Purfeerst	Wegener
Chenoweth	Hughes	North	Renneke	Willet
Chmielewski	Humphrey	Novak	Schaaf	
Coleman	Keefe, S.	Olhoft	Schrom	
Conzemius	Kleinbaum	Olson, A. G.	Solon	
Davies	Lewis	Olson, H. D.	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2021, No. 164 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

S. F. No. 2021: A bill for an act relating to education; private trade schools; providing penalties; amending Minnesota Statutes 1971, Sections 141.21, Subdivisions 4 and 7; 141.25, Subdivisions 3, 4, 7, 8, 9, 10, and by adding a subdivision; 141.26, Subdivisions 2 and 5; 141.28, Subdivision 3, and by adding subdivisions; 141.29, Subdivision 1, and by adding a subdivision; 141.30; 141.32; 141.35; and Chapter 141, by adding a section; repealing Minnesota Statutes 1971, Section 141.27.

Mr. Hughes moved to amend S. F. No. 2021, the printed bill, as follows:

Page 13, line 19, after the comma and before "the" insert "*but before completion of 75 percent of the course of instruction,*"

Page 13, line 25, delete "*In no event*"

Page 13, strike all of lines 26 and 27 and insert "*After completion of 75 percent of the course of instruction, no refunds are required.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 35 and nays 16, as follows:

Those who voted in the affirmative were:

Bernhagen	Doty	Kirchner	Moe	Renneke
Borden	Dunn	Kleinbaum	Novak	Schaaf
Brown	Fitzsimons	Knutson	Olhoft	Solon
Chmielewski	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Coleman	Hansen, Mel	Lewis	O'Neill	Thorup
Conzemius	Hughes	McCutcheon	Perpich, A. J.	Wegener
Davies	Keefe, S.	Milton	Pillsbury	Willet

Those who voted in the negative were:

Bang	Jensen	Nelson	Schrom
Blatz	Josefson	North	Spear
Chenoweth	Keefe, J.	Olson, J. L.	Stassen
Hansen, Baldy	Krieger	Patton	Tennessee

Which motion prevailed. So the amendment was adopted.

S. F. No. 2021 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Davies	Fitzsimons
Bang	Borden	Coleman	Doty	Gearty
Berg	Chenoweth	Conzemius	Dunn	Hansen, Mel

Hughes	Lewis	Novak	Renneke	Stokowski
Jensen	Lord	Olhoff	Schaaf	Tennessee
Josefson	McCutcheon	Olson, A. G.	Schrom	Thorup
Keefe, J.	Milton	Olson, H. D.	Solon	Wegener
Keefe, S.	Moe	Patton	Spear	Willet
Kirchner	North	Perpich, A. J.	Stassen	

Those who voted in the negative were:

Hansen, Baldy	Kowalczyk	Olson, J. L.	O'Neill	Ueland
Knutson				

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101

Senate File No. 2047 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. Novak moved that the Senate do not concur in the amendments by the House to S. F. No. 2047 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2531:

H. F. No. 2531: A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building

fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund appropriating moneys in connection therewith.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Norton, Haugerud, Smith, Samuelson and Anderson, D. have been appointed as such committee on the part of the House.

House File No. 2531 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Novak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2531 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 805:

H. F. No. 805: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Eken, Anderson, G. and Dirlam have been appointed as such committee on the part of the House.

House File No. 805 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Conzemius moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 805 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 23:

H. F. No. 23: A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; restricting the content of such advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sieben, M., Carlson, L. and Ulland have been appointed as such committee on the part of the House.

House File No. 23 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 16, 1973

Mr. Keefe, S. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 23 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1246 and 1252.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 16, 1973

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chenoweth moved that S. F. No. 879 be taken from the table. Which motion prevailed.

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 879 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. Larson moved that S. F. No. 1182 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO 1182

A bill for an act relating to county government, providing for county license bureaus.

May 16, 1973

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. 1182, 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. 1182 be amended as follows:

Page 4, after line 11, add a section to read:

“Sec. 7. All such offices shall maintain hours to best serve the public need, and shall be open to the public for a minimum period of three hours one evening after 5:00 p.m. or on Saturday of each week.”

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Lew W. Larson, Florian W. Chmielewski and Wayne Olhoft.

House Conferees: (Signed) Leonard C. Myrah, E. W. Quirin and Neil S. Haugerud.

MEMBERS EXCUSED

Mr. McCutcheon was excused from the Session of tomorrow.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Thursday, May 17, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-THIRD DAY

St. Paul, Minnesota, Thursday, May 17, 1973.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Kirchner	Olhoff	Schaaf
Berg	Dunn	Kowalczyk	Olson, A. G.	Spear
Blatz	Fitzsimons	Larson	Olson, H. D.	Tennessee
Borden	Gearly	Laufenburger	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Lewis	O'Neill	Wegener
Chenoweth	Hansen, Mel	Milton	Perpich, A. J.	Willet
Chmielewski	Hanson, R.	North	Perpich, G.	
Coleman	Humphrey	Ogdahl	Pillsbury	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	North	Schaaf
Ashbach	Dunn	Kirchner	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	Olhoff	Solon
Bernhagen	Gearly	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lewis	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	Milton	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Pillsbury	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. McCutcheon was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of

the 1973 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 1973	Date Filed 1973
6		Chapter 247	May 15, 1973	May 15, 1973
	178	Chapter 248	May 15, 1973	May 15, 1973

Sincerely,

Arlen Erdahl,
Secretary of State

INTRODUCTION OF BILLS

Mr. North introduced—

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; 260.305; 485.01; 508.12; 508.74; 611.26, Subdivision 1; 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, Section 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

Which was read the first time and referred to the Committee on Judiciary.

Mr. North introduced—

S. F. No. 2505: A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes 1971, Sections 525.10; and 526.18; repealing Minnesota Statutes 1971, Section 526.19.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 2506: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 31; permitting state run organized gambling.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Perpich, G. introduced—

S. F. No. 2507: A bill for an act relating to the city of Chisholm; expenditure of police and firemen's relief association funds.

Which was read the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2115.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority; providing for treatment of persons dependent on alcohol or other drugs; amending Minnesota Statutes 1971, Sections 197.603; 197.64, Subdivision 3; 198.01; 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

Senate File No. 1455 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 16, 1973

CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate do now concur in the amendments by the House to S. F. No. 1455 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority providing for treatment of persons dependent on alcohol or other drugs; amending Minnesota Statutes 1971, Sections 245.694, Subdivision 1; 197.603; 197.64, Subdivision 3; 198.01; 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,
And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Larson	Olson, A. G.	Spear
Berrhagen	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Chenoweth	Hansen, Mel	Milton	O'Neill	Thorup
Chmielewski	Hanson, R.	Moe	Perpich, G.	Willet
Coleman	Josefson	North	Pillsbury	
Davies	Kirchner	Novak	Renneke	
Doty	Kleinbaum	Ogdahl	Schaaf	
Dunn	Kowalczyk	Olhoft	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1945.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 1945: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

Which was read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Borden moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1944, 266, 1697, 2484 and 1945 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1944	1897				
266	185				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1944 be amended as follows:

Page 1, line 19, delete "fifteen" and insert in lieu thereof "ten"

Page 1, line 20, delete "Twenty" and insert in lieu thereof "Ten"

Page 1, line 27, delete "a representative to the commission" and insert in lieu thereof "their representatives on the commission"

Page 2, line 2, after "sections" insert "in state government"

Page 2, line 4, delete "state development" and insert in lieu thereof "eleven governor's economic planning"

Page 4, line 15, delete "the legislature,"

And when so amended, H. F. No. 1944 will be identical to S. F. No. 1897 and further recommends that H. F. No. 1944 be given its second reading and substituted for S. F. No. 1897 and S. F. No. 1897 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 266 be amended as follows:

Page 1, line 12, after "Minnesota" insert " , or accredited school of osteopathy the graduates of which are eligible for licensure in Minnesota,"

Page 1, line 12, delete "such" and insert in lieu thereof "the"

Page 1, line 13, after "medicine" insert "or osteopathy"

Page 1, line 14, after "doctors" insert "or osteopaths"

Page 1, line 14, delete "Minnesota state board"

Page 1, line 15, delete "of medical examiners" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 17, delete "eight" and insert in lieu thereof "six"

Page 1, line 19, delete "for two" and insert in lieu thereof "or osteopathy for five"

Page 1, line 20, after "doctors" insert "or osteopaths"

Page 1, line 21, delete "state board of medical examiners" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 24, delete "Minnesota state board of medical" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 25, delete "examiners"

Page 1, line 26, delete "board" and insert in lieu thereof "commission"

Page 1, line 28, delete "on the basis of good standing in the"

Page 1, line 29, delete "program by the student" and insert in lieu thereof "on the good standing of the student in the program"

Page 1, line 30, delete "board" and insert in lieu thereof "commission"

Page 2, line 3, after "medical" insert "or osteopathic"

Page 2, line 8, delete "40" and insert in lieu thereof "20"

Page 2, line 8, delete "the"

Page 2, delete line 9

Page 2, line 10, delete "recipients the second year of the biennium"

Page 3, delete all of lines 1 through 8 and insert in lieu thereof the following:

"Sec. 4. The sum of \$100,000 is hereby appropriated from the general fund of the state treasury for the biennium beginning July 1, 1973. The appropriation shall be used for a reserve fund for repayment of cancelled or uncollectible loans made in accordance with the provisions of this act.

Sec. 5. The state board of medical examiners shall make recommendations to the commission with respect to areas of need and applicants for assistance."

Further, amend the title in line 3, after "medical" by inserting "and osteopathy" and in line 4, by deleting "providing" and inserting in lieu thereof "authorizing". In line 5, delete "for"

And when so amended, H. F. No. 266 will be identical to S. F. No. 185 and further recommends that H. F. No. 266 be given its second reading and substituted for S. F. No. 185 and S. F. No. 185 be indefinitely postponed. Amendments adopted.

The following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1697	1676				
2484	2443				

And that the above Senate Files be indefinitely postponed.

The following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 1945 to the Committee on Finance.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1944, 266, 1697 and 2484 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Milton moved that S. F. No. 1497 be stricken from General Orders and returned to its author. Which motion prevailed.

Mr. Milton moved that S. F. No. 1509 be stricken from General Orders and returned to its author. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

S. F. No. 552: A bill for an act relating to agriculture; amending Minnesota Statutes 1971, Sections 32A.06, Subdivision 2; and 32A.09, Subdivisions 1, 2, and 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	Novak	Schaaf
Ashbach	Dunn	Keefe, S.	Ogdahl	Sillers
Berg	Fitzsimons	Kirchner	Olhoft	Solon
Bernhagen	Frederick	Kleinbaum	Olson, A. G.	Spear
Blatz	Gearty	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Laufemburger	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chmielewski	Hughes	Milton	Perpich, G.	Wegener
Conzemius	Humphrey	Moe	Pillsbury	Willet
Davies	Jensen	North	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1372, No. 130 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1372: A bill for an act relating to parole and probation; creating a single authority; transferring the powers and duties of the adult corrections commission and the youth conservation commission to the Minnesota corrections authority established hereby; abolishing the adult corrections commission and the youth conservation commission as now constituted; amending Minnesota Statutes 1971, Sections 242.03; 242.09; 242.-

10; 242.18; 242.19; 242.20; 242.21; 242.25; 242.27; 242.29; 242.-32; 243.09; repealing Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.265; 242.54; 243.02; 243.03; and 243.04.

Mr. Kleinbaum moved to amend H. F. No. 1372, as amended under Rule 49 and adopted by the Senate May 15, 1973, as follows:

Page 1, line 23, of the amendment, after the period before "No" insert:

"To assist in the selection of suitable persons to be members of the Minnesota corrections authority there is created an advisory committee consisting of the following persons or their designees: the attorney general, the corrections ombudsman, the commissioners of corrections, public welfare, and human rights, and the following persons to be appointed by the governor: one representative each from a private social agency and a Minnesota institution of higher learning, and two citizens from the community at large. The committee, whose recommendations are advisory only, shall prepare and submit to the governor one or more recommendations for each appointment to the authority."

Which motion prevailed. So the amendment was adopted.

Mr. North moved to amend H. F. No. 1372, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 243.02 is amended to read:

243.02 [ADULT CORRECTIONS COMMISSION; CHAIRMAN.] A commission having power to parole and discharge prisoners confined in the state prison, the state reformatory for men, and the Minnesota correctional institution for women or any other adult correctional facility as may be established is hereby created, to be known and designated as the adult corrections commission. This commission shall be composed of a chairman, who is the deputy commissioner of corrections controlling and supervising the division of adult corrections in the department of corrections, and ~~four~~ six other members, at least one of whom shall be a member of an ethnic or racial minority and at least one of whom shall be a woman, who shall be appointed by the governor, with the advice and consent of the senate, and who, except as hereinafter provided, shall hold office for a term of six years from the first Monday in January next after such appointments are made and until their successors be appointed and have qualified. Except as provided in section 243.05, the commission may sit in units of three, as designated by the chairman, and ~~three~~ four members shall constitute a quorum. No more than ~~two~~ three members appointed by the governor to the commission shall belong to the same political party. In the case of a vacancy it shall be filled for the unexpired term in which the vacancy occurs as herein provided for original appointments. The commissions shall keep a record of all its proceedings."

Further amend the title by striking it in its entirety and substituting the following:

“A bill for an act relating to the adult corrections commission; amending Minnesota Statutes 1971, Section 243.02.”

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Kowalczyk	North	Patton
Berg	Hansen, Mel	Nelson	Olson, J. L.	Renneke
Bernhagen	Knutson			

Those who voted in the negative were:

Arnold	Humphrey	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Josefson	Lord	Perpich, G.	Thorup
Conzemius	Keefe, S.	Milton	Schrom	Wegener
Davies	Kirchner	Moe	Solon	Willet
Dunn	Kleinbaum	Novak	Spear	
Hansen, Baldy	Larson	Olhoft	Stassen	
Hanson, R.	Laufenburger	Olson, A. G.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Kleinbaum moved to amend H. F. No. 1372, as amended under Rule 49 and adopted by the Senate May 15, 1973, as follows:

Page 1, line 34, of the amendment, after “*specific*” and before “*or*” insert “*academic*”

Page 1, line 34, after “*shall*” and before “*be*” insert “*have knowledge or experience in corrections or related fields and*”

Which motion prevailed. So the amendment was adopted.

H. F. No. 1372 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoft	Solon
Arnold	Fitzsimons	Larson	Olson, A. G.	Spear
Ashbach	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hanson, R.	Lewis	Patton	Stokowski
Chenoweth	Hughes	Lord	Perpich, A. J.	Tennessee
Coleman	Humphrey	Milton	Perpich, G.	Thorup
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, S.	Novak	Schaaf	Willet
Doty	Kirchner	Ogdahl	Schrom	

Those who voted in the negative were:

Bang	Brown	Jensen	Krieger	O'Neill
Berg	Frederick	Keefe, J.	Nelson	Renneke
Bernhagen	Hansen, Baldy	Knutson	North	Ueland
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, Borden, O'Neill and Sillers. Which motion prevailed.

SPECIAL ORDER

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

Mr. Brown moved to amend H. F. No. 377, the unofficial engrossment, as follows:

Page 1, line 21, strike "*homosexual orientation*"

Page 3, line 6, strike the comma and insert in lieu thereof "*or*"; strike "*or homosexual*"

Page 3, line 7, strike "*orientation*"

Page 5, line 1, strike "*, homosexual*"

Page 5, line 2, strike "*orientation*"

Page 5, line 15, strike "*, homosexual orientation*"

Page 5, line 26, strike "*, homosexual orientation*"

Page 5, line 27, strike "*orientation*"

Page 6, line 14, strike "*, homosexual*"

Page 6, line 25, strike "*orientation*"

Page 6, line 24, strike the second comma

Page 6, line 25, strike "*homosexual orientation*"

Page 7, line 5, strike "*, homosexual orientation*"

Page 7, line 16, strike the second comma

Page 7, line 17, strike "*homosexual orientation*"

Page 7, line 21, strike the second comma

Page 7, line 22, strike "*homosexual orientation*"

Page 8, line 7, strike "*, homosexual orientation*"

Page 8, line 18, strike "*, homosexual*"

Page 8, line 19, strike "*orientation*"

Page 8, line 26, strike “, *homosexual orientation*”

Page 9, line 1, strike the second comma

Page 9, line 2, strike “*homosexual orientation*”

Page 9, line 14, strike “, *homosexual*”

Page 9, line 15, strike “*orientation*”

Page 9, line 26, strike “, *homosexual orientation*”

Page 10, line 11, strike “, *homosexual orientation*”

Page 10, line 20, strike “, *homosexual*”

Page 10, line 21, strike “*orientation*”

Page 11, line 17, strike the second comma and insert in lieu thereof “*or*”; after “*assistance*” strike “*or*”

Page 11, line 18, strike “*homosexual orientation*”

Page 11, line 26, strike “, *homosexual orientation*”

Page 12, line 4, strike “, *homosexual orientation*”

Page 12, line 9, strike “, *homosexual orientation*”

Page 13, line 19, strike the fourth comma and insert in lieu thereof “*or*”; after “*origin*” strike “*or*”

Page 13, line 20, strike “*sexual orientation*”

Page 17, line 20, strike “, *homosexual orientation*”

Page 25, line 13, strike “, *homosexual orientation*”

Page 25, line 23, strike the second comma

Page 25, line 24, strike “*homosexual orientation*”

Page 26, line 28, strike the fifth comma and insert in lieu thereof “*and*”

Page 27, line 1, strike “*and homosexual*”

Page 27, line 2, strike “*orientation*”

Page 27, line 5, strike the second comma and insert in lieu thereof “*and*”

Page 27, line 6, strike “*and homosexual orientation*”

Page 27, line 10, strike the fifth comma and insert in lieu thereof “*and*”

Page 27, line 11, strike “*and homosexual*”

Page 27, line 12, strike “*orientation*”

Page 27, line 14, strike the fifth comma and insert in lieu thereof “*and*”

Page 27, line 15, strike “*and homosexual*”

Page 27, line 16, strike “*orientation*”

CALL OF THE SENATE

Mr. Brown imposed a call of the Senate on H. F. No. 377. The following Senators answered to their names:

Arnold	Fitzsimons	Kirchner	North	Schaaf
Bang	Frederick	Kleinbaum	Novak	Schrom
Berg	Hansen, Baldy	Knutson	Olhoft	Spear
Bernhagen	Hansen, Mel	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hanson, R.	Larson	Olson, J. L.	Stokowski
Brown	Hughes	Laufenburger	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Willet
Coleman	Jensen	Milton	Perpich, G.	
Davies	Josefson	Moe	Pillsbury	
Dunn	Keefe, S.	Nelson	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 38 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Ogdahl	Schrom
Ashbach	Fitzsimons	Kirchner	Olhoft	Solon
Bang	Frederick	Knutson	Olson, H. D.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Thorup
Bernhagen	Hansen, Baldy	Krieger	O'Neill	Ueland
Blatz	Hansen, Mel	Larson	Patton	Willet
Brown	Hanson, R.	McCutcheon	Pillsbury	
Chmielewski	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	Milton	Schaaf
Borden	Doty	Kleinbaum	Moe	Sillers
Chenoweth	Hughes	Laufenburger	North	Spear
Coleman	Humphrey	Lewis	Perpich, A. J.	Tennessee
Conzemius	Keefe, J.	Lord	Perpich, G.	

Which motion prevailed. So the amendment was adopted.

H. F. No. 377 was then progressed as amended.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Doty moved that S. F. No. 488 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 488

A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

May 11, 1973

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. 488, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Ralph R. Doty, George R. Conzemius, William G. Kirchner.

House Conferees: (Signed) Jack H. LaVoy, Richard A. Andersen, Douglas J. Johnson.

Mr. Doty moved that the foregoing recommendations and Conference Committee Report on S. F. No. 488 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 488: A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Schaaf
Arnold	Davies	Keefe, S.	North	Schrom
Ashbach	Doty	Kirchner	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoff	Solon
Berg	Fitzsimons	Knutson	Olson, A. G.	Spear
Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Stassen
Blatz	Gearty	Krieger	O'Neill	Stokowski
Borden	Hansen, Mel	Larson	Patton	Tennesen
Brown	Hanson, R.	Laufenburger	Perpich, A. J.	Thorup
Chenoweth	Hughes	Lewis	Perpich, G.	Wegener
Chmielewski	Humphrey	Lord	Pillsbury	Willet
Coleman	Jensen	Moe	Renneke	

Messrs. Hansen, Baldy; and Novak voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

Mr. Arnold moved that S. F. No. 2166 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2166

A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

May 14, 1973

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. 2166, 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. The sums hereinafter set forth and designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures “1973”, “1974”, “1975” wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.

APPROPRIATIONS

Available for the Year
Ending June 30,

	1973	1974	1975
	\$	\$	\$
Sec. 2. LEGAL DIVISION			
Subdivision 1. Salaries		465,498	466,926
Subd. 2. Supplies and Expense		23,525	25,025

	1973	1974	1975
	\$	\$	\$
Sec. 3. ADMINISTRATIVE OPERATIONS			
Subdivision 1. Salaries		2,187,853	2,187,853
Subd. 2. Supplies and Expense		1,469,207	1,548,337
Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE		44,646,270	44,737,570
Sec. 5. CONSTRUCTION OPERATIONS, SALARIES, SUPPLIES AND EXPENSE			
(a) Construction Design		7,266,046	7,143,812
(b) Right of Way Operations.		2,862,282	2,686,315
(c) Central Office		4,742,884	4,646,789
(d) District Offices		19,594,941	19,388,533
Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE		1,186,449	1,198,006
Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE		218,657	218,957
Sec. 8. PLANNING AND PROGRAMMING, SALARIES, SUPPLIES AND EXPENSE		2,552,442	2,567,114
Sec. 9. EQUIPMENT		3,875,000	3,298,000
Sec. 10. BUILDINGS AND IMPROVEMENTS		1,100,250	

As recommended on page 129 of the report of the legislative building commission to the 1973 legislature, the location of the equipment storage buildings at Hopkins and Proctor authorized by laws 1967, Chapter 887, are hereby changed to Eden Prairie and Nopeming respectively. The location of the equipment storage building at Big Lake authorized by laws 1971, Chapter 965, is hereby changed to Monticello.

In addition, moneys are provided for the purchase of land for a driver training facility near Duluth, the construction of field maintenance stations at Caledonia and Littlefork, and

	1973	1974	1975
	\$	\$	\$
4% planning for headquarters buildings at Morris, Willmar and Marshall.			
No building shall be constructed to be paid for out of moneys appropriated by this act or by any other act unless the commissioner of highways has first consulted with and obtained advice from the finance and appropriation committees.			
Sec. 11. WEIGH STATION FACILITIES NEAR SCANLON ON INTERSTATE HIGHWAY.		319,000	
Not more than 25% of the cost of these facilities shall be from trunk highway funds.			
Sec. 12. INTERSTATE SAFETY REST AREA FACILITIES.		626,400	
Includes safety rest area facilities and tourist information centers as enumerated on page 129 of the report of the legislative building commission to the 1973 legislature.			
Sec. 13. TRUNK HIGHWAY REST AREA FACILITIES. . . .		300,000	
Improvement of existing and development of new safety rest areas provided that federal funds are available for that purpose. Not more than 30 percent of the cost of these facilities shall be from trunk highway funds.			
The appropriations provided in sections 10, 11, 12, and 13 shall be available until expended or the projects or purposes are completed or abandoned.			
Sec. 14. FEDERAL/STATE SAFETY ACCOUNT. The Commissioner of Highways may establish a Federal/State Safety Account within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in Sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive			

funds from state or local governmental agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Safety Account and will be available until June 30, 1975.

Sec. 15. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 8.

Sec. 16. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leasees, interest subsidies and relocation expenses.

Sec. 17. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 9 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 18. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways with the approval of the Governor may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

Sec. 19. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby on June 30 of any fiscal year shall cancel into the trunk highway fund.

Sec. 20. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Section 355.50 and 352.04, Subdivision 5.

Sec. 21. The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, M.S. 219.401."

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: (Signed) Norbert Arnold, Gerald Willet, Harmon Ogdahl, Mel Hansen and Ralph Doty.

House Conferees: (Signed) Tony Eckstein, Robert Culhane, Delbert Anderson, Walter Klaus and Phyllis Kahn.

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2166 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 2166: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Schrom
Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoff	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Larson	O'Neill	Tennessen
Borden	Hansen, Mel	Laufenburger	Patton	Thorup
Brown	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	McCutcheon	Pillsbury	
Coleman	Jensen	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	SchAAF	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that S. F. No. 765 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 765

A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

May 15, 1973

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. 765, 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. 765 be amended as follows:

Page 1, line 18, after "REGULATIONS" and before "." insert "ABOVE THE MOUTH OF THE SNAKE RIVER"

Page 1, line 20, after "90-542" and before "of" insert "and Public Law 92-560"

Page 1, line 23, after "90-542" and before "," insert "and Public Law 92-560"

Page 1, line 29, after "West." and before "Rules" insert:

"Subd. 3. [REGULATIONS BELOW THE MOUTH OF THE SNAKE RIVER.] After October 1, 1974, if the commissioner of natural resources has not established regulations relating to the use of watercraft on that part of the St. Croix river south of the mouth of the Snake river but north of the nine foot navigational channel at mile 24.5, measured from the mouth of the St. Croix river, pursuant to the request of a local governmental unit in the manner provided by Minnesota Statutes, Section 361.26, he may establish such regulations pursuant to section 361.26 notwithstanding the absence of a request from a local governmental unit and notwithstanding the absence of approval of the regulations by a majority of the counties affected.

Subd. 4. [CONCURRENT REGULATIONS REQUIRED.]"

Page 1, line 30, after "commissioner" and before "are" insert "pursuant to this act"

Page 2, line 8, strike "3" and insert in lieu thereof "5"

Further amend the title in line 4 by striking "motorboats" and inserting in lieu thereof "watercraft"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Jerald C. Anderson and Florian Chmielewski.

House Conferees: (Signed) Phyllis Kahn, Rodney Searle and Fred Norton.

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 765 be now adopted

and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 765: A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 36 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Perpich, A. J.	Tennessee
Arnold	Gearty	Lewis	Perpich, G.	Thorup
Borden	Hanson, R.	Lord	Renneke	Wegener
Chenoweth	Hughes	Moe	Schaaf	Willet
Chmielewski	Humphrey	North	Sillers	
Conzemius	Keefe, J.	Novak	Solon	
Davies	Keefe, S.	Olhoft	Spear	
Doty	Larson	Olson, A. G.	Stokowski	

Those who voted in the negative were:

Bang	Brown	Hansen, Mel	Olson, J. L.	Stassen
Berg	Fitzsimons	Jensen	Patton	
Bernhagen	Frederick	Knutson	Pillsbury	
Blatz	Hansen, Baldy	Nelson	Schrom	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that S. F. No. 690 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 690

A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

May 11, 1973

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. 690, report that we

have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 690 be amended as follows:

Page 1, line 18, after "choosing" insert "to"

Page 1, line 27, after "nurse" strike the comma and insert "*of his own choosing*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Alec G. Olson, Roger Hanson and B. Robert Lewis.

House Conferees: (Signed) John C. Lindstrom, John J. Salchert and Charles R. Weaver.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on S. F. No. 690 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 690: A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 52 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Sillers
Arnold	Dunn	Kleinbaum	Olhoft	Solon
Bang	Fitzsimons	Knutson	Olson, A. G.	Spear
Berg	Frederick	Krieger	Olson, J. L.	Stassen
Bernhagen	Gearty	Larson	O'Neill	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Thorup
Brown	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Pillsbury	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Messrs. Blatz; Hansen, Baldy; Jensen and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Dunn moved that S. F. No. 211 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 211

A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

May 8, 1973

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. 211, 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 further amended as follows:

Page 4, at the end of line 14 following the word "create" strike the comma and insert a semicolon. Strike lines 15 and 16.

Page 7, at the end of line 17 following the word "create" strike the comma and insert a semicolon. Strike lines 18 and 19.

Page 10, line 12, after "abolished" strike ", the office of civil"

Page 10, strike all of line 13.

Page 10, line 14, strike "this option pursuant to section 9 of this act,"

Page 10, line 15, strike "county sheriff,"

Page 16, at the end of line 3 insert:

"This subdivision shall not apply to any person who on January 1, 1973, held the office of county administrator pursuant to Minnesota Statutes, Sections 375.48 to 375.50 and did not on that date concurrently hold an elective county office."

Page 18, strike all of lines 21 and 22 and insert in lieu thereof "any other law to the contrary and in addition to the other options provided by this act,"

Page 19, line 1, strike "Unless a county has" and insert in lieu thereof "In addition to the other options provided by this act,"

Page 19, strike all of line 2.

Page 19, line 3, strike "plan"

Page 19, line 10, after "offices" insert "if they have not been abolished by the adoption of other options"

Page 20, line 19, after "office" insert "; provided that if a county adopts either the elected executive or the county manager plan, the county civil counsel shall be appointed and removed by the elected executive or county manager, subject to the approval of the county board"

Page 21, line 2, after "counsel" insert "and the county attorney"

Page 21, line 4, after "general" strike "in the same manner as the county attorney" and insert in lieu thereof "on matters of public importance"

Page 23, line 26, strike "through" and insert in lieu thereof "to"

Page 26, lines 5 and 6, strike all the language on line 5 and before "upon" on line 6.

Page 26, line 18, after "15." insert:

"A non-commissioner from each commissioner district shall be appointed to a study commission. In addition three members shall be county commissioners and two shall be elected county officials."

Page 28, line 5, strike "11" and insert in lieu thereof "12"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert Dunn, Florian Chmielewski, Arnulf Ueland, Jr., Jack Kleinbaum, Jim Lord.

House Conferees: (Signed) Arlan Stangeland, Harry Peterson, David Cummiskey, Willis Eken, Neil Haugerud.

Mr. Dunn moved that the foregoing recommendations and Conference Committee Report on S. F. No. 211 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 211: A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Sillers
Bang	Frederick	Kleinbaum	Ogdahl	Solon
Berg	Gearty	Knutson	Olhoft	Spear
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Stassen
Blatz	Hanson, R.	Larson	Olson, J. L.	Stokowski
Borden	Hughes	Laufenburger	Patton	Wegener
Brown	Humphrey	Lewis	Perpich, A. J.	Willet
Chenoweth	Jensen	Lord	Perpich, G.	
Chmielewski	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Messrs. Fitzsimons; Hansen, Baldy and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, J. moved that H. F. No. 1772 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1772

A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

May 14, 1973

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. 1772, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 1772 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [APPROPRIATION.] The sum of \$1,000 or so much thereof as may be required is appropriated from the general fund to the Minnesota historical society for the purpose of commissioning a painting, for display in the rotunda of the state capitol building, depicting a scene from the peaceful and constructive life and culture of Indians native to the state of Minnesota. Cooperation and consultation with the capitol area architectural and planning commission is recommended.”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Joseph Connors, Linda Berglin, Frank H. DeGroat.

Senate Conferees: (Signed) John B. Keefe, Roger Hanson, Norbert Arnold.

Mr. Keefe, J. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1772 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Schrom
Arnold	Dunn	Kirchner	Olhoft	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Berg	Frederick	Knutson	Olson, J. L.	Spear
Bernhagen	Gearty	Krieger	O'Neill	Stassen
Blatz	Hansen, Mel	Larson	Patton	Stokowski
Borden	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Brown	Hughes	Lewis	Perpich, G.	Willet
Chmielewski	Humphrey	Lord	Pillsbury	
Conzemius	Jensen	Moe	Renneke	
Davies	Keefe, J.	North	Schaaf	

Mr. Hansen, Baldy voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 985: A bill for an act relating to health; authorizing

the establishment of health maintenance organizations and prescribing powers and duties; providing for financial assistance to certain health maintenance organizations; providing for open enrollment in certain health plans; appropriating money; and providing penalties.

Senate File No. 985 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 985 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 985 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Solon
Arnold	Frederick	Knutson	Olhofft	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Tennessee
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Renneke	Willet
Davies	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Sillers	

Those who voted in the negative were:

Bang	Brown	Hansen, Baldy	Patton	Pillsbury
Berg				

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state service; appropriating money.

Senate File No. 1120 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 1120 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state and local service; appropriating money.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schaaf
Bang	Fitzsimons	Kirchner	North	Schrom
Berg	Frederick	Kleinbaum	Novak	Solon
Bernhagen	Gearty	Knutson	Ogdahl	Spear
Blatz	Hansen, Baldy	Krieger	Olhoff	Stassen
Borden	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Wegener
Chmielewski	Humphrey	Lord	Perpich, G.	Willet
Davies	Jensen	Milton	Pillsbury	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Conzemius; Perpich, A. J.; Olson, A. G. and McCutcheon. Which motion prevailed.

Pursuant to Rule 21, Mr. Milton moved that the following members be excused for a Conference Committee on H. F. No. 9:

Messrs. Milton; Olson, H. D. and Kowalczyk. Which motion prevailed.

Mr. Ogdahl moved that S. F. No. 557 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Ogdahl moved that the Senate do now concur in the amendments by the House to S. F. No. 557 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 557: A bill for an act relating to taxation; wheelage taxes in the seven county metropolitan area; exempting certain vehicles from the wheelage tax; providing that the levy of property

taxes shall be reduced by a stated amount; amending Minnesota Statutes 1971, Section 163.051, Subdivisions 1 and 5.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Moe	Pillsbury
Bang	Fitzsimons	Josefson	Nelson	Renneke
Berg	Frederick	Kleinbaum	North	Schaaf
Bernhagen	Gearty	Knutson	Ogdahl	Schnom
Blatz	Hansen, Baldy	Krieger	Olhoft	Sillers
Borden	Hansen, Mel	Larson	Olson, J. L.	Solon
Brown	Hanson, R.	Lewis	O'Neill	Spear
Chmielewski	Hughes	Lord	Patton	Wegener
Davies	Humphrey	Milton	Perpich, G.	Willet

Those who voted in the negative were:

Anderson	Keefe, J.	Kirchner	Novak	Stokowski
Arnold	Keefe, S.	Laufenburger	Stassen	Tennessee
Doty				

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that S. F. No. 82 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 82

S. F. No. 82: A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

May 15, 1973

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. 82, 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. 82 be amended as follows:

Page 1, line 23, after the period add a sentence to read: "*The provisions of this subdivision do not apply to any county wherein the chair-*

man of the board of county commissioners is a mayor of any municipality within that county."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) John Milton, Robert G. Dunn and Joseph T. O'Neill.

House Conferees: (Signed) Arlan I. Stangeland, Thomas W. Newcome and John E. Boland.

Mr. Milton moved that the foregoing recommendations and Conference Committee Report on S. F. No. 82 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 82: A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

Was read the third time, as amended by the Conference Committee and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Jensen	Lord	Renneke
Arnold	Doty	Josefson	Milton	Schaaf
Ashbach	Dunn	Keefe, J.	Moe	Sillers
Bang	Fitzsimons	Keefe, S.	Nelson	Solon
Berg	Frederick	Kirchner	North	Spear
Bernhagen	Gearty	Kleinbaum	Ogdahl	Stassen
Blatz	Hansen, Baldy	Knutson	Olhoff	Stokowski
Borden	Hansen, Mel	Krieger	Olson, J. L.	Tennessee
Brown	Hanson, R.	Larson	Patton	Thorup
Chenoweth	Hughes	Laufenburger	Perpich, G.	Wegener
Chmielewski	Humphrey	Lewis	Pillsbury	Willet

Messrs. Novak, O'Neill and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessee moved that S. F. No. 910 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 910

A bill for an act relating to snowmobiles; prohibiting the operation

thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

May 16, 1973

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. 910, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert J. Tennesen, John B. Keefe and Hubert H. Humphrey III

House Conferees: (Signed) Walter R. Hanson, Donald B. Samuelson and M. J. McCauley.

RECESS

Mr. Hansen, Baldy moved that the Senate do now recess until 2:45 o'clock p.m. Which motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Purfeerst was excused from the morning's Session. Mr. Pillsbury was excused from the Session of today beginning at 4:00 o'clock p.m. Mr. Josefson was excused from the Session of today, beginning at 4:30 o'clock p.m. Mr. Bang was excused from the Session of this evening beginning at 5:00 o'clock p.m. Mr. Krieger was excused from this evening's Session beginning at 6:30 o'clock p.m. Mr. Frederick was excused from this evening's Session, beginning at 10:00 o'clock p.m.

CALL OF THE SENATE

Mr. Borden imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Josefson	Moe	Schrom
Ashbach	Dunn	Keefe, S.	Nelson	Sillers
Berg	Fitzsimons	Kirchner	Olhoft	Spear
Bernhagen	Gearty	Knutson	Olson, J. L.	Ueland
Borden	Hansen, Baldy	Kowalczyk	Patton	Wegener
Chenoweth	Hansen, Mel	Lanson	Perpich, G.	
Chmielewski	Hanson, R.	Laufenburger	Pillsbury	
Davies	Humphrey	Lord	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Borden moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 325, 471, 1404, 1582 and 1699.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

There has been appointed as such committee on the part of the House:

Quirin, St. Onge and Erickson

Senate File No. 1302 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chap-

ter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

There has been appointed as such committee on the part of the House:

Kelly, Lombardi and Sherwood

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 334:

H. F. No. 334: A bill for an act relating to port authorities; removing the requirement for unanimous approval in the sale of real property; amending Minnesota Statutes 1971, Section 458.17.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Vento, Faricy and Ferderer have been appointed as such committee on the part of the House.

House File No. 334 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 334 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

CALL OF THE SENATE

Mr. Borden imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Humphrey	Laufenburger	Perpich, G.
Arnold	Doty	Keefe, S.	Lewis	Pillsbury
Berg	Dunn	Kirchner	Lord	Schaaf
Bernhagen	Fitzsimons	Kleinbaum	Moe	Sillers
Blatz	Hansen, Baldy	Knutson	Nelson	Spear
Borden	Hansen, Mel	Kowalczyk	Olhoff	Stokowski
Chenoweth	Hanson, R.	Krieger	Olson, J. L.	Ueland
Chmielewski	Hughes	Larson	Patton	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1436:

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Parish, McArthur and Casserly have been appointed as such committee on the part of the House.

House File No. 1436 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 16, 1973

Mr. Kowalczyk moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1436 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 56: A bill for an act relating to welfare; establishing and empowering a Gillette hospital authority for the purpose of operating a children's hospital in conjunction with Ramsey county hospital; appropriating funds; amending Minnesota Statutes 1971, Sections 246.01; 256.01, Subdivision 2; repealing Minnesota Statutes 1971, Section 246.02, Subdivision 3; and Chapter 250.

Senate File No. 56 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Kirchner moved that the Senate do now concur in the amend-

ments by the House to S. F. No. 56 and that the bill be placed on its repassage as amended.

S. F. No. 56 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended.

And the roll being called, there were yeas 46 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Milton	Schrom
Arnold	Fitzsimons	Keefe, S.	Moe	Spear
Berg	Gearty	Kirchner	Nelson	Stokowski
Bernhagen	Hansen, Baldy	Kleinbaum	Novak	Tenessen
Blatz	Hansen, Mel	Knutson	Olhoff	Ueland
Borden	Hanson, R.	Kcwalczyk	Cl on, J. L.	Willet
Chenoweth	Hughes	Krieger	Patton	
Chmielewski	Humphrey	Larson	Pillsbury	
Davies	Jensen	Laufenburger	Renneke	
Doty	Josefson	Lord	Schaaf	

Mr. Perpich, G. voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 256: A bill for an act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof; amending Minnesota Statutes 1971, Section 272.68, Subdivision 1.

Senate File No. 256 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. Chmielewski moved that S. F. No. 256 be laid on the table. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Olson, A. G.; Perpich, A. J.; McCutcheon and Conzemius. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the fol-

lowing Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2113: A bill for an act relating to taxation; providing for a reduction in assessed value of apartment housing of type I or II construction; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

Senate File No. 2113 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Ogdahl moved that the Senate do now concur in the amendments by the House to S. F. No. 2113 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 2113 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 37 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Humphrey	Moe	Stassen
Arnold	Dunn	Kirchner	North	Stokowski
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Tennessen
Bang	Frederick	Krieger	Olhoft	Ueland
Berg	Gearty	Larson	O'Neill	Willet
Bernhagen	Hansen, Baldy	Laufenburger	Pillsbury	
Blatz	Hansen, Mel	Lord	Sillers	
Borden	Hanson, R.	Milton	Solon	

Those who voted in the negative were:

Chenoweth	Jensen	Knutson	Oleon, J. L.	Schaaf
Davies	Josefson	Kowalczyk	Patton	Schrom
Doty	Keefe, J.	Nelson	Perpich, G.	Spear
Hughes	Keefe, S.	Novak	Renneke	

So the bill, as amended, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2531, pursuant to the request of the House.

Messrs. Arnold; Novak; Olson, J. L.; Fitzsimons; Davies.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1547, pursuant to the request of the House.

Messrs. Ogdahl, Kirchner, Stokowski.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1203, pursuant to the request of the House.

Messrs. Willet, Lord, Bernhagen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 805, pursuant to the request of the House.

Messrs. Conzemius; Olson, A. G.; Jensen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 879, pursuant to the request of the Senate.

Messrs. Chenoweth, North, O'Neill.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1824, pursuant to the request of the Senate.

Messrs. Chmielewski, Laufenburger, Jensen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on S. F. No. 2047, pursuant to the request of the Senate.

Messrs. Gearty, Schaaf, Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 23, pursuant to the request of the House.

Messrs. Keefe, S.; Tennesen; Kowalczyk.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that his name be stricken as co-author to S. F. No. 1776. Which motion prevailed.

Mr. Novak moved that H. F. No. 1945 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2179. Which motion prevailed.

Mr. Hanson, R. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2339. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1536, No. 181 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1536: A bill for an act relating to the department of corrections; community corrections centers; amending Minnesota Statutes 1971, Sections 241.31; and 241.32.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Moe	Solon
Arnold	Fitzsimons	Keefe, S.	Nelson	Spear
Ashbach	Frederick	Kirchner	Novak	Stascen
Bang	Gearty	Kleinbaum	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Tennesen
Borden	Hansen, Mel	Kowalczyk	O'Neill	Wegener
Brown	Hanson, R.	Krieger	Patton	Willet
Chenoweth	Hughes	Larson	Pillsbury	
Chmielewski	Humphrey	Lewis	Renneke	
Davies	Jensen	Lord	Schaaf	
Doty	Josefson	Milton	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1840, No. 116 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1840: A bill for an act relating to bicycles; providing for a statewide bicycle registration system; providing penalties for violation thereof; fixing and limiting the amount of fees to be collected in certain cases; appropriating money annually.

Mr. Hughes moved to amend S. F. No. 1840 as follows:

Page 2, line 7, after "Sec. 3." insert "Subdivision 1."

Page 2, line 19, strike "section" and insert "subdivision"

Page 2, after line 20, insert a new subdivision to read:

"Subd. 2. Any person, other than a person required to register his bicycle pursuant to subdivision 1, also may register the ownership of his bicycle with the department pursuant to regulations established by the department by giving the same information and paying the same fees as required for the registration of a bicycle purchased from a bicycle dealer after July 1, 1974. The department shall designate a number to be stamped or otherwise permanently affixed on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes. The ownership of a bicycle registered under this subdivision may be transferred only in the manner provided for the transfer of ownership of bicycles registered pursuant to subdivision 1."

Page 5, line 3, after "agent" and before "shall" insert ", except for protection of the bicycle,"

Page 6, line 5, after "this act." insert "Before January 15, 1975, the department of public safety shall study and report to the legislature its recommendations for the registration of all bicycles not required to be registered under this act. The study shall include but not be limited to a study of the desirability of phasing in these additional mandatory registrations on a schedule which would require these additional mandatory registrations to be accomplished as follows: Phase one, cities of the first class; phase two, counties in the twin city metropolitan area which contain or are adjacent to cities of the first class; and phase three, all other cities and counties. The study shall also include a study of the feasibility of making these additional registrations optional."

Page 6, line 9, strike "1974" and insert "1975"

Page 6, line 13, after "localities." and before "This" insert "The proposal for a system of state aid to localities shall provide, as an element of the state-aid formula, that the amount of aid appropriated to a locality will depend, in part, upon the numbers of bicycles registered in the locality. The plan shall be drawn with the cooperation of the Governor's Trail Advisory Committee and

after consultation with local units of government and bicyclists organizations.”

Which motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend S. F. No. 1840, as follows:

Page 2, line 8, strike “shall” and insert “may”

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Larson	Patton
Berg	Hansen, Baldy	Keefe, J.	Lord	Renneke
Bernhagen	Hanson, R.	Kowalczyk	Nelson	Stassen
Dunn	Jensen	Krieger	Olson, J. L.	

Those who voted in the negative were:

Anderson	Doty	Kirchner	Ogdahl	Spear
Bang	Fitzsimons	Kleinbaum	Olhoft	Stokowski
Borden	Gearty	Laufenburger	O'Neill	Tennessee
Brown	Hansen, Mel	Lewis	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Schaaf	Wegener
Chmielewski	Humphrey	North	Sillers	Willet
Davies	Keefe, S.	Novak	Solon	

Which motion did not prevail. So the amendment was not adopted.

S. F. No. 1840 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Krieger moved that those not voting be excused from voting. Which motion did not prevail.

And the roll being called, there were yeas 35 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Milton	Schaaf
Arnold	Fitzsimons	Kleinbaum	North	Spear
Borden	Gearty	Krieger	Novak	Stassen
Brown	Hansen, Mel	Laufenburger	Olhoft	Stokowski
Chenoweth	Hughes	Lewis	Olson, A. G.	Tennessee
Coleman	Humphrey	Lord	Perpich, A. J.	Thorup
Conzemius	Keefe, S.	McCutcheon	Perpich, G.	Wegener

Those who voted in the negative were:

Ashbach	Doty	Josefson	Nelson	Renneke
Bang	Dunn	Keefe, J.	Ogdahl	Schrom
Berg	Frederick	Knutson	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Blatz	Hanson, R.	Larson	O'Neill	Willet
Chmielewski	Jensen	Moe	Patton	

So the bill, as amended, passed and its title was agreed to.

Mr. Krieger moved that the vote whereby S. F. No. 1840 was passed on May 17, 1973 be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 25 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Larson	Renneke
Bang	Frederick	Keefe, J.	Nelson	Schrom
Berg	Hansen, Baldy	Knutson	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hanson, R.	Krieger	O'Neill	Ueland

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Novak	Spear
Arnold	Doty	Laufenburger	Olhoft	Stokowski
Borden	Fitzsimons	Lewis	Olson, A. G.	Tennessen
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Keefe, S.	Moe	Schaaf	
Conzemius	Kirchner	North	Solon	

Which motion did not prevail. So the vote was not reconsidered.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1418, No. 124 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1418: A bill for an act relating to education; transportation aids; appropriating money to cover certain deficiencies for fiscal year 1972-73.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Novak	Sillers
Arnold	Frederick	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Kowalczyk	Olhoft	Stassen
Bang	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Borden	Hanson, R.	Lewis	Patton	Thorup
Chmielewski	Hughes	Lord	Perpich, G.	Wegener
Davies	Humphrey	Moe	Renneke	Willet
Doty	Jensen	Nelson	Schaaf	
Dunn	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Knutson	Olhoff	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	Milton	Renneke	Ueland
Chmielewski	Humphrey	Nelson	Schaaf	Wegener
Davies	Keefe, J.	North	Sillers	Willet
Doty	Keefe, S.	Ogdahl	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Davies moved to amend H. F. No. 624, the Senate unofficial grossment, as follows:

Page 2, line 4, after the period insert "The privilege provided in this section is not available to any defendant in an action for defamation as to evidence relevant to an issue upon which the burden of proof rests with the plaintiff."

Which motion prevailed. So the amendment was adopted.

H. F. No. 624 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Humphrey moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 44 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoff	Solon
Berg	Frederick	Laufenburger	Olson, A. G.	Spear
Brown	Gearty	Lewis	Olson, H. D.	Stassen
Chenoweth	Hansen, Mel	Lord	O'Neill	Stokowski
Chmielewski	Hanson, R.	Milton	Perpich, A. J.	Tennessen
Coleman	Hughes	Nelson	Perpich, G.	Ueland
Conzemius	Humphrey	North	Schaaf	Willet
Davies	Keefe, S.	Novak	Schrom	

Those who voted in the negative were:

Bernhagen	Jensen	Kowalczyk	Olson, J. L.	Thorup
Blatz	Keefe, J.	Larson	Patton	Wegener
Hansen, Baldy	Knutson	McCutcheon	Renneke	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Dunn moved that the following members be excused for a Conference Committee on H. F. No. 1659:

Messrs. Borden, Moe and Dunn. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:45 o'clock p.m. Which motion prevailed.

The hour of 7:45 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Olson, J. L. was excused from the Session of this evening, beginning at 11:00 o'clock p.m.

CALL OF THE SENATE

Mr. Lord imposed a call of the Senate. The following Senators answered to their names:

Anderson	Coleman	Hanson, R.	Lord	Purfeerst
Arnold	Davies	Hughes	Moe	Renneke
Ashbach	Doty	Humphrey	Novak	Schaaf
Berg	Dunn	Josefson	Olhoft	Stokowski
Bernhagen	Fitzsimons	Kirchner	Olson, A. G.	Tennessen
Borden	Gearty	Kleinbaum	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Wegener
Chmielewski	Hansen, Mel	Laufenburger	Perpich, G.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Borden moved that the rules of the Senate be so far suspended as to revert to Messages From The House and proceed through the Agenda, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 258, 991 and 2530.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 258: A bill for an act relating to education; education of gifted children; appropriating money.

H. F. No. 991: A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; 270.47; and Chapter 270, by adding a section.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 565: A bill for an act relating to a tax study commission; amending Extra Session Laws 1971, Chapter 31, Article 13, Section 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 2303: A bill for an act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2179: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 8, strike "in an" and after the stricken "an" and before "aggregate" insert "whose"

Page 6, line 9, after "amount" and before "not" insert "at any time shall"

Page 6, line 9, strike "to"

Page 6, line 9, strike "\$45,000,000" and insert in lieu thereof "\$62,000,000"

Page 6, line 9, delete "*per biennium commencing*"

Page 6, delete line 10

Page 6, line 11, delete "*succeeding odd numbered year*"

Page 6, line 17, after the period, insert the following: "*During the biennium commencing July 1, 1973, not more than \$20,000,000 shall be used for financing new construction, and not more than fifty percent of the amount used for new construction shall be used for construction projects which expand the capacity of institutions.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 1404: A bill for an act relating to the attorney general; requiring the appointment of a deputy attorney general for the department of public welfare and the appointment of an assistant attorney general for the department of corrections; amending Minnesota Statutes 1971, Section 8.024.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 2449: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, after line 17, insert:

"Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding 25 percentum to a municipality that would qualify for a grant of federal funds but desires to initiate construction of a project without a federal grant where such project is necessary to abate an immediate health hazard. The agency may limit the scope and eligible cost of such project."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2358: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for

the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. [PURPOSE.] It is determined that there is a critical need to preserve and improve transportation facilities throughout the state which cannot be met by local effort without state financial assistance. The rate of completion of the interstate portion and upgrading of the remainder of the state's highway system has fallen behind the rate of traffic growth, resulting in serious traffic hazards and delays that affect the personal safety, quality of life, and economic welfare of citizens. The highway traffic problem is accentuated by the deficiency in the quality and quantity of public transportation available in urban areas, large and small. This deficiency is itself largely caused by the inability of public transportation to compete economically with private automobiles, without financial support comparable to that given highway construction. Its most serious effect is to limit severely the life and liberty of many persons who because of age, physical or mental characteristics, or economic circumstances are unable to use automobiles. For many more it compels the use of automobiles, often more than one per family, for daily attendance at work and school and for transportation in emergencies, notwithstanding cost that may reduce remaining living resources below poverty levels, and notwithstanding unacceptable safety hazards often resulting from physical handicaps or inexperience. And for many high cost makes it impossible to acquire and maintain vehicles that can operate at acceptable safety and pollution control levels, thus aggravating the traffic and pollution hazards created by sheer numbers of vehicles. Capital cost of the principal arterial highways of this state cannot be adequately met from existing sources of funds. Similar costs of adequate public transportation in urban areas cannot be met by user fees without subsidy, or even with subsidy to the extent this is possible from property taxes or other resources available to local units of government. It is determined that state financial assistance in meeting the capital cost of public transportation in urban areas and constructing and reconstructing the state's principal arterial highways is a proper function of state government and is necessary to protect the safety and the personal and economic welfare of the citizens of the state at large.

Sec. 2. [PRINCIPAL ARTERIAL HIGHWAY BOND AUTHORIZATION AND APPROPRIATIONS.] Subdivision 1. The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota state principal arterial bonds in accordance with the provisions of section 3 of

this act, and Article IX, Section 6, of the Constitution in an aggregate principal amount not to exceed \$120,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of such bonds to the commissioner of highways for grants to counties and municipalities for the acquisition and betterment of public land and other improvements of a capital nature needed to provide adequate principal arterial highways of this state. This appropriation shall not lapse or cancel until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of highways.

Subd. 2. The department of highways shall promulgate regulations, standards, and priorities for the administration of grants authorized in accordance with subdivision 1.

Subd. 3. Applications by counties and municipalities for grants for the funds provided for by subdivision 1 shall be made through regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Section 462.381 to 462.396 and Chapter 473B referred to in this section as regional planning agencies to the department of highways on forms requiring information prescribed by the regulations of the department of highways. The regional planning agency shall certify to the department of highways those applications which appear to meet the standards and criteria set forth by the department of highways and the regulations promulgated hereunder, and the department of highways shall direct grants to be disbursed on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the counties and municipalities sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the projects have complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 3. [PRINCIPAL ARTERIAL BONDS.] Subdivision 1. For the purpose of providing money appropriated to the counties and municipalities of the state from the principal arterial highway funds authorized by section 2 for the acquisition and betterment of public land and other improvement of a capital nature needed to provide adequate principal arterial highways, in accordance with section 2, when authorized by law and requested by the commissioner of highways, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying

the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state principal arterial bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery or definitive bonds, and in accordance with such further regulations as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state principal arterial funds, and the amounts necessary therefor are appropriated from those funds; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state principal arterial bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state principal arterial bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state principal arterial bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand

therein, to pay all Minnesota state principal arterial bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state principal arterial bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state principal arterial bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 4. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] The state auditor is authorized and directed, upon request of the director of the state planning agency, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 6 of this act, and Article IX, Section 6 of the Constitution, in an aggregate principal amount not to exceed \$80,000,000 which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 5, and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to the director of the state planning agency for grants to subdivisions of the state, according to the definition of "subdivision" in section 5, subdivision 1, for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 5. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the state planning agency.

Sec. 5. [MINNESOTA STATE TRANSPORTATION FUND.]
Subdivision 1. A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and grants disbursed from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the state planning agency pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city, village, or borough outside the area of operation of such a public body.

Subd. 2. It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all urban areas within the state by providing state funding for public transportation capital improvements. The state planning agency and regional planning agencies are directed to prepare and revise annually a program of capital grants to subdivisions for specific projects which will implement this policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The state planning agency shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the state planning agency shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the state planning agency, on forms requiring information prescribed by the regulations of the state planning agency. The regional agency shall certify to the state planning agency those applications which appear to meet the program of capital grants and the standards and criteria set forth by the state planning agency and the regulations promulgated hereunder, and the state planning agency shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement

shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the state planning agency ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 6. [MINNESOTA STATE TRANSPORTATION BONDS.]
Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 5, when authorized by law and requested by the director of the state planning agency, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions of limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside this state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution,

and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall

be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 7. [SEVERABILITY.] The invalidity of any provision of this act shall not affect the validity of the remainder of the act.

Sec. 8. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 1263, 2373, 1541.

Reports the same back with the recommendation that the bill receive the action of the previous referring committees. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1837 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1837	1789				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1837 be amended as follows:

Page 4, line 2, strike "serve without compensation, but" and insert "*receive \$35 per diem and*"

Page 7, line 17, after "*day*" insert "*next*"

And when so amended, H. F. No. 1837 will be identical to S. F. No. 1789 and further recommends that H. F. No. 1837 be given its second reading and substituted for S. F. No. 1789 and S. F. No. 1789 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2179, 2358, 1263, 2373 and 1541 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 565, 2303, 1404, 2449 and 1837 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that S. F. No. 256 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 256 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 256: A bill for an act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof; amending Minnesota Statutes 1971, Sections 117.135; and 272.68, Subdivision 1.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Purfeerst
Arnold	Davies	Keefe, J.	Nelson	Renneke
Ashbach	Doty	Keefe, S.	North	Schaaf
Bang	Dunn	Kirchner	Novak	Solon
Berg	Fitzsimons	Kleinbaum	Olhoff	Stokowski
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Thorup
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Wegener
Brown	Hansen, Mel	Lewis	Olson, J. L.	Willet
Chmielewski	Hughes	Lord	Perpich, A. J.	
Coleman	Humphrey	Milton	Perpich, G.	

So the bill, as amended, was repassed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2491, No. 165 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2491: A bill for an act relating to reassessment of improperly valued property; removing residency as a qualification for assessors; amending Minnesota Statutes 1971, Section 270.17.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Gearty	Hughes
Arnold	Chmielewski	Doty	Hansen, Baldy	Humphrey
Bang	Coleman	Dunn	Hansen, Mel	Josefson
Bernhagen	Conzemius	Fitzsimons	Hanson, R.	Keefe, S.

Kirchner	Milton	Olhoff	Perpich, G.	Spear
Kleinbaum	Moe	Olson, A. G.	Purfeerst	Stokowski
Laufenburger	Nelson	Olson, H. D.	Renneke	Thorup
Lewis	North	Olson, J. L.	Schaaf	Wegener
Lord	Novak	Perpich, A. J.	Solon	Willet

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2482, No. 166 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2482: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	Moe	Purfeerst
Arnold	Davies	Josefson	Nelson	Renneke
Ashbach	Doty	Keefe, J.	North	Schaaf
Bang	Dunn	Keefe, S.	Novak	Solon
Berg	Fitzsimons	Kleinbaum	Olhoff	Spear
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Thorup
Brown	Hansen, Mel	Lewis	Olson, J. L.	Wegener
Chmielewski	Hanson, R.	Lord	Perpich, A. J.	Willet
Coleman	Hughes	Milton	Perpich, G.	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2485, No. 169 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2485: A bill for an act relating to taxation; transferring administration of homestead property tax relief in taconite and iron ore areas to commissioner of taxation; amending Minnesota Statutes 1971, Sections 273.135, Subdivisions 3 and 4; and 273.136, Subdivisions 2 and 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Schaaf
Arnold	Doty	Keefe, J.	Novak	Schrom
Ashbach	Dunn	Keefe, S.	Olhoft	Solon
Bang	Fitzsimons	Kirchner	Olson, A. G.	Spear
Berg	Gearty	Kleinbaum	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Thorup
Borden	Hansen, Mel	Laufenburger	Patton	Wegener
Brown	Hanson, R.	Lewis	Perpich, A. J.	Willet
Chmielewski	Hughes	Lord	Perpich, G.	
Coleman	Humphrey	Moe	Purfeerst	
Conzemius	Jensen	Nelson	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1940: A bill for an act relating to insurance; automobile insurance plan governing committee; revising the membership of said committee; amending Minnesota Statutes 1971, Section 65B.03.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Ashbach	Fitzsimons	Kirchner	Novak	Schrom
Bang	Gearty	Kleinbaum	Olhoft	Solon
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Borden	Hughes	Lewis	O'Neill	Thorup
Brown	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	Milton	Perpich, G.	Wegener
Davies	Josefson	Moe	Purfeerst	Willet
Doty	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that H. F. No. 2530 be withdrawn from the Committee on Rules and Administration. Which motion prevailed.

Mr. Novak moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2530 and that the rules of the Senate be

so far suspended as to give H. F. No. 2530 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2530 was read the second time.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

Mr. Novak moved to amend H. F. No. 2530, the printed bill, as follows:

Strike everything after the enacting clause and insert:

“Section 1. Public buildings; appropriation. Except as otherwise provided in this act, the sums hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or such other funds as designated, for the purposes specified in the following sections of this act.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) Demolition of Welfare Institution Buildings	\$ 300,000
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Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to demolish any old or obsolete buildings immediately from any funds available to the department of public welfare.

Subd. 3. At Minnesota State Prison:

(1) Tuckpointing	36,000
(2) One incinerator (inside prison walls)	40,000
(3) Roof repairs, cordage warehouse	30,000
(4) Replace windows and frames and doors in industry buildings	20,000
(5) Storm sewers	20,000
(6) Fire prevention measures	50,000
(7) New guard tower catwalk and lighting	90,000

Subd. 4. At State Reformatory for Men:

(1) New oven—Food Service	17,000
(2) Miscellaneous reroofing	20,000
(3) Plaster ceiling area in Food Service and laundry	5,250
(4) Tuckpointing—supplies and equipment	10,000
(5) Resurface institution roads	10,000

Subd. 5. At Minnesota Correctional Institution for Women:

- | | |
|--|--------|
| (1) Install exit lights, sprinkler system for Anthony cottage, administration and security section, and provide second means of egress in basement and second floor of Administration Building | 50,000 |
| (2) Install new steps and stoop of Sanford cottage | 3,500 |

Subd. 6. At State Training School for Boys:

- | | |
|--|--------|
| (1) Repair, replace and maintain physical plant | 45,000 |
| (2) Separation of storm and sanitary sewers, complete repair of roads and parking lots | 25,000 |
| (3) Repair and remodel interior of volunteer center | 7,500 |
| (4) Install seven drinking fountains and demolish old kitchen | 15,000 |

Subd. 7. At Minnesota Home School:

- | | |
|--|--------|
| (1) Remodel and equip counseling building | 15,000 |
| (2) Provide climate control in Senator Popp Building | 5,000 |
| (3) Remodel zoned heating in Alcott, Stowe & Evers cottages and replace radiators in Alcott, Stowe, Evers, Richard and Lind cottages | 40,000 |
| (4) Replace carpeting in Richard and Lind cottages \$ | 3,200 |
| (5) Add combination storms and screens to Alcott, Evers, Stowe, Richard, Lind cottages and Morse Hall | 15,000 |
| (6) Demolish Sullivan cottage upon completion of new security facility | —0— |

Subd. 8. At Minnesota Reception and Diagnostic Center:

- | | |
|---|--------|
| (1) Modification of Administration Building | 2,000 |
| (2) Enclose walkway to cafeteria | 8,000 |
| (3) Area lighting | 15,000 |
| (4) Install automatic fire detectors | 8,000 |

Subd. 9. At Saint Croix Forestry Camp:

- | | |
|--|-------|
| (1) Repair trusses on dining hall | 2,000 |
| (2) Correct wall settling problem on laundry building | 1,000 |
| (3) Correct foundation water problem at gymnasium corner | 3,000 |

Subd. 10. At Thistledeew Forestry Camp:

- | | |
|--|-----|
| (1) Construct Chapel addition and Challenge building from private donation of \$10,600 | —0— |
|--|-----|

Subd. 11. At Willow River Forestry Camp:

- | | |
|------------------|--------|
| (1) Sewer system | 15,000 |
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Subd. 12. At State Capitol Building:

(1) Building maintenance, repairs and replacements	510,000
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Sec. 3. Subdivision 1. To the commissioner of public welfare to be expended for the purpose of repairs and replacements:

Subd. 2. At Anoka State Hospital.	88,672
Subd. 3. At Fergus Falls Hospital	156,060
Subd. 4. At Hastings State Hospital	71,000
Subd. 5. At Moose Lake State Hospital	79,400
Subd. 6. At Rochester State Hospital	145,650
Subd. 7. At St. Peter State Hospital	134,900
Subd. 8. At Willmar State Hospital	91,000
Subd. 9. At Faribault State Hospital	164,575
Subd. 10. At Cambridge State Hospital	129,800
Subd. 11. At Brainerd State Hospital	96,200
Subd. 12. At Braille and Sight Saving State Hospital	22,875
Subd. 13. At School for the Deaf	48,060
Subd. 14. At Gillette Children's Hospital	35,790
Subd. 15. At Ah-Gwah-Ching Nursing Home	45,000
Subd. 16. At Glen Lake State Sanatorium and Oak Terrace Nursing Home	72,500

Sec. 4. Subdivision 1. To the commissioner of corrections for the purpose of repairs and replacements:

Subd. 2. At Minnesota State Prison	214,000
Subd. 3. At Reformatory for Men	119,795
Subd. 4. At Minnesota Correctional Institution for Women	10,100
Subd. 5. At Training School for Boys	55,250
Subd. 6. At Minnesota Home School	33,250
Subd. 7. At Minnesota Reception and Diagnostic Center	33,990
Subd. 8. At Correctional Camps	10,000

Sec. 5. Subdivision 1. To the state college board for repairs and betterments at the state colleges including preventative maintenance	1,100,000
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Sec. 6. Subdivision 1. To the state junior college board for repairs and betterments at the state junior colleges which includes \$93,000 for remodeling	503,023
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Sec. 7. Subdivision 1. To the Minnesota Veterans Home Board for the purpose of repairs and replacements at Minnesota Veterans Home	15,000
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Sec. 8. To the Minnesota Historical Society:

(1) Improvements to historic sites	150,000
(2) Archaeological construction	50,000
(3) Contingent fund	30,000

Sec. 9. Notwithstanding any provision of Minnesota Statutes, Section 16.17, all the money appropriated by section 2 shall be deemed for construction, repairs, or other building improvements and shall be available until the purposes for which the appropriation was made shall have been accomplished or abandoned. The moneys appropriated by sections 3, 4, 5, 6 and 7 not expended or encumbered shall cancel on June 30, 1975.

Sec. 10. If moneys are appropriated during the same or different sessions of the legislature for the same or related projects which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, made such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects.

Sec. 11. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 12. The balance of each appropriation made by this and any prior act to the commissioner of administration from the general fund for construction, repairs, and other permanent improvements, remaining when the specific purpose of such appropriation is accomplished, as certified by the commissioner to the legislative building commission or its successor and to the state auditor, may be transferred to any other account for which such an appropriation is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the legislative building commission or its successor which shall be advisory only. Failure or refusal to make a recommendation shall be deemed a negative recommendation.

Sec. 13. Subdivision 1. The City of Fairmont donated by conveyance to the state of Minnesota certain lands, hereinafter described, in Martin county for a junior college proposed to be located in Fairmont. Such lands are not needed for such college purposes and the lands are therefore surplus property.

Subd. 2. The governor upon the recommendation of the commissioner of administration shall transfer and convey by quit claim deed in the form the attorney general approves in the name of the

state of Minnesota to the City of Fairmont, for no consideration, the following described land lying and being in Martin County:

Government Lot Two (2) and Government Lot Three (3) of Section Seven (7), Township One Hundred Two (102) North, of Range Thirty (30) West, excepting the South Thirty-three (33) feet of the West 578.24 feet of said Government Lot Three (3), and excepting the West Thirty-three (33) feet of said Government Lot Two (2) and said Government Lot Three (3), to be used for future street purposes.

Subd. 3. The Village of Cambridge donated by conveyance to the state of Minnesota certain lands in Isanti county for a junior college proposed to be located in Cambridge. Such lands are not needed for such college purposes and the lands are therefore surplus property.

Subd. 4. The governor upon the recommendation of the commissioner of administration shall transfer and convey by quit claim deed in the form that attorney general approves in the name of the state of Minnesota to the Village of Cambridge, for no consideration, the following described land lying and being in Isanti county:

The West 1,400 feet of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the West 675 feet of the South 762 feet thereof, and also the East 700 feet of the East Half of the Northeast Quarter (E $\frac{1}{2}$ of NE $\frac{1}{4}$), Section Thirty-one (31), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the South 762 feet thereof, and also excepting from the tracts herein conveyed all public roads and easements of record.

Section 14. Of the sum of \$4,680,000 appropriated from the Minnesota state building fund by Laws 1971, chapter 963, section 3, to construct and equip Cambridge State Junior College and Fairmont State Junior College, the sum of \$3,000,000 is reappropriated to the commissioner of administration to reimburse the general fund for the appropriation with the amount of \$3,000,000 made from the general fund in Laws 1973, Chapter 99, Section 1 to the University of Minnesota to equip unit A, Health Sciences."

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor."

Which motion prevailed. So the amendment was adopted.

H. F. No. 2530 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 43 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Kirchner	North	Spear
Berg	Hansen, Mel	Kleinbaum	Novak	Stassen
Borden	Hanson, R.	Knutson	Olhoff	Stokowski
Brown	Hughes	Larson	Olson, H. D.	Tennessee
Davies	Humphrey	Laufenburger	Olson, J. L.	Ueland
Doty	Jensen	Lord	Patton	Wegener
Fitzsimons	Josefson	Milton	Purfeerst	Willet
Frederick	Keefe, J.	Moe	Renneke	
Gearty	Keefe, S.	Nelson	Solon	

Messrs. Anderson, Bernhagen, Chmielewski, Dunn and Schrom voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that S. F. No. 2473 be indefinitely postponed. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1065: A bill for an act relating to probate; regulating the availability of summary proceedings; amending Minnesota Statutes 1971, Section 525.51, Subdivision 5.

Mr. Thorup moved to amend H. F. No. 1065, the printed bill, as follows:

Page 1, line 6, strike "\$60,000" and insert in lieu thereof "\$30,000"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1065 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Nelson	Schrom
Ashbach	Fitzsimons	Kirchner	North	Sillers
Bang	Frederick	Kleinbaum	Novak	Solon
Berg	Gearty	Knutson	Olhoff	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessee
Brown	Hughes	Lewis	Perpich, G.	Thorup
Chmielewski	Humphrey	Lord	Purfeerst	Ueland
Davies	Josefson	Milton	Renneke	Willet

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Perpich, A. J.; Olson, A. G.; Coleman, Conzemius and McCutcheon. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1302: A bill for an act relating to abandoned motor vehicles; amending Minnesota Statutes 1971, Sections 168B.02, Subdivision 2; 168B.05; 168B.06; 168B.08; 168B.09; 168B.10, Subdivisions 1, 2, and 3; repealing Minnesota Statutes 1971, Sections 168B.12 and 168B.13.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Solon
Arnold	Fitzsimons	Kirchner	Novak	Spear
Ashbach	Frederick	Kleinbaum	Olhoft	Stassen
Bang	Gearty	Knutson	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Hansen, Mel	Larson	O'Neill	Thorup
Blatz	Hanson, R.	Laufenburger	Patton	Ueland
Borden	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Davies	Jensen	Moe	Renneke	
Doty	Josefson	Nelson	Sillers	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1612: A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	North	Solon
Ashbach	Frederick	Kleinbaum	Novak	Spear
Bang	Gearty	Knutson	Olhoft	Stassen
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Blatz	Hanson, R.	Laufenburger	O'Neill	Thorup
Borden	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Davies	Jensen	Milton	Purfeerst	Willet
Doty	Josefson	Moe	Renneke	
Dunn	Keefe, S.	Nelson	Sillers	

Messrs. Anderson and Schrom voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on S. F. No. 1964:

Messrs. Borden; Olson, J. L. and Moe. Which motion prevailed.

SPECIAL ORDER

H. F. No. 534: A bill for an act relating to workmen's compensation; compensation for permanent partial disability; amending Minnesota Statutes 1971, Section 176.101, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Humphrey	Lewis	Schrom
Arnold	Doty	Josefson	Lord	Sillers
Ashbach	Dunn	Keefe, J.	Nelson	Solon
Bang	Fitzsimons	Keefe, S.	North	Spear
Berg	Frederick	Kirchner	Novak	Stassen
Bernhagen	Gearty	Kleinbaum	Olhoft	Stokowski
Blatz	Hansen, Baldy	Knutson	O'Neill	Tennessen
Borden	Hansen, Mel	Kowalczyk	Patton	Willet
Brown	Hanson, R.	Larson	Purfeerst	
Chmielewski	Hughes	Laufenburger	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Doty, O'Neill, Borden and Sillers. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1765: A bill for an act relating to motor vehicles; eliminating the requirement of special markings on motor vehicles owned by the state and operated by a commissioner or head of a state department or agency; amending Minnesota Statutes 1971, Section 168.012, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Schaaf moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Gearty moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 28 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Keefe, S.	Olson, H. D.	Stassen
Bang	Gearty	Kleinbaum	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, G.	Thorup
Brown	Hansen, Mel	Larson	Renneke	Ueland
Davies	Hanson, R.	Laufenburger	Schrom	
Fitzsimons	Humphrey	Lord	Solon	

Those who voted in the negative were:

Anderson	Josefson	Nelson	Schaaf	Willet
Berg	Keefe, J.	North	Sillers	
Chmielewski	Kirchner	Olhoft	Spear	
Doty	Lewis	Patton	Tennessee	
Hughes	Milton	Purfeerst	Wegener	

So the bill failed to pass.

SPECIAL ORDER

H. F. No. 2174: A bill for an act relating to laws and the statutory compilation thereof; prescribing times of and other conditions of publication; appropriating money; amending Minnesota Statutes 1971, Sections 482.07, by adding subdivisions; 648.31, Subdivision 2, and by adding subdivisions; 648.41, Subdivision 2; 648.42; and 648.45.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olhoft	Spear
Bang	Frederick	Kirchner	Olson, H. D.	Stassen
Berg	Gearty	Knutson	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	Tennessee
Blatz	Hansen, Mel	Larson	Perpich, G.	Thorup
Brown	Hanson, R.	Laufenburger	Purfeerst	Ueland
Chmielewski	Hughes	Lewis	Schaaf	Wegener
Davies	Humphrey	Lord	Schrom	Willet
Doty	Jensen	Nelson	Sillers	
Dunn	Keefe, J.	North	Solon	

Mr. Milton voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2246: A bill for an act relating to savings banks; authorized investments; amending Minnesota Statutes 1971, Section 50.14, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoft	Spear
Bang	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Berg	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hanson, R.	Larson	Patton	Tennessee
Brown	Hughes	Laufenburger	Perpich, G.	Thorup
Chmielewski	Humphrey	Lewis	Purfeerst	Ueland
Davies	Jensen	Lord	Schaaf	Willet
Doty	Keefe, J.	Milton	Schrom	
Fitzsimons	Keefe, S.	Nelson	Sillers	
Frederick	Kirchner	North	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2243: A bill for an act relating to public indebtedness; sinking fund; amending Minnesota Statutes 1971, Section 475.66.

Mr. Thorup moved to amend S. F. No. 2243, as follows:

Page 1, line 29, after the period insert:

"In addition, such surplus may be deposited in time deposits of any state or national banks subject to the limitations and requirements of Minnesota Statutes, Chapter 118."

Which motion prevailed. So the amendment was adopted.

S. F. No. 2243 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	O'Neill	Stassen
Bang	Hansen, Baldy	Knutson	Patton	Stokowski
Berg	Hansen, Mel	Kowalczyk	Perpich, G.	Tennessee
Bernhagen	Hanson, R.	Larson	Purfeerst	Thorup
Brown	Hughes	Laufenburger	Renneke	Ueland
Chmielewski	Humphrey	Lewis	Schaaf	Wegener
Davies	Jensen	Lord	Schrom	Willet
Doty	Keefe, J.	North	Sillers	
Dunn	Keefe, S.	Olhoft	Solon	
Fitzsimons	Kirchner	Olson, H. D.	Spear	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 735: A bill for an act relating to commerce; administration of the unfair cigarette sales act; providing penalties; amend-

ing Minnesota Statutes 1971, Sections 325.66, Subdivision 4; 325.67; 325.74, Subdivision 1; and 325.75, Subdivisions 1, 2, and 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	Lord	Sillers
Ashbach	Dunn	Keefe, S.	North	Solon
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Berg	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	O'Neill	Stokowski
Brown	Hansen, Baldy	Kowalczyk	Patton	Thorup
Chenoweth	Hansen, Mel	Larson	Perpich, G.	Ueland
Chmielewski	Hughes	Laufenburger	Purfeerst	Wegener
Davies	Humphrey	Lewis	Schaaf	Willet

Messrs. Keefe, J. and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 924: A bill for an act relating to credit unions; amending Minnesota Statutes 1971, Sections 52.04; 52.05; 52.06, Subdivisions 1 and 2, 52.17; and 52.18.

Mr. Laufenburger moved to amend H. F. No. 924, the printed bill, as follows:

Page 2, line 16, after "*deposit;*" insert "*however, this clause (11) does not permit a credit union to establish demand deposits (checking accounts) for its members;*"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend H. F. No. 924, the printed bill as follows:

Page 4, line 26, strike "*five*" and reinsert the stricken "*ten*"

Page 4, line 27, strike "*deposits*" and insert "*accounts*"

CALL OF THE SENATE

Mr. Laufenburger imposed a call of the Senate on H. F. No. 924.

The following Senators answered to their names:

Bang	Davies	Hansen, Baldy	Kleinbaum	Moe
Berg	Doty	Hansen, R.	Knutson	Novak
Bernhagen	Dunn	Hughes	Kowalczyk	Olhoft
Blatz	Fitzsimons	Humphrey	Larson	Olson, H. D.
Borden	Frederick	Keefe, J.	Laufenburger	Olson, J. L.
Chmielewski	Gearty	Keefe, S.	Lord	O'Neill

Patton	Schaaf	Stassen	Thorup	Willet
Perpich, G.	Sillers	Stokowski	Ueland	
Purfeerst	Solon	Tennessee	Wegener	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the amendment,

Mr. Olson, J. L. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Olson, H. D.	Thorup
Ashbach	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Bang	Frederick	Knutson	O'Neill	Wegener
Berg	Hansen, Baldy	Kowalczyk	Patton	Willet
Bernhagen	Hansen, Mel	Laufenburger	Renneke	
Blatz	Hansen, R.	McCutcheon	Schrom	
Brown	Jensen	Milton	Sillers	
Coleman	Josefson	Nelson	Stassen	

Those who voted in the negative were:

Arnold	Gearty	Lewis	Olhoff	Solon
Borden	Hughes	Lord	Olson, A. G.	Spear
Chmielewski	Humphrey	Moe	Perpich, A. J.	Stokowski
Conzenius	Keefe, S.	North	Perpich, G.	Tennessee
Davies	Kleinbaum	Novak	Purfeerst	
Doty	Larson	Ogdahl	Schaaf	

Which motion prevailed. So the amendment was adopted.

H. F. No. 924 was then progressed as amended.

SPECIAL ORDER

H. F. No. 133: A bill for an act relating to charitable hospitals; requiring mandatory arbitration on issue of union security; amending Minnesota Statutes 1971, Section 179.38.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kleinbaum	Nelson	Schrom
Bang	Gearty	Knutson	North	Solon
Blatz	Hansen, Baldy	Kowalczyk	Novak	Spear
Borden	Hansen, Mel	Larson	Olhoff	Stassen
Coleman	Hughes	Laufenburger	Olson, H. D.	Stokowski
Conzenius	Humphrey	Lewis	O'Neill	Thorup
Davies	Keefe, J.	Lord	Purfeerst	Wegener
Doty	Keefe, S.	Milton	Schaaf	Willet

Those who voted in the negative were:

Berg	Fitzsimons	Jensen	Olson, J. L.	Pillsbury
Bernhagen	Hansen, R.	Josefson	Patton	Renneke

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Doty moved that the vote whereby H. F. No. 1765 failed to pass on May 17, 1973 be now reconsidered. Which motion prevailed.

Mr. Gearty moved that H. F. No. 1765 be returned to the Committee on Governmental Operations. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S. F. No. 2021.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 765, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 765: A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

Senate File No. 765 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 437, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 437: A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

House File No. 437 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schrom moved that H. F. No. 437 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 437

A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

May 16, 1973

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. 437, 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. 437 be amended as follows:

Page 2, line 7, delete "*under 4,000 pounds*" and insert in lieu thereof "*, passenger automobile, motor scooter or station wagon as defined in Minnesota Statutes, Section 168.011, or motorcycle as defined in Minnesota Statutes, Section 169.01, Subdivision 4*"

Page 2, lines 9, 10 and 11, delete "*unless such alterations or modifications are approved by the commissioner of public safety or are in accordance with*" and insert in lieu thereof "*which has been prohibited by*"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Thaddeus Jude and Norman Prah.

Senate Conferees: (Signed) Roger A. Laufenburger and Ed Schrom.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 160 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 160

A bill for an act relating to public health; dating of perishable food; providing a penalty.

May 17, 1973

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. 160, 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. [DECLARATION OF POLICY.] The legislature recognizes the entire food industry in the nation as leaders in the world in providing wholesome, nutritious, fresh and clean food to its citizens and to others. The Minnesota department of agriculture is hereby authorized and directed to promulgate rules and regulations which provide for a quality assurance date on perishable foods, to assure this industry’s continuation and the degree of improvement reasonable and feasible, so as to provide people with wholesome, nutritious, fresh and clean food.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meanings ascribed to them.

Subd. 2. “Commissioner” means the commissioner of agriculture or designee.

Subd. 3. “Perishable food” means any food intended for human consumption (other than meat and poultry, frozen food, or fresh fruit or vegetables), which has a quality assurance date.

Subd. 4. “Quality assurance date” means any date after which the manufacturer or processor reasonably determines that the product may, by spoilage, wiltage, drying or any other foreseeable and normal natural phenomenon, lose its palatability or its desired or nutritive properties. The date shall include the day, month, and, if appropriate, the year.

Sec. 3. [REGULATIONS, SCOPE.] Subdivision 1. The commissioner shall administer and enforce the provisions of this act by regulations adopted prior to October 1, 1973 pursuant to the administrative procedures act.

Subd. 2. Perishable foods which bear a quality assurance date of 90 days or less from the date of packaging shall be dated in accordance with the regulations adopted pursuant to this act.

Subd. 3. Perishable foods which bear a quality assurance date of more than 90 days from the date of packaging may require dating in accordance with regulations adopted pursuant to this act.

Subd. 4. Whenever the commissioner has reason to believe that any regulation adopted pursuant to this act is inappropriate or unsuitable to any particular perishable food product or products, the commissioner may, in accordance with the administrative procedures act, waive the application of such regulations as to such product or products.

Sec. 4. [EXPIRATION OF QUALITY ASSURANCE DATE.] Nothing contained in this act or any regulation adopted pursuant hereto shall require the removal from sale of a perishable food product after the expiration of the quality assurance date on the product nor imply that after the expiration of the quality assurance date on the product, the product is not wholesome or safe for human consumption.

Sec. 5. [REGULATIONS OF OTHER STATES AND THE FEDERAL GOVERNMENT.] If any other state, or the federal government, adopts an open dating statute or regulation which provides for information and enforcement equal to or greater than that of this act, the commissioner may, by regulation, exempt any product from the provisions of this act if it is in compliance with such other statute or regulation.

Sec. 6. [LOCAL ORDINANCES PRE-EMPTED.] No subordinate unit of government may adopt or enforce any rule or ordinance regarding open dating of perishable foods other than this act.

Sec. 7. [ENFORCEMENT.] In enforcing the provisions of this act, the commissioner may receive complaints and investigate possible violations. The commissioner and his employees shall have reasonable access to all places wherein any item of perishable food regulated pursuant to this act is sold or held or offered for sale, and may take samples of perishable food for analysis. The attorney general, acting for the commissioner, or any municipal or county official responsible for the enforcement of rules or ordinances, may bring an action to restrain violations of this act.

Sec. 8. [PENALTIES.] Any person injured by a violation of this act may bring a civil action and recover damages, together with costs and disbursements.

Sec. 9. [EXEMPTION.] Nothing in this act shall apply to any sale exempt from a license by the Minnesota Constitution, Article I, Section 18.

Sec. 10. [EFFECTIVE DATE.] This act shall be effective as to all perishable food manufactured or processed on or after January 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 food; requiring open dating of perishable food; directing the commissioner of agriculture to promulgate rules and regulations governing the dating, handling and labeling of perishable foods; providing penalties."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, Stephen Keefe, Howard A. Knutson.

House Conferees: (Signed) L. Joseph Connors, Bruce F. Vento, Robert J. Ferderer.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 452 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 452

A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

May 17, 1973

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. 452, report that we have agreed upon the items in dispute and recommend as follows: That S. F. No. 452 be amended as follows:

Strike everything after the enacting clause and substitute in lieu thereof the following:

“Section 1. [ST. PAUL, CITY OF; COUNCIL ELECTION; DISTRICTS.] Subdivision 1. The council of the city of St. Paul shall divide the city into four districts equal so far as possible in population at least 60 days prior to the first day for filing for the city elections. In the city general election next following the effective date of this section and thereafter four councilmen who shall be residents of the district shall be elected, one from each district, and three councilmen shall be elected at-large. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which office he is a candidate for specifying the district or specifying one of the three at-large positions. Incumbency shall not be indicated on election ballots. After the 1980 federal census and each federal census every ten years thereafter, the city council shall reapportion as necessary the four council districts provided herein. Except as provided herein the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect

if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 2. [ST. PAUL, CITY OF; ALLEY SYSTEM OF ELECTING COUNCIL.] Subdivision 1. Sixty days after this section becomes effective the city council of the city of St. Paul shall designate each council seat, whether occupied or not, by a separate letter of the alphabet. Each so designated council seat shall be deemed a separate office for the city election of 1974 and thereafter. Any incumbent member of the city council running for election or re-election to the city council shall be a candidate for that office only of which he was an incumbent. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which designated council seat he is a candidate for. The names of the candidates for each council seat shall be rotated on the ballots to avoid any appearance of preference for incumbents. Incumbency shall not be indicated on the ballots. Except as herein provided the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 3. [ST. PAUL, CITY OF; ELECTION DATE; TERM OF OFFICE.] Subdivision 1. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing November 4, 1975, the election of St. Paul city officers and such other officers as are required to be elected at a city election in the city of St. Paul shall be held on the first Tuesday after the first Monday in November of odd-numbered years. A primary election shall be held on a date set by the council which shall be no less than 14 days before the city election day.

Subd. 2. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing with the election of city officers on November 4, 1975, the mayor and each councilman of the city of St. Paul shall hold office for a term of two years commencing on the first business day in January next succeeding their election and until a successor is elected and qualified. Further, notwithstanding any provision of the charter of the city of St. Paul to the contrary, the term of office of the mayor and each councilman elected in 1974 shall begin on the first Tuesday of June of 1974 and end as of the first business day of January, 1976.

Subd. 3. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance

with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected.

Subd. 2. [REFERENDUM.] Nothing contained in this section shall prohibit a referendum by petition of the registered voters of the city of St. Paul upon any ordinance adopted hereunder.

Subd. 3. [FEES.] No elected official shall receive any other compensation than that provided for pursuant to this section for the performance of his official duties and such compensation shall include compensation for all services rendered in any office or employment for said city. All fees, moneys or remuneration of whatever kind that accrue to any official in his elected capacity shall be reported to the city council and paid monthly into the treasury of the city.

Subd. 4. [REPEALER.] Laws 1971, Chapter 473, is hereby repealed.

Subd. 5. [EFFECTIVE DATE.] This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters. "

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 city of St. Paul; providing

for the division of the city into districts for election of the city council; providing for an alley system of electing the city council; changing the election day for election of city officers and changing the term of office of the mayor and councilmen; providing a method for fixing compensation of elected officials; repealing Laws 1971, Chapter 473."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, John C. Chenoweth, William McCutcheon.

House Conferees: (Signed) Bruce F. Vento, Ray W. Faricy, Robert L. Pavlak.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, S. moved that S. F. No. 1247 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1247

A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

Honorable Alec G. Olson,
President of the Senate

May 17, 1973

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. 1247, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1247 be amended as follows:

Page 6, line 16, after "voter" insert "*or address of residence from which the witness voted if he resides where there was no permanent registration*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Stephen Keefe, Mel Hansen, David D. Schaaf.

House Conferees: (Signed) John D. Tomlinson, John J. Sarna, David Cleary.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Friday, May 18, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-FOURTH DAY

St. Paul, Minnesota, Friday, May 18, 1973.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Kirchner	Olhoff	Schrom
Arnold	Dunn	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Larson	Olson, H. D.	Spear
Berg	Frederick	Lewis	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Lord	O'Neill	Tennessee
Blatz	Hansen, Mel	McCutcheon	Patton	Thorup
Borden	Hanson, R.	Milton	Perpich, A. J.	Ueland
Chmielewski	Hughes	Moe	Perpich, G.	Willet
Coleman	Jensen	North	Pillsbury	
Conzemius	Josefson	Novak	Purfeerst	
Davies	Keefe, S.	Ogdahl	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Ogdahl	Sillers
Arnold	Dunn	Kleinbaum	Olhoff	Solon
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Larson	O'Neill	Tennessee
Blatz	Hansen, Mel	Laufenburger	Patton	Thorup
Borden	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Brown	Hughes	Lord	Perpich, G.	Wegener
Chenoweth	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Milton	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Larson was excused from the Session of today, beginning at 5:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 16, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 103, An act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

S. F. No. 147, An act relating to public health; abolishing certain advisory committees; amending Minnesota Statutes 1971, Section 145.10; repealing Minnesota Statutes 1971, Sections 144.75 and 144.93.

S. F. No. 170, An act relating to real estate; qualifications of advisory commission members; amending Minnesota Statutes 1971, Section 82.125, Subdivision 1.

S. F. No. 181, An act relating to insurance; group hospital and medical coverage; requiring inclusion of chiropractic services under group accident and health policies and subscriber contracts.

S. F. No. 641, An act relating to the land exchange review board; extending the duration of the board; amending Laws 1967, Chapter 909, Section 2, as amended.

S. F. No. 662, An act relating to the department of manpower services; changing the name thereof to the department of employment services; amending Minnesota Statutes 1971, Sections 268.12, Subdivision 1a; and 268.24.

S. F. No. 935, An act relating to education; authorizing employment of retired teachers as substitutes in cities of the first class; amending Minnesota Statutes 1971, Section 354.19.

S. F. No. 1027, An act relating to St. Louis county; providing for certain changes in the county civil service; amending Laws 1941, Chapter 423, Section 21, as amended.

S. F. No. 1042, An act relating to courts; setting times for general terms in ninth judicial district, western area; amending Minnesota Statutes 1971, Section 484.17, Subdivisions 11, 12, 13, 14, 15, 16, 17, and 18.

S. F. No. 1167, An act relating to workmen's compensation, medical treatment; specifically including doctors of osteopathy and their services within certain definitions; amending Minnesota Statutes 1971, Section 176.135, by adding a subdivision.

S. F. No. 1319, An act relating to the state civil service; extending the appointment of unskilled labor service from five months to seven months; amending Minnesota Statutes 1971, Section 43.09, Subdivision 3.

S. F. No. 1343, An act relating to licensing of motor vehicles; authorizing use of farm trucks in certain situations without affecting license status.

S. F. No. 1361, An act relating to Hennepin county; removing \$10,000 limitation on revolving fund; amending Laws 1951, Chapter 556, Section 4.

S. F. No. 1441, An act conferring certain powers relating to improvements of roads and streets and assessments therefor on the town of Woodside, Polk county.

S. F. No. 1678, An act relating to education; authorizing school districts to become members of certain nonprofit corporations; amending Minnesota Statutes 1971, Section 123.33, by adding subdivisions.

S. F. No. 1791, An act relating to motor vehicles; prohibiting tampering with odometers and the altering of mileage measurements thereof; prescribing penalties.

S. F. No. 1881, An act relating to the city of Hutchinson; authorizing the city to acquire and develop an off-street parking area to serve the central business district, and to issue bonds therefor.

S. F. No. 1940, An act relating to Independent School District No. 709, St. Louis county; providing that such school district shall be subject to the same net debt limitations and have the same power to authorize obligations as are provided for other school districts in the state under certain provisions of law.

S. F. No. 1955, An act directing conveyance of certain property by the state to the village of Crosby, Crow Wing county.

S. F. No. 2035, An act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

S. F. No. 2189, An act authorizing the conveyance of certain state lands in Cass county to the village of Walker, Minnesota.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Thorup, Nelson and Anderson introduced—

S. F. No. 2508: A bill for an act relating to crimes and criminals; place of trial in criminal cases; amending Minnesota Statutes 1971, Section 627.01.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Milton introduced—

S. F. No. 2509: A bill for an act relating to garnishment pro-

ceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Milton introduced—

S. F. No. 2510: A bill for an act relating to Ramsey county; providing for county approval of plats and surveys; abolishing the plat commission of Ramsey county; amending Minnesota Statutes 1971, Section 462.364; repealing Special Laws 1887, Chapter 108.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Milton introduced—

S. F. No. 2511: A bill for an act relating to relief for the poor; transferring the responsibility for support of poor persons from the locality of legal settlement to the locality where these persons are found; amending Minnesota Statutes 1971, Sections 253A.11; 256.16; 256.19, Subdivisions 1 and 2; 261.02; 261.03; 261.21; 261.22, Subdivision 1; 261.23; 261.231; 261.27; repealing Minnesota Statutes 1971, Sections 246.23; 253A.07, Subdivision 5; 253A.20, Subdivisions 2 and 3; 260.251, Subdivision 3; 261.07; 261.08; 261.10; 261.11; 261.22, Subdivision 2; 261.25; and 261.251.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. North introduced—

S. F. No. 2512: A bill for an act relating to trade regulations; regulating the labeling of bedding; amending Minnesota Statutes 1971, Section 325.32; repealing Minnesota Statutes 1971, Sections 325.28 and 325.29.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Stokowski introduced—

S. F. No. 2513: A bill for an act relating to municipal courts; criminal jurisdiction within the village of St. Anthony; providing for the payment of costs to Hennepin county; amending Minnesota Statutes 1971, Sections 2.722; 488A.01, Subdivision 6; 488A.-18, Subdivision 7; and 627.01.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Jensen, Berg and Josefson introduced—

S. F. No. 2514: A bill for an act relating to motor vehicles, truck-

tractor semitrailer combinations; amending Laws 1973, Chapter 546, Section 5, Subdivision 1.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Olson, H. D.; Kowalczyk and Lord introduced—

S. F. No. 2515: A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Olson, H. D.; Kowalczyk and Spear introduced—

S. F. No. 2516: A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

Which was read the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 537, 938, 1592, 1797, 2250, 681, 943, 1374, 2014, 257, 1726, 1895 and 1950.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 879: A bill for an act relating to Ramsey county; providing for the commissioner districts, membership, and the removal of the mayor of the city of Saint Paul as a member and chairman of the board of commissioners; amending Special Laws 1891, Chapter 438, Section 1, as amended; and Special Laws 1871, Chapter 73, Section 4.

There has been appointed as such committee on the part of the House:

Vento, Boland and Pavlak, R. L.

Senate File No. 879 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

There has been appointed as such committee on the part of the House:

Quirin, Haugerud and Bell.

Senate File No. 2047 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 405: A bill for an act relating to banks; installment loans; interest; amending Minnesota Statutes 1971, Section 48.153.

Senate File No. 405 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Hansen, Baldy moved that the Senate do now concur in the amendments by the House to S. F. No. 405 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 405 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Fitzsimons	Jensen	Larson
Arnold	Brown	Hansen, Baldy	Keefe, J.	Lewis
Ashbach	Chmielewski	Hansen, Mel	Keefe, S.	Lord
Berg	Coleman	Hanson, R.	Kirchner	McCutcheon
Bernhagen	Doty	Hughes	Kleinbaum	Milton
Blatz	Dunn	Humphrey	Kowalczyk	North

Novak	Olson, J. L.	Pillsbury	Solon	Thorup
Olhoff	O'Neill	Purfeerst	Spear	Ueland
Olson, A. G.	Patton	Renneke	Stassen	Willet
Olson, H. D.	Pernich, A. J.	Schrom	Stokowski	

Messrs. Laufenburger and Tennesen voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1004: A bill for an act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

Senate File No. 1004 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. Brown moved that S. F. No. 1004 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 973: A bill for an act relating to peace officer training; regulating certain peace officer training; amending Minnesota Statutes 1971, Sections 626.846; 626.847; 626.852; and 626.853.

Senate File No. 973 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. Borden moved that S. F. No. 973 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1029: A bill for an act relating to local water and related land resources management; granting counties authority to undertake water and related land resource management programs; granting counties authority to establish subordinate service areas to finance water and related land resource management programs; granting authority to county boards to construct sewage systems in unincorporated areas; requiring municipalities and counties to recover the local share of the cost of constructing, operating and maintaining sewage disposal systems through an equitable system of user charges; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 361.25; 361.26, Subdivision 1, and by adding a subdivision; Chapter 378, by adding sections; 429.011, Subdivision 2a; 444.075; and Chapter 459, by adding a section; repealing Minnesota Statutes 1971, Sections 110.121 to 110.126; 115.15 to 115.17; 115.61 to 115.67; 440.33 to 440.36; 443.02; 444.09 to 444.14; 456.24 to 456.28; 457.03 to 457.08; 457.085; and Chapter 445.

Senate File No. 1029 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

Mr. Dunn moved that S. F. No. 1029 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1540: A bill for an act relating to St. Louis county, providing for a charter commission to recommend a form of county government and providing for its adoption.

Senate File No. 1540 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S. F. No. 1540 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1540 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Olson, J. L.	Stassen
Arnold	Dunn	Kowalczyk	O'Neill	Stokowski
Ashbach	Hansen, Baldy	Larson	Patton	Tennessee
Berg	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Bernhagen	Hanson, R.	Lord	Pillsbury	Ueland
Blatz	Humphrey	McCutcheon	Purfeerst	Willet
Borden	Jensen	North	Renmeke	
Brown	Keefe, J.	Novak	Schrom	
Chmielewski	Keefe, S.	Olhoff	Solon	
Coleman	Kirchner	Olson, A. G.	Spear	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1053, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1053: A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

House File No. 1053 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

Mr. Thorup moved that H. F. No. 1053 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 835, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 835: A bill for 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.

House File No. 835 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

Mr. Spear moved that H. F. No. 835 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1642, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1642: A bill for an act relating to Otter Tail county; authorizing a levy for county extension work.

House File No. 1642 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

Mr. Olhoft moved that H. F. No. 1642, and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2011.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 17, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2011: A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

Which was read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 258, 2011, 2381, 1906 and 1945 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 258 to the Committee on Finance.

H. F. No. 2011 to the Committee on Local Government.

The following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2381	2373				
1906	1263				
1945	2179				

And that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2381, 1906 and 1945 were read the second time.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 2047:

Messrs. Ogdahl, Gearty and Schaaf. Which motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 2275.

Messrs. Moe; Perpich, G.; Ogdahl; Tennesen and Kirchner. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2531 and H. F. No. 2530:

Messrs. Arnold; Novak; Davies; Olson, J. L. and Fitzsimons. Which motion prevailed.

Mr. Purfeerst moved that S. F. No. 733 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes

1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

May 15, 1973

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. 733, 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. 733 be amended as follows:

Page 2, line 11, delete "C-5 B-10 A-15" and insert in lieu thereof "C-3 B-5"

Page 2, line 14, strike "(b)"

Page 2, lines 15, 16 and 17, delete all of the new language

Page 4, after line 8, insert:

"Sec. 4. Minnesota Statutes 1971, Section 171.07, Subdivision 1, is amended to read:

171.07 [DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES.] Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of ~~21~~ 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection."

Page 6, after line 14, insert:

"Sec. 7. Minnesota Statutes 1971, Section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSES.] The expiration date

for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the ~~21st~~ 18th birthday of the licensee. Upon the provisional licensee attaining the age of ~~21~~ 18 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

All provisional licenses issued prior to the effective date of this act will remain in effect until the licensee's 21st birthday."

Renumber the sections in sequence

Further amend the title:

In line 6, after the semicolon insert "171.07, Subdivision 1;"

In line 7, delete "and 171.18" and insert in lieu thereof "171.18; and 171.27"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Clarence M. Purfeerst, William McCutcheon, Stanley N. Thorup.

House Conferees: (Signed) Victor H. Schulz, Richard R. Lemke, Joe T. Niehaus.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on S. F. No. 733 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 733: A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Krieger	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Larson	Patton	Tennessen
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Brown	Humphrey	Lord	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Willet
Chmielewski	Keefe, J.	North	Purfeerst	
Coleman	Kirchner	Novak	Renneke	
Conzemius	Kleinbaum	Olson, A. G.	Sillers	
Davies	Knutson	Olson, H. D.	Spear	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Larson moved that S. F. No. 1182 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1182

A bill for an act relating to county government, providing for county license bureaus.

May 16, 1973

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. 1182, 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. 1182 be amended as follows:

Page 4, after line 11, add a section to read:

“Sec. 7. All such offices shall maintain hours to best serve the public need, and shall be open to the public for a minimum period of three hours one evening after 5:00 p.m. or on Saturday of each week.”

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Lew W. Larson, Florian W. Chmielewski, Wayne Olhoft.

House Conferees: (Signed) Leonard C. Myrah, E. W. Quirin, Neil S. Haugerud.

Mr. Larson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1182 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1182: A bill for an act relating to county government, providing for county license bureaus.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Hansen	Baldy Larson	Olson, J. L.	Solon
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Spear
Blatz	Hanson, R.	Lewis	Patton	Stassen
Chenoweth	Humphrey	Milton	Perpich, A. J.	Stokowski
Chmielewski	Jensen	North	Perpich, G.	Tennessee
Coleman	Keefe, J.	Novak	Pillsbury	Thorup
Davies	Kleinbaum	Olhoft	Purfeerst	Ueland
Doty	Knutson	Olson, A. G.	Renneke	Willet
Dunn	Krieger	Olson, H. D.	Sillers	

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessee moved that S. F. No. 910 together with the Conference Committee Report thereon be taken from the table.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 910

A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

May 16, 1973

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. 910, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert J. Tennesen, John B. Keefe, Hubert H. Humphrey III.

House Conferees: (Signed) Walter R. Hanson, Donald B. Samuelson, M. J. McCauley.

Mr. Tennesen moved that the foregoing recommendations and Conference Committee Report on S. F. No. 910 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 42 and nays 1, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Mel	Larson	Olson, J. L.	Spear
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stassen
Blatz	Humphrey	Lewis	Patton	Stokowski
Chenoweth	Jensen	Milton	Perpich, A. J.	Tennesen
Chmielewski	Keefe, J.	North	Pillsbury	Ueland
Conzernius	Kleinbaum	Novak	Purfeerst	Willet
Davies	Knutson	Olhoff	Renneke	
Dunn	Kowalczyk	Olson, A. G.	Sillers	
Hansen, Baldy	Krieger	Olson, H. D.	Solon	

Mr. Perpich, G. voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that H. F. No. 437 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 437

A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

May 16, 1973

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. 437, 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. 437 be amended as follows:

Page 2, line 7, delete "*under 4,000 pounds*" and insert in lieu thereof "*, passenger automobile, motor scooter or station wagon as defined in Minnesota Statutes, Section 168.011, or motorcycle as defined in Minnesota Statutes, Section 169.01, Subdivision 4*"

Page 2, lines 9, 10 and 11, delete "*unless such alterations or modifications are approved by the commissioner of public safety or are in accordance with*" and insert in lieu thereof "*which has been prohibited by*"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Thaddeus Jude, Norman Prah.

Senate Conferees: (Signed) Roger A. Laufenburger, Robert J. Brown, Ed Schrom.

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on H. F. No. 437 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 437: A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hanson, R.	Knutson	Milton
Ashbach	Conzemius	Humphrey	Kowalczyk	North
Berg	Doty	Jensen	Krieger	Novak
Bernhagen	Dunn	Keefe, J.	Larson	Olhoft
Blatz	Hansen, Baldiv	Kirchner	Laufenburger	Olson, A. G.
Chenoweth	Hansen, Mel	Kleinbaum	Lewis	Olson, H. D.

Olson, J. L.	Perpich, A. J.	Purfeerst	Solon	Stokowski
O'Neill	Perpich, G.	Renneke	Spear	Ueland
Patton	Pillsbury	Sillers	Stassen	Willet

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 2449, No. 155 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 2449: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kowalczyk	Olson, A. G.	Solon
Ashbach	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stokowski
Blatz	Humphrey	Lewis	Patton	Ueland
Borden	Jensen	Lord	Perpich, A. J.	Willet
Chenoweth	Keefe, J.	Milton	Perpich, G.	
Chmielewski	Kirchner	North	Pillsbury	
Conzemius	Kleinbaum	Novak	Purfeerst	
Doty	Knutson	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1404, No. 161 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1404: A bill for an act relating to the attorney general; requiring the appointment of a deputy attorney general for the department of public welfare and the appointment of an assistant attorney general for the department of corrections; amending Minnesota Statutes 1971, Section 8.024.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Blatz	Doty	Hanson, R.	Keefe, S.
Ashbach	Borden	Dunn	Humphrey	Kirchner
Bang	Chenoweth	Hansen, Baldy	Jensen	Knutson
Berg	Conzemius	Hansen, Mel	Keefe, J.	Krieger

Laufenburger	Novak	Olson, H. D.	Renneke	Stassen
Lord	Olhoff	O'Neill	Sillers	Stokowski
Milton	Olson, A. G.	Perpich, A. J.	Spear	Ueland
North				

Those who voted in the negative were:

Bernhagen	Larson	Perpich, G.	Purfeerst	Willet
Chmielewski	Olson, J. L.	Pillsbury		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1000, No. 154 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1000: A bill for an act creating a commission on Minnesota's future; describing its duties and functions; and appropriating funds for its operation; repealing Minnesota Statutes 1971, Section 4.14.

Mr. Chenoweth moved to amend H. F. No. 1000, the printed bill as amended by the Committee on Finance and adopted by the Senate May 16, 1973, as follows:

The Finance Committee amendment to Page 1, line 6, strike "one representative" and insert "two representatives"

Which motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend H. F. No. 1000, the printed bill as amended by the Committee on Finance and adopted by the Senate May 16, 1973, as follows:

Strike the Finance Committee amendment to page 3, line 3, and strike the title amendment

Which motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Chenoweth imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Humphrey	Lord	Pillsbury
Ashbach	Davies	Jensen	Milton	Renneke
Bang	Doty	Josefson	Nelson	Solon
Berg	Dunn	Keefe, S.	North	Spear
Blatz	Fitzsimons	Kleinbaum	Novak	Stassen
Borden	Frederick	Knutson	Olhoff	Stokowski
Brown	Hansen, Baldy	Kowalczyk	Olson, A. G.	Thorup
Chenoweth	Hansen, Mel	Krieger	Olson, J. L.	Ueland
Chmielewski	Hanson, R.	Larson	Patton	Wegener
Coleman	Hughes	Laufenburger	Perpich, A. J.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

H. F. No. 1000 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Chenoweth moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 45 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Olhoft	Solon
Arnold	Fitzsimons	Lewis	Olson, A. G.	Spear
Bang	Gearty	Lord	Olson, H. D.	Stassen
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Milton	Perpich, G.	Tennessee
Coleman	Humphrey	Moe	Pillsbury	Thorup
Conzemius	Keefe, S.	North	Purfeerst	Ueland
Davies	Kleinbaum	Novak	Renneke	Wegener
Doty	Larson	Ogdahl	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Josefson	Kowalczyk	O'Neill
Berg	Frederick	Keefe, J.	Krieger	Patton
Bernhagen	Hansen, Baldy	Kirchner	Nelson	Schrom
Blatz	Hanson, R.	Knutson	Olson, J. L.	Sillers
Brown				

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 565, No. 158 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 565: A bill for an act relating to a tax study commission; amending Extra Session Laws 1971, Chapter 31, Article 13, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Renneke
Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Fitzsimons	Knutson	Ogdahl	Schrom
Bang	Frederick	Kowalczyk	Olhoft	Sillers
Berg	Gearty	Krieger	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 2303, No. 159 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 2303: A bill for an act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Ogdahl	Solon
Ashbach	Gearty	Kowalczyk	Olhoft	Spear
Bang	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Blatz	Hanson, R.	Larson	O'Neill	Stokowski
Brown	Hughes	Laufenburger	Patton	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Wegener
Coleman	Josefson	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schaaf	
Dunn	Kleinbaum	Novak	Sillers	

Messrs. Berg, Bernhagen and Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1558, No. 111 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Ashbach	Dunn	Kleinbaum	Novak	Sillers
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Blatz	Hanson, R.	Larson	O'Neill	Stokowski
Brown	Hughes	Laufenburger	Patton	Thorup
Chenoweth	Humphrey	Lewis	Perpich, A. J.	Ueland
Chmielewski	Jensen	Lord	Pillsbury	Wegener
Coleman	Josefson	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 1697, No. 150 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1697: A bill for an act relating to the city of Wheaton; authorizing special tax treatment for real properties used for recreational swimming.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S	North	Sillers
Ashbach	Dunn	Kleinbaum	Olhoft	Solon
Bang	Frederick	Knutson	O'Neill	Spear
Berg	Hansen, Baldy	Kowalczyk	Patton	Stassen
Bernhagen	Hansen, Mel	Larson	Perpich, A. J.	Stokow. ki
Blatz	Hanson, R.	Laufenburger	Pillsbury	Thorup
Brown	Hughes	Lewis	Purfeerst	Wegener
Chenoweth	Humphrey	Lord	Renneke	Willet
Chmielewski	Jensen	McCutcheon	Schaaf	
Conzemius	Keefe, J	Nelson	Schrom	

Mr. Josefson voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H.F. No. 2100, No. 147 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H.F. No. 2100: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; transferring certain administrative duties to commissioner of taxation; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.10; 298.12, 298.13; 298.28, Subdivision 1; 298.282, Subdivisions 2, 3, and 4; 298.283; 299.012, Subdivision 3; 299.05; 299.06; 299.07; 299.08; 299.09; and 299.10.

Mr. Perpich, A. J. moved that the amendment made to H.F. No. 2100 by the Committee on Rules and Administration in the report adopted May 16, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 2100 was read the third time, and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Spear
Ashbach	Frederick	Knutson	Olson, H. D.	Stassen
Bang	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Mel	Krieger	Patton	Thorup
Bernhagen	Hanson, R.	Larson	Perpich, A. J.	Ueland
Blatz	Hughes	Laufenburger	Pillsbury	Wegener
Brown	Humphrey	Lewis	Purfeerst	Willet
Chenoweth	Jensen	Lord	Renneke	
Chmielewski	Josefson	Nelson	Schrom	
Conzemius	Keefe, J.	North	Sillers	
Doty	Keefe, S.	Olhoft	Solon	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that S.F. No. 1961 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S.F. No. 1961 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1961: A bill for an act relating to taxes on and measured by net income; definition of gross income; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, Subdivision 24.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olson, A. G.	Solon
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Spear
Bang	Frederick	Knutson	O'Neill	Stassen
Berg	Hansen, Baldy	Kowalczyk	Patton	Stokowski
Bernhagen	Hansen, Mel	Larson	Perpich, A. J.	Thorup
Blatz	Hanson, R.	Lewis	Pillsbury	Ueland
Brown	Hughes	Lord	Purfeerst	Wegener
Chenoweth	Humphrey	Nelson	Renneke	Willet
Chmielewski	Jensen	North	Schrom	
Conzemius	Josefson	Olhoft	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H.F. No. 2438: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Oison, A. G.	Spear
Ashbach	Frederick	Knutson	Olson, H. D.	Stassen
Bang	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Larson	Patton	Thorup
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Borden	Hughes	Lewis	Pillsbury	Wegener
Brown	Humphrey	Lord	Purfeerst	Willet
Chenoweth	Jensen	McCutcheon	Renneke	
Chmielewski	Josefson	Milton	Schrom	
Conzemius	Keefe, J.	Nelson	Sillers	
Doty	Keefe, S.	Olhoff	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2087: A bill for an act relating to the city of Duluth; authorizing the city of Duluth to create development districts within the city boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 0, as follows

Those who voted in the affirmative were:

Anderson	Borden	Dunn	Humphrey	Knutson
Ashbach	Brown	Frederick	Jensen	Kowalczyk
Bang	Chenoweth	Hansen, Baldy	Josefson	Larson
Berg	Chmielewski	Hansen, Mel	Keefe, J.	Laufenburger
Bernhagen	Conzemius	Hanson, R.	Keefe, S.	Lewis
Blatz	Doty	Hughes	Kleinbaum	Lord

McCutcheon	Olson, A. G.	Purfeerst	Stassen	Willet
Milton	O'Neill	Renneke	Stokowski	
Nelson	Patton	Schrom	Thorup	
North	Perpich, A. J.	Sillers	Ueland	
Olhoft	Pillsbury	Solon	Wegener	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2050: A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Milton	Sillers
Ashbach	Doty	Keefe, S.	Nelson	Solon
Bang	Dunn	Kleinbaum	North	Spear
Berg	Frederick	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Mel	Larson	Patton	Thorup
Borden	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Brown	Hughes	Lewis	Pillsbury	Wegener
Chenoweth	Humphrey	Lord	Purfeerst	Willet
Chmielewski	Jensen	McCutcheon	Schrom	

Messrs. Josefson, Olhoft and Renneke voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Pillsbury moved that H. F. No. 1641 be stricken from the Special Orders Calendar and re-referred to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

Mr. Chenoweth moved that S.F. No. 2227 be stricken from General Orders and returned to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H.F. No. 1712: A bill for an act relating to Independent School District No. 659 and Area Vocational-Technical School District No. 917; authorizing Independent School District No. 659 to join Area Vocational-Technical School District No. 917.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Nelson	Schrom
Ashbach	Doty	Keefe, S.	North	Sillers
Bang	Dunn	Kleinbaum	Olhoft	Spear
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Borden	Hanson, R.	Larson	Patton	Thorup
Brown	Hughes	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Humphrey	Lewis	Pillsbury	Willet
Chmielewski	Jensen	Lord	Purfeerst	
Coleman	Josefson	McCutcheon	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. O'Neill moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H.F. No. 2381 and that the rules of the Senate be so far suspended as to give H.F. No. 2381 now on General Orders its third reading and placed on final passage. Which motion prevailed.

H.F. No. 2381: A bill for an act relating to retirement; bureau of health personnel in cities of the first class; amending Minnesota Statutes 1971, Section 425.02; and Chapter 425, by adding a section; repealing Laws 1971, Chapter 578, Section 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Sillers
Ashbach	Dunn	Kleinbaum	Olhoft	Solon
Bang	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Berg	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bernhagen	Hanson, R.	Larson	Patton	Stokowski
Blatz	Hughes	Laufenburger	Perpich, A. J.	Thorup
Brown	Humphrey	Lewis	Pillsbury	Ueland
Chmielewski	Jensen	Lord	Purfeerst	Wegener
Coleman	Josefson	McCutcheon	Renneke	Willet
Conzemius	Keefe, J.	Nelson	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1036: A bill for an act relating to historic sites; regulating the boundaries of the old Fort Snelling historic district and designating the historic hill district; amending Minnesota Statutes 1971, Section 138.73, Subdivision 13; and Section 138.73, by adding a subdivision.

Mr. Coleman moved to amend H.F. No. 1036, the printed bill as follows:

Page 3, after line 20 add the following section:

“Sec. 3. This act is in effect the day following its enactment.”

Which motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H.F. No. 1036, the printed bill, as follows:

Strike the amendments to pages 1 and 2 made by the Governmental Operations Committee and adopted by the Senate May 12, 1973

Page 3, line 8, strike *“Summit Avenue; thence northeasterly along the centerline of Summit”* and insert in lieu thereof:

“John Ireland Boulevard; thence southwesterly along the centerline of John Ireland Boulevard to the point at which it joins the centerline of Summit Avenue; thence southerly along the centerline of Summit Avenue to the point at which it intersects the northerly right of way line of Selby Avenue extended; thence easterly along the northerly right of way line of Selby Avenue extended to a point parallel with and 300 feet southeasterly of the centerline of Summit Avenue; thence southwesterly along a line parallel with and 300 feet southeasterly of the centerline of Summit Avenue to the point at which it intersects the centerline of Ramsey Street; thence southwesterly on a line to a point at the intersection of Grand Avenue and Summit Court; thence southwesterly on a line to a point on the centerline of Crocus Place at its most easterly extremity; thence southwesterly along the centerline of Crocus Place to its most southerly extremity; thence southwesterly on a line to a point at the intersection of the centerline of St. Clair Avenue and Pleasant Avenue;”

Page 3, strike line 9.

Page 3, line 10, strike *“along the centerline of Kellogg Boulevard to the point at which it intersects Pleasant Avenue;”*

Which motion prevailed. So the amendment was adopted.

H.F. No. 1036 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,
And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Sillers
Ashbach	Dunn	Kleinbaum	North	Solon
Bang	Hansen, Baldy	Knutson	Olhoff	Spear
Berg	Hansen, Mel	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hanson, R.	Krieger	Olson, H. D.	Stokowski
Blatz	Hughes	Larson	Patton	Thorup
Borden	Humphrey	Laufenburger	Perpich, A. J.	Ueland
Brown	Jensen	Lewis	Pillsbury	Wegener
Coleman	Josefson	Lord	Renneke	Willet
Conzemius	Keefe, J.	Milton	Schrom	

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. Which motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Arnold moved that the following members be excused for a Conference Committee on H.F. No. 2531 and H. F. No. 2530:

Messrs. Arnold; Novak; Davies; Olson, J. L. and Fitzsimons. Which motion prevailed.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names:

Berg	Conzemius	Humphrey	Olhoff	Sillers
Bernhagen	Doty	Josefson	Olson, A. G.	Solon
Borden	Dunn	Kleinbaum	Olson, H. D.	Spear
Brown	Gearty	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	Lord	Purfeerst	Wegener
Chmielewski	Hansen, Mel	Milton	Schaaf	Willet
Coleman	Hanson, R.	North	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that H. F. No. 2473 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

There has been appointed as such committee on the part of the House:

Eckstein, Anderson, D. and Anderson, G.

Senate File No. 1824 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2166, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2166: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

Senate File No. 2166 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 690, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 690: A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

Senate File No. 690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 488, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 488: A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

Senate File No. 488 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 211, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 211: A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 82, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 82: A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

Senate File No. 82 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1821:

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Munger, Hanson and Savelkoul have been appointed as such committee on the part of the House.

House File No. 1821 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

Mr. Lord moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1821 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1355, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

House File No. 1355 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

Mr. Chenoweth moved that H. F. No. 1355 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 624:

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Stanton, Adams, S. and Faricy have been appointed as such committee on the part of the House.

House File No. 624 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 624 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for this afternoon's proceedings. The following Senators answered to their names:

Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Gearty	Knutson	Olson, H. D.	Spear
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Brown	Hansen, Mel	Krieger	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	Wegener
Coleman	Hughes	Milton	Renneke	
Conzemius	Humphrey	Nelson	Schaaf	
Doty	Jensen	North	Schrom	
Dunn	Josefson	Olhoff	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Brown moved that S. F. No. 1004 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Brown moved that the Senate do now concur in the amendments by the House to S. F. No. 1004 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1004: A bill for an act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 39 and nays 11, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Jensen	Nelson	Sillers
Blatz	Fitzsimons	Josefson	North	Spear
Borden	Frederick	Keefe, S.	Novak	Stassen
Brown	Gearty	Kleinbaum	Olhoff	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	Olson, A. G.	Tennessee
Coleman	Hanson, R.	Lewis	Olson, J. L.	Ueland
Conzemius	Hughes	Lord	Pillsbury	Wegener
Doty	Humphrey	Milton	Schaaf	

Those who voted in the negative were:

Bernhagen	Knutson	McCutcheon	Purfeerst	Schrom
Chmielewski	Kowalczyk	Patton	Renneke	Willet
Hansen, Baldy				

So the bill, as amended, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1271: A bill for an act relating to labor; employment of

minors; providing that prohibitions do not apply to employment of farm children on the family farm; amending Minnesota Statutes 1971, Sections 181.40 and 182.09.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Novak	Schaaf
Berg	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, J. L.	Solon
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Spear
Brown	Hansen, Mel	Lewis	Patton	Stassen
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Stokowski
Chmielewski	Hughes	McCutcheon	Perpich, G.	Tennessee
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Jensen	Moe	Purfeerst	Wegener
Doty	Josefson	North	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1; and 176.051.

Mr. Coleman moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 6, after the period insert the following:

"Notwithstanding any law to the contrary, a farm laborer shall not be considered as an independent contractor for the purposes of this chapter."

Page 2, after line 11, add a section to read:

"Sec. 4. This act shall be effective January 1, 1974."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 13, as follows:

Those who voted in the affirmative were:

Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Nelson	Purfeerst	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet
Davies	Kleinbaum	Novak	Solon	
Doty	Larson	Olhoft	Spear	
Gearty	Laufenburger	Olson, A. G.	Stassen	

Those who voted in the negative were:

Berg	Dunn	Josefson	Olson, H. D.	Renneke
Bernhagen	Frederick	Knutson	Olson, J. L.	
Brown	Jensen	Kowalczyk	Patton	

Which motion prevailed. So the amendment was adopted.

H. F. No. 1410 was then progressed, as amended.

SPECIAL ORDER

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

Mr. Coleman moved to amend H. F. No. 377, the Senate unofficial engrossment, as amended by Mr. Brown's amendment of May 17, 1973, as follows:

Page 2, after line 23, insert:

"It is not an unfair employment practice for any employer whose principal business is the instruction, supervision or counseling of children under the age of majority to discriminate on the basis of homosexual orientation. It is a defense to a complaint or action brought by a person alleging discrimination on the basis of homosexual orientation that the respondent did not know that the complainant is a homosexual."

Page 5, line 1, after "assistance" reinsert "*, homosexual orientation*"

Page 5, line 15, after "assistance" reinsert "*, homosexual orientation*"

Page 5, line 26, after "assistance" reinsert "*, homosexual orientation*"

Page 6, line 14, after "assistance" reinsert "*, homosexual orientation*"

Page 6, line 24, after "assistance" reinsert "*, homosexual orientation*"

Page 7, line 5, after "assistance" reinsert "*, homosexual orientation*"

Mr. Jensen moved to amend Mr. Coleman's amendment to H. F. No. 377, the Senate unofficial engrossment, as follows:

Strike the amendments to pages 5, 6 and 7

The Chair ruled Mr. Jensen's amendment was out of order on

the basis of Section 401 of Mason's Manual of Legislative Procedure.

The question recurred on the adoption of the amendment of Mr. Coleman.

The question being taken on adoption of the amendment,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 32 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoff	Spear
Arnold	Hanson, R.	Lewis	Olson, A. G.	Stokowski
Borden	Hughes	Lord	O'Neill	Tennessee
Chenoweth	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Keefe, J.	Moe	Perpich, G.	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kleinbaum	Ogdahl	Sillers	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Olson, H. D.	Thorup
Bang	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Berg	Frederick	Kowalczyk	Patton	Willet
Bernhagen	Gearty	Krieger	Pillsbury	
Blatz	Hansen, Baldy	Larson	Renneke	
Brown	Hansen, Mel	McCutcheon	Schrom	
Chmielewski	Jensen	Nelson	Stassen	

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend H. F. No. 377, the Senate unofficial engrossment as amended by Mr. Brown's amendment of May 17, 1973 and Mr. Coleman's amendment of May 18, 1973, as follows:

After Mr. Coleman's amendment of May 18, 1973, to page 2, line 23, insert: "*It is not an unfair employment practice for an employer of less than 25 employees to discriminate on the basis of homosexual orientation.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 24, as follows:

Those who voted in the affirmative were:

Berg	Frederick	Jensen	Nelson	Patton
Bernhagen	Gearty	Josefson	Olson, H. D.	Pillsbury
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Renneke
Dunn	Hansen, Mel	Krieger	O'Neill	

Those who voted in the negative were:

Arnold	Conzemius	Humphrey	McCutcheon	Schaaf
Borden	Davies	Keefe, S.	North	Spear
Brown	Doty	Kleinbaum	Olhoff	Stokowski
Chenoweth	Fitzsimons	Lewis	Olson, A. G.	Ueland
Coleman	Hughes	Lord	Perpich, A. J.	

Which motion did not prevail. So the amendment was not adopted.

Mr. O'Neill moved to amend H. F. No. 377, the Senate unofficial engrossment, as follows:

Page 18, line 23, after "*stating*" insert "*in statutory language*"

Page 18, line 25, strike "*, Subdivisions 1, 2, 3, 4, 5, 6 and 7*"

Which motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend H. F. No. 377, the Senate Unofficial Engrossment, as follows:

Page 13, strike lines 21 to 28

Page 14, strike lines 1 to 28

Page 15, strike lines 1 to 6

Re-number the remaining sections

Page 30, after line 14, add a new section to read:

"Sec. 19. *Minnesota Statutes 1971, section 363.04, Subdivisions 7 and 8, is repealed.*"

Amend the title as follows:

Line 6, strike "*363.04, Subdivision 8;*"

Line 12, before the period insert "*;* repealing Minnesota Statutes 1971, Section 363.04, Subdivisions 7 and 8"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 28, as follows:

Those who voted in the affirmative were:

Brown	Hansen, Mel	North	Perpich, A. J.	Schaaf
Chenoweth	McCutcheon	Olhoft	Pillsbury	Spear
Hansen, Baldy	Milton			

Those who voted in the negative were:

Anderson	Doty	Humphrey	Lewis	Schrom
Arnold	Dunn	Knutson	Lord	Solon
Bernhagen	Fitzsimons	Kowalczyk	Nelson	Stokowski
Chmielewski	Gearty	Krieger	Olson, A. G.	Willet
Coleman	Hanson, R.	Larson	Olson, H. D.	
Conzemius	Hughes	Laufenburger	O'Neill	

Which motion did not prevail. So the amendment was not adopted.

Mr. Thorup moved to amend H. F. No. 377, the Senate unofficial engrossment, as follows:

Page 29, line 13, before "*appoint*" insert "*order the department to*"

Page 29, line 13, strike "*and may*" and insert "*, to*"

Page 29, line 14, strike "*without payment of*" and insert "*, and pay all*"

Page 29, line 15, strike "*or*" and insert "*and*"

Which motion did not prevail. So the amendment was not adopted.

Mr. Nelson moved to amend H. F. No. 377, the Senate unofficial engrossment, as follows:

Page 14, line 8, strike "*terminate on said date*" and insert in lieu thereof "*remain in effect until their terms expire*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 26, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Jensen	Olson, J. L.	Sillers
Berg	Fitzsimons	Josefson	O'Neill	Stassen
Bernhagen	Frederick	Kowalczyk	Patton	Ueland
Blatz	Hansen, Baldy	Krieger	Pillsbury	
Brown	Hansen, Mel	Larson	Renneke	
Chmielewski	Hanson, R.	Nelson	Schrom	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Wegener
Arnold	Doty	Lewis	Perpich, A. J.	Willet
Borden	Gearty	Lord	Schaaf	
Chenoweth	Hughes	Milton	Solon	
Coleman	Humphrey	North	Spear	
Conzemius	Keefe, S.	Olhoft	Stokowski	

Which motion prevailed. So the amendment was adopted.

H. F. No. 377 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Arnold	Gearty	Kleinbaum	Novak	Sillers
Borden	Hanson, R.	Laufenburger	Ogdahl	Spear
Chenoweth	Hughes	Lewis	Olhoft	Stokowski
Coleman	Humphrey	Lord	Olson, A. G.	Tennessen
Conzemius	Keefe, J.	Milton	Perpich, A. J.	Thorup
Davies	Keefe, S.	Moe	Perpich, G.	Wegener

Those who voted in the negative were:

Ashbach	Dunn	Knutson	Olson, J. L.	Solon
Bang	Fitzsimons	Kowalczyk	O'Neill	Stassen
Berg	Frederick	Krieger	Patton	Ueland
Bernhagen	Hansen, Baldy	Larson	Pillsbury	Willet
Blatz	Hansen, Mel	McCutcheon	Purfeerst	
Brown	Jensen	Nelson	Renneke	
Chmielewski	Josefson	Olson, H. D.	Schrom	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 924: A bill for an act relating to credit unions; amending Minnesota Statutes 1971, Sections 52.04; 52.05; 52.06, Subdivisions 1 and 2, 52.17; and 52.18.

Mr. Wegener moved to amend H. F. No. 924 as follows:

On page 3, line 21, strike the word "area" and insert "neighborhood, community, or rural district"

Which motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 924, as follows:

Page 3, line 31, before "Further" insert "*The qualitative type of audit examination to be performed by the certified public accountant shall be defined by banking division regulation and approved by the commission.*"

Which motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved that the vote whereby the amendment of Mr. Hansen, Baldy to H. F. No. 924 was adopted on May 17, 1973 be now reconsidered. Which motion prevailed.

Mr. Hansen, Baldy withdrew his amendment.

Mr. Laufenburger moved to amend H. F. No. 924, the printed bill, as follows:

Page 5, lines 7 and 8, strike the new language

Which motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend H. F. No. 924, the printed bill, as follows:

Page 4, line 26, strike "five" and reinsert the stricken "ten"

Which motion prevailed. So the amendment was adopted.

H. F. No. 924 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Olhoft	Schaaf
Ashbach	Doty	Kleinbaum	Olson, A. G.	Sillers
Bang	Dunn	Knutson	Olson, H. D.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Blatz	Frederick	Laufenburger	O'Neill	Stokowski
Borden	Gearty	Lord	Patton	Thorup
Brown	Hansen, Baldy	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Hansen, R.	Nelson	Pillsbury	Willet
Chmielewski	Hughes	North	Purfeerst	
Conzemius	Josefson	Novak	Renneke	

So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Borden moved that the Senate do now recess until 7:10 o'clock p.m. Which motion prevailed.

The hour of 7:10 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Gearty was excused from this evening's Session, beginning at 9:15 o'clock p.m. Mr. Hansen, Baldy was excused from the evening's Session, beginning at 1:00 o'clock a.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of the evening's Session.

The following Senators answered to their names:

Anderson	Dunn	Knutson	Ogdahl	Renneke
Arnold	Fitzsimons	Kowalczyk	Olhoft	Schrom
Borden	Gearty	Laufenburger	Olson, H. D.	Solon
Brown	Hansen, Baldy	Lewis	Olson, J. L.	Spear
Chenoweth	Hansen, Mel	Lord	O'Neill	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Patton	Tennessen
Coleman	Hughes	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Perpich, G.	Wegener
Davies	Josefson	North	Pillsbury	Willet
Doty	Keefe, S.	Novak	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House and proceed through the Agenda, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1059, 1283, 1364, 1893, 581, 615, 926 and 1653.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2530:

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, re-

habilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Norton, Haugerud, Smith, Samuelson and Anderson, D. have been appointed as such committee on the part of the House.

House File No. 2530 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

Mr. Novak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2530 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2444

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

Which was read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 991 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
991	2092				

And that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Joint Rule 20, together with the committee report thereon

S. F. No. 1983: A bill for an act relating to education; advisory board on handicapped, gifted and exceptional children; amending Minnesota Statutes 1971, Section 121.34.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

H. F. No. 2473: A bill for an act relating to retirement; interest assumptions for police and firemen's relief purposes; amending Minnesota Statutes 1971, Sections 69.73; 69.77, Subdivision 2; and 69.772, Subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

H. F. No. 2447: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16,

Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35

Senate Resolution No. 26: A senate resolution requesting the United States Secretary of the Treasury to transfer the territory within the state of Minnesota from customs district No. 34, under the administration of the district office at the customs port of Pembina, North Dakota, to customs district No. 36, under the administration of the district office at the customs port of Duluth, Minnesota.

Reports the same back with the recommendation that the resolution be adopted.

Mr. Fitzsimons moved that the foregoing report be laid on the table. Which motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1436, pursuant to the request of the House,

Messrs. Kowalczyk, Humphrey, Stokowski.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1821, pursuant to the request of the House,

Messrs. Lord; Borden; Keefe, J.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 624, pursuant to the request of the House,

Messrs. Humphrey, Brown, Tennessen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 334, pursuant to the request of the House,

Messrs. Chenoweth, North, Novak.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, from the Committee on Rules and Administration, offers the following resolution:

BE IT RESOLVED, by the Senate, that the following named person be and is hereby appointed to the position hereinafter stated and at the salary heretofore fixed.

Janet Benson, Page classification, effective May 15, 1973.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1983 was read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2447, 2065, 2473 and 991 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, from the Committee on Rules and Administration, moved that the following bills be designated Special Orders. Which motion prevailed.

H. F. Nos. 2065, 2447, 2473 and Senate Resolution No. 26.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 266, No. 148 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 266: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; appropriating money.

Mr. Olson, H. D. moved to amend H. F. No. 266, the printed bill, as follows:

Strike the Rule 49 amendment adopted by the Senate May 18, 1973

Strike everything after the enacting clause and insert:

"Section 1. The state of Minnesota may provide loans in lieu of certain state funds for the cost of the education and living expenses during the time the recipient is enrolled in an accredited medical school in the state of Minnesota, or accredited school of osteopathy the graduates of which are eligible for licensure in Minnesota, if the recipient agrees in writing to practice medicine or osteopathy in a rural community in Minnesota designated as an area in need of medical doctors or osteopaths by the higher education coordinating commission. Each recipient shall execute a note to the state payable on demand for the amount of the loan with interest at eight percent per annum payable when the principal is paid. The principal and interest shall be forgiven after the recipient has practiced medicine or osteopathy for three years in an area in need of medical doctors or osteopaths as designated by the higher education coordinating commission. If the recipient fails to fulfill the obligation to practice, the outstanding principal and subsequent interest shall be payable according to terms approved by the higher education coordinating commission. Assistance may be granted in the amount that the commission determines sufficient for the purpose of this act, not to exceed \$6,000 per year. Loans shall be renewed on an annual basis contingent on the good standing of the student in the program. No student shall receive loans to exceed \$24,000. The commission may delay the time for beginning practice not more than four years after the recipient has qualified to practice if the recipient wishes to seek additional medical or osteopathic training.

Sec. 2. The higher education coordinating commission is authorized to issue revenue bonds in accordance with the provisions on revenue bonds for student loans in Minnesota Statutes, Chapter 136A for the purpose of securing funds necessary for loans for up to a maximum of 40 recipients the first year of the biennium and 20 additional medical recipients the second year of the biennium as authorized by this act.

Sec. 3. Subdivision 1. The commission shall maintain a reserve fund for the purpose of repaying loans which are cancelled under the provisions of this act or which are not collectible as due. The reserve funds may be held and may be invested by the commission in accordance with provisions on investment of reserves for student loans in Minnesota Statutes, Chapter 136A.

Subd. 2. If there are insufficient moneys in the reserve funds to repay loans made under this act which are cancelled or uncollectible as due, there is hereby appropriated to the commission from any moneys in the state treasury not otherwise appropriated, such moneys as are required to meet the deficiencies. The amount of the appropriation made by these provisions shall be certified by the executive director of the higher education coordinating commission to the state auditor whenever the appropriation shall be necessary.

Sec. 4. The sum of \$100,000 is hereby appropriated from the general fund of the state treasury to the higher education coordinating commission for the biennium beginning July 1, 1973.

The appropriation shall be used for a reserve fund for repayment of cancelled or uncollectible loans made in accordance with the provisions of this act.

Sec. 5. The state board of medical examiners shall make recommendations to the commission with respect to areas of need and applicants for assistance.

Sec. 6. This act is effective the day following final enactment."

Further amend the title as follows:

Strike lines 3 through 6 and insert:

"loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; appropriating money."

Which motion prevailed. So the amendment was adopted.

H. F. No. 266 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kirchner	Novak	Schaaf
Berg	Frederick	Kleinbaum	Olhoff	Schrom
Bernhagen	Gearty	Knutson	Olson, A. G.	Sillers
Blatz	Hansen, Baldy	Kowalczyk	Olson, H. D.	Solon
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Spear
Brown	Hanson, R.	Lord	O'Neill	Stassen
Chenoweth	Hughes	McCutcheon	Patton	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Tennessee
Conzemius	Jensen	Moe	Pillsbury	Thorup
Doty	Josefson	Nelson	Purfeerst	Wegener
Dunn	Keefe, S.	North	Renneke	Willet

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1; and 176.051.

Mr. Coleman moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, after the word "wages" insert ", *exclusive of machine hire*,".

Which motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, strike "\$6,000" and insert "\$8,000"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Olson, J. L.	Ueland
Bang	Chmielewski	Jensen	Patton	
Berg	Dunn	Josefson	Pillsbury	
Bernhagen	Fitzsimons	Kirchner	Renneke	
Blatz	Frederick	Kowalczyk	Schrom	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olhoft	Solon
Arnold	Hansen, Mel	Lewis	Olson, A. G.	Spear
Borden	Hanson, R.	Lord	Olson, H. D.	Stassen
Chenoweth	Hughes	McCutcheon	O'Neill	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Tennessee
Conzemius	Keefe, J.	North	Purfeerst	Thorup
Davies	Keefe, S.	Novak	Schaaf	Wegener
Doty	Kleinbaum	Ogdahl	Sillers	Willet

Which motion did not prevail. So the amendment was not adopted.

Mr. Olson, J. L. moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 2, strike everything after "*operation*" and insert "*employing one full time worker*"

Page 1, strike line 3

Page 1, line 4, strike everything through the period

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Knutson	Pillsbury
Bang	Chmielewski	Jensen	Kowalczyk	Purfeerst
Berg	Fitzsimons	Josefson	Nelson	Renneke
Bernhagen	Frederick	Keefe, J.	Olson, J. L.	Ueland
Blatz	Hansen, Baldy	Kirchner	Patton	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Olson, H. D.	Thorup
Borden	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chenoweth	Hughes	North	Sillers	Willet
Coleman	Keefe, S.	Novak	Solon	
Conzemius	Laufenburger	Olhoft	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Sillers moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, strike "\$6,000" and insert "\$2,000"

Which motion prevailed. So the amendment was adopted.

Mr. Doty moved that the vote whereby the Sillers amendment to H. F. No. 1410 was adopted be now reconsidered. Which motion did not prevail. So the vote was not reconsidered.

Mr. Berg moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 5, after "*family*" insert "*, custom operators,*"

Which motion did not prevail. So the amendment was not adopted.

H. F. No. 1410 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olson, A. G.	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Solon
Bang	Frederick	Krieger	O'Neill	Stassen
Berg	Gearty	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Pernich, A. J.	Thorup
Blatz	Hansen, Mel	Lord	Perpich, G.	Ueland
Chenoweth	Hanson, R.	McCutcheon	Pillbury	Wegener
Chmielewski	Hughes	Nelson	Purfeerst	Willet
Coleman	Keefe, S.	North	Renneke	
Conzemius	Kirchner	Novak	Schaaf	
Davies	Kleinbaum	Olhoff	Schrom	

Mr. Jensen voted in the negative.

So the bill, as amended, passed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1626

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

May 17, 1973

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. 1626, 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 120.17, Subdivision 7, is amended to read:

Subd. 7. [PLACEMENT IN STATE INSTITUTION; RESPONSIBILITY.] Responsibility for special instruction and services for a handicapped child placed in a state institution on a temporary basis shall be determined in the following manner:

(a) The legal residence of such child shall be the school district in which his parent resides, if living, or his guardian if ~~neither parent is living within the state or the district designated by the commissioner of education if neither parent or guardian is living within the state~~ ;

(b) When the educational needs of such child can be met through the institutional program, the costs for such instruction shall be paid by the department to which the institution is assigned;

(c) When it is determined that such child can benefit from public school enrollment, provision for such instruction shall be made in the following manner:

(1) Determination of eligibility for special instruction and services shall be made by the commissioner of education and the commissioner of the department responsible for the institution;

(2) The school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the child's district of residence for the actual cost of providing the program.

(3) The district of the child's residence shall pay the tuition and other program costs *including the unreimbursed transportation costs* and may claim foundation aid for the child. *Special transportation shall be provided by the district providing the education program and the state shall reimburse such district within the limits provided by law.*

Sec. 2. Minnesota Statutes 1971, Section 120.17, is amended by adding a subdivision to read:

Subd. 8a. [RESIDENCE OF CHILD UNDER SPECIAL CONDITIONS.] The legal residence of a handicapped child placed in a foster facility for care and treatment when: (1) parental rights have been terminated by court order; (2) parent or guardian is not living within the state; or (3) no other school district residence can be established, shall be the school district in which the child resides. The school board of the district of residence shall provide the same educational program for such child as it provides for all resident handicapped children in the district.

Sec. 3. Minnesota Statutes 1971, 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 ~~equal to eight~~ *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. The tax so levied shall be collected in the manner provided by law for the collection of ~~other~~ school taxes. The proceeds of the tax may be used only to acquire *land*, improve and repair school sites and to ~~erect~~, equip, *re-equip*, repair and improve buildings and permanent attached fixtures; and. *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 ~~may~~ shall establish a fund in which the proceeds of this tax ~~may~~ shall be accumulated until expended ~~by the board~~.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 4. Minnesota Statutes 1971, 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 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 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 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 weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents.

(5) (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 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) This adjustment shall not be made Only pupil units in clauses (1), (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 5. Minnesota Statutes 1971, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for ~~fiscal~~ school years ~~1972~~ 1973-1974 and ~~1973~~ 1974-1975 shall be governed by the terms and provisions of this section.

Sec. 6. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 3a. [AID GUARANTY.] Notwithstanding any of the other provisions of this section, for the 1973-1974 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (2) and for the 1974-1975 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for 1973 by section 18 (1) of this act, shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid

earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units. For purposes of this computation pupil units used as a divisor shall include only those units identified in clauses (1), (2) and (3) of subdivision 1 of section 124.17.

Sec. 7. Minnesota Statutes 1971, Section 124.212, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any of the other provisions of this section, foundation aids computed under subdivisions 6 and 7 shall be reduced by the amount of moneys received by the district from the permanent school fund and shall be further reduced by the amount of sales tax per capita payments made to the district pursuant to sections 297A.57 and 297A.55. The amount of money received by a school district as income from the permanent school fund for any year, shall be deducted from the foundation aid earned by the district for the same year including aid earned pursuant to section 6 of this act or from aid earned from other state sources .

Sec. 8. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 6a. For the 1973-1974 school year a district shall receive in foundation aid the lesser of (1) \$788 per pupil unit less 30 mills times the 1971 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 1970-1971 adjusted maintenance cost per pupil unit increased by \$87, and the greater of (a) one-sixth of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$788, or (b) \$38, bears to \$788.

Sec. 9. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) \$820 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 8, clause (2) of this act, and the greater of (a) one-third of the difference that results when such greater sum is subtracted from \$820, or (b) \$32, bears to \$820.

Sec. 10. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to

298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 18 of this act to the total levy allowed by section 275.125, but not to exceed 35 percent in 1973-1974 and 40 percent in 1974-1975 of the previous year's payment.

Sec. 11. Minnesota Statutes 1971, Chapter 124, is amended by adding a section 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 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.

Subd. 2. Notwithstanding subdivision 1, for the 1974-1975 school year the state shall pay to school districts having boundaries coterminous with the boundaries of a city of the first class for all school transportation and related services for which a district is authorized by law to receive state aid: Eighty percent of the lesser product computed pursuant to clause (1) of subdivision 1, plus 80 percent of the amount computed pursuant to clause (3) of subdivision 1.

Subd. 3. [PAYMENT SCHEDULE.] The state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Subd. 4. [SPECIAL PAYMENT.] In addition to other payments authorized by law, on or before August 31 in fiscal year 1975 only, the state shall pay to each school district ten percent of

the amount paid to the district in fiscal year 1974 for school transportation services provided in fiscal year 1973.

Sec. 12. Minnesota Statutes 1971, Chapter 124, is amended by adding a section 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 Minnesota Statutes, 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 to licensed daytime activity centers attended by the children;*

(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. 13. Minnesota Statutes 1971, Section 124.28, Subdivision 3, is amended to read:

Subd. 3. *For the purpose of determining the applicability of this section to any district in fiscal 1974 and subsequent years, the valuation of taxable property shall be the 1969 adjusted value of such property as determined by the equalization aid review committee and used in calculating foundation aid for the corresponding school year, exclusive of class 2 personal property and personal property exempt from taxation by Extra Session Laws 1967, Chapter 32, and the valuation of the exempt property shall be the full value of the exempt property as reported annually by the depart-*

ment of public service. For the purpose of determining refunds the valuations of the taxable property shall be taken at 30 percent of the valuations as adjusted by the equalization aid review committee and the valuation of the exempt property shall be taken at 30 percent of its full value. The eligibility of a school district under this section is determined by adding the adjusted taxable valuation of the taxable property of the district as determined by the equalization aid review committee to the full value of the exempt property as reported by the department of public service; then by dividing the amount of the exempt property by the total of such taxable property and exempt property; if the result is 20 percent or more the school district is eligible, otherwise not, unless it qualifies temporarily under subdivision 1 or the following paragraph.

Any district disqualified from receiving refunds because this subdivision as amended substitutes a more recent adjusted assessed valuation for the 1969 adjusted assessed valuation previously specified, shall nevertheless continue to receive such refunds for three additional years, but the net amounts due prior to any required proration shall be reduced by 25 percent the first year, by 50 percent the second year, and by 75 percent the third year.

Sec. 14. Minnesota Statutes 1971, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,300~~ \$5,600 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,300~~ \$5,600 per annum for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 15. Minnesota Statutes 1971, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 60 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than ~~\$125,000~~ \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be prorated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 16. Minnesota Statutes 1971, Section 124.32, is amended by adding a subdivision to read:

Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 1 or 2 of this act, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in Minnesota Statutes, Section 124.32, Subdivision 4.

Sec. 17. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.781] [LIMITATION ON TAX ANTICIPATION BORROWING.] *Except as approved by the commissioner, a district may not issue certificates of indebtedness pursuant to sections 124.71 to 124.78, for a larger proportion of its total anticipated tax or aid revenues than it borrowed against such revenues which were received in calendar 1973 with respect to tax revenues and in the 1972-1973 school year with respect to aid revenues.*

Sec. 18. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision 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 9, clause (2) of this act, 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 9, clause (2) of this act, and the greater of (a) one-half of the difference that results when such greater sum is subtracted from \$860, or (b) \$40, bears to \$860.

(3) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 19. Minnesota Statutes 1971, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy ~~prescribed~~ authorized by ~~subdivision 2~~ section 18 of this act, ~~each~~ a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, ~~and for repayment of debt service loans and capital loans, the amount authorized for capital outlay 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) ~~An amount necessary to pay the estimated actual transportation costs of the district for the following school year less esti-~~

mated state transportation reimbursement for the current year. The money raised by this additional levy may be used only for costs incurred in transportation which is partially reimbursable under sections 124.22 and 124.32.

(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.

(3) For purposes of the 1971 levy, collectible in 1972, any district, in which the sum of \$87 per pupil unit in average daily membership and the difference between the reimbursement entitlement per pupil unit in average daily membership for 1970-1971 school year programs for handicapped children and the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership is greater than \$750 per pupil unit, may levy an amount per pupil unit which is equal to or less than the difference between said sum and \$750 per pupil unit. A district which is located in a city of the first class may not qualify for an additional levy that exceeds 1.5 mills times the adjusted assessed valuation of the district.

(4) For purposes of the 1972 levy collectible in 1973, any district, which qualified for an additional levy under subparagraph (3) of this subdivision, and in which the sum of the additional amount per pupil unit authorized by subparagraph (3) and \$750 per pupil unit is greater than \$700 per pupil unit may levy an additional amount per pupil unit which is equal to or less than \$39 per pupil unit plus the difference between said sum and \$788 per pupil unit. A district which is located in a city of the first class may not qualify for an additional levy that exceeds 1.5 mills times the adjusted assessed valuation of the district.

(5) Each district which maintains a post secondary area vocational technical school shall report to the commissioner of education the receipts and expenditures of the district for the area vocational technical school by September of the fiscal year ending in the preceding June. The commissioner shall prescribe the form of the report.

Each district or county maintaining a post secondary area vocational technical school may levy an additional levy exclusively for this school, but such levy in a district within a city of the first class may not exceed .5 mills times the adjusted assessed valuation of the district as determined by the equalization aid review committee for the year prior to the certification of the levy.

(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 reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. Provided, however, that a district within 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 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.

~~(6)~~ (7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded

debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) 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 10 of this act, 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 county auditor is authorized to adjust the 1973 levy to correct for the errors.

Sec. 20. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 3a. Independent School District No. 625 is authorized to issue general obligation bonds in the amount of \$13,000,000. Such bonds shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as provided herein. Such bonds shall be used for the construction and betterment of two senior high schools and shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

Sec. 21. Minnesota Statutes 1971, Section 360.133, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF PROPERTIES.] For the purposes of determining the amount of this refund, the value of such properties shall be set at 30 percent of their full and true value except that in no case shall the assessed value of said properties for this purpose exceed such an amount as when added to the assessed value of all other property in the school district exceed ~~\$2,000~~ \$6,500 per resident pupil unit.

Sec. 22. *The state board of education shall summarize and disseminate to boards of education, individual school faculty groups, individual school and school district parent organizations, the legislature and the governor, from presently available reports or from new reports it may require of school districts, the following types of information: individual elementary and secondary and area vocational technical school district costs, student enrollments, staffing and staffing ratios, district capital and operating debt or surplus, per pupil per mile costs of transportation, and other school district fiscal and demographic characteristics of importance.*

The state board of education shall submit a report on or before November 15, 1974, to the house appropriations committee and senate finance committee detailing a plan for a fiscal accounting and reporting system of program expenditures for each elementary, secondary and area vocational technical school building and school district in the state and additional information as listed above with procedures to summarize this material for regional and state description and comparison.

Sec. 23. [RETARDED; INDETERMINATE RESIDENCY; AID 1972-73.] *A district which provides educational services in 1972-1973 to trainable mentally retarded children residing in a state hospital mental retardation unit or other licensed residential facility, other than a group or foster home, and for which children parental rights have been legally terminated, or for which children no district of residency has been established, shall receive \$550 per child served in that year.*

Sec. 24. [VOCATIONAL REIMBURSEMENT CEILING.] *Notwithstanding any reimbursement formula which is inconsistent with this section, for secondary, post-secondary and adult voca-*

tional programs, with the exception of obligations for veteran farmer cooperative training programs for which a separate appropriation is made, provided in fiscal year 1974 to be reimbursed in fiscal year 1975, the state shall not be obligated to reimburse in fiscal year 1975, or any other fiscal year, any amounts in excess of the appropriations made for fiscal year 1975 in this act for those purposes.

Sec. 25. Notwithstanding any other provisions of law, any school district which has received aid pursuant to Minnesota Statutes, Section 124.802, for the preceding eight years shall be entitled to receive in any school year commencing after July 1, 1973, the greater of the aid under section 124.802 or the average of the aid received during the preceding eight years. This section shall not apply to a district in which the average of the aids received during the eight preceding years exceeds \$90,000.

Sec. 26. [EXPERIMENTAL SCHOOL.] Subdivision 1. It is the intention of the legislature of the state of Minnesota to establish an experimental educational program to be situated in Independent School District No. 309 on the land comprising former Independent School District No. 25, which was dissolved and attached to Independent School District No. 309 by an order of the county board of Becker county dated June 23, 1970, which is on file and of record in the office of the county auditor of Becker county. Such experimental school shall be established as set forth in this section.

Subd. 2. Notwithstanding any statute, rule or regulation of the state board of education to the contrary, the school board of Independent School District No. 309 shall, in accordance with subdivision 1 to 17, and within 30 days subsequent to the election specified in subdivision 3, transfer all of its jurisdiction, authority and liability for the pupils attending the experimental public school situated on the land comprising former Independent School District No. 25 to an incorporated Indian Education Committee which is eligible to receive federal aid to Indians pursuant to section 124.64. Thereafter, the care, management and control of the experimental school shall be vested in such committee.

Subd. 3. Upon approval of this section by the governing body of Independent School District No. 309, the chairman of the board shall determine a date not less than 20 nor more than 45 days from the date of approval of this section and a place located within the boundaries of former Independent School District No. 25 as set out in subdivision 1 for holding a meeting to organize the experimental school committee. He shall cause ten days posted notice of the meeting to be given in the experimental school area. The chairman of the board shall call the meeting to order and act as temporary chairman of the meeting until the officers of the experimental school committee have been elected. At the meeting, a chairman shall be elected to hold office until July 1 following the next annual election; the treasurer until one year from such date; and the clerk until two years from such date. Thereafter, the term of office for an officer of the committee shall be three years and until his successor qualifies.

Subsequent elections of committee officers shall be held in accordance with the applicable provisions of section 123.11.

Any qualified voter residing on the land comprising former Independent School District No. 25 as set out in subdivision 1 shall be entitled to vote at such election.

Subd. 4. Nothing contained in this section shall be construed to prohibit any qualified voter residing in the area comprising former Independent School District No. 25 from participating in the elections of Independent School District No. 309.

Subd. 5. The treasurer of such committee shall give a corporate surety bond to the state in an amount sufficient to protect the interest of the district as set by the board of Independent School District No. 309. Except as expressly provided in this subdivision, the provisions of section 123.34, subdivision 6 shall apply.

Subd. 6. The committee shall superintend and manage the experimental school; adopt, modify, or repeal rules for its organization, government and instruction and for the keeping of registers; and prescribed textbooks and courses of study, provided, that such courses of study shall meet the standards for similar courses of study available in the public schools of this state.

Subd. 7. (a) The board of District No. 309 shall transfer to the committee all state aids, grants, and refunds earned and received by reason of the pupils actually attending the experimental school established by this section.

(b) The board of District No. 309 shall transfer to the committee, to the extent permissible, any federal aids or grants to which such district may be eligible or entitled by reason of the population in the experimental school area, the pupils actually attending the experimental school, the program of the experimental school, the boundaries of the experimental school or for any reason related thereto.

Subd. 8. Nothing contained in this section shall be construed to authorize the committee to issue bonds, levy taxes, or borrow funds in its behalf.

Subd. 9. The committee shall cause an audit to be made annually of all accounts of the experimental school which shall be completed within one year following the year for which the audit is made. In all respects, the committee shall be subject to the provisions of Minnesota Statutes, Chapter 215.

Subd. 10. The committee shall employ necessary teachers in accordance with section 125.12 and may employ other necessary personnel. Teachers employed by the committee subsequent to the effective date of the transfer specified in subdivision 2 shall be employees of the experimental school and shall constitute an "appropriate unit" or "unit" for the purposes of sections 179.61 to 179.77, notwithstanding the provisions of section 179.63, subdivision 17.

Teachers employed by the board of District No. 309 and assigned by the board to the school designated as the experimental school by this section shall remain employees of the board.

The committee shall have the authority to employ instructors in the area of Indian culture. Notwithstanding the provisions of Minnesota Statutes, Chapter 125, or any rule or regulation of the state board relating to certification requirements, said instructors need not be certified by the state board. For all other purposes, said instructors shall be deemed to be "teachers" as defined by section 125.03, subdivision 1.

Subd. 11. The committee may procure the insurance specified in sections 123.35, subdivision 13, and 123.41. The committee shall purchase insurance to the extent required by Minnesota Statutes, Chapter 466 and shall not be liable beyond the extent provided by section 466.12, subdivision 3a. The term "average number of pupils" as set out in section 466.12, subdivision 3a shall mean, for the purposes of this section, the average number of pupils attending the experimental school.

Subd. 12. Except as otherwise provided by this section, the care, management, and operation of the experimental school by the committee shall be governed in accordance with the provisions of the education code, as defined by section 120.01, and any other statutes affecting public school districts.

Unless otherwise provided in this section, the committee shall operate pursuant to statutes governing independent school districts.

Subd. 13. Nothing contained in this section shall be construed to prohibit any pupil residing on land within the defined boundaries of the experimental school as set out in subdivision 1 from attending any other school within District No. 309. Nor shall anything contained in this section be construed to prohibit any pupil residing in District No. 309 from attending the experimental school established by this section.

Subd. 14. To the extent permitted by statute, the board of Independent School District No. 309 shall remain responsible for providing transportation for District No. 309.

Subd. 15. All legally valid and enforceable claims and contract obligations entered into by the board of District No. 309 prior to the effective date of the transfer to the committee specified in subdivision 2, shall remain the obligations of District No. 309.

Subd. 16. The subdivisions of this section shall be construed to be severable. In the event a particular provision may be determined to be invalid, such determination shall not affect any other subdivision of this section.

Subd. 17. The provisions of this section shall expire July 1, 1977. At any time the experimental school may be terminated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Subd. 18. This section is effective upon its approval by the governing body of Independent School District No. 309, and the Pine Point Indian Education Advisory Committee, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 27. Minnesota Statutes 1971, 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, 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 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 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 is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before ~~May 15~~ *May 1*, annually, the department of taxation 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. 28. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

	<i>For the year ending</i>	
	<i>June 30</i>	
	<i>1974</i>	<i>1975</i>
(1) <i>Foundation Aid</i>	<i>\$541,000,000</i>	<i>\$497,500,000</i>

The appropriations in (1) include \$750,000 for 1974, and \$700,000 for 1975 to be expended pursuant to Laws 1965, Chapter 719, as amended. If the appropriation for this purpose in either year is insufficient, the aids shall be prorated among all qualifying dis-

For the year ending

June 30

1974

1975

tricts. The appropriation in (1) also includes \$500,000 in each indicated year for shared time aid, and not to exceed \$500,000 in 1974 for emergency aid.

(2) <i>Transportation Aid</i>	\$ 38,000,000	\$ 51,000,000
<i>The amount appropriated in (2) for 1974 may be paid for transportation reimbursement obligations incurred by the state before July 1, 1973, pursuant to Minnesota Statutes 1971.</i>		
(3) <i>Special Education Aid</i>	\$ 25,700,000	\$ 27,700,000
(4) <i>Secondary Vocational Aid . . .</i>	\$ 10,300,000	\$ 10,400,000
(5) <i>Post-Secondary</i>	\$ 30,100,000	\$ 34,100,000
(6) <i>Adult Vocational Aid</i>	\$ 2,700,000	\$ 2,800,000
(7) <i>Vocational Construction . . .</i>	\$ 750,000	
<i>Any unexpended balance remaining from the appropriations in (1) through (7) for 1974, shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) through (7).</i>		
(8) <i>For Gross Earnings Aid Pursuant to Minnesota Statutes, Section 124.28. . .</i>	\$ 900,000	\$ 900,000
(9) <i>Exempt Land Special School Aid Pursuant to Minnesota Statutes, Section 124.30.</i>	\$ 400,000	\$ 400,000
(10) <i>For Aid to School Districts Pursuant to Minnesota Statutes, Section 360.133. .</i>	\$ 145,000	\$ 145,000
(11) <i>School Aid—Counties A/C of Non Tax Areas</i>	\$ 48,000	\$ 48,000

The amount appropriated in (11) shall be expended in 1974 and 1975, as provided in Laws 1971, Chapter 966, Section 16 for 1971

and 1972. If the appropriations made in (8) through (11) in either year are insufficient, the aids shall be prorated among all qualifying recipients.

None of the amounts appropriated in (1) through (11) above shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) through (11).

Sec. 29. Minnesota Statutes 1971, Section 276.11, is amended to read:

276.11 [WHEN TREASURER SHALL PAY FUNDS.] As soon as practical after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body, and deliver up all orders and other evidences of indebtedness of such municipal corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. The county treasurer is authorized and directed to make such partial payments of amounts collected periodically in advance of final settlements as may be practicable. Accompanying each payment to the state treasurer or treasurer of any town, city, village, or school district shall be a statement prepared by the county treasurer designating the years for which taxes included in the payment were collected and, for each year, the amount of such taxes and any penalties thereon. ~~If~~ The county treasurer fails to shall pay over such moneys to the state or to a municipal corporation or other body within 90 45 days after settlement, ~~interest shall thereafter accrue at the rate of 3½ percent per year provided, however, that after 30 days interest shall accrue to the credit of and shall be paid to the state, municipal corporation or other body.~~ Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation, or other body, in a civil action.

Sec. 30. Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7, and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3, are repealed."

Further, amend the title by striking it in its entirety and insert in lieu thereof:

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; authorizing an experimental school in independent school district No. 309 and the issuance of bonds by independent school

district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 1, 4, and 10, and by adding subdivisions; 124.28, Subdivision 3; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 275.125, Subdivision 3, and by adding subdivisions; 276.11; and 360.133, Subdivision 2; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7 and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3.”

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Jerald C. Anderson, Ralph R. Doty, Winston W. Borden, Douglas H. Sillers and Joseph T. O'Neill.

House Conferees: (Signed) Joseph P. Graba, Tom Berg, Douglas J. Johnson, Salisbury Adams and Gilbert D. Esau.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1626 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

Was read the third time as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, H. D.	Solon
Ashbach	Fitzsimons	Kowalczyk	Olson, J. L.	Spear
Bang	Frederick	Krieger	O'Neill	Stassen
Berg	Hansen, Baldy	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Borden	Hanson, R.	Lord	Perpich, G.	Thorup
Chenoweth	Hughes	McCutcheon	Pillsbury	Ueland
Chmielewski	Humphrey	Moe	Purfeerst	Wegener
Coleman	Josefson	North	Renneke	Willet
Conzemius	Keefe, S.	Novak	Schaaf	
Davies	Kirchner	Olhoff	Schrom	
Doty	Kleinbaum	Olson, A. G.	Sillers	

Messrs. Brown, Milton and Nelson voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. No. 2107, No. 129 on General Orders, a Special Order for immediate consideration.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Laufenburger	Olhoff	Sillers
Arnold	Davies	Lewis	Olson, A. G.	Solon
Bang	Doty	Lord	Olson, H. D.	Spear
Berg	Dunn	Milton	Perpich, A. J.	Stassen
Borden	Hansen, Mel	Moe	Perpich, G.	Stokowski
Brown	Hughes	Nelson	Pillsbury	Tennessee
Chenoweth	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Kleinbaum	Ogdahl	Schrom
Blatz	Hanson, R.	Knutson	Olson, J. L.	Thorup
Chmielewski	Jensen	Kowalczyk	O'Neill	Ueland
Fitzsimons	Josefson	Krieger	Patton	
Frederick	Keefe, J.	McCutcheon	Renneke	

Which motion did not prevail.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Conzemius, for the Committee on Rules and Administration, moved that H. F. No. 2107 be made a Special Order to be heard immediately. Which motion prevailed.

After some discussion, the Chair ruled that the Committee on Rules and Administration has the authority to designate a bill a Special Order.

H. F. No. 2107: A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; amending Minnesota Statutes 1971, Section 340.07, Subdivision 5.

Mr. Berg moved to amend H. F. No. 2107, the printed bill, as follows:

Page 1, after line 3, insert:

"Sec. 2. Minnesota Statutes 1971, Chapter 340, is amended by adding a section to read:

[340.114] [UNLAWFUL DISCRIMINATIONS PROHIBITED.] *Subdivision 1. All licensed importers shall offer for sale on an equal basis to all licensed wholesalers and manufacturers all intoxicating liquor brought into the state of Minnesota.*

Subd. 2. Without limiting subdivision 1; the following shall be deemed failures to offer intoxicating liquor for sale on an equal basis and are unlawful:

(a) *A refusal to sell any intoxicating liquor to a wholesaler or manufacturer, which is offered for sale to any other wholesaler or manufacturer, except when a wholesaler or manufacturer is in arrears on payments for past purchases from the importer who refuses to sell.*

(b) *A sale of any intoxicating liquor to any wholesaler or manufacturer at a price different from that offered to any other wholesaler or manufacturer, exclusive of shipping costs, except that quantity discounts based upon actual cost savings may be uniformly offered to all wholesalers and manufacturers.*

(c) *A sale of any intoxicating liquor to any wholesaler or manufacturer on terms of purchase different from those offered any other wholesaler or manufacturer, except that when the importer reasonably believes that a wholesaler or manufacturer will be unable to comply with the existing terms of credit, then other terms may be employed, including denial of credit.*

(d) *Any discrimination among wholesalers and manufacturers in satisfying their respective demands for any intoxicating liquor.*

(e) *A sale conditioned upon an agreement which restricts the wholesaler or manufacturer with respect to customers, area for distribution, or resale price, or which otherwise restrains the wholesaler or manufacturer from competing in trade and commerce.*

(f) *For purposes of this subdivision and subdivision 1 only, the term "intoxicating liquor" shall not include "pop wines" as the same are defined by regulation of the commissioner.*

Subd. 3. No licensed importer or manufacturer shall offer or sell to any licensed wholesaler any intoxicating liquor at a bottle or case price which is higher than the lowest price at which such item of liquor is contemporaneously being sold by such importer or manufacturer to any wholesaler anywhere in any other state of the United States or in the District of Columbia or to any state or state agency which owns and operates retail liquor stores.

In determining the lowest price for which any item of liquor is being sold in any other state or in the District of Columbia, or to any state or state agency which owns and operates retail liquor stores, appropriate reductions shall be made to reflect all discounts, rebates, free goods, allowances and other inducements of any kind whatsoever offered or given to any such wholesaler, state, or state

agency purchasing such item in such other state or in the District of Columbia; provided that nothing contained herein shall prevent differentials in price which make only due allowance for differences in state taxes and fees, and in the actual cost of delivery. As used in this subdivision, the term "state taxes or fees" shall mean the excise taxes imposed or the fees required by any state or the District of Columbia based upon a gallon of liquor.

Nothing in this subdivision shall apply to any wines or malt beverages regardless of alcoholic content.

Sec. 3. Minnesota Statutes 1971, Section 340.09, is amended to read:

340.09 [LIQUOR CONTROL COMMISSIONER; POWERS.] *Subdivision 1.* The principal office of the liquor control commissioner shall be in the city of Saint Paul. He may appoint a secretary and such inspectors, clerks, and other assistants as he may require. All employees of the commissioner shall be in the classified service. He shall set up an adequate system for the administration of the provisions of chapter 340, and have supervision over and power to regulate all forms of advertising and display of liquors as provided in section 340.15 .

Subd. 2. The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable regulations to effect the object of such chapter 340 and to fix maximum prices from time to time on all liquors sold at wholesale . Such regulations shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.

Subd. 3. In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties.

Sec. 4. Minnesota Statutes 1971, Section 340.11, Subdivision 2, is amended to read:

Subd. 2. [WHOLESALEERS' AND MANUFACTURERS' LICENSES.] Manufacturers' and wholesalers' licenses shall be issued by the liquor control commissioner.

A manufacturer's or wholesaler's license shall include the right to import. The business of manufacturer and wholesaler may be combined and carried on under one license issued therefor. No wholesaler's license shall be granted to any person or partnership unless the person or each member of a partnership applying for such license shall have been a resident of the state for a period of five years continuously immediately prior to such application for a

license, and that such person shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. No wholesaler's license shall be granted to any corporation unless all of the officers, directors, and stockholders, who own or control more than 75 percent of the stock by value and 75 percent of the voting rights of the stock, of such corporation applying for a license shall have been residents of the state for a period of five years continuously immediately prior to such application for a license and any and all such persons shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. A person, partnership, or corporation lawfully licensed as a wholesaler in the state of Minnesota, March 27, 1945, shall not be subject to any residence or voting requirements to renew his wholesaler's license, nor shall his successor or designee who acquire substantially all of the property of such license. A person who served in the Armed Forces of the United States of America during any time since July 1, 1942, shall be given credit as having voted at any general election held during the time he served in the Armed Forces of the United States of America.

Sec. 5. Minnesota Statutes 1971, Section 340.15, is amended to read:

340.15 [REGULATION OF ADVERTISING.] *Subdivision 1.* The unrestricted advertising of intoxicating liquor is hereby declared to be contrary to public policy. *The liquor control commissioner shall have supervision over and the power to regulate all forms of advertising and display of intoxicating liquors and shall adopt reasonable rules and regulations restricting advertising to prevent it from counteracting temperance education shall be made by the liquor control commissioner except that no rule or regulation shall prohibit a retailer at off-sale from advertising the price at which such products are offered for sale.*

Subd. 2. No wholesaler or other person shall communicate to a retailer at off-sale in any manner a suggested retail price for the sale of intoxicating liquor.

Sec. 6. Minnesota Statutes 1971, Section 340.19, is amended to read:

340.19 [REMOVAL OF OFFICERS; LICENSES REVOKED; BONDS FORFEITED; VIOLATIONS.] (1) The failure on the part of any duly constituted public officer, charged by law with the enforcement of the intoxicating liquor act shall constitute non-feasance in office and shall be valid ground for the removal of such officer.

(2) When any licensee shall wilfully violate the provisions of the intoxicating liquor act his license shall be immediately revoked and his bond forfeited, and no license of any class shall for a term of five years thereafter be issued to the same person or to any person who at the time of the violation owns any interest, whether as holder of more than five percent of the capital stock of a corporation licensee, as partner, or otherwise, in the premises or in

the business conducted thereon, or to any corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested.

(3) Whoever, in violation of the provisions of the intoxicating liquor act, shall manufacture intoxicating liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(4) Whoever, in violation of the provisions of the intoxicating liquor act, shall transport or import into the state liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(5) Whoever shall sell directly or indirectly any intoxicating liquor without having a license for such sale shall be guilty of a gross misdemeanor.

(6) Whoever shall violate any of the provisions of the intoxicating liquor act as to sale, licensing, or any of the regulatory provisions pertaining thereto, as herein provided, shall be guilty of a misdemeanor.

(7) Whoever refuses or neglects to obey any lawful direction of the liquor control commissioner, or his deputy or any of his assistants; withholds any information, book, record, paper, or other thing called for by him for the purpose of examination; obstructs or misleads him in the execution of his duties; or swears falsely concerning any matter stated under oath shall be guilty of a gross misdemeanor.

~~(7)~~ (8) The liquor control commissioner shall have the power to institute proceedings to cancel or revoke the licensing of any pharmacist or druggist as such pharmacist or druggist who shall violate the provisions of the intoxicating liquor act.

Sec. 7. Minnesota Statutes 1971, Chapter 340, is amended by adding a section to read:

[340.408] [JOINT PURCHASES.] *The joint purchase for resale to the general public of 300 or fewer quart or smaller bottles of intoxicating liquor by more than one person lawfully permitted to sell intoxicating liquor to the general public lawful. No rule or regulation pursuant to chapter 340 shall prohibit a lawful purchase pursuant to this section.*

Sec. 8. Minnesota Statutes 1971, Section 340.47, is amended to read:

340.47 [EXCISE TAX.] Subdivision 1. [ON INTOXICATING LIQUORS.] There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

(1) On all unfortified wines, the sum of 27 cents per gallon;

(2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of 79 cents per gallon;

(3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of \$1.58 per gallon;

(4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of \$3.08 per gallon;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of \$3.08 per gallon;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of ~~\$4.53~~ 4.39 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed 12 cents.

Subd. 2. [ON FERMENTED MALT BEVERAGES.] An excise tax is hereby assessed, imposed, and levied upon the sale, either directly or indirectly of fermented malt beverages other than for shipment in interstate or foreign commerce. Such tax shall not be imposed or collected upon fermented malt beverages given away by a brewery for consumption only upon the brewery premises, for which no charge of any kind is made or collected; nor shall fermented malt liquors distributed to brewery employees for consumption only upon the brewery premises pursuant to a contract of employment be subject to such tax. Such tax shall be levied and collected at the rate of \$2.00 per barrel of 31 gallons, containing not more than 3.2 percent of alcohol by weight, and a tax of \$4.00 per barrel of 31 gallons containing more than 3.2 percent of alcohol by weight, and at a proportional rate for fractional parts thereof. All the receipts from these taxes shall be paid into the general fund by the liquor control commissioner.

Sec. 9. Minnesota Statutes 1971, Section 340.983, is amended to read:

340.983 [FILING OF WHOLESALE PRICE SCHEDULE.] No brand owner or wholesaler of distilled liquor or wine shall sell, offer for sale, or solicit any order for distilled liquor or wine unless a schedule of wholesale prices, which ~~may~~ shall include varying volume prices, is filed with the commissioner, *on a form prescribed by him*, and no sales shall be made except in accordance with such prices. *Such forms shall provide for the listing of the price, including any varying volume prices, at which each brand distributed by the filing wholesaler or brand owner is sold. The commissioner shall maintain such filings in such a manner as to make their contents easily accessible to the public. The filings required under this section shall be made not later than the tenth day of each month, and the schedule of filed prices shall be effective from that day until the tenth day of the next month, provided that any filing may be amended within 5 days after its filing. The commissioner shall provide copies of such filings to any person requesting them, and may charge a reasonable fee therefor. Any person may examine such filings in the office of the commissioner, and no charge shall be made for such examination.*

No volume price filed pursuant to this section shall be for a quantity in excess of 300 quarts.

Sec. 10. *Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.984; and 340.985, are repealed.*"

Strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; prohibiting discrimination by importers; granting the liquor control commissioner subpoena powers; removing the residency requirement for obtaining a wholesaler's or manufacturer's license; regulating the advertising of intoxicating liquor; providing for a penalty; providing for joint purchases; reducing excise tax on liquor; providing for filing of wholesale price schedules; amending Minnesota Statutes 1971, Chapter 340, by adding sections; Sections 340.07, Subdivision 5; 340.09; 340.11, Subdivision 2; 340.15; 340.19; 340.47; 340.983; and repealing Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.984; and 340.985."

Mr. Berg moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7 of the amendment, line 10, after "*public*" insert "*is*"
Which motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8, of the amendment, line 1, strike "4.39" and insert "4.35"

Mr. McCutcheon moved that those not voting be excused from voting. Which motion prevailed.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Novak	Schrom
Bang	Fitzsimons	Josefson	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	
Brown	Hansen, Mel	Krieger	Patton	
Doty	Hanson, R.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Lord	Perpich, G.	Stokowski
Arnold	Gerty	Moe	Purfeerst	Tennessee
Berg	Hughes	North	Renneke	Wegener
Borden	Humphrey	Olhoft	Schaaf	Willet
Coleman	Keefe, S.	Olson, A. G.	Solon	
Conzemius	Lewis	Perpich, A. J.	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Krieger moved the Senate do now adjourn.

The question being taken on the adoption of the motion,

Mr. Conzemius moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Olson, J. L.	Schrom
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stassen
Blatz	Hansen, Mel	Kowalczyk	Patton	Ueland
Dunn	Hanson, R.	Krieger	Pillsbury	
Fitzsimons	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Conzemius	Lord	Olson, A. G.	Stokowski
Arnold	Doty	McCutcheon	Perpich, A. J.	Tennessee
Berg	Gearty	Milton	Perpich, G.	Wegener
Borden	Hughes	Moe	Purfeerst	Willet
Brown	Humphrey	North	Schaaf	
Chenoweth	Keefe, S.	Novak	Solon	
Coleman	Lewis	Olhoft	Spear	

Which motion did not prevail.

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8 of the amendment, line 1, strike "4.39" and insert "\$3.99"

The question being taken on adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 30 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olson, J. L.	Sillers
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Solon
Blatz	Hansen, Mel	Kowalczyk	Patton	Stassen
Brown	Hanson, R.	Krieger	Pillsbury	Thorup
Dunn	Jensen	Nelson	Renneke	Ueland

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Olson, H. D.	Tennessee
Arnold	Gearty	Milton	Perpich, A. J.	Wegener
Berg	Hughes	Moe	Perpich, G.	Willet
Borden	Humphrey	North	Purfeerst	
Coleman	Keefe, S.	Novak	Schaaf	
Conzemius	Lewis	Olhoft	Spear	
Davies	Lord	Olson, A. G.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Dunn moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 5, lines 7 through 22, strike all of section 5

Renumber the sections in sequence

Amend the title as follows:

Page 10, line 14, in the title amendment, strike "340.15;"

Mr. Nelson requested to divide the Dunn amendment to the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

First portion: Page 5, lines 11 through 14, strike the new language

Page 5, lines 16 through 19, strike the new language and reinstate the stricken language

Second portion: Page 5, lines 20 through 22, strike all of subdivision 2

In the title amendment, Page 10, line 14, strike "340.15;"

The question recurred on the adoption of the first portion of the Dunn amendment to the Berg amendment.

Mr. Dunn moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Kowalczyk moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 32 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Bang	Hansen, Mel	Krieger	O'Neill	Stokowski
Bernhagen	Hanson, R.	McCutcheon	Patton	Ueland
Blatz	Jensen	Novak	Pillsbury	
Brown	Josefson	Ogdahl	Renneke	
Dunn	Kleinbaum	Olhoft	Schrom	

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	North	Solon
Berg	Doty	Lewis	Olson A.G.	Spear
Borden	Fitzsimons	Lord	Perpich, A. J.	Tennessee
Chenoweth	Gearty	Milton	Perpich, G.	Thorup
Coleman	Hughes	Moe	Purfeerst	Wegener
Conzemius	Humphrey	Nelson	Schaaf	Willet

Which motion prevailed. So the first portion of the Dunn amendment to the Berg amendment was adopted.

Mr. Dunn then withdrew the second portion of his amendment to the Berg amendment.

Mr. Nelson moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 3, after line 31 add a new subdivision to read:

"Subd. 4. The commissioner shall have the power to require retailers to reduce off-sale prices to consumers by as much as 10 percent of any retailer's average price to consumers during the month of April, 1973."

Which motion did not prevail. So the amendment was not adopted.

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7 of the amendment, line 24, strike "79" and insert "71"

The question being taken on the adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 19 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Hanson, R.	Novak	Renneke
Bernhagen	Frederick	Jensen	Olson, J. L.	Schrom
Blatz	Hansen, Baldy	Knutson	O'Neill	Ueland
Brown	Hansen, Mel	Kowalczyk	Patton	

Those who voted in the negative were:

Anderson	Doty	Lewis	Perpich, A. J.	Stokowzki
Arnold	Dunn	Lord	Perpich, G.	Tennessee
Berg	Garty	Milton	Pillsbury	Wegener
Borden	Hughes	Moe	Purfeerst	Willet
Chenoweth	Humphrey	Nelson	Schaaf	
Coleman	Josefson	North	Solon	
Conzemius	Keefe, S.	Olhoff	Spear	
Davies	Krieger	Olson A.G.	Stassen	

Which motion did not prevail. So the amendment was not adopted.

Mr. Coleman moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 2, line 33, before "*Nothing*" insert "*Subd. 4.*"

Page 2, line 33, strike "*subdivision*" and insert "*section*"

Which motion prevailed. So the amendment was adopted.

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8 of the amendment, line 1, strike "4.39" and insert "4.22"

The question being taken on the adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Conzemius moved that those not voting be excused from voting.

The question being taken on the adoption of the motion of Mr. Conzemius,

And the roll being called, there were yeas 36 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Davies	McCutcheon	Perpich, A. J.	Tennessee
Arnold	Doty	Milton	Perpich, G.	Thorup
Berg	Garty	Moe	Purfeerst	Wegener
Borden	Hughes	North	Schaaf	Willet
Brown	Humphrey	Novak	Schrom	
Chenoweth	Keefe, S.	Olhoff	Solon	
Coleman	Lewis	Olson, A. G.	Spear	
Conzemius	Lord	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Bang	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Ogdahl	O'Neill	Ueland
Fitzsimons	Jensen			

Which motion prevailed.

The question recurred on the adoption of the Bang amendment,

Mr. Conzemius moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 31 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Milton	Perpich, A. J.	Tennessee
Arnold	Gearty	Moe	Perpich, G.	Wegener
Berg	Hughes	North	Purfeerst	Willet
Borden	Humphrey	Novak	Schaaf	
Coleman	Keefe, S.	Olhoft	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	
Davies	Lord	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Bang	Hansen, Mel	Knutson	Ogdahl	Stassen
Blatz	Hansen, R.	Kowalczyk	Olson, J. L.	Thorup
Fitzsimons	Jensen	Krieger	O'Neill	Ueland
Hansen, Baldy				

Which motion prevailed.

And the roll being called, there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	O'Neill	Stassen
Bang	Frederick	Knutson	Patton	Thorup
Bernhagen	Hansen, Baldy	Kowalczyk	Pillsbury	Ueland
Blatz	Hansen, Mel	Krieger	Schrom	
Brown	Hansen, R.	Ogdahl	Sillers	
Dunn	Jensen	Olson, J. L.	Solon	

Those who voted in the negative were:

Anderson	Davies	Lord	Olson, A. G.	Spear
Arnold	Doty	McCutcheon	Olson, H. D.	Stokowski
Berg	Gearty	Milton	Perpich, A. J.	Tennessee
Borden	Hughes	Moe	Perpich, G.	Wegener
Chenoweth	Humphrey	North	Purfeerst	Willet
Coleman	Keefe, S.	Novak	Renneke	
Conzemius	Lewis	Olhoft	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

The question then recurred on the adoption of the Berg amendment as amended,

Mr. Conzemius moved that those not voting be excused from voting.

The question being taken on the adoption of the motion of Mr. Conzemius,

And the roll being called, there were yeas 35 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Lewis	Olhoft	Solon
Arnold	Davies	Lord	Olson, A. G.	Spear
Berg	Doty	McCutcheon	Olson, H. D.	Stokowski
Borden	Gearty	Milton	Perpich, A. J.	Tennessen
Brown	Hughes	Moe	Perpich, G.	Thorup
Chenoweth	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Fitzsimons	Hansen, Mel	Ogdahl	O'Neill
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz				

Which motion prevailed.

The question being taken on the adoption of the Berg amendment, as amended,

And the roll being called, there were yeas 39 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olhoft	Sillers
Arnold	Davies	Lewis	Olson, A. G.	Solon
Berg	Doty	Lord	Olson, H. D.	Spear
Bernhagen	Dunn	Milton	Perpich, A. J.	Stokowski
Borden	Gearty	Moe	Perpich, G.	Tennessen
Brown	Hansen, Mel	Nelson	Pillsbury	Wegener
Chenoweth	Hughes	North	Purfeerst	Willet
Coleman	Humphrey	Novak	Schaaf	

Messrs. Blatz; Fitzsimons; Hansen, Baldy; Olson, J. L. and Schrom voted in the negative.

Which motion prevailed. So the Berg amendment, as amended, was adopted.

Mr. Krieger moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7, strike lines 21 through 32 and insert in lieu thereof the following:

"Excise taxes levied shall be no higher than the excise tax levied in any of the states bordering the state of Minnesota on identical intoxicating liquors as of May 1, 1973."

Page 8, strike lines 1 through 25

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 17 and nays 36, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Blatz	Hansen, Mel	Kowalczyk	O'Neill	
Fitzsimons	Hanson, R.	Krieger	Patton	
Frederick	Jensen	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Stokowski
Arnold	Gearty	Milton	Perpich, G.	Tennessee
Berg	Hughes	Moe	Purfeerst	Wegener
Borden	Humphrey	North	Renneke	Willet
Chenoweth	Keefe, S.	Novak	Schaaf	
Coleman	Laufenburger	Olhoff	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	
Davies	Lord	Olson, H. D.	Stassen	

Which motion did not prevail. So the amendment was not adopted.

Mr. Krieger moved that the Senate do now adjourn.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 23 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Kowalczyk	O'Neill	Sillers
Bernhagen	Hansen, Mel	Krieger	Patton	Stassen
Blatz	Hansen, R.	Nelson	Pillsbury	Ueland
Fitzsimons	Jensen	Ogdahl	Renneke	
Frederick	Knutson	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Conzemius	Laufenburger	Novak	Schaaf
Arnold	Davies	Lewis	Olhoff	Solon
Berg	Doty	Lord	Olson, A. G.	Spear
Borden	Gearty	McCutcheon	Olson, H. D.	Stokowski
Brown	Hughes	Milton	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	North	Purfeerst	Willet

Which motion did not prevail.

H. F. No. 2107 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lord	Olson, H. D.	Solon
Arnold	Doty	McCutcheon	Olson, J. L.	Spear
Berg	Dunn	Milton	Perpich, A. J.	Stassen
Bernhagen	Gearty	Moe	Perpich, G.	Stokowski
Borden	Hansen, Mel	Nelson	Pillsbury	Tennessee
Brown	Hughes	North	Purfeerst	Ueland
Chenoweth	Humphrey	Novak	Renneke	Wegener
Coleman	Keefe, S.	Olhoff	Schaaf	Willet
Conzemius	Lewis	Olson, A. G.	Sillers	

Those who voted in the negative were:

Ashbach	Fitzsimons	Hansen, Baldy	Jensen	Schrom
Blatz				

So the bill, as amended, passed and its title was agreed to.

Mr. Keefe, J. moved that the vote whereby H. F. No. 377 was passed May 18, 1973 be now reconsidered.

The question being taken on the adoption of the motion,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 25 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Knutson	O'Neill
Bang	Dunn	Hanson, R.	Kowalczyk	Patton
Berg	Fitzsimons	Jensen	Krieger	Pillsbury
Bernhagen	Frederick	Josefson	Nelson	Renneke
Blatz	Hansen, Baldy	Keefe, J.	Olson, J. L.	Ueland

Those who voted in the negative were:

Anderson	Doty	Milton	Perpich, A. J.	Tennessee
Arnold	Gearty	Moe	Perpich, G.	Thorup
Borden	Hughes	North	Purfeerst	Wegener
Chenoweth	Humphrey	Novak	Schaaf	Willet
Coleman	Keefe, S.	Olhoft	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	
Davies	Lord	Olson, H. D.	Stokowski	

Which motion did not prevail. So the vote was not reconsidered.

Mr. Coleman moved that the vote whereby H. F. No. 2107 was passed on May 18, 1973 be now reconsidered.

The question being taken on the adoption of the motion,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 9 and nays 43, as follows:

Those who voted in the affirmative were:

Blatz	Jensen	Krieger	Patton	Ueland
Hansen, Baldy	Knutson	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Olson, H. D.	Spear
Arnold	Doty	Lewis	Perpich, A. J.	Stassen
Berg	Dunn	Lord	Perpich, G.	Stokowski
Bernhagen	Fitzsimons	Milton	Pillsbury	Tennessee
Borden	Gearty	Moe	Purfeerst	Thorup
Brown	Hansen, Mel	North	Renneke	Wegener
Chenoweth	Hughes	Novak	Schaaf	Willet
Coleman	Humphrey	Olhoft	Sillers	
Conzemius	Josefson	Olson, A. G.	Solon	

Which motion did not prevail. So the vote was not reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, May 19, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-FIFTH DAY

St. Paul, Minnesota, May 19, 1973.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a called of the Senate. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Solon
Bang	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bernhagen	Frederick	Knutson	Olhoff	Stassen
Blatz	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Laufenburger	O'Neill	Thorup
Chenoweth	Hanson, R.	Lewis	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	McCutcheon	Pillsbury	Willet
Conzemius	Jensen	Milton	Purfeerst	
Davies	Josefson	Moe	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoff	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Novak was excused from the Session of today, beginning at 4:30 o'clock p.m. Mr. Olson, J. L., was excused from the Session of today, beginning at 5:00 o'clock p.m. Mr. Hansen, Baldy was excused from the Session of next Monday, May 21.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 18, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 771, An act regulating mobile home lot rentals; prescribing penalties.

Sincerely,
Wendell R. Anderson, Governor.

May 19, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 54, An act relating to courts, procedure and penalties in petty misdemeanor and traffic violation cases; amending Minnesota Statutes 1971, Sections 169.121, Subdivision 1; 169.89, Subdivision 1; 171.01, Subdivision 13; 171.16, Subdivisions 1 and 3; 484.63; 488.20; and 488A.18, Subdivision 12.

S. F. No. 122, An act relating to public records; accessibility for research; amending Minnesota Statutes 1971, Section 15.17, Subdivision 4.

S. F. No. 507, An act relating to water pollution; pollution control agency; providing financial assistance to municipalities for the construction of waste disposal systems; amending Minnesota Statutes 1971, Sections 116.16, Subdivisions 2, 3, 4, 6, 7 and 9; 116.17, Subdivision 5; 116.18, Subdivisions 1 and 2; repealing Minnesota Statutes 1971, Sections 116.15; 116.18, Subdivision 3, and cancelling an appropriation.

S. F. No. 650, An act relating to the village of Bayport; authorizing the sale of certain state owned lands in Washington County which are no longer needed for state purposes.

S. F. No. 794, An act relating to alcoholic beverages; places where possession prohibited; providing a penalty; amending Minnesota Statutes 1971, Section 624.701.

S. F. No. 900, An act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over disposal systems; providing penalties; amending Minnesota Statutes 1971, Sections 115.01, Subdivisions 1, 2, 4, 5, and 10, and by adding subdivisions; 115.03, Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivisions 3; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.05, Subdivision 1; 116.075; 116.11; repealing Minnesota Statutes 1971, Sections 115.05, Subdivision 2; 115.07, Subdivisions 2, 4, and 6; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.47; 115.81; 116.08; 116.30 and 116.31.

S. F. No. 942, An act relating to counties, authorizing county boards to annually appropriate money as a contingent fund for use by the members of the board for incidental costs and expenses.

S. F. No. 1087, An act relating to health care coverage provided by nonprofit health service plan corporations and accident and health insurance companies; providing that references in a policy to "physicians" shall include dentists performing consultation or surgical procedure.

S. F. No. 1095, An act relating to the regulation of barbers in the state of Minnesota; amending Minnesota Statutes 1971, Sections 154.03; 154.16; 154.18; and 154.22.

S. F. No. 1147, An act relating to motor vehicles; registration and taxation; providing charges for filing applications; amending Minnesota Statutes 1971, Section 168.33, by adding a subdivision.

S. F. No. 1156, An act relating to the interpretation of Minnesota Statutes, definitions; defining "public member" amending Minnesota Statutes 1971, Section 645.44, by adding a subdivision.

S. F. No. 1160, An act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money.

S. F. No. 1165, An act relating to real property; abolishing tax judgment sales and county auditor's certificates; amending Minnesota Statutes 1971, Chapter 280, by adding a section.

S. F. No. 1242, An act relating to insurance; requiring employers and insurers to continue group accident and health policy benefits to disabled employees.

S. F. No. 1316, An act relating to insurance; providing continuing group accident and health coverage for survivors of a deceased employee.

S. F. No. 1317, 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.

S. F. No. 1341, An act relating to local improvements; special

assessments for certain services, including alley maintenance; amending Minnesota Statutes 1971, Section 429.101, Subdivision 1.

S. F. No. 1560, An act relating to the village of Edina; authorizing issuance of Sunday on-sale intoxicating liquor licenses to two country clubs.

S. F. No. 1666, An act authorizing the county of St. Louis to borrow money from agencies of the United States for certain purposes.

S. F. No. 1803, An act relating to insurance; providing for assignment of interests of certificate holders under group life insurance policies; amending Minnesota Statutes 1971, Section 61A.09.

S. F. No. 1835, An act relating to trust companies; permitting the purchase and investment by such companies in certain farm loan bonds; amending Minnesota Statutes 1971, Section 48.67.

S. F. No. 1943, An act relating to unemployment compensation; limiting the contribution required of any employing unit or units controlled by the same interests as to any employee; amending Minnesota Statutes 1971, Section 268.04, Subdivision 10.

S. F. No. 1954, An act relating to the city of St. Cloud; providing for the continuance of a retirement program for police officers employed by the city.

S. F. No. 2157, An act relating to the county state-aid highway system; payment of contract price; amending Minnesota Statutes 1971, Section 162.04.

S. F. No. 2221, An act relating to state parks, authorizing additional lands to be included within the boundaries of Afton state park.

S. F. No. 2232, An act relating to state employees; deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, Subdivision 8.

Sincerely,
Wendell R. Anderson, Governor.

The Honorable Alec G. Olson
President of the Senate

May 19, 1973

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 60, An act relating to motor vehicles; regulating the type and use of tires on vehicles using the highways; providing for a study of the effect of the use of wire embedded tires on highways; empowering the commissioner of highways to authorize the use of such tires under certain conditions; amending Minnesota Statutes 1971, Section 169.72, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 169.72, Subdivision 2.

S. F. No. 225, An act relating to water resources; providing for the regulation of shoreland use and development in municipalities; prescribing the powers and duties of municipalities and state agencies in relation thereto; amending Minnesota Statutes 1971, Sections 105.485, Subdivisions 2 and 3, and by adding subdivisions; and 462.357, Subdivision 1.

S. F. No. 410, An act relating to public welfare, abolishing the town system of poor relief and placing responsibility for poor relief in the county; fixing responsibility for welfare in the counties; providing a penalty; amending Minnesota Statutes 1971, Sections 245.77; 261.01; 261.03; 261.04, Subdivision 1; 261.063, 261.07, Subdivision 1; 261.08; 261.10; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; and 393.07, Subdivision 2, 393.08, Subdivision 1; repealing Minnesota Statutes 1971, Sections 261.02; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.14; 261.141; 261.142; 261.143; and 393.08, Subdivision 2.

S. F. No. 475, An act relating to commercial fertilizers and soil conditioners; imposing penalties; amending Minnesota Statutes 1971, Section 17.718, Subdivision 1.

S. F. No. 17, An act abolishing the commission on taxation and production of iron ore and other minerals; repealing Minnesota Statutes 1971, Section 3.923.

S. F. No. 496, An act relating to the city of Gilbert: placing new police officers of the city of Gilbert under the public employees retirement association.

S. F. No. 523, An act relating to hearing aids; permitting sales only upon the recommendation of persons licensed to practice medicine; providing a penalty.

S. F. No. 551, An act relating to highway traffic regulations; school bus equipment; use of equipment; color; amending Minnesota Statutes 1971, Section 169.44, Subdivisions 1, 2, 6, 7, 8, and by adding subdivisions.

S. F. No. 578, An act relating to group insurance for certain retired public officers and employees and their dependents; amending Minnesota Statutes 1971, Section 471.61, Subdivision 2a.

S. F. No. 697, An act relating to education; textbooks; license to sell; failure to conform to agreement; failure to obtain a license; prescribing penalties; amending Minnesota Statutes 1971, sections 126.16; and 127.22; repealing Minnesota Statutes 1971, Section 126.17.

S. F. No. 736, An act relating to elections; providing that certain officers in cities of the first class be elected with party designation; amending Minnesota Statutes 1971, Sections 202.09, Subdivision 1; and 205.17.

S. F. No. 753, An act relating to agricultural lands; regulating the ownership of such lands by certain corporations; providing penalties; repealing Minnesota Statutes 1971, Sections 500.22, Subdivisions 3, 4 and 5; and 500.23.

S. F. No. 906, An act relating to disabled persons, enacting the uniform duties to disabled persons act; providing a penalty.

S. F. No. 925, An act relating to the city of Chisholm; placing new employees of the department of public safety under the public employees police and fire fund.

S. F. No. 929, An act relating to natural resources; prescribing a stream maintenance program; setting forth powers and duties of the commissioner of natural resources; amending Minnesota Statutes 1971, Chapter 105, by adding a section.

S. F. No. 1030, An act relating to the attorney general; payment of attorneys' fees for special counsel with respect to The Bush Foundation; appropriating money therefor.

S. F. No. 1037, An act relating to water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; providing for the orderly maintenance, repair or reconstruction of dams serving the public interest; prescribing powers and duties of the commissioner of natural resources; authorizing the commissioner to make grants to local governmental units; amending Minnesota Statutes 1971, Sections 105.37, by adding a subdivision; 105.38; 105.42; 105.52; and Chapter 105, by adding a section.

S. F. No. 1109, An act relating to villages, boroughs, and cities of the fourth class; permitting a tax levy for certain purposes without requesting a referendum of the electorate; amending Minnesota Statutes 1971, Section 465.56.

S. F. No. 1128, An act relating to the policeman's relief association in the city of Red Wing; membership in the public employees police and fire fund.

S. F. No. 1141, An act relating to the Hennepin county municipal court; increasing the number of judges; amending Minnesota Statutes 1971, Section 488A.021, Subdivision 1.

S. F. No. 1155, An act relating to public welfare; imposing penalties in connection with public assistance wrongfully obtained; amending Minnesota Statutes 1971, Section 256.98.

S. F. No. 1222, An act relating to education; redesignating all state junior colleges as community colleges and the state junior college board as the state board for community colleges; amending Minnesota Statutes 1971, Chapter 136, by adding a section.

S. F. No. 1233, An act relating to veterans; regulating the appointment, term and compensation of veterans service officers; amending Minnesota Statutes 1971, Section 197.60, Subdivisions 1, 2 and 3.

S. F. No. 1278, An act relating to the city of Red Wing, exempting the cost of principal and interest on bonded indebtedness of the city from certain levy limitations.

S. F. No. 1332, An act relating to flood plain management; amending Minnesota Statutes 1971, Sections 104.01, by adding a subdivision; 104.03, Subdivision 1, and by adding a subdivision;

104.04, Subdivision 3, and by adding subdivisions; and Chapter 104, by adding a section.

S. F. No. 1353, An act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

S. F. No. 1376, An act relating to highway traffic regulations; axle weights and gross vehicle weights on pneumatic-tired vehicles or combination of vehicles used in the hauling of raw and unfinished forest products in the winter time; amending Minnesota Statutes 1971, Section 169.83, Subdivisions 1, 2 and 3.

S. F. No. 1388, An act relating to taxation; assessment of low income real property; amending Minnesota Statutes 1971, Section 273.13, Subdivisions 17 and 17b.

S. F. No. 1498, An act relating to the state board of health; defining its functions; amending Minnesota Statutes 1971, Sections 144.03; and 144.05.

S. F. No. 1655, An act relating to highway traffic regulation; prescribing weight limitations of a compactor collection vehicle transporting solid waste; amending Minnesota Statutes 1971, Section 169.831.

S. F. No. 1708, An act relating to the firemen's relief association in the city of Red Wing; membership in the public employees fire fund; repealing Laws 1953, Chapter 348, Sections 12, 17, and 20; Laws 1957, Chapter 10; Laws 1961, Chapter 300, Sections 2, 3, and 4; and Laws 1965, Chapter 604.

S. F. No. 1724, An act relating to election matters; authorizing political party organization in legislative districts; amending Minnesota Statutes 1971, Sections 202.21; 202.22, Subdivisions 2 and 3, 202.25, and 202.26, Subdivision 4.

S. F. No. 1731, An act relating to courts, establishing salary for court reporters in fourth judicial district; amending Laws 1969, Chapter 568, Section 1, Subdivision 1, as amended; and Minnesota Statutes 1971, Section 486.06, as amended.

S. F. No. 1781, An act relating to the Hennepin county municipal court and the city of Saint Paul municipal court; amending Minnesota Statutes 1971, Section 488A.01, Subdivision 6; and 488A.18, Subdivision 7.

S. F. No. 1782, An act relating to the county of McLeod; tax levy for road and bridge purposes.

S. F. No. 1836, An act relating to insurance; prescribing time within which suit for recovery of claim under hail insurance policy must be commenced; amending Minnesota Statutes 1971, Section 65A.26.

S. F. No. 1930, An act relating to municipal housing and redevelopment authorities; rehabilitation loans and grants; amend-

ing Minnesota Statutes 1971, Sections 462.445 by adding a subdivision; and 462.581.

S. F. No. 1993, An act relating to the department of education, division of vocational rehabilitation; providing for the purchase of cattle; and appropriating money.

S. F. No. 1994, An act relating to Independent School District No. 306; exempting the district from certain building requirements.

S. F. No. 2125, An act relating to transportation; motor vehicle carriers; defining exempt carrier; amending Minnesota Statutes 1971, Section 221.011, Subdivision 22.

S. F. No. 2148, An act relating to Independent School District No. 625; amending Laws 1969, Chapter 911, Section 2, as amended.

S. F. No. 2230, An act relating to the application of the state mobile homes building code; amending Minnesota Statutes 1971, section 327.31, Subdivision 6.

S. F. No. 2233, An act relating to tax-forfeited lands; imposing limitations on the sale of tax-forfeited land which borders on or is adjacent to certain waters; and on the timber growing on such land; amending Minnesota Statutes 1971, Chapter 282, by adding a section.

S. F. No. 2317, An act relating to Independent School District No. 709, St. Louis county; the payment of the net salary or wages of the employees; authorizing the "direct deposit" of said sums in a bank account in the name of the individual employee of the school district.

S. F. No. 2320, 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 under certain conditions; authorizing the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

Sincerely,
Wendell R. Anderson, Governor.

May 19, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 695, An act relating to savings banks; investments, loans and powers; amending Minnesota Statutes 1971, Section 50.14, Subdivision 5; and Chapter 50, by adding sections.

Sincerely,
Wendell R. Anderson, Governor.

The Honorable Martin O. Sabo,
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
103		Chapter 249	May 16, 1973	May 16, 1973
147		Chapter 250	May 16, 1973	May 16, 1973
170		Chapter 251	May 16, 1973	May 16, 1973
181		Chapter 252	May 16, 1973	May 16, 1973
641		Chapter 253	May 16, 1973	May 16, 1973
662		Chapter 254	May 16, 1973	May 16, 1973
935		Chapter 255	May 16, 1973	May 16, 1973
1027		Chapter 256	May 16, 1973	May 16, 1973
1042		Chapter 257	May 16, 1973	May 16, 1973
1167		Chapter 258	May 16, 1973	May 16, 1973
1319		Chapter 259	May 16, 1973	May 16, 1973
1343		Chapter 260	May 16, 1973	May 16, 1973
1361		Chapter 261	May 16, 1973	May 16, 1973
1441		Chapter 262	May 16, 1973	May 16, 1973
1678		Chapter 263	May 16, 1973	May 16, 1973
1791		Chapter 264	May 16, 1973	May 16, 1973
1881		Chapter 265	May 16, 1973	May 16, 1973
1940		Chapter 266	May 16, 1973	May 16, 1973
1955		Chapter 267	May 16, 1973	May 16, 1973
2035		Chapter 268	May 16, 1973	May 16, 1973
2189		Chapter 269	May 16, 1973	May 16, 1973
	356	Chapter 270	May 16, 1973	May 16, 1973
	672	Chapter 271	May 16, 1973	May 16, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo,
Speaker of the House of Representatives

The Honorable Alec G. Olson,
President of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	748	Chapter 272	May 16, 1973	May 16, 1973
	843	Chapter 273	May 16, 1973	May 16, 1973
	917	Chapter 274	May 16, 1973	May 16, 1973
	1166	Chapter 275	May 16, 1973	May 16, 1973
	1198	Chapter 276	May 16, 1973	May 16, 1973
	1214	Chapter 277	May 16, 1973	May 16, 1973
	1257	Chapter 278	May 16, 1973	May 16, 1973
	1259	Chapter 279	May 16, 1973	May 16, 1973
	1319	Chapter 280	May 16, 1973	May 16, 1973
	1467	Chapter 281	May 16, 1973	May 16, 1973
	1472	Chapter 282	May 16, 1973	May 16, 1973
	1510	Chapter 283	May 16, 1973	May 16, 1973
	1522	Chapter 284	May 16, 1973	May 16, 1973
	1537	Chapter 285	May 16, 1973	May 16, 1973
	1579	Chapter 286	May 16, 1973	May 16, 1973
	1580	Chapter 287	May 16, 1973	May 16, 1973
	1671	Chapter 288	May 16, 1973	May 16, 1973
	1711	Chapter 289	May 16, 1973	May 16, 1973
	1727	Chapter 290	May 16, 1973	May 16, 1973
	1841	Chapter 291	May 16, 1973	May 16, 1973
	1873	Chapter 292	May 16, 1973	May 16, 1973
	1932	Chapter 293	May 16, 1973	May 16, 1973
	2365	Chapter 294	May 16, 1973	May 16, 1973

Sincerely,
Arlen Erdahl, Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
771		Chapter 295	May 18, 1973	May 18, 1973
	11	Chapter 296	May 18, 1973	May 18, 1973
	190	Chapter 297	May 18, 1973	May 18, 1973
	225	Chapter 298	May 18, 1973	May 18, 1973
	240	Chapter 299	May 18, 1973	May 18, 1973
	399	Chapter 300	May 18, 1973	May 18, 1973
	400	Chapter 301	May 18, 1973	May 18, 1973
	474	Chapter 302	May 18, 1973	May 18, 1973
	532	Chapter 303	May 18, 1973	May 18, 1973
	535	Chapter 304	May 18, 1973	May 18, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	632	Chapter 305	May 18, 1973	May 18, 1973
	759	Chapter 306	May 18, 1973	May 18, 1973
	794	Chapter 307	May 18, 1973	May 18, 1973
	813	Chapter 308	May 18, 1973	May 18, 1973
	890	Chapter 309	May 18, 1973	May 18, 1973
	945	Chapter 310	May 18, 1973	May 18, 1973
	964	Chapter 311	May 18, 1973	May 18, 1973
	1031	Chapter 312	May 18, 1973	May 18, 1973
	1121	Chapter 313	May 18, 1973	May 18, 1973
	1190	Chapter 314	May 18, 1973	May 18, 1973
	1465	Chapter 315	May 18, 1973	May 18, 1973
	1568	Chapter 316	May 18, 1973	May 18, 1973
	1591	Chapter 317	May 18, 1973	May 18, 1973

Sincerely,
Arlen Erdahl, Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	1666	Chapter 318	May 18, 1973	May 18, 1973
	1681	Chapter 319	May 18, 1973	May 18, 1973
	1706	Chapter 320	May 18, 1973	May 18, 1973
	1709	Chapter 321	May 18, 1973	May 18, 1973
	1718	Chapter 322	May 18, 1973	May 18, 1973
	1949	Chapter 323	May 18, 1973	May 18, 1973
	1959	Chapter 324	May 18, 1973	May 18, 1973
	1960	Chapter 325	May 18, 1973	May 18, 1973
	1968	Chapter 326	May 18, 1973	May 18, 1973
	1969	Chapter 327	May 18, 1973	May 18, 1973
	2206	Chapter 328	May 18, 1973	May 18, 1973
	2132	Chapter 329	May 18, 1973	May 18, 1973
	2178	Chapter 330	May 18, 1973	May 18, 1973
	2180	Chapter 331	May 18, 1973	May 18, 1973
	2208	Chapter 332	May 18, 1973	May 18, 1973
	2241	Chapter 333	May 18, 1973	May 18, 1973
	2246	Chapter 334	May 18, 1973	May 18, 1973
	2351	Chapter 335	May 18, 1973	May 18, 1973
	2352	Chapter 336	May 18, 1973	May 18, 1973
1341		Chapter 337	May 19, 1973	May 19, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
1317		Chapter 338	May 19, 1973	May 19, 1973
1316		Chapter 339	May 19, 1973	May 19, 1973
1242		Chapter 340	May 19, 1973	May 19, 1973
1165		Chapter 341	May 19, 1973	May 19, 1973

Sincerely,
Arlen Erdahl, Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
1160		Chapter 342	May 19, 1973	May 19, 1973
1156		Chapter 343	May 19, 1973	May 19, 1973
1037		Chapter 344	May 19, 1973	May 19, 1973
1109		Chapter 345	May 19, 1973	May 19, 1973
1128		Chapter 346	May 19, 1973	May 19, 1973
1141		Chapter 347	May 19, 1973	May 19, 1973
1155		Chapter 348	May 19, 1973	May 19, 1973
1222		Chapter 349	May 19, 1973	May 19, 1973
1233		Chapter 350	May 19, 1973	May 19, 1973
1332		Chapter 351	May 19, 1973	May 19, 1973
1278		Chapter 352	May 19, 1973	May 19, 1973
1376		Chapter 353	May 19, 1973	May 19, 1973
1353		Chapter 354	May 19, 1973	May 19, 1973
1388		Chapter 355	May 19, 1973	May 19, 1973
1498		Chapter 356	May 19, 1973	May 19, 1973
1655		Chapter 357	May 19, 1973	May 19, 1973
1724		Chapter 358	May 19, 1973	May 19, 1973
1708		Chapter 359	May 19, 1973	May 19, 1973
1781		Chapter 360	May 19, 1973	May 19, 1973
1731		Chapter 361	May 19, 1973	May 19, 1973
1782		Chapter 362	May 19, 1973	May 19, 1973
1836		Chapter 363	May 19, 1973	May 19, 1973
1930		Chapter 364	May 19, 1973	May 19, 1973
1993		Chapter 365	May 19, 1973	May 19, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
1994		Chapter 366	May 19, 1973	May 19, 1973
2125		Chapter 367	May 19, 1973	May 19, 1973
2148		Chapter 368	May 19, 1973	May 19, 1973
2233		Chapter 369	May 19, 1973	May 19, 1973
2230		Chapter 370	May 19, 1973	May 19, 1973
2317		Chapter 371	May 19, 1973	May 19, 1973
2320		Chapter 372	May 19, 1973	May 19, 1973
942		Chapter 373	May 19, 1973	May 19, 1973
900		Chapter 374	May 19, 1973	May 19, 1973
1147		Chapter 375	May 19, 1973	May 19, 1973
1095		Chapter 376	May 19, 1973	May 19, 1973
17		Chapter 377	May 19, 1973	May 19, 1973
60		Chapter 378	May 19, 1973	May 19, 1973
225		Chapter 379	May 19, 1973	May 19, 1973
410		Chapter 380	May 19, 1973	May 19, 1973
475		Chapter 381	May 19, 1973	May 19, 1973
496		Chapter 382	May 19, 1973	May 19, 1973
523		Chapter 383	May 19, 1973	May 19, 1973
551		Chapter 384	May 19, 1973	May 19, 1973
578		Chapter 385	May 19, 1973	May 19, 1973
697		Chapter 386	May 19, 1973	May 19, 1973
736		Chapter 387	May 19, 1973	May 19, 1973
	1200	Chapter 388	May 19, 1973	May 19, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	2173	Chapter 389	May 19, 1973	May 19, 1973
	2166	Chapter 390	May 19, 1973	May 19, 1973
	2072	Chapter 391	May 19, 1973	May 19, 1973
	1903	Chapter 392	May 19, 1973	May 19, 1973
	1704	Chapter 393	May 19, 1973	May 19, 1973
	1729	Chapter 394	May 19, 1973	May 19, 1973
	1557	Chapter 395	May 19, 1973	May 19, 1973
	1556	Chapter 396	May 19, 1973	May 19, 1973
	1551	Chapter 397	May 19, 1973	May 19, 1973
	1515	Chapter 398	May 19, 1973	May 19, 1973
	1483	Chapter 399	May 19, 1973	May 19, 1973
	1217	Chapter 400	May 19, 1973	May 19, 1973
	1103	Chapter 401	May 19, 1973	May 19, 1973
	906	Chapter 402	May 19, 1973	May 19, 1973
	904	Chapter 403	May 19, 1973	May 19, 1973
	833	Chapter 404	May 19, 1973	May 19, 1973
	704	Chapter 405	May 19, 1973	May 19, 1973
	248	Chapter 406	May 19, 1973	May 19, 1973
	346	Chapter 407	May 19, 1973	May 19, 1973
	368	Chapter 408	May 19, 1973	May 19, 1973
	443	Chapter 409	May 19, 1973	May 19, 1973
	600	Chapter 410	May 19, 1973	May 19, 1973
	703	Chapter 411	May 19, 1973	May 19, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	1001	Chapter 412	May 19, 1973	May 19, 1973
	873	Chapter 413	May 19, 1973	May 19, 1973
	347	Chapter 414	May 19, 1973	May 19, 1973
	189	Chapter 415	May 19, 1973	May 19, 1973
	2240	Chapter 416	May 19, 1973	May 19, 1973
	1853	Chapter 417	May 19, 1973	May 19, 1973
	1948	Chapter 418	May 19, 1973	May 19, 1973
	1750	Chapter 419	May 19, 1973	May 19, 1973
	1767	Chapter 420	May 19, 1973	May 19, 1973

Cont. of Laws 1973				
S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	54	Chapter 421	May 19, 1973	May 19, 1973
	122	Chapter 422	May 19, 1973	May 19, 1973
	507	Chapter 423	May 19, 1973	May 19, 1973
	650	Chapter 424	May 19, 1973	May 19, 1973
	794	Chapter 425	May 19, 1973	May 19, 1973
	695	Chapter 426	May 19, 1973	May 19, 1973
	753	Chapter 427	May 19, 1973	May 19, 1973
	906	Chapter 428	May 19, 1973	May 19, 1973
	1030	Chapter 429	May 19, 1973	May 19, 1973
	1087	Chapter 430	May 19, 1973	May 19, 1973
	1943	Chapter 431	May 19, 1973	May 19, 1973
	1954	Chapter 432	May 19, 1973	May 19, 1973
	925	Chapter 433	May 19, 1973	May 19, 1973
	929	Chapter 434	May 19, 1973	May 19, 1973

Sincerely,
Arlen Erdahl, Secretary of State

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
2232		Chapter 435	May 19, 1973	May 19, 1973
2221		Chapter 436	May 19, 1973	May 19, 1973
2157		Chapter 437	May 19, 1973	May 19, 1973
1835		Chapter 438	May 19, 1973	May 19, 1973
1803		Chapter 439	May 19, 1973	May 19, 1973
1666		Chapter 440	May 19, 1973	May 19, 1973
1560		Chapter 441	May 19, 1973	May 19, 1973

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Messrs. Dunn and Arnold introduced—

S. F. No. 2517: A bill for an act relating to game and fish; prohibiting use of lead shot in taking waterfowl; amending Minnesota Statutes 1971, Section 100.29, by adding a subdivision.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Thorup and Keefe, J. introduced—

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.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Thorup, Laufenburger and Krieger introduced—

S. F. No. 2519: A bill for an act relating to courts; providing that salaries of clerks of district court be set by the court; amending Minnesota Statutes 1971, Section 485.018, Subdivisions 2 and 6; repealing Minnesota Statutes 1971, Section 485.018, Subdivisions 1, 3, 4, 7 and 8.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Perpich, A. J. introduced—

S. F. No. 2520: A bill for an act relating to taxation; authorizing the imposition of selective excise, sales, or earnings taxes or fees by counties, cities, villages, boroughs, and towns; amending Minnesota Statutes 1971, Section 477A.01, Subdivision 18.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Laufenburger introduced—

S. F. No. 2521: A bill for an act relating to taxation; providing for the levy and collection of local wheelage taxes upon motor vehicles for highway purposes; repealing Minnesota Statutes 1971, Sections 163.051; and 426.05.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Hansen, Baldy introduced—

S. F. No. 2522: 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.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 2523: A bill for an act relating to public welfare; reducing the maximum age for receipt of aid to families with dependent children; amending Minnesota Statutes 1971, Section 256.12, Subdivision 14.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Berg, Wegener and Olson, H. D. introduced—

S. F. No. 2524: A bill for an act relating to rural regional development; providing for plans and studies on the problems of rural areas; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 733, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 733: A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18, repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

Senate File No. 733 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 910, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

Senate File No. 910 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1182, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1182: A bill for an act relating to county government, providing for county license bureaus.

Senate File No. 1182 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 462, 568 and 1445.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 2056.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2338: A bill for an act relating to the appropriations by the county of Ramsey for the plans and designs of an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Senate File No. 2338 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. O'Neill moved that the Senate do now concur in the amendments by the House to S. F. No. 2338 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 2338: A bill for an act relating to public welfare; permitting Ramsey county and the city of St. Paul to incur certain debt and impose taxes to discharge it for public hospital and social service programs.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Hansen, Baldy	Kirchner	Moe
Arnold	Chmielewski	Hansen, Mel	Kleinbaum	Nelson
Ashbach	Conzemius	Hanson, R.	Knutson	North
Berg	Davies	Humphrey	Larson	Novak
Bernhagen	Doty	Jensen	Lord	Ogdahl
Blatz	Dunn	Josefson	McCutcheon	Olhoft
Borden	Fitzsimons	Keefe, J.	Milton	Olson, A. G.

Olson, H. D.	Perpich, A. J.	Schrom	Stokow ki	Willet
Olson, J. L.	Pillsbury	Solon	Tennessee	
O'Neill	Furfeerst	Spear	Thorup	
Patton	Renneke	Stassen	Ueland	

Mr. Perpich, G. voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1742: A bill for an act relating to the credentialing of allied health manpower under the state board of health; appropriating money.

Senate File No. 1742 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate do now concur in the amendments by the House to S. F. No. 1742 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1742 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Ogdahl	Renneke
Arnold	Davies	Kirchner	Olhofft	Schrom
Ashbach	Doty	Kleinbaum	Olson, A. G.	Solon
Bang	Dunn	Larson	Olson, H. D.	Spear
Berg	Fitzsimons	Lord	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	McCutcheon	O'Neill	Stokowski
Blatz	Hansen, Mel	Milton	Patton	Tennessee
Borden	Hanson, R.	Moe	Perpich, A. J.	Thorup
Brown	Humphrey	Nelson	Perpich, G.	Ueland
Chenoweth	Jensen	North	Pillsbury	Willet
Chmielewski	Josefson	Novak	Purfeerst	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 430: A bill for an act relating to education; school districts; permitting increased annual compensation and extended transportation reimbursement to local school board members; amending Minnesota Statutes 1971, Section 123.33, Subdivision 12.

Senate File No. 430 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate do now concur in the amendments by the House to S. F. No. 430 and that the bill be placed on its repassage as amended.

Mr. Nelson moved that the Senate do not concur in the amendments by the House to S. F. No. 430 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House.

The question being taken on adoption of the motion of Mr. Nelson,

And the roll being called, there were yeas 18 and nays 40, as follows:

Those who voted in the affirmative were:

Bang	Brown	Hanson, R.	Larson	Renneke
Berg	Dunn	Josefson	Nelson	Stassen
Bernhagen	Frederick	Knutson	Patton	
Blatz	Hansen, Mel	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Fitzsimons	Laufenburger	Ogdahl	Schnom
Arnold	Gearty	Lewis	Olhoft	Solon
Borden	Hansen, Baldy	Lord	Olson, A. G.	Spear
Chenoweth	Humphrey	McCutcheon	O'Neill	Stokowski
Chmielewski	Keefe, J.	Milton	Perpich, A. J.	Tennessee
Coleman	Keefe, S.	Moe	Perpich, G.	Thorup
Davies	Kirchner	North	Purfeerst	Wegener
Doty	Kleinbaum	Novak	Schaaf	Willett

Which motion did not prevail.

The question recurred on the adoption of the motion of Mr. Moe. Which motion prevailed.

S. F. No. 430: A bill for an act relating to education; school districts; compensation and transportation reimbursement to local school board members; amending Minnesota Statutes 1971, Section 123.33, Subdivision 12.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 52 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olhoft	Spear
Arnold	Fitzsimons	Krieger	Olson, A. G.	Stassen
Ashbach	Gearty	Laufenburger	Olson, J. L.	Stokowski
Bang	Hansen, Baldy	Lewis	O'Neill	Tennessen
Blatz	Hanson, R.	Lord	Patton	Thorup
Borden	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Jensen	Milton	Perpich, G.	Wegener
Chmielewski	Keefe, J.	Moe	Purfeerst	Willet
Coleman	Keefe, S.	North	Renneke	
Conzemius	Kirchner	Novak	Schaaf	
Davies	Kleinbaum	Ogdahl	Solon	

Those who voted in the negative were:

Berg	Dunn	Josefson	Larson	Pillsbury
Bernhagen	Frederick	Kowalczyk	Nelson	
Brown	Hansen, Mel			

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1091: A bill for an act relating to health; authorizing the commissioner of public welfare to make grants to aid in the purchase, construction or remodeling of community residential facilities for the mentally retarded and cerebral palsied; directing the commissioner of public welfare to establish an advisory board on community residential facilities for the mentally retarded and cerebral palsied; appropriating money.

Senate File No. 1091 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate do now concur in the amendments by the House to S. F. No. 1091 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1091 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Renneke
Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Fitzsimons	Knutson	Ogdahl	Schrom
Bang	Frederick	Kowalczyk	Olhoff	Solon
Berg	Gearty	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Laufenburger	Olson, J. I.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Brown	Humphrey	Lord	Patton	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Ueland
Coleman	Jossfson	Milton	Perpich, G.	Wegener
Conzemius	Keefe, J.	Moe	Pillsbury	Willet
Davies	Keefe, S.	Nelson	Purfeerst	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1480: A bill for an act relating to meetings of state agencies and of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705; repealing Minnesota Statutes 1971, Section 10.41.

Senate File No. 1480 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. Humphrey moved that the Senate do now concur in the amendments by the House to S. F. No. 1480 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1480 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Chmielewski	Doty	Hansen, Baldy
Arnold	Borden	Coleman	Dunn	Hansen, Mel
Bang	Brown	Conzemius	Fitzsimons	Hanson, R.
Berg	Chenoweth	Davies	Gearty	Humphrey

Jensen	Krieger	North	O'Neill	Spear
Keefe, J.	Larson	Novak	Perpich, A. J.	Stassen
Keefe, S.	Laufenburger	Ogdahl	Perpich, G.	Stokowski
Kirchner	Lewis	Olhoff	Pillsbury	Tennessen
Kleinbaum	Lord	Olson, A. G.	Purfeerst	Thorup
Knutson	Moe	Olson, H. D.	Schaaf	Wegener
Kowalczyk	Nelson	Olson, J. L.	Solon	Willet

Messrs. Bernhagen, Josefson, Renneke and Ueland voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 1996.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2056: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; appropriating money; amending Minnesota Statutes 1971, Section 297.03, Subdivision 6.

Which was read the first time and referred to the Committee on Rules and Administration.

H. F. No. 1996: A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

Which was read the first time.

SUSPENSION OF RULES

Mr. Chenoweth moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 1996 and that the rules of the Senate be so far suspended as to give H. F. No. 1996 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 1996 was read the second time.

H. F. No. 1996: A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the

board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Purfeerst
Arnold	Doty	Keefe, S.	North	Renneke
Ashbach	Dunn	Kirchner	Novak	Schaaf
Bang	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhofs	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Borden	Hansen, Mel	Larson	Olson, J. L.	Stassen
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Hughes	Lewis	Patton	Tennessen
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzernius	Josefson	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1557: A bill for an act relating to education; establishing a work-study program for post-secondary education students; appropriating money therefor.

Senate File No. 1557 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

CONCURRENCE AND REPASSAGE

Mr. Hughes moved that the Senate do now concur in the amendments by the House to S. F. No. 1557 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1557 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schrom
Arnold	Dunn	Kleinbaum	Olhoft	Sillers
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Kowalczyk	Olson, H. D.	Spear
Berg	Gearty	Krieger	Olson, J. L.	Stassen
Bermhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Laufenburger	Patton	Tennessee
Brown	Hansen, R.	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Moe	Pillsbury	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet
Conzemius	Keefe, J.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1232: A bill for an act relating to education; defining gifted pupil; permitting school districts to provide services for gifted pupils.

Senate File No. 1232 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 18, 1973

Mr. Hughes moved that S. F. No. 1232 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2444 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2444	2358				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2444 be amended as follows:

Page 3, line 17, strike "Grants"

Page 3, delete lines 18 through 20

Page 3, line 24, delete everything after "subdivision 1" and insert a period

Page 3, delete lines 25 through 28

Page 9, delete lines 26 through 28

Page 16, delete lines 16 through 28

Page 17, delete lines 1 through 28

Page 18, delete lines 1 through 10

Renumber sections in sequence

Further, amend the title as follows: In line 20, delete "; amending" and insert a period; delete lines 21 and 22

And when so amended, H. F. No. 2444 will be identical to S. F. No. 2358 and further recommends that H. F. No. 2444 be given its second reading and substituted for S. F. No. 2358 and S. F. No. 2358 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

APPOINTMENTS

Mr. Davies from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2530, pursuant to the request of the House,

Messrs. Arnold; Novak; Olson, J. L; Fitzsimons; Davies.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. North moved that S. F. No. 160 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 160

A bill for an act relating to public health; dating of perishable foods; providing a penalty.

May 17, 1973

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. 160, 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. [DECLARATION OF POLICY.] The legislature recognizes the entire food industry in the nation as leaders in the world in providing wholesome, nutritious, fresh and clean food to its citizens and to others. The Minnesota department of agriculture is hereby authorized and directed to promulgate rules and regulations which provide for a quality assurance date on perishable foods, to assure this industry's continuation and the degree of improvement reasonable and feasible, so as to provide people with wholesome, nutritious, fresh and clean food.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meanings ascribed to them.

Subd. 2. “Commissioner” means the commissioner of agriculture or designee.

Subd. 3. “Perishable food” means any food intended for human consumption (other than meat and poultry, frozen food, or fresh fruit or vegetables), which has a quality assurance date.

Subd. 4. “Quality assurance date” means any date after which the manufacturer or processor reasonably determines that the product may, by spoilage, wiltage, drying or any other foreseeable and normal natural phenomenon, lose its palatability or its desired or nutritive properties. The date shall include the day, month, and if appropriate, the year.

Sec. 3. [REGULATIONS, SCOPE.] Subdivision 1. The commissioner shall administer and enforce the provisions of this act by regulations adopted prior to October 1, 1973 pursuant to the administrative procedures act.

Subd. 2. Perishable foods which bear a quality assurance date of 90 days or less from the date of packaging shall be dated in accordance with the regulations adopted pursuant to this act.

Subd. 3. Perishable foods which bear a quality assurance date of more than 90 days from the date of packaging may require dating in accordance with regulations adopted pursuant to this act.

Subd. 4. Whenever the commissioner has reason to believe that any regulation adopted pursuant to this act is inappropriate or unsuitable to any particular perishable food product or products, the commissioner may, in accordance with the administrative procedures act, waive the application of such regulations as to such product or products.

Sec. 4. [EXPIRATION OF QUALITY ASSURANCE DATE.] Nothing contained in this act or any regulation adopted pursuant hereto shall require the removal from sale of a perishable food product after the expiration of the quality assurance date on the product nor imply that after the expiration of the quality assurance date on the product, the product is not wholesome or safe for human consumption.

Sec. 5. [REGULATIONS OF OTHER STATES AND THE FEDERAL GOVERNMENT.] If any other state, or the federal government, adopts an open dating statute or regulation which provides for information and enforcement equal to or greater than that of this act, the commissioner may, by regulation, exempt any product from the provisions of this act if it is in compliance with such other statute or regulation.

Sec. 6. [LOCAL ORDINANCES PRE-EMPTED.] No subordinate unit of government may adopt or enforce any rule or ordinance regarding open dating of perishable foods other than this act.

Sec. 7. [ENFORCEMENT.] In enforcing the provisions of this act, the commissioner may receive complaints and investigate possible violations. The commissioner and his employees shall have reasonable access to all places wherein any item of perishable food regulated pursuant to this act is sold or held or offered for sale, and may take samples of perishable food for analysis. The attorney general, acting for the commissioner, or any municipal or county official responsible for the enforcement of rules or ordinances, may bring an action to restrain violations of this act.

Sec. 8. [PENALTIES.] Any person injured by a violation of this act may bring a civil action and recover damages, together with costs and disbursements.

Sec. 9. [EXEMPTIONS.] Nothing in this act shall apply to any sale exempt from a license by the Minnesota Constitution, Article I, Section 18.

Sec. 10. [EFFECTIVE DATE.] This act shall be effective as to all perishable food manufactured or processed on or after January 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 food; requiring open dating of perishable food; directing the commissioner of agriculture to promulgate rules and regulations governing the dating, handling and labeling of perishable food; providing penalties."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, Stephen Keefe, Howard A. Knutson.

House Conferees: (Signed) Joe Connors, Bruce F. Vento, Robert J. Ferderer.

Mr. North moved that the foregoing recommendations and Conference Committee Report on S. F. No. 160 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 160: A bill for an act relating to public health; dating of perishable foods; providing a penalty.

Was read the third time as amended by the Conference Committee and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Schaaf
Arnold	Dunn	Kirchner	Ogdahl	Schnom
Bang	Fitzsimons	Knutson	Olhoff	Sillers
Berg	Frederick	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Gearty	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Tennesen
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Jensen	Moe	Pillsbury	Willet
Conzemius	Josefson	Nelson	Purfeerst	
Davies	Keefe, J.	North	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 384

S. F. No. 384: A bill for an act relating to nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; establishing certain boards and prescribing their powers and duties; requiring reports of maltreatment of nursing home patients; prescribing penalties; and appropriating money; amending Minnesota Statutes 1971, Sections 144.53; and 609.23; Chapters 144, by adding sections; 154, by adding a section; 256B, by adding sections; and 626, by adding a section.

May 17, 1973

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. 384, 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 the intent of the legislature and the purpose of this act to promote the interests and well being of the patients and residents of health care facilities. It is declared to be the public policy of this state that the interests of the patient be protected by a declaration of a patients bill of rights which shall include but not be limited to the following:*

(1) *Every patient and resident shall have the right to considerate and respectful care;*

(2) *Every patient can reasonably expect to obtain from his physician or the resident physician of the facility complete and current information concerning his diagnosis, treatment and prognosis in terms and language the patient can reasonably be expected to understand. In such cases that it is not medically advisable to give such information to the patient the information may be made available to the appropriate person in his behalf;*

(3) *Every patient and resident shall have the right to know by name and specialty, if any, the physician responsible for coordination of his care;*

(4) *Every patient and resident shall have the right to every consideration of his privacy and individuality as it relates to his social, religious, and psychological well being;*

(5) *Every patient and resident shall have the right to respectfulness and privacy as it relates to his medical care program. Case discussion, consultation, examination, and treatment are confidential and should be conducted discreetly.*

(6) *Every patient and resident shall have the right to expect the facility to make a reasonable response to the requests of the patient;*

(7) *Every patient and resident shall have the right to obtain information as to any relationship of the facility to other health care and related institutions insofar as his care is concerned, and:*

(8) *The patient and resident have the right to expect reasonable continuity of care which shall include but not be limited to what appointment times and physicians are available.*

Sec. 2. [NOTICE TO PATIENT.] *The policy statement contained in section 1 of this act shall be posted conspicuously in a*

public place in all facilities licensed under the provisions of Minnesota Statutes, Sections 144.50 to 144.58. Copies of the policy statement shall be furnished the patient and resident upon admittance to the facility.

Sec. 3. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.541] [HEALTH CARE FACILITIES; REGULATIONS; INSPECTIONS.] *Subdivision 1. [RULES AND REGULATIONS.] The state board of health is the exclusive state agency charged with the responsibility and duty of inspecting all facilities required to be licensed under the provisions of Minnesota Statutes 1971, Sections 144.50 to 144.58. The state board of health shall enforce such rules, regulations and standards subject only to the authority of the department of public safety respecting the enforcement of fire and safety standards in nursing homes and other licensed health care facilities and the responsibility of the commissioner of public welfare pursuant to Minnesota Statutes 1971, Sections 245.78; 252.28; and 257.081 to 257.123.*

Subd. 2. [PERIODIC INSPECTION.] All facilities required to be licensed under the provisions of sections 144.50 to 144.58 shall be periodically inspected by the state board of health to insure compliance with its rules, regulations and standards. The state board of health may enter into agreements with political subdivisions providing for the inspection of such facilities by locally employed inspectors.

Subd. 3. [ENFORCEMENT.] With the exception of the department of public safety which has the exclusive jurisdiction to enforce state fire and safety standards, the state board of health is the exclusive state agency charged with the responsibility and duty of inspecting facilities required to be licensed under the provisions of sections 144.50 to 144.58 and enforcing the rules, regulations and standards prescribed by it.

Subd. 4. [WITHOUT NOTICE.] One or more unannounced inspections of each facility required to be licensed under the provisions of sections 144.50 to 144.58 shall be made annually.

Subd. 5. [CORRECTION ORDERS.] Whenever a duly authorized representative of the state board of health finds upon inspection of a facility required to be licensed under the provisions of sections 144.50 to 144.58 that the licensee of such facility is not in compliance with an applicable regulation promulgated under the administrative procedures act by the state board of health pursuant to section 144.56, a correction order shall be issued to the licensee. The correction order shall state the deficiency, cite the specific regulation violated, and specify the time allowed for correction.

Subd. 6. [REINSPECTIONS; FINES.] If upon reinspection it is found that the licensee of a facility required to be licensed under the provisions of sections 144.50 to 144.58 has not corrected the deficiency or deficiencies specified in the correction order, the licensee shall forfeit to the state within 15 days a sum of up to \$250 for each such deficiency not corrected. For each subsequent reinspection, the licensee may be fined an additional amount for each deficiency which has not been corrected. All forfeitures shall be paid into the state treasury and credited to the general fund.

Subd. 7. [RECOVERY.] Any unpaid forfeitures may be recovered by the attorney general.

Subd. 8. [HEARINGS.] A licensee of a facility required to be licensed under the provisions of sections 144.50 to 144.58 is entitled to a hearing on any correction order issued to him, provided that he makes a written request therefor within 15 days of receipt by him of the correction order. Such request shall operate as a stay during the hearing and review process of the payment of any forfeiture provided for in this section. Upon receipt of the request for a hearing, a hearing officer, who shall not be an employee of the state board of health shall be appointed by the state board of health, and the hearing officer shall promptly schedule a hearing on the matter, giving at least ten days notice of the date, time, and place of such hearing to the licensee. The hearing and review thereof shall be in accordance with the relevant provisions of the administrative procedures act.

Subd. 9. [NONLIMITING.] Nothing in this section shall be construed to limit the powers granted to the state board of health in section 144.55.

Sec. 4. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.542] [EXPERTS MAY BE EMPLOYED.] *The state board of health may employ experts in the field of health care to assist the staffs of facilities required to be licensed under the provisions of sections 144.50 to 144.58 in programming and providing adequate care of the patients and residents of the facility. Alternate methods of care for patients and residents of such facilities shall be researched by the state board of health using the knowledge and experience of experts employed therefor.*

Sec. 5. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.543] [PROGRAM FOR VOLUNTARY MEDICAL AID.] *Licensed physicians may visit a facility required to be licensed under the provisions of sections 144.50 to 144.58 and examine patients and residents thereof under a program which shall be established by the state board of health and regulated and governed by rules and regulations promulgated by the state board of health pursuant to the administrative procedures act. Such rules and regulations shall protect the privacy of patients and residents of facilities. No patient or resident of any facility shall be required to submit to an examination under such program. The state board of health shall consult with medical schools and other experts for the purpose of establishing the program. The state board of health shall encourage the active participation of all licensed physicians on a voluntary basis in such program.*

Sec. 6. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.555] [EMPLOYEES TO BE COMPENSATED.] *All employees of facilities required to be licensed under the provisions of sections 144.50 to 144.58 participating in orientation programs or in inservice training provided by the facility shall be compensated*

therefor at their regular rate of pay, provided, however, that this section will be effective only to the extent that facilities are reimbursed for such compensation by the commissioner of public welfare in the proportion of welfare to total residents and patients in the facility.

Sec. 7. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.556] [VOLUNTEER EFFORTS ENCOURAGED.] *The state board of health, through the dissemination of information to appropriate organizations, shall encourage citizens to promote improved care in facilities required to be licensed under the provisions of sections 144.50 to 144.58 throughout the state.*

Sec. 8. Minnesota Statutes 1971, Chapter 256B, is amended by adding a section to read:

[256B.30] [HEALTH CARE FACILITY REPORT.] *Every facility required to be licensed under the provisions of sections 144.50 to 144.58 shall provide annually to the commissioner of public welfare such reports as may be required under law and under regulations adopted by the commissioner of public welfare under the administrative procedures act. Such regulations shall provide for the submission of a full and complete financial report of a facility's operations including:*

- (1) An annual statement of income and expenditures;*
- (2) A complete statement of fees and charges;*
- (3) The names of all persons other than mortgage companies owning any interest in the facility including stockholders with an ownership interest of ten percent or more of the facility.*

The financial reports and supporting data of the facility shall be available for inspection and audit by the commissioner of public welfare.

Sec. 9. Minnesota Statutes 1971, Chapter 609, is amended by adding a section to read:

[609.23] [MISTREATMENT OF RESIDENTS OR PATIENTS.] *Whoever, being in charge of or employed in any facility required to be licensed under the provisions of Minnesota Statutes, Sections 144.50 to 144.58 intentionally abuses, ill-treats, or culpably neglects any patient or resident therein to his physical detriment may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.*

Sec. 10. Minnesota Statutes 1971, Chapter 626, is amended by adding a section to read:

[626.555] REPORTING OF MALTREATMENT OF PATIENTS.] *Subdivision 1. [DECLARATION OF PURPOSE.] The purpose of this section is to provide for the protection of persons being cared for in hospitals, nursing homes or other related institutions licensed pursuant to Minnesota Statutes, Sections 144.50 to*

144.58, who have had physical injury inflicted upon them, by other than accidental means, when the injury appears to have been caused as a result of physical abuse or neglect.

Subd. 2. [WHO MAKES REPORT AND TO WHOM MADE.] Whether licensed or not, any physician, surgeon, person authorized to engage in the practice of healing, administrator of a hospital or nursing home, nurse or pharmacist, shall immediately report all cases of physical injury to persons being cared for in hospitals, nursing homes or other related institutions licensed pursuant to Minnesota Statutes, Sections 144.50 to 144.58, inflicted by other than accidental means which come to their attention, when the injury appears to have been caused as a result of physical abuse or neglect. Cases shall be reported to the state board of health.

Subd. 3. [NATURE AND CONTENT OF REPORT.] The report described in subdivision 2 may be made immediately by telephone or other means. The state department of health may require a supplementary written report which shall contain such information as the department shall request.

Subd. 4. [RESPONSIBILITY OF LOCAL POLICE AUTHORITY AND OF THE COUNTY WELFARE AGENCY.] The local police authority and county welfare agency shall cooperate with the state department of health and shall investigate claims of neglect and abuse when requested by the state department of health. The county welfare agency shall offer protective social services in an effort to protect the health and welfare of these persons and to prevent further abuses.

Subd. 5. [IMMUNITY FROM LIABILITY.] Anyone participating in good faith in the making of a report pursuant to this section shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. A participant shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

Subd. 6. [EVIDENCE NOT PRIVILEGED.] The physician patient privilege shall not be a ground for excluding evidence regarding the injuries or the cause thereof, in any judicial proceeding concerning a physical injury to any person protected by this act, which injury appears to have been caused as a result of physical abuse or neglect.

Subd. 7. [RETALIATION PROHIBITED.] No person who directs or exercises any authority in a facility required to be licensed under the provisions of sections 144.50 to 144.58 shall evict, harass, dismiss or retaliate against a patient, resident or employee because he or any member of his family has reported in good faith any violation or suspected violation of laws, ordinances or regulations applying to the facility.

Subd. 8. [PENALTY.] Any person knowingly and willingly violating this section is guilty of a misdemeanor."

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; establishing certain boards and prescribing their powers and duties; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding a section; 256B, by adding sections; 609, by adding a section; and 626, by adding a section."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Harmon T. Ogdahl, B. Robert Lewis, Robert J. Tennessen.

House Conferees: (Signed) Gary W. Flakne, John J. Salchert, James C. Swanson.

Mr. Ogdahl moved that the foregoing recommendations and Conference Committee Report on S. F. No. 384 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 384: A bill for an act relating to nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; establishing certain boards and prescribing their powers and duties; requiring reports of maltreatment of nursing home patients; prescribing penalties; and appropriating money; amending Minnesota Statutes 1971, Sections 144.53; and 609.23; Chapters 144, by adding sections; 154, by adding a section; 256B, by adding sections; and 626, by adding a section.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Tennessen
Brown	Hughes	Lewis	Patton	Thorup
Chemoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Perpich, G.	Wegener
Conzemius	Josephson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 452 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 452

A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

May 17, 1973

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. 452, report that we have agreed upon the items in dispute and recommend as follows: That S. F. No. 452 be amended as follows:

Strike everything after the enacting clause and substitute in lieu thereof the following:

“Section 1. [ST. PAUL, CITY OF; COUNCIL ELECTION; DISTRICTS.] Subdivision 1. The council of the city of St. Paul shall divide the city into four districts equal so far as possible in population at least 60 days prior to the first day for filing for the city elections. In the city general election next following the effective date of this section and thereafter four councilmen who shall be residents of the district shall be elected, one from each district, and three councilmen shall be elected at-large. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which office he is a candidate for specifying the district or specifying one of the three at-large positions. Incumbency shall not be indicated on election ballots. After the 1980 federal census and each federal census every ten years thereafter, the city council shall reapportion as necessary the four council districts provided herein. Except as provided herein the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 2. [ST. PAUL, CITY OF; ALLEY SYSTEM OF ELECTING COUNCIL.] Subdivision 1. Sixty days after this section becomes effective the city council of the city of St. Paul shall desig-

nate each council seat, whether occupied or not, by a separate letter of the alphabet. Each so designated council seat shall be deemed a separate office for the city election of 1974 and thereafter. Any incumbent member of the city council running for election or re-election to the city council shall be a candidate for that office only of which he was an incumbent. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which designated council seat he is a candidate for. The names of the candidates for each council seat shall be rotated on the ballots to avoid any appearance of preference for incumbents. Incumbency shall not be indicated on the ballots. Except as herein provided the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 3. [ST. PAUL, CITY OF; ELECTION DATE; TERM OF OFFICE.] Subdivision 1. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing November 4, 1975, the election of St. Paul city officers and such other officers as are required to be elected at a city election in the city of St. Paul shall be held on the first Tuesday after the first Monday in November of odd-numbered years. A primary election shall be held on a date set by the council which shall be no less than 14 days before the city election day.

Subd. 2. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing with the election of city officers on November 4, 1975, the mayor and each councilman of the city of St. Paul shall hold office for a term of two years commencing on the first business day in January next succeeding their election and until a successor is elected and qualified. Further, notwithstanding any provision of the charter of the city of St. Paul to the contrary, the term of office of the mayor and each councilman elected in 1974 shall begin on the first Tuesday of June of 1974 and end as of the first business day of January, 1976.

Subd. 3. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section

205.20, Subdivision 2, next following the presentation of the petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected.

Subd. 2. [REFERENDUM.] Nothing contained in this section shall prohibit a referendum by petition of the registered voters of the city of St. Paul upon any ordinance adopted hereunder.

Subd. 3. [FEES.] No elected official shall receive any other compensation than that provided for pursuant to this section for the performance of his official duties and such compensation shall include compensation for all services rendered in any office or employment for said city. All fees, moneys or remuneration of whatever kind that accrue to any official in his elected capacity shall be reported to the city council and paid monthly into the treasury of the city.

Subd. 4. [REPEALER.] Laws 1971, Chapter 473, is hereby repealed.

Subd. 5. [EFFECTIVE DATE.] This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters."

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 city of St. Paul; providing for the division of the city into districts for election of the city council; providing for an alley system of electing the city council; changing the election day for election of city officers and changing the term of office of the mayor and councilmen; providing a method for fixing compensation of elected officials; repealing Laws 1971, Chapter 473."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, John C. Chenoweth and William McCutcheon.

House Conferees: (Signed) Bruce F. Vento, Ray W. Faricy and Robert L. Pavlak.

Mr. North moved that the foregoing recommendations and Conference Committee Report on S. F. No. 452 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 452: A bill for an act relating to the city of St. Paul; providing for a change in the election of members of the council.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 53 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Schrom
Arnold	Fitzsimons	Kirchner	Olhoft	Sillers
Bang	Frederick	Kleinbaum	Olson, H. D.	Solon
Berg	Gearty	Krieger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Stokowski
Blatz	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Borden	Hanson, R.	Lord	Perpich, G.	Thorup
Brown	Hughes	McCutcheon	Pillsbury	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Dunn	Kowalczyk	Novak	Olson, A. G.	Stassen
Knutson	Larson	Ogdahl	O'Neill	Ueland

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, S. moved that S. F. No. 1247 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1247

A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

May 17, 1973

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. 1247, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1247 be amended as follows:

Page 6, line 16, after "voter" insert "*or address of residence from which the witness voted if he resides where there was no permanent registration*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Stephen Keefe, Mel Hansen and David D. Schaaf.

House Conferees: (Signed) John D. Tomlinson, John J. Sarna and David Cleary.

Mr. Keefe, S. moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1247 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderzon	Dunn	Keefe, S.	North	Renneke
Arnold	Fitzsimons	Kirchner	Novak	Schaaf
Bang	Frederick	Kleinbaum	Olhoft	Schnom
Berg	Gearty	Krieger	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Spear
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Stassen
Borden	Hanson, R.	Lewis	Patton	Stokowski
Brown	Hughes	Lord	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Milton	Perpich, G.	Thorup
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Ashbach	Knutson	Ogdahl	O'Neill	Sillers
Keefe, J.	Kowalczyk			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1302

A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

May 18, 1973

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. 1302, 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. 1302 be amended as follows:

Page 1, line 14, after "more," and before "may" insert "*and except Cook, Isanti, and Kanabec counties,*"

Page 3, line 5, after "*personnel*" and before "*but*" insert "*other than homemaker-home help aides,*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Winston W. Borden, J. Robert Stassen, John Milton.

House Conferees: (Signed) E. William Quirin, Douglas St. Onge, Wendell O. Erickson.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1302 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoff	Solon
Arnold	Fitzsimons	Knutson	Olson, H. D.	Spear
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bang	Gearty	Larson	O'Neill	Stokowski
Berg	Hansen, Baldy	Laufenburger	Patton	Tennessee
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Blatz	Hanson, R.	Lord	Perpich, G.	Ueland
Borden	Hughes	McCutcheon	Pillsbury	Wegener
Brown	Jensen	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Nevak	Sillers	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1824

A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

May 18, 1973

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. 1824, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments. Further, at page 3, line 4, strike "two" and insert in lieu thereof "five".

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Florian Chmielewski, Roger A. Laufenburger, Carl A. Jensen.

House Conferees: (Signed) A. J. Eckstein, M. J. McCauley, Glen H. Anderson.

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1824 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Novak	Schaaf
Arnold	Frederick	Knutson	Ogdahl	Schrom
Ashbach	Gerty	Kowalczyk	Olhoft	Sillers
Bang	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Berg	Hansen, Mel	Larson	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hughes	Lewis	O'Neill	Tennessee
Borden	Humphrey	Lord	Patton	Thorup
Brown	Jensen	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Josefson	Milton	Perpich, G.	Willet
Conzernius	Keefe, J.	Moe	Pillsbury	
Davies	Keefe, S.	Nelson	Purfeerst	
Dunn	Kirchner	North	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1964

A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution providing for consolidation procedures.

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. 1964, 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. 1964 be amended as follows:

Page 8, line 24, after "board of managers"; insert "*provided, the engineers' preliminary estimate of costs is not over \$125,000 for any project in any calendar year, and that no such resolution shall be used for the establishment of a project, the essential nature and purpose of which is for drainage*"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Winston Borden, John Olson, Roger Moe.

House Conferees: (Signed) William Kelly, Vince Lombardi, Jr., Glen Sherwood.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1964 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution providing for consolidation procedures.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 51 and nays 10, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Lewis	Olson, J. L.	Stassen
Ashbach	Hansen, Mel	Lord	O'Neill	Stokowski
Bang	Hanson, R.	McCutcheon	Patton	Tennessee
Blatz	Hughes	Milton	Perpich, A. J.	Thorup
Borden	Humphrey	Moe	Perpich, G.	Ueland
Chenoweth	Jensen	Nelson	Purfeerst	Wegener
Chmielewski	Keefe, S.	North	Renneke	Willet
Conzemius	Kirchner	Novak	Schaaf	
Davies	Kleinbaum	Ogdahl	Sillers	
Fitzsimons	Larson	Olson, A. G.	Solon	
Gearty	Laufenburger	Olson, H. D.	Spear	

Those who voted in the negative were:

Anderson	Brown	Frederick	Keefe, J.	Kowalczyk
Bernhagen	Dunn	Josefson	Knutson	Pillsbury

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2047

A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

May 18, 1973

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. 2047, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 2047 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 15A.081, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:

Base Salary or Range

Administration, department of commissioner		\$32,500	\$36,000
Deputy commissioner			28,800
state building inspector		18,000	24,000
Aeronautics, department of commissioner		20,100	20,400
Agriculture, department of commissioner		21,000	22,000
deputy commissioner	16,600	20,300	17,600
Alcohol problems, commission on executive director		13,000	
Attorney general, office of attorney general		30,000	36,500
chief deputy attorney general	24,500	28,000	31,500
deputy attorney general	19,100	23,300	27,500
solicitor general	21,300	26,000	28,000
assistant attorney general	12,000	22,500	26,000
Special assistant attorney general	10,000	19,500	12,600
12,600			22,600
Auditor, office of auditor		21,000	26,000
deputy auditor	14,600	17,700	20,800
Civil service, department of director	21,300	26,000	25,700
28,200			
<i>This salary is authorized only until the department of civil service is abolished by other law.</i>			
Commerce, department of commissioner of banks		21,000	22,000
commissioner of insurance		21,000	22,000

commissioner of securities	21,000	22,000	
Corrections, department of commissioner	26,100	28,000	
deputy commissioner	19,400	23,700	22,400
Crime control and prevention, commission on executive director		17,500	
Economic development, depart- ment of commissioner	21,000	22,000	
deputy commissioner	14,000	18,100	17,600
director of finance		13,300	18,000
director of tourism		13,300	17,500
director of publicity and promo- tion		13,300	17,500
director of research		13,300	17,500
director of industrial development area redevelopment administrator		13,300	17,500
Education, department of com- missioner	24,000	29,400	29,800
Employment of handicapped, commission on executive secretary	12,200	14,900	
Finance, department of com- missioner			35,500
deputy commissioner			28,400
Governor, office of governor	35,000		41,000
Health, department of executive officer	24,500	29,900	
commissioner			30,300
Higher education coordinating commission			
executive director	19,200	28,800	26,100
assistant executive director	15,600	23,400	20,900
director of research	13,700	20,600	
director of community services	13,100	19,700	
director of educational resources	12,200	18,300	
budget director	11,500	17,300	
Highways, department of commissioner		31,500	33,600
Human rights, department of commissioner		18,300	20,000
Indian affairs commission ex- ecutive director	15,400	18,900	17,500
Investment, board of executive secretary		29,900	35,000

Iron range resources and rehabilitation commission commissioner	16,000	
Labor and industry, department of commissioner	21,000	26,400
deputy commissioner		21,100
workmen's compensation commissioner	21,000	22,000
workmen's compensation judge	16,100	19,700
director, mediation services		21,000
Lieutenant governor, office of lieutenant governor		30,000
Liquor control, department of commissioner	18,000	19,000
Livestock sanitary board executive officer	16,100	19,700
Manpower services, department of commissioner	25,200	26,400
Minnesota state retirement system executive secretary	14,500	17,700
Municipal commission secretary	12,000	15,800
Natural resources, department of commissioner		26,700
deputy commissioner	20,700	25,300
assistant commissioner, administration	17,500	21,400
assistant commissioner, planning	17,300	21,000
director, division of game and fish	19,100	23,100
director, division of water, soil and minerals	18,300	22,200
director, division of lands and forestry	17,300	21,000
director, division of parks and recreation	17,300	21,000
director, division of enforcement and field service	16,400	20,000
Office of economic opportunity director	18,300	
Peace officers training board executive secretary	15,100	18,500
Personnel, department of commissioner		31,000
deputy commissioner		24,800

(These salaries are authorized only upon the effective date of any law authorizing the creation of a department of personnel.)

Planning agency director	26,300	27,000	
Pollution control agency director	23,200	24,000	
Public examiner, department of public examiner (This salary is authorized only until August 31, 1973.)	23,300	25,100	
Public safety, department of commissioner	26,000		26,900
deputy commissioner	18,700	22,900	21,500
superintendent, crime bureau	18,700	22,900	
director, civil defense	17,000	20,700	
fire marshal	16,400	20,000	
director, drivers license division	16,100	19,500	
director, motor vehicle division	13,100	15,900	
director, motor vehicle services	18,700	22,900	
(The salary for this position is authorized only if the divisions of drivers licenses and of motor vehicles are consolidated and the positions of the two directors of the former divisions are eliminated.)			
chief of highway patrol	18,700	22,900	
Public service, department of commissioner, public service commission director	21,000	22,000	
	21,000	20,700	
Public welfare, department of commissioner	30,300	33,600	
deputy commissioner		26,900	
Secretary of state, office of secretary of state		21,000	25,000
deputy secretary of state	13,200	16,200	17,500
Soil and water conservation commission executive secretary	10,400	12,300	
State college system chancellor	22,200	34,200	32,500
state college president	19,100	20,600	
vice chancellor for academic affairs	18,500	28,000	
vice chancellor for administration	17,600	27,000	
vice chancellor for plans and development	14,100	22,000	
vice chancellor for educational relations	12,300	19,200	
vice president of state college	15,400	24,000	
State junior college system chancellor	19,800	30,200	27,500
state junior college president	15,800	24,200	
assistant to chancellor, planning	15,100	23,000	
assistant to chancellor, fiscal af-			

airs	14,900	22,800	
assistant to chancellor, curriculum and inservice	14,900	22,800	
assistant to chancellor, personnel	14,200	22,000	
assistant to chancellor, student services	11,700	18,000	
assistant to chancellor, plant services	10,400	15,900	
dean of state junior college	15,100	23,000	
Taxation, department of commissioner		28,000	28,900
Teachers retirement association executive secretary and consultant		16,500	23,000
Treasury, state treasurer		21,000	25,000
deputy treasurer	13,300	17,500	17,500
Veterans affairs, department of commissioner		14,700	16,000
Veterans home commandant		18,100	22,100
Water resources board administrative secretary		9,900	12,000

Subd. 2. The appointing authority of any of the positions listed in subdivision 1, for which ranges and no base salaries are provided, shall fix the individual salary within the prescribed range, considering experience and quality of performance of the officer or employee. Appointments to fill vacancies shall not be made above the midpoint of the salary range prescribed for the position unless the compensation review board has been consulted and its concurrence obtained.

Subd. 3. 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.

Subd. 4. The salary of any individual incumbent of any position listed in subdivision 1, for which only a base salary, but no range is listed, may be increased to an aggregate of 25 percent of the base salary under the provisions of section 15A.085.

Sec. 2. Minnesota Statutes 1971, Section 15A.083, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

Chief justice of the supreme court	\$35,000	\$40,000
Associate justice of the supreme court	32,500	36,500
District judge	29,000	32,000

Each district judge shall receive \$1,500 additional annually from each county in his district having a population of 200,000 or more. When any district judge shall preside upon the trial or hearing of any cause outside of his resident district wherein the district judge receives a larger salary he shall receive an additional compensation during the period of such trial or hearing the difference between his fixed compensation and the compensation of the district judge of the district where he has been so engaged, to be paid by the county wherein the trial or hearing was held upon certification of the senior resident district judge thereof.

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] Notwithstanding any other provision of the law, the following salaries shall be paid annually to the enumerated judicial officers:

- (1) Judge of a county court (learned in the law) \$24,000 \$25,000
- Judge of a county court (not learned in the law) 20,000 21,000

These salaries are in effect on the effective date of any law establishing a system of county courts enacted at the 1971 session of the legislature.

- (2) Judge of the county municipal court in Hennepin county \$26,000

This salary is in effect on the effective date of Extra Session Laws 1971, Chapter 32.

(2) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(3) Judges of the county municipal courts, the municipal court of the city of St. Paul, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, Carver and Dakota\$29,000.

(3) (4) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of each position positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	\$18,000	27,500	24,000	30,000
Deputy public defender	14,000	21,000		
Court administrator	18,000	26,500	25,000	32,000
Revisor of statutes	18,000	27,500		32,000
Assistant Deputy revisor of statutes	15,600	23,400	18,000	27,000
Special Assistant to the revisor of statutes	12,000	22,000	15,000	25,000

Law librarian 10,500 15,500

Sec. 3. *The chief justice may temporarily assign for good cause a judge of a county court to another county court district or to a municipal court in a county having a city of the first class. The county court judge so assigned shall be reimbursed by the county court district or the governmental subdivision responsible for the expenses of the municipal court for his reasonable expenses in the amount and in the manner otherwise provided for by law. The county court district shall also be reimbursed by the county court district to which he is temporarily assigned at the rate of \$100 per day for each day the judge is on temporary assignment.*

Each county court judge temporarily assigned shall furnish the chief justice with such reports as he may require concerning the temporary assignment.

Sec. 4. Minnesota Statutes 1971, Section 15A.084, is amended to read:

15A.084 [NO DECREASE IN PRESENT SALARIES.] The salary of any state officer and employee whose salary on July 1, 1971 at the beginning of the first pay period in fiscal year 1973/74, was above the limit set in sections 15A.081 and 15A.083 shall not be decreased, but shall remain at the level as of July 1, 1971 the beginning of the first pay period in fiscal year 1973/74, until a vacancy in the position occurs or until the salary falls below a newly established limit. New appointments shall be made at the fixed base salary or within the salary range prescribed in sections 15A.081 and 15A.083.

Sec. 5. Minnesota Statutes 1971, Section 15A.085, is amended to read:

15A.085 [BOARD MAY LIFT SALARY.] *Subdivision 1. The compensation review board personnel board may raise the upper salary limit for any individual incumbent of a position whose fixed base salary, or whose range midpoint is established in this chapter section 15A.081 to be \$19,500 annually or more. The action may be taken by the compensation review board only if the appointing authority, with the concurrence of the civil service board and the commissioner of administration, has applied for the increase, and the increase is clearly in the best interest of the state of Minnesota. In no case may the increases exceed ten percent of the salary established in this chapter.*

The appointing authority shall furnish the information required by the compensation review board. The compensation review board shall report each individual action taken under the provisions of this section to the house appropriations committee and to the senate finance committee and shall state the reasons for the action, and which has not been provided with a salary range, provided:

(a) The incumbent of such position 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 such 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 any such incumbent by any increment, or more than once, provided that the aggregate of all such increases may not increase the individual salary beyond 25 percent of the base salary established for the position in section 15A.081.

Subd. 4. Any achievement award granted to individuals under the provisions of this section shall remain in effect for 12 months from the date of approval, unless the appointing authority requests, and the board approves, a lesser effective period of time.

Subd. 5. Constitutional officers, the executive secretary of the board of investment, workmens' compensation commissioners and public service commissioners shall be exempted from the provisions of this section and shall not be eligible for any achievement award.

Sec. 6. Minnesota Statutes 1971, Section 15A.031, Subdivision 2, is amended to read:

Subd. 2. The base salary of the head of any state department or agency shall serve as the upper limit of compensation in his organization unless the ~~compensation review~~ personnel board has been consulted and its concurrence obtained. Salaries of medical doctors paid under the provisions of Minnesota Statutes, Section 43.126, shall be exempted from the provisions of this subdivision.

Sec. 7. Minnesota Statutes 1971, Section 15A.101, is amended to read:

15A.101 [DEPARTMENT HEAD EXPENSES.] ~~The chancellor of the state college system and the presidents of the state colleges are authorized to expend annually a sum not to exceed \$3,000.~~ Heads of departments in the executive branch who receive a fixed salary of , or whose range midpoint is , ~~\$21,000~~ \$23,000 annually or more , and constitutional officers , are authorized to expend annually a sum not to exceed ~~\$1,000~~ \$2,000 ; and the heads of all other state departments are authorized to expend a sum not to exceed ~~\$500~~ \$1,000 annually from their supply and expense funds for expenses necessary for the normal performance of their duties for which no other reimbursement is provided. The expenditures are subject to the statutes and rules and regulations of the state governing budgeting, allotment and encumbrance, preaudit, and post audit.

The commissioner of ~~administration~~ finance may promulgate rules and regulations as necessary to assure the proper expenditure of these funds, and to provide for reimbursement.

Sec. 8. *This act is effective the beginning of the first pay period in fiscal year 1973-1974.*"

Further amend the title in line 7 after "Sections" and before "15A.081" by inserting "15A.031, Subdivision 2;"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Edward J. Gearty and Harmon T. Ogdahl.

House Conferees: (Signed) E. W. Quirin, Neil S. Haugerud and Robert C. Bell.

Mr. Gearty moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2047 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

CALL OF THE SENATE

Mr. Gearty imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Knutson	Olhoft	Solon
Arnold	Dunn	Kowalczyk	Olson, A. G.	Spear
Ashbach	Fitzsimons	Krieger	Olson, H. D.	Stassen
Bang	Frederick	Larson	Olson, J. L.	Stokowski
Berg	Gearty	Laufenburger	O'Neill	Tennessee
Bernhagen	Hansen, Baldy	Lewis	Patton	Thorup
Blatz	Hansen, Mel	Lord	Perpich, A. J.	Ueland
Borden	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Brown	Hughes	Milton	Pillsbury	Willet
Chenoweth	Humphrey	Moe	Purfeerst	
Chmielewski	Jensen	Nelson	Renneke	
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Novak	Schrom	
Davies	Kleinbaum	Ogdahl	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 41 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoft	Stassen
Arnold	Fitzsimons	Lewis	O'Neill	Stokowski
Ashbach	Gearty	Lord	Perpich, A. J.	Tennessee
Blatz	Hughes	McCutcheon	Perpich, G.	Thorup
Borden	Humphrey	Milton	Pillsbury	Ueland
Chenoweth	Jensen	Moe	Purfeerst	
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Novak	Solon	
Davies	Kleinbaum	Ogdahl	Spear	

Those who voted in the negative were:

Bang	Dunn	Knutson	Olson, A. G.	Schrcm
Berg	Frederick	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Wegener
Brown	Hansen, Mel	Larson	Patton	Willet
Chmielewski	Hanson, R.	Nelson	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1436.

Messrs. Kowalczyk, Humphrey and Stokowski. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 23, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 23: A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; restricting the content of such advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

House File 23 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 23

A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; restricting the content of such

advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

May 17, 1973

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. 23, 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. 23, the typewritten bill, be amended as follows:

Page 1, line 28, after "*subdivision.*" add "*Nothing in this subdivision shall apply to purchases for their own use by schools, colleges, universities, public libraries, churches, hospitals or charitable institutions not operated for profit.*"

Amend the title as follows:

Page 1, line 2, strike "permitting";

Page 1, strike line 3

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Michael Sieben, Lyndon Carlson, James Ulland.

Senate Conferees: (Signed) Stephen Keefe, Al Kowalczyk, Robert Tennessen.

Mr. Keefe, S. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 23 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 23: A bill for an act relating to pharmacists; restricting the content of such advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 51 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Berg	Chenoweth	Doty	Gearty
Arnold	Bernhagen	Coleman	Dunn	Hansen, Mel
Ashbach	Blatz	Conzemius	Fitzsimons	Hanson, R.
Bang	Borden	Davies	Frederick	Hughes

Jensen	McCutcheon	Olson, A. G.	Purfeerst	Thorup
Keefe, S.	Milton	Olson, H. D.	Renneke	Ueland
Kirchner	Moe	O'Neill	Schaaf	Willet
Knutson	North	Patton	Solon	
Laufenburger	Ncvak	Perpich, A. J.	Spear	
Lewis	Ogdahl	Perpich, G.	Stassen	
Lord	Olhoft	Pillsbury	Tennessee	

Those who voted in the negative were:

Hansen, Baldy	Krieger	Olson, J. L.	Schrom	Sillers
Kleinbaum	Larson			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 295, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 295: A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivision 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

House File No. 295 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 295

A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

May 16, 1973

Honorable Martin O. Sabo, Speaker of the House 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. 295, 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. 295 be amended as follows:

Page 2, line 14, strike "such action" and insert "*any of the aforesaid actions*"

Page 2, line 22, after "means" and before "any" insert "*the administrative head and his assistant of a municipality, municipal utility, police or fire department, or*"

Page 3, lines 19, 20 and 21, strike "terms mean the hours of employment, the compensation therefor, and economic aspects relating to employment, but" and insert "*term*"

Page 4, after line 24, insert a new section to read as follows:

"Sec. 9. Minnesota Statutes 1971, Section 179.65, Subdivision 1, is amended to read:

179.65 [RIGHTS AND OBLIGATIONS OF EMPLOYEES.]
Subdivision 1. Nothing contained in sections 179.61 to 179.77 shall be construed to limit, impair or affect the right of any public employee or his representative to the expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment or their betterment, so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment or circumvent the rights of the exclusive representative if there be one; nor shall it be construed to require any public employee to perform labor or services against his will. *If no exclusive representative has been certified, any public employee individually, or group of employees through their representative, shall have the right of expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment or their betterment, by meeting with their public employer or his representative so long as the same is not designed to and does not interfere with the full, faithful and proper performance of the duties of employment.*"

Page 5, line 16, after the period, add a new sentence to read: "*In no instance shall the required contribution exceed a pro rata share of the specific expenses incurred for services rendered by the representative in relationship to negotiations and administration of grievance procedures.*"

Page 7, line 1, after "act" and before the period insert "*, as though they were essential employees*"

Page 8, line 1, delete "*statute,*"

Page 8, lines 3 and 4, strike "shall be void and of no effect" and insert "*and shall be returned to the arbitrator for an amendment to*

make the provision consistent with the statute, rule, regulation, charter, ordinance or resolution"

Page 12, line 21, after the stricken "(13)" restore the stricken "picketing which has an unlawful purpose such as"

Page 12, line 22, restore the stricken semicolon and insert before the restored semicolon "*secondary boycott*"

Page 12, line 23, after the stricken "(14)" insert "(13)"

Page 12, line 25, delete "(13)" and insert in lieu thereof "(14)"

Page 12, line 27, delete "(14)" and insert in lieu thereof "(15)"

Page 13, line 15, after "shall" insert "only"

Page 13, line 20, after "petition" insert "*and determination by the mediator,*"

Page 13, line 23, after "arbitration" insert "*and the director has determined that an impasse has been reached*"

Page 14, line 24, delete "board" and insert in lieu thereof "director"

Page 15, line 2, after "November 15" and before the period insert "*of even-numbered years*"

Page 15, line 3, after "petition" insert "*the director*"

Page 16, line 9, after the period insert a new sentence to read: "*If the employer has not petitioned for binding arbitration under subdivision 3 or 5 or if the employer has not joined in an employee's petition for binding arbitration under subdivision 3 or 5, Minnesota Statutes, Section 179.72, Subdivision 6 shall not be applicable. If no petition has been filed within the time specified under subdivision 3 or 5, at any time thereafter the parties may invoke the provisions of subdivision 3 or 5 and Minnesota Statutes, Section 179.72, Subdivision 6 shall be applicable.*"

Page 16, delete all of lines 12 through 28 and insert in lieu thereof the following:

"179.70 [CONTRACTS; GRIEVANCES; ARBITRATION.]
Subdivision 1. A written contract or memorandum of contract containing the agreed upon terms and conditions of employment and such other matters as may be agreed upon by the employer and exclusive representative shall be executed by the parties. ~~The contracts shall not be for a term exceeding three years. The duration of the contract shall be negotiable except in no event shall contracts be for a term exceeding three years. Any contract between employer school board and an exclusive representative of teachers shall in every instance be for a an initial term of two years one year commencing on July 1 of each even numbered year, except, however, such contracts entered into prior to July 1, 1972 shall expire on June 30, 1972, 1974, through June 30, 1975, and thereafter for a term of two years beginning on July 1 of each odd-numbered year.~~ All contracts shall include a grievance procedure which shall provide compulsory binding arbitration of grievances.

In the event that the parties cannot reach agreement on the grievance procedure, they shall be subject to the grievance procedure promulgated by the director pursuant to section 179.71, subdivision 5(i)."

Page 17, delete line 1

Page 17, line 18, after "*find*" insert "*that an employee may perform or effectively recommend*"

Page 17, line 21, after the period, insert a new sentence to read: "*However, in every case the administrative head, and his assistant, of a municipality, municipal utility, police or fire department shall be considered a supervisory employee.*"

Page 17, after line 25, insert a new section to read:

"Sec. 27. Minnesota Statutes 1971, Section 179.71, Subdivision 5, is amended to read:

Subd. 5. In addition to all other duties imposed by this section, the director shall:

(a) retain mediation jurisdiction over the parties for purposes of this subdivision until such time as the parties reach agreement; provided, however, he may continue to assist parties after the parties have submitted their final positions as provided or required under section 179.72, subdivision 6; or section 179.69, subdivision 6;

(b) issue notices, subpoenas and orders as may be required by law to carry out his duties under sections 179.61 to 179.77. Issuance of orders shall include those orders of the Minnesota public employment relations board;

(c) certify to the Minnesota public employment relations board those items of dispute between parties to be subject to the action of the Minnesota public employment relations board under section 179.69, subdivision 3;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director or the board;

(e) certify the final results of any election or other voting procedure conducted pursuant to sections 179.61 to 179.77.

(f) furnish clerical and administrative services to the Minnesota public employment relations board as may be required;

(g) adopt reasonable and proper rules and regulations relative to and regulating the forms of petitions, notices, orders and the conduct of hearings and elections subject to final approval of the Minnesota public employment relations board. Such rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such rule or regulation shall be filed with the secretary of state, and any change therein or additions thereto shall not take effect until 20 days after such filing;

(h) receive, catalogue and file in a logical manner all orders and decisions of the Minnesota public employment relations board and

all arbitration panels authorized by sections 179.61 to 179.77 as well as all grievance arbitration decisions and the director's own orders and decisions. All orders and decisions catalogued and filed shall be made readily available to the public;

(i) promulgate a grievance procedure to effectuate the purposes of section 179.70, subdivision 1. Such grievance procedures shall not provide for the services of the bureau of mediation services. The exercise of authority granted by this clause shall be subject to the provisions of chapter 15; *said grievance procedure to be available to any public employee employed in a unit not covered by a negotiated grievance procedure as contained in section 179.70, subdivision 1;*

(j) conduct elections.”

Page 20, restore the stricken language in lines 3 and 4

Page 20, line 5, restore the stricken language “contracts for teacher units shall be effective to the”

Page 20, line 6, after the stricken “year” and before the period insert “ *end of the contract period as determined by section 179.70, subdivision 1*”

Page 20, line 6, restore the stricken period

Page 22, line 15, after “legislature” and before the period, insert “ *to be accepted, rejected or modified* ”

Page 22, after line 27, insert a new section to read as follows:

“Sec. 37. [EFFECTIVE DATE.] *This act shall take effect the day following its final enactment.*”

Renumber the sections in sequence

Further, amend the title on page 1 as follows:

Line 11, after “Subdivisions” insert “1,”

Line 16, strike “Subdivision 3” and insert in lieu thereof “Subdivisions 3 and 5”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Jack H. La Voy, E. W. Quirin, Stanley A. Enebo, Harry A. Sieben, Jr. and Robert C. Bell.

Senate Conferees: (Signed) Stanley N. Thorup, Baldy Hansen, Ralph R. Doty, William McCutcheon and Harmon T. Ogdahl.

Mr. Thorup moved that the foregoing recommendations and Conference Committee Report on H. F. No. 295 be now adopted and that the bill be repassed as amended by the Conference Committee.

Mr. Ashbach moved that the Conference Committee Report on H. F. No. 295 be rejected.

CALL OF THE SENATE

Mr. Ashbach imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Josefson	Ogdahl	Schrom
Ashbach	Dunn	Keefe, S.	Olhofft	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Bernhagen	Frederick	Knutson	Olson, J. L.	Spear
Blatz	Gearty	Larson	Patton	Stassen
Borden	Hansen, Baldy	Laufenburger	Perpich, G.	Tennessee
Brown	Hansen, Mel	Lewis	Pillsbury	Thorup
Chenoweth	Hanson, R.	Lord	Purfeerst	Wegener
Chmielewski	Hughes	Moe	Renneke	Willet
Davies	Jensen	Novak	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the rejection of the Conference Committee Report,

And the roll being called, there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Knutson	Olson, H. D.	Schrom
Bang	Frederick	Kowalczyk	Olson, J. L.	Sillers
Berg	Hanson, R.	Krieger	O'Neill	Ueland
Bernhagen	Jensen	Larson	Patton	
Blatz	Josefson	Nelson	Pillsbury	
Dunn	Kirchner	Olhofft	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Stokowski
Arnold	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hughes	Milton	Perpich, G.	Thorup
Chenoweth	Humphrey	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	Willet
Davies	Laufenburger	Novak	Solon	
Doty	Lewis	Ogdahl	Spear	

Which motion did not prevail.

The question recurred on Mr. Thorup's motion to accept the Conference Committee Report on H. F. No. 295. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 295: A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 1, 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivisions 3 and 5; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 41 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olhoft	Stokowski
Arnold	Hansen, Baldy	Lord	Olson, A. G.	Tennessen
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Keefe, S.	Nelson	Schaaf	
Davies	Kirchner	North	Solon	
Doty	Kleinbaum	Novak	Spear	
Dunn	Laufenburger	Ogdahl	Stassen	

Those who voted in the negative were:

Ashbach	Brown	Josefson	Olson, H. D.	Renneke
Bang	Fitzsimons	Knutson	Olson, J. L.	Schrom
Berg	Frederick	Kowalczyk	O'Neill	Sillers
Bernhagen	Hanson, R.	Krieger	Patton	Ueland
Blatz	Jensen	Larson	Pillsbury	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 491, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

House File No. 491 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 491

A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing

Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

May 17, 1973

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. 491, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H. F. No. 491 be further amended as follows:

Page 1, line 17, delete "25" and insert in lieu thereof "26"

Page 19, line 6, delete ", and to be" and insert in lieu thereof a period

Page 19, delete line 7

Page 24, delete lines 6 through 8 and insert in lieu thereof:

"Subd. 3. If an employer notifies the commissioner that he intends to contest the citation or the proposed assessment of penalty or the employee or the employee representative notifies the commissioner that he intends to contest the time fixed for abatement in"

Page 24, line 25, after "order" insert ", after consultation either by phone or in person with the commissioner and upon the commissioner's recommendation,"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Irvin N. Anderson, Stanley A. Enebo, Robert J. McFarlin.

Senate Conferees: (Signed) John C. Chenoweth, Stanley N. Thorup, Roger Hanson.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on H. F. No. 491 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schrom
Ashbach	Fitzsimons	Kleinbaum	Olhoff	Sillers
Bang	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Lewis	Olson, J. L.	Stassen
Chenoweth	Hansen, Mel	Lord	O'Neill	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Hughes	Milton	Perpich, G.	Thorup
Conzemius	Humphrey	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

Messrs. Jensen, Larson and Patton voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 611, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

House File No. 611 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 611

A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

May 18, 1973

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. 611, 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. 611 be amended as follows:

Page 1, line 14, strike "*40 percent of his salary*" and insert in lieu thereof "\$215"

Page 1, line 14, after "month" insert "*for operation of fixed wing aircraft and \$290 per month for operation of helicopter*"

Page 1, line 18, strike "shall" and insert "may"

Page 1, line 18, strike "\$100" and reinstate the stricken "\$50"

Page 1, lines 21 and 22, strike "*The following schedule is a guide for such salary increases:*"

Page 1, strike lines 23 to 28

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Harry A. Sieben, Joan R. Growe, Tony L. Bennett

Senate Conferees: (Signed) A. J. Perpich, J. A. Josefson

Mr. Perpich, A. J., moved that the foregoing recommendations and Conference Committee Report on H. F. No. 611 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Nelson	Renneke
Bang	Dunn	Kleinbaum	North	Schrom
Berg	Fitzsimons	Knutson	Novak	Sillers
Bernhagen	Frederick	Kowalczyk	Olhoft	Solon
Blatz	Gearty	Krieger	Olson, J. L.	Spear
Brown	Hansen, Baldy	Larson	O'Neill	Stassen
Chenoweth	Hanson, R.	Laufenburger	Patton	Stokowski
Chmielewski	Hughes	Lewis	Perpich, A. J.	Thorup
Coleman	Humphrey	Lord	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Wegener
Davies	Keefe, S.	Mce	Purfeerst	Willet

Messrs. Arnold, Josefson and Tennessen voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 633, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

House File No. 633 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 633

A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

May 17, 1973

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. 633, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendment and that H. F. No. 633 be further amended as follows:

Section 1, line 3 of the Senate amendment, after "*town*" and before "*in the*" insert "*not having the powers granted herein pursuant to any other law*"

Section 1, line 6 of the Senate amendment after "*subdivision 1,*" delete "*clause (1)*" and insert in lieu thereof "*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 of the town at the annual town meeting or at a special town meeting held pursuant to Minnesota Statutes, Sections 365.52 to 365.58*"

After section 1 of the Senate amendment add:

"Sec. 2. *This act is effective the day following final enactment.*"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Joseph T. Niehaus, Harry Peterson and Victor Schulz.

Senate Conferees: (Signed) Earl W. Renneke, Florian Chmielewski and Gerald L. Willet.

Mr. Renneke moved that the foregoing recommendations and Conference Committee Report on H. F. No. 633 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Novak	Spear
Arnold	Doty	Kowalczyk	Olhoft	Stassen
Bang	Dunn	Krieger	Olson, H. D.	Tennessen
Berg	Fitzsimons	Larson	Olson, J. L.	Thorup
Bernhagen	Frederick	Lewis	O'Neill	Ueland
Blatz	Hansen, Baldy	Lord	Patton	Wegener
Brown	Hansen, Mel	McCutcheon	Pillsbury	Willet
Chenoweth	Hughes	Milton	Renneke	
Chmielewski	Jensen	Moe	Schrom	
Coleman	Josefson	Nelson	Sillers	
Conzemius	Keefe, S.	North	Solon	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 805, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 805: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

House File No. 805 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 805

A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

May 18, 1973

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. 805, 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. 805 be amended as follows:

Page 3, after line 18, insert the following:

“(9) Expenses and losses arising from a farm which are not allowable under section 2 of this act.”

Page 8, delete lines 2 and 3

Page 8, line 11, after *“agricultural”* insert *“or horticultural”*

Page 8, line 15, strike *“hedging”* and insert in lieu thereof *“hedging”*

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Willis Eken, Glen H. Anderson and Aubrey W. Dirlam.

Senate Conferees: (Signed) George R. Conzemius, Alec G. Olson and Carl A. Jensen.

Mr. Conzemius moved that the foregoing recommendations and Conference Committee Report on H. F. No. 805 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 805: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 42 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Spear
Arnold	Fitzsimons	Kowalczyk	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Bernhagen	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	Milton	Perpich, A. J.	Wegener
Chmielewski	Jensen	Moe	Perpich, G.	Willet
Coleman	Josefson	North	Purfeerst	
Conzemius	Keefe, S.	Novak	Renneke	
Davies	Kirchner	Olhoft	Solon	

Those who voted in the negative were:

Bang	Krieger	O'Neill	Schrom	Stassen
Blatz	Larson	Pillsbury	Sillers	Ueland
Hansen, Mel	Nelson			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Spear moved that H. F. No. 835 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 835

A bill for 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.

May 16, 1973

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. 835, 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. 835 be amended as follows:

Page 4, after line 14, insert

"Subd. 2. If both of the parties, by petition or otherwise, have stated under oath or affirmation that the marriage is irretrievably broken, or if one of the parties has so stated and the other has not denied it, there is a presumption of such fact and unless controverted by the evidence, the court, after a hearing, shall find the marriage to be irretrievably broken."

Page 4, line 15, delete "Subd. 2." and insert in lieu thereof "Subd. 3."

Page 4, lines 15 and 16, delete "*subdivision 1*" and insert in lieu thereof "*subdivisions 1 and 2*"

Page 4, delete lines 19 and 20

Page 4, line 21, delete "(3)" and insert in lieu thereof "(1)"

Page 4, line 22, delete "*of the party seeking the dissolution*"

Page 4, line 23, delete "(4)" and insert in lieu thereof "(2)"

Page 4, delete lines 27 and 28, and insert in lieu thereof "(3) *Habitual alcoholism or chemical dependency;*"

Page 5, delete lines 1 and 2

Page 5, line 3, delete "(7) *Three years under*" and insert in lieu thereof "(4)"

Page 5, line 6, delete "*the*"

Page 5, line 7, delete "*three years need not be continuous; (c)*"

Page 5, line 15, delete "(d)" and insert in lieu thereof "(c)"

Page 5, line 17, delete "(e)" and insert in lieu thereof "(d)"

Page 5, line 20, delete "(f)" and insert in lieu thereof "(e)"

Page 5, line 22, delete "(g)" and insert in lieu thereof "(f)"

Page 5, delete lines 24 and 25

Page 5, line 26, delete "*commencement of the action, and*" and insert in lieu thereof "(5)"

Page 5, line 28, delete "*two years*" and insert in lieu thereof "*one year*"

Page 6, line 1, delete "*action*" and insert in lieu thereof "*proceeding*"

Page 6, line 2, delete "*Subd. 3.*" and insert in lieu thereof "*Subd. 4.*"

Page 6, line 2, delete "2" and insert in lieu thereof "3"

Page 6, line 4, delete "*aforementioned grounds*" and insert in lieu thereof "*foregoing*"

Page 6, line 6, delete "*subdivision 1*" and insert in lieu thereof "*subdivisions 1 and 2*"

Page 8, line 18, delete "*without enumerating the*"

Page 8, line 19, delete "*amounts thereof*"

Page 8, line 25, delete "*and that the maintenance of the*" and insert in lieu thereof a period

Page 8, delete lines 26 and 27

Page 14, line 5, after "OF" insert "DISSOLUTION"

Page 14, line 20, insert before the stricken language "18", restore the stricken language, and delete "*the age of majority*"

Page 20, after line 15, insert a new section to read:

"Sec. 28. *Wherever the word "divorce" is used in the statutes, it has the same meaning as "dissolution" or "dissolution of marriage".*"

Page 20, line 16, after "518.08" delete the comma and insert in lieu thereof a semicolon

Page 20, line 17, after "518.26" delete the comma and insert in lieu thereof a semicolon and after "518.28" delete the semicolon

Renumber the remaining sections in sequence

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Phyllis Kahn, Charles R. Weaver and Robert C. Bell.

Senate Conferees: (Signed) Allan H. Spear, Robert J. Tennesen and John B. Keefe.

Mr. Spear moved that the foregoing recommendations and Conference Committee Report on H. F. No. 835 be now adopted and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Mr. North imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Knutson	Olhoft	Spear
Berg	Gearty	Kowalczyk	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Stokowski
Blatz	Hansen, Mel	Lewis	Perpich, A. J.	Tennesen
Borden	Hanson, R.	Lord	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Pillsbury	Wegener
Chmielewski	Humphrey	Nelson	Purfeerst	Willet
Coleman	Jensen	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	
Doty	Kirchner	Ogdahl	Sillers	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Spear moved that the Conference Committee Report on H. F. 835 be returned to the Conference Committee for further consideration. Which motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Thorup moved that H. F. No. 1053 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1053

A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death bene-

fits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

May 14, 1973

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. 1053, 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. 1053 be further amended as follows:

Page 9, after line 23, insert:

"Sec. 4. Minnesota Statutes 1971, Section 176.101, Subdivision 4, is amended to read:

Subd. 4. [PERMANENT TOTAL DISABILITY.] For permanent total disability, as defined in subdivision 5, the compensation shall be 66 $\frac{2}{3}$ percent of the daily wage at the time of the injury, subject to a maximum compensation of \$80 \$100 per week and a minimum compensation of \$17.50 per week. If the wages of the employee at the time of the injury are \$17.50 or less per week, he shall receive the full amount of his wages per week. This compensation shall be paid during the permanent total disability of the injured employee but after a total of \$25,000 of weekly compensation has been paid, the amount of the weekly compensation benefits being paid by the employer shall be reduced by the amount of any disability benefits being paid by any government disability benefit program if such disability benefits are occasioned by the same injury or injuries which give rise to payments under this subdivision. Such reduction shall also apply to any old age and survivor insurance benefits. Payments shall be made at the intervals when the wage was payable, as nearly as may be. In case an employee who is permanently and totally disabled becomes an inmate of a public institution, no compensation shall be payable during the period of his confinement in such institution, unless he has wholly dependent on him for support some person named in section 176.111, subdivisions 1, 2 or 3, in which case the compensation provided for in section 176.111, during the period of such confinement, shall be paid for the benefits of such dependent person during dependency. The dependency of such persons shall be determined as though the employee were deceased."

Renumber the sections in sequence.

Amend the title as follows:

Line 9 after "2," strike "and"

Line 10 after "3" insert ", and 4"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Bruce F. Vento and Harry Sieben, Jr.

Senate Conferees: (Signed) Stanley N. Thorup and Allan H. Spear.

Mr. Thorup moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1053 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1053: A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, 3, and 4; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olhoft	Sillers
Bang	Gearty	Larson	Olson, H. D.	Solon
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Willet
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, S.	Nelson	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1203, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1203: A bill for an act relating to pollution; pollution

control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

House File No. 1203 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1203

A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

May 17, 1973

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. 1203, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment adopted May 14, 1973 and that the House concur in the other Senate amendments.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Glen Sherwood, Robert J. McFarlin and Phyllis Kahn.

Senate Conferees: (Signed) Gerald L. Willet, James F. Lord and John J. Bernhagen.

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1203 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1203: A bill for an act relating to pollution; pollution control agency; providing for the certification of operators of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 49 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Nelson	Purfeerst
Arnold	Davies	Kirchner	North	Sillers
Ashbach	Doty	Kleinbaum	Novak	Spear
Bang	Dunn	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Fitzsimons	Larson	Olson, H. D.	Stokowski
Blatz	Gearty	Laufenburger	Olson, J. L.	Tennessee
Borden	Hanser, Mel	Lord	O'Neill	Thorup
Chenoweth	Hughes	McCutcheon	Patton	Ueland
Chmielewski	Humphrey	Milton	Perpich, A. J.	Willet
Coleman	Josefson	Moe	Perpich, G.	

Mr. Renneke voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chenoweth moved that H. F. No. 1355 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1355

A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.09, Subdivision 6; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

May 17, 1973

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. 1355, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 1355 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE.] Subdivision 1. [QUALIFICATIONS.] Any member of the legislature:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of 65 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the state auditor to receive a retirement allowance monthly of 40 percent of his average monthly salary during the period of his service as a member of the legislature since January 1, ~~1967~~ 1973, beginning with the first day of the month following of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of paragraphs (1), (2), (3) and (4) of this subdivision shall receive for every year of service over 8 years a monthly allowance which equals two and one half percent of the average monthly salary determined pursuant to paragraph (4).

This subdivision is applicable to members of the legislature who retire after January 1, ~~1971~~ 1973, and to any widow or dependent child of any such member who retires after January 1, ~~1971~~ 1973.

Sec. 2. Minnesota Statutes 1971, Section 3A.02, Subdivision 2, is amended to read:

Subd. 2. [PAYMENT FOR PAST SERVICE.] Any member of the legislature who is a member on July 1, 1965 or thereafter, may, notwithstanding the provisions of subdivision 1, clause (1), receive credit for service rendered as a member of the legislature prior to July 1, 1965, and the pension based thereon provided that he pays to the state treasurer for credit to his account an amount equal to seven ~~eight~~ percent of all salary received by him for all periods of service rendered by him as a member of the legislature, even if such periods are not continuous and exceed ten years in duration. Such payment may be made at any time after the commencement of any regular session of the legislature of which he is a member.

Sec. 3. Minnesota Statutes 1971, Section 3A.02, is amended by adding a subdivision to read:

Subd. 4. [DEFERRED ANNUITIES AUGMENTATION.] *The deferred annuity of any member of the legislature who retires after July 1, 1973, shall be computed in the manner provided in subdivision 1 and augmented as provided herein. The required resources applicable to the deferred annuity, determined as of the date the benefit begins to accrue using an appropriate mortality table and an interest assumption of five percent, shall be augmented by interest at the rate of three and one-half percent per annum compounded annually from the date of retirement to the first day of the month in which the annuity begins to accrue.*

Sec. 4. Minnesota Statutes 1971, Section 3A.03, Subdivision 1, is amended to read:

3A.03 [CONTRIBUTIONS.] Subdivision 1. [PERCENTAGE.]

Every member of the legislature shall contribute ~~seven~~ *eight* percent of his total salary, by payroll deduction, to be paid into the state treasury and deposited in the general fund. It shall be the duty of the state treasurer to record the periodic contributions of each member of the legislature and credit such contribution to the member's account.

Sec. 5. Minnesota Statutes 1971, Section 3A.04, Subdivision 1, is amended to read:

3A.04 [SURVIVOR BENEFIT.] Subdivision 1. [SURVIVING SPOUSE.] Upon the death of a member of the legislature while serving as such member, who has served as a member of the legislature for at least two years, or upon the death of a member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1 (1), whether in the legislature or not and regardless of age, the surviving spouse shall be paid a survivor benefit in the amount of one-half of the retirement allowance of the member of the legislature computed as though the member ~~had served eight years and had retired at age 65~~ *60* on the date of his death *and shall be based upon his allowable service or eight years whichever is greater*. Such benefit shall be paid during the lifetime of the surviving spouse, but shall cease and terminate upon the remarriage of the surviving spouse.

Sec. 6. Minnesota Statutes 1971, Section 3A.04, Subdivision 2, is amended to read:

Subd. 2. [DEPENDENT CHILDREN.] Upon the death of a member of the legislature while serving as such member, who has served as a member of the legislature for at least two years, or upon the death of a member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1 (1), whether in the legislature or not and regardless of age, each dependent child of such member shall be paid a survivor benefit in the following amount: First dependent child, a monthly allowance which equals 25 percent of the monthly allowance of the member of the legislature computed as though the member had retired at age ~~65~~ *60* on the date of his death; for each additional dependent child, a monthly allowance which equals 12½ percent of the monthly allowance of the member computed as in the case of the first child; but the total amount paid to the surviving spouse and dependent children shall not exceed in any one month 100 percent of the monthly allowance of the member computed as in the case of the first child. The payments for dependent children shall be made to the surviving spouse or the guardian of the estate of the dependent children, if there is one. A posthumous child qualifies as a dependent child for benefits provided herein from the date of its birth.

Sec. 7. Minnesota Statutes 1971, Chapter 3A, is amended by adding a section to read:

[3A.11] [PARTICIPATION IN MINNESOTA ADJUSTABLE FIXED BENEFIT FUND.] *Subdivision 1. The reserves necessary to fund the retirement benefits granted under section 3A.02 to retired legislators and legislators retiring in the future, shall be*

transferred by the state auditor to the Minnesota adjustable fixed benefit fund as of June 30, 1973, or as of the date benefits begin to accrue, whichever is later, in accord with section 11.25 as amended. The amount of the transfer made hereunder shall be determined by an approved actuary as defined in section 352.01, subdivision 15, in accord with appropriate mortality table using an interest assumption of five percent.

Subd. 2. Annuities and benefits shall be adjusted in accord with the provisions of section 11.25 as amended.

Subd. 3. There is herein appropriated from general revenue moneys sufficient to fund the reserves required by this section.

Subd. 4. Notwithstanding section 356.18 increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the auditor requesting that the increase shall not be made.

Sec. 8. Minnesota Statutes 1971, Section 43.01, Subdivision 9, is amended to read:

Subd. 9. [RATE OF PAY.] "Rate of pay" means rate of pay for a work month, and "salary" means compensation for a work month regular work hour, "monthly rate of pay" means compensation for 174 regular hours of work and "annual rate of pay" means compensation for 2,088 regular hours of work .

Sec. 9. Minnesota Statutes 1971, Section 43.01, is amended by adding a subdivision to read:

Subd. 15. [TOTAL COMPENSATION.] "Total compensation" means salary, paid time off, group insurance benefits, the retirement plan, and other direct and indirect items of compensation.

Sec. 10. Minnesota Statutes 1971, Section 43.01, is amended by adding a subdivision to read:

Subd. 16. [COMPETITIVE.] "Competitive" means a level which is generally equal to the total compensation paid for similar types of work.

Sec. 11. Minnesota Statutes 1971, Section 43.03, Subdivision 3, is amended to read:

Subd. 3. Each member of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board, but in no case shall any member be paid more than ~~\$1,050~~ \$1,200 in any one year; provided, that this limitation shall not apply to payments on account of expenses. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.

Sec. 12. Minnesota Statutes 1971, Section 43.051, is amended to read:

43.051 [AGE FOR RETIREMENT.] Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Sections 197.45, 197.46, 197.47, 43.30, or any other law to the contrary effective July 1, 1974, an officer or employee of the state of Minnesota in

the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 68 prior to July 1, 1974, or upon reaching the age of 70 68. Effective July 1, 1975, an officer or employee of the state of Minnesota in the classified or unclassified service of the state civil service and who is subject to the provisions of the Minnesota state retirement system must retire from his employment by the state if such officer or employee has reached the age of 65 prior to July 1, 1975, or upon reaching the age of 65. The mandatory retirement age for all other classified officers and employees of the state, if not otherwise provided for by law, shall be 70. Nothing in this subdivision shall apply to persons in the judicial branch .

Subd. 2. Notwithstanding any provision to the contrary, a physician in the classified or unclassified state service may upon reaching the maximum retirement age of 70 years specified in subdivision 1, continue to be employed in the department of public welfare or one of its institutions subject to annual certification by the commissioner upon the recommendation of the medical policy directional committee on mental health appointing authority of the department in which the physician is employed to the director that the employee is physically and mentally competent to fulfill the duties of his position .

Subd. 3. Notwithstanding the provisions of subdivision 1, any employee of the state of Minnesota in a covered classification as defined in the special retirement program for correctional personnel defined in Minnesota Statutes, Chapter 352, must retire from such covered classification upon having reached or upon reaching the mandatory retirement age as of the effective dates established herein:

<i>Effective Date</i>	<i>Mandatory Retirement Age</i>
<i>July 1, 1974</i>	<i>65</i>
<i>January 1, 1975</i>	<i>62</i>
<i>July 1, 1975</i>	<i>59</i>
<i>January 1, 1976</i>	<i>57</i>
<i>July 1, 1976</i>	<i>55</i>

Subd. 4. (1) Notwithstanding any provisions of Minnesota Statutes, Chapters 352A and 352B or any other law to the contrary, conservation officers and crime bureau officers who are first employed on or after July 1, 1973 and are members of the highway patrolmen's retirement association by reason of their employment, shall not continue employment after attaining the age of 60 years, except for such fractional portion of one year as will enable the employee to complete his next full year of allowable service.

(2) Notwithstanding any provisions of Minnesota Statutes, Chapters 352A and 352B or any other law to the contrary, conservation officers and crime bureau officers who are first employed

and are members of the highway patrolmen's retirement association by reason of their employment before July 1, 1973, shall be governed by the same mandatory retirement regulations applied to other state employees who are covered by the Minnesota state retirement system.

Sec. 13. Minnesota Statutes 1971, Section 43.111, is amended to read:

43.111 [POLICY.] It is the public policy of the state of Minnesota that an efficient and well trained work force be maintained to carry out the work ordained by the legislature. It is further directed that modern methods of selection, training and salary administration be established and maintained. The standards of selection shall be of such a nature as to provide the proper level of preparation and experience. Recognizing the cost of excessive employee turnover, it is directed that priority be given to the maintenance of a steady work force. To this end, training, by way of in-service programs and stipend allowances shall be encouraged. It is also established as the policy of the state of Minnesota that employees be paid on the same level as their counterparts in other private and public employment a total compensation which is competitive with that paid for like positions in other private and public employment. Proper attention will also be given to equitable internal pay relationships between related job classes and among the various levels within the same job family or department. Continuing analysis of pay rates and supplementary pay practices shall be carried on, as well as analyses of jobs to determine comparability of job content.

Sec. 14. Minnesota Statutes 1971, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. [SALARY RANGES.] (1) The following procedure will be used in establishing rates of pay for all employees in the state classified service except as provided elsewhere in chapter 43. Classes will be assigned salary ranges within an area of compensation beginning at a prescribed monthly base rate and extending upward by a maximum of 50 additional four percent increments rounded to the nearest dollar. Salary range assignments for each class of work will include no more than ten salary steps. Effective November 17, 1971, the prescribed monthly base rate will be \$290 per month.

In assigning classes of work to this schedule the board shall give consideration to the reduction of supervisory levels and separate classifications state employees in the classified service whose positions are assigned to classes in the administrative, management, and professional salary schedule, hereinafter referred to as schedule "A". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed minimum monthly rate of pay and extending upward by a maximum of 30 additional salary increments. Salary range assignments for each class of employment in this schedule shall include no more than ten salary steps. Effective July 11, 1973, the prescribed minimum monthly rate of

pay shall be \$708. The maximum monthly rate of pay shall be \$2,294.

(2) All employees whose rates of pay are established according to the salary schedule cited in section 43.12, subdivision 2 clause (1), effective November 17, 1971, shall be advanced in salary to the new minimum rate for their class or two and one half salary steps, whichever is greater. Salary schedule "A" as cited in section 43.12, subdivision 2, clause (1), effective July 11, 1973, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date to the comparable step in the new salary range for their class or to the new minimum rate of pay for their class, whichever rate is greater provided that all employees shall receive at least a one step salary increase so long as that increase does not cause the employee's compensation to exceed the new range maximum.

(3) Effective the beginning of the first payroll period in fiscal year 1972-1973, all employees compensated according to the salary schedule cited in 43.12, subdivision 2(1), shall be advanced by one salary step within their respective salary ranges to the next higher step. The one salary step advancement will also apply to those employees whose rates of pay are at or above the maximum rate for their class as a result of the adjustment provided for in section 43.12, subdivision 2 clause (2). However, any person serving his initial probationary period at the time of the fiscal year 1972-1973 adjustment, shall not receive the one salary step advancement within his salary range until he satisfactorily completes his initial probationary period. Employees compensated according to salary schedule "A" as cited in section 43.12, subdivision 2, clause (1), whose monthly rate of pay immediately preceding July 11, 1973, equals or exceeds the new maximum monthly rate of pay for their class shall be advanced in salary by an amount equal to one half the difference between the new maximum monthly rate of pay for their class and the next lowest monthly rate of pay in their salary range, rounded to the next highest dollar, effective July 11, 1973.

(4) The following schedule of hourly rates is procedure shall be used to establish as the establish rates of pay for all state employees in the classified service employed in skilled, semi-skilled, and whose positions are assigned to classes in the maintenance classes and related trades schedule, hereinafter referred to as schedule "B". Classes shall be assigned an orientation and base rate, one consecutive wage step apart. The orientation rate shall be paid during the probationary period, and the base rate thereafter. In assigning rates of pay to classes of work covered by this schedule, the board shall give primary consideration to the most commonly median of rates paid rates by other public and private employers for each class similar types of work. Supplementary pay practices shall be evaluated and costs considered in comparing the rates to be private being paid by other employment employers. The board is authorized to establish a percentage differential based upon full annual employment and tenure where such advantages are not common in employment outside of the state service.

Range	Orientation	Base
1b	3.33	3.47
2b	3.47	3.61
3b	3.61	3.76
4b	3.76	3.91
5b	3.91	4.07
6b	4.07	4.23
7b	4.23	4.40
8b	4.40	4.58
9b	4.58	4.76
10b	4.76	4.96
11b	4.96	5.15
12b	5.15	5.35
13b	5.35	5.57
14b	5.57	5.79
15b	5.79	6.03

Effective July 11, 1973, the minimum hourly rate of pay in the maintenance and related trades schedule shall be \$3.69. The schedule shall provide for 13 additional wage steps with a maximum rate of \$6.19 per hour.

Notwithstanding any provision of chapter 43 to the contrary, the board is authorized to establish (a) hourly equipment rates to provide appropriate compensation to employees intermittently engaged in operating maintenance equipment and (b) an hourly rate to provide appropriate compensation to employees intermittently assigned to first level highway foreman work. The director of civil service shall establish regulations and procedures to equitably implement such hourly differential rates.

(5) All permanent employees whose rates of pay are established according to the wage schedule cited in section 43.12, subdivision 2 clause (4), effective November 17, 1971, shall be advanced in salary to the established base rate for their class or two and one-half wage steps, whichever is greater. To receive the two and one-half wage step advancement, an employee shall be permitted to be paid at a rate higher than the established base rate for his class. Probationary employees, effective November 17, 1971, shall be advanced in salary to the orientation rate for their class except, if they have permanent status in another class they shall be advanced in salary by one and one-half wage steps. The civil service board is directed to prepare and adopt a supplemental schedule of hourly wage rates to implement the provisions of this clause. schedule "B" as cited in section 43.12, subdivision 2, clause (4), effective July 11, 1973, shall be advanced in salary to the established base rate for their class or receive one half the difference between the monthly equivalence of the base rate for their class and the orientation rate for their class, rounded to the next highest dollar, whichever is greater.

Probationary employees, effective July 11, 1973, shall be advanced in salary to the established orientation rate for their class.

(6) Effective the beginning of the first payroll period for the fiscal year 1972-1973, the hourly orientation and base rates cited

in section 43.12, subdivision 2, clause (4) shall be adjusted upward by four percent. Concurrent with this adjustment of the hourly orientation and base rates, all wage assignments and individual wage rates will be adjusted upward by four percent. The civil service board is directed to prepare and adopt a supplemental schedule of hourly wage rates to implement the provisions of this clause. The following procedure shall be used to establish rates of pay for all state employees in the classified service whose positions are assigned to classes in the clerical, technical, service and related salary schedule, hereinafter referred to as schedule "C". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed monthly rate of pay and extending upward 27 additional fixed salary increments. Salary range assignments for each class of employment in this schedule shall not include more than seven salary steps. Effective July 11, 1973, the prescribed minimum monthly rate of pay shall be \$340. The maximum monthly rate of pay shall be \$1,100.

(7) All employees whose rates of pay are established according to salary schedule "C" as cited in section 43.12, subdivision 2, clause (6), effective July 11, 1973, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date, to the comparable step in the new salary range for their class unless otherwise provided in procedures established by the board.

(8) Employees compensated according to salary schedule "C" as cited in section 43.12, subdivision 2, clause (6), whose monthly rate of pay immediately preceding July 11, 1973, equals or exceeds the new maximum monthly rate of pay for their class shall be advanced in salary by an amount equal to one half the difference between the new maximum monthly rate of pay for their class and the next lowest monthly rate of pay in their salary range, rounded to the next highest dollar, effective July 11, 1973.

(9) For each full four tenths point increase in the consumers price index for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of July, 1973, and April, 1974, new series index (1967=100), all monthly rates of pay in the "A" and special teacher salary schedules as cited in sections 43.12, subdivision 2, clause (1), and 43.121, subdivision 3, shall be increased by two tenths of one percent, rounded to the nearest dollar. All hourly rates of pay in the "B" and "C" schedules as cited in section 43.12, subdivision 2, clauses (4) and (6), shall be increased by one cent per hour.

The increase, if any, in wages and salaries generated by this formula shall be effective with the first full payroll period after July 1, 1974, and shall continue in effect until the first full payroll period after January 1, 1975.

A redetermination of the cost of living allowance shall be made in October, 1974. For each full four tenths point increase in the consumer price index for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of July, 1973, through October, 1974, all monthly rates of pay in the "A" and special

teacher salary schedules as cited in sections 43.12, subdivision 2, clause (1), and 43.121, subdivision 3, shall be increased by two tenths of one percent, rounded to the nearest dollar. All hourly rates in the "B" and "C" schedules as cited in section 43.12, subdivision 2, clauses (4) and (6), shall be increased by one cent per hour. The increase, if any, in wages and salaries generated by this redetermination shall be effective with the first full payroll period after January 1, 1975.

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly and monthly rates of pay of each employee, including those that are above the maximum step of their range, and treated as a part thereof in all calculations involving employees' pay.

(10) The commissioner of administration may direct the state auditor to transfer to the various departments and agencies the necessary amounts to finance clause (9) into effect. These transfers shall be from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments or agencies from such account and fund in the state treasury. The accounts and funds referred to from which agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

(7) (11) Overtime worked shall be compensated for either by cash payment or compensatory time off as provided for in overtime schedules approved under the provisions of the civil service rules.

(8) (12) None of the provisions of sections 43.12, subdivision 2, to 43.122, shall apply to employees in the classified service under the state civil service act who are paid on a fee basis, or to such employees who are department heads.

(9) An employee appointed on or subsequent to July 14, 1971, and prior to November 17, 1971, may receive the prescribed salary and wage increases set forth in section 43.12, subdivision 2, clauses (2) and (5) with the approval of his appointing authority. However, so that all employees are compensated at an established rate of pay, an employee who is not granted the prescribed salary or wage increase provided under the provisions of this clause shall have his rate of pay advanced to the next higher salary or wage step established for his class or the new minimum salary rate or probationary wage rate for his class, whichever is greater.

(10) (13) Except as otherwise provided in section 43.12, subdivision 2, no class will be reassigned to a higher salary range by the civil service board during the ~~1971-1973~~ 1973-1975 biennium.

(11) Notwithstanding the provisions of any other law to the contrary, the civil service board is directed to reduce all adopted salary assignments by two percent for classes of work compensated

according to the salary schedules cited in section 43.12, subdivision 2, clauses (1) and (4) and section 43.121, subdivision 3, except in no instance shall the minimum rate of a salary assignment be less than the prescribed monthly base rate. The civil service board is directed to prepare and adopt a supplemental schedule of salary rates to implement the provisions of the clause rounded off to the nearest dollar.

(12) If the Minneapolis-St. Paul Consumers' Price Index increases at least one and one-half percent between October, 1971, and April, 1972, all salary and wage rates cited in section 43.12, subdivision 2 clauses (1) and (4) shall be increased in value by two percent effective at the beginning of the first payroll period for fiscal year 1972-1973. Concurrent with this adjustment, all salary and wage assignments shall be increased by two percent and employees shall be advanced to the comparable step of the revised schedule of rates. In the event this increase should occur, the civil service board is directed to establish supplemental salary schedules with steps two percent higher than the schedules then in effect. Where necessary to receive this advancement, an employee shall be permitted to be paid at a rate higher than the established maximum rate for his class.

(13) The commissioner of administration is hereby authorized to direct the state auditor to transfer to the various departments and agencies the necessary amounts to finance clause (12) into effect. These transfers shall be from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments or agencies from such account and fund in the state treasury. The accounts and funds referred to from which agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

(14) Notwithstanding the provisions of any other law to the contrary, when making an appointment to the unclassified service of the executive branch of government, the appointing authority shall provide the director of civil service with a personal resume of the appointee and a detailed job description outlining the duties and responsibilities of the position which the appointee will occupy in such form as the director may prescribe. Any changes in work assignment shall be reported in writing to the director. If, in the judgment of the director, additional information is required in order to establish comparability with positions in the classified service, the director shall review the duties of the position in the same manner as a position in the classified service would be investigated. All persons in the unclassified service of the executive branch of government, except those whose salary is set specifically by statute, may, with the approval of the appointing authority, be granted salary increases on the same effective dates as all employees of the classified state civil service, but in no event may these salary increases exceed the salary increases authorized for person-

nel in the classified service nor shall be paid according to the compensation provisions applicable to employees performing comparable work in the classified service, but in no event shall unclassified personnel receive rates of pay which exceed the maximum rate of the salary range established for comparable work in the classified service.

(15) Notwithstanding the provisions of any other law to the contrary, all non-academic employees of the University of Minnesota and the University of Minnesota department of civil service personnel shall be subject to all of the preceding clauses as if they were classified employees of the Minnesota civil service and the Minnesota civil service board.

(15) Effective July 1, 1974, employees whose positions are assigned to classes in the A, B and C compensation schedules working an assigned shift that begins before 6:00 a.m. or which ends on or after 7:00 p.m. shall receive a shift differential of ten cents per hour for all hours worked on that shift in addition to their regular rate of pay. Such differential shall be included in all payroll computations for hours worked but shall not apply during periods of paid leave.

Employees working the regular day schedule who are required to work overtime or who are called back to work for special projects shall not be eligible for the shift differential.

(16) Effective July 1, 1973, any permanent employee who is separated from the state classified service by reason of death, mandatory retirement, layoff, excluding seasonal layoffs, or who is separated after completing 20 years of state service shall be entitled upon such separation, to pay in an amount equal to ten percent of the employee's regular accumulated but unused sick leave balance at the time of separation. Effective July 1, 1974, severance pay shall be computed upon 20 percent of the employee's regular accumulated but unused sick leave balance. The provisions of this clause shall apply to unclassified employees in the same manner as they apply to employees in the classified service.

Should any employee who has received severance pay be subsequently reappointed to state service, eligibility for future severance pay shall be computed upon the difference between the amount of accumulated but unused sick leave to the employee's credit at the time the employee was separated and the amount of accumulated but unused sick leave balance at the time of the employee's subsequent eligibility for severance pay.

The base for computing the severance pay provided for in this clause shall not exceed 800 hours, nor shall said base include lapsed sick leave hours as defined by departmental rules and regulations.

Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that

balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate.

(17) The board is hereby empowered to establish by rule an injured on duty compensation plan for certain classes of state employees in hazardous or dangerous classes of employment. Said plan shall not be subject to the limitations contained in Minnesota Statutes, Section 176.021, Subdivision 5.

Sec. 15. Minnesota Statutes 1971, Section 43.12, Subdivision 2a, is amended to read:

Subd. 2a. [CAREER EXECUTIVE SERVICE.] *(a) There is established a career executive service within the Minnesota state service.*

The purpose of the career executive service is to foster managerial and high level professional identification, development, utilization, mobility and responsiveness in the state service.

~~(a)~~ *(b) The director of civil service, with the approval of the board, shall designate classes positions in the classified service of the state as eligible for assignment to inclusion in the career executive compensation schedule service. Such classes positions shall include those which carry basic responsibilities for high level professional or scientific competence, policy determination, leadership, or the internal management and administration of a department or other major unit.*

The incumbents of such classes positions shall be selected from among the employees of the state, or its political subdivisions, as set forth in this subdivision 2a, clauses (b), (c), and (d).

~~(b)~~ *(c) Eligibility for appointment to assignment in the career executive compensation schedule service shall be established as a result of an examination of persons who first meet such qualifications in accordance with regulations and procedures as the board director shall determine. The board shall select individuals knowledgeable in the field of administrative management who shall serve in an examining capacity to review in detail the applicants' qualifications. The review shall include but not be limited to the following matters: (1) Educational qualifications, (2) Pertinent work experience, (3) Evidence of continuing academic development, (4) Membership in professional organizations, and (5) Estimate of continuing professional growth in a particular discipline. Assignments will be made only after the nominee has achieved permanent or probationary civil service status in the class occupied at the time nomination is made and after meeting requirements as determined by the director.*

~~(c)~~ *(d) The provisions of chapter 43, and sections 197.45 to 197.48 insofar as they relate to the selection, classification, preference, transfer, tenure and other conditions of employment shall not apply in the selection and assignment of personnel in the career executive compensation schedule service. Assignments Appointments may be terminated by the appointing authority, provided, however, that a written report relative to such the termin-*

ation is first submitted to the board not based on reasons of politics, religion, race, age, sex, or disability.

~~(d)~~ (e) The director shall certify the names of those persons passing a screening examination meeting requirements established elsewhere in this subdivision to the appointing authority in the order of their performance in said examination, and the appointing authority shall be limited in his appointment to such list.

~~(e)~~ (f) No person assigned appointed to the career executive compensation schedule service shall be deemed to acquire any vested rights or tenure to such assignment appointment, provided however, that the time served in such assignment appointment shall be credited to his the employee's seniority, sick leave, vacation, and retirement rights. Upon the termination of his assignment to the career executive compensation schedule, if the employee was appointed to the career executive service from the classified service. An employee may be reassigned to another career executive service position at the same or lower level at the discretion of his appointing authority. An employee removed from the career executive service who was appointed from the classified state service shall be reinstated to his former grade in the same or similar position under the civil service laws and his compensation shall be at the level formerly received plus any annual increments he would have received had he remained in the schedule provided in subdivision 2, clause (1).

(g) The director may establish and enforce regulations and procedures with respect to the career executive service to ensure compliance with the purposes and intent of this subdivision.

(h) Notwithstanding any provision to the contrary, persons appointed to the career executive service shall be subject to the retirement requirements set forth in section 43.051.

Sec. 16. Minnesota Statutes 1971, Section 43.12, Subdivision 2b, is amended to read:

Subd. 2b. [CAREER EXECUTIVE SERVICE.] The following schedule of rates is established as the annual rates of pay for the employees selected under subdivision 2a:

CES-I	13,000	13,500	to	18,000	21,500
CES-II	15,000	15,500	to	21,000	24,500
CES-III	18,000	18,500	to	24,000	28,000
CES-IV	22,000	23,000	to	28,000	32,000

The salary rate to be paid an employee, within the range assigned by the director, shall be determined by the appointing authority. The beginning salary rate and any subsequent changes shall be reported to the director by the appointing authority.

Sec. 17. Minnesota Statutes 1971, Section 43.12, Subdivision 3, is amended to read:

Subd. 3. [ALLOCATIONS.] (1) The director shall allocate each position in the classified civil service to one of the classes within the classification plan, subject to review of the board if an appli-

cation is made in writing to the board upon one of the grounds set forth in clause (7) by the appointing authority immediately affected at any time within 30 days following notice to him of that allocation, or within 30 days from the date of notice of the final action of the director in case of an application for reconsideration, as hereinafter provided for, and thereafter all salary rates, schedules, or compensation policies shall apply uniformly to all positions within each class, in accordance with rules and regulations established by the board, except those positions for which special provision is made in clause (6) below. When a position which has not been allocated to one of the classes within the classification plan is established, the appointing authority shall notify the director, who shall allocate that new position to its appropriate class, subject to the same right of review by the board as heretofore provided in this clause.

(2) After the director makes an allocation under clause (1), he shall notify the appointing authority affected, in writing, of that allocation. The allocation shall become immediately effective, but the appointing authority may within ten days file with the director an application for reconsideration, together with any written evidence by way of affidavits, statements or exhibits which that appointing authority may desire considered by him. The director shall act upon that application within ten days after receiving it, and notify the appointing authority of his final action. In case of the filing of such application for reconsideration, the time for asking a review by the board shall commence to run from the date of notice to the appointing authority of the director's final action.

(3) Whenever, because of changes in the organizational structure of an agency, in the duties of a position, or for some other reason, a position appears to be improperly allocated, the director shall, upon his own initiative, or upon the written request of a permanent employee or an appointing authority, investigate the duties of the affected position. Following that investigation he may reallocate it to an appropriate class. If the director makes a reallocation or denies an application for reallocation, under this clause, he shall notify the appointing authority and the employee affected of his action. A permanent employee or appointing authority affected by any such action shall have the same right to make an application for reconsideration as is granted an appointing authority in the case of an original allocation by clause (2), and the procedure set out in clause (2) shall apply to such application. Except as provided in clause (6) below, any reallocation granted by the director shall become effective upon the expiration of the time fixed for making an application for reconsideration, if none is made, or if one is made, at the date of notice by the director of this final action. A permanent employee or appointing authority shall have the same right of review by the board of a reallocation which changes the class of a position as is granted an appointing authority in the case of an original allocation. Application for such a review must be made within 30 days from the date of notice by the director of his original action, or, if a reconsideration has been asked, within 30 days from the date of the director's final action upon that application.

(4) In case of any allocation under clause (1), or any reallocation under clause (3), no examination of witnesses nor any trial or hearing shall be required, but the director may act upon such matters as are submitted to him in writing by the employee whose position will be affected by a reallocation or by the appointing authority who will be affected by an allocation or a reallocation, and reports and records of investigators of the department, and may take official notice of the records of the department and of allocations of other comparable positions. The matters of which he takes official notice shall be set out by him in a memorandum to be filed with his order or report of investigation and made a part of his record. In all cases of applications for reallocation, the burden of proof shall be upon the person requesting the reallocation.

(5) Except as provided in clause (6) below, the incumbent of a position which has been reallocated shall continue in the position only if he is eligible for and actually is appointed to the position of the new class in accordance with the rules of the board governing promotion, transfer, and demotion. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted or demoted, the layoff provisions of this chapter and the rules of the board shall apply. Personnel changes required by the reallocation of positions shall be completed within a period of 60 days following the date of reallocation notice to an appointing authority. Any employee with permanent or probationary status whose position is reallocated shall be considered eligible to compete in any promotional examination held to fill the reallocated position, as provided in the rules of the board.

(6) When a position is reallocated by the director to a class in a lower salary range, or when an employee is demoted to a position in a lower salary range, the director and the commissioner of administration may give consideration to the employee's long or outstanding service, exceptional or technical qualifications, age, health, or *substantial changes in work assignment or operational changes in state government which eliminate positions held by classified employees with permanent status*. When, as a result of such consideration, the director and the commissioner determine that the best interests of the state will be served by such action, the position shall be reallocated but the employee shall continue at the same rate of pay. Thereafter, as long as he remains in the same position, such employee shall not be eligible to receive any salary increases, *except those economic adjustment increases based on the consumer's price index authorized by law*, until such time as his salary once again may be within the range of the class to which his position has been reallocated.

(7) A review by the board as provided for in this subdivision may be had when the employee or appointing authority affected files an application for review in writing on the ground:

(a) That the action of the director was not in accordance with the civil service act;

(b) That the action of the director was unwarranted by the evidence before him, or was procured by fraud, coercion or other improper conduct of any party in interest.

The board after receiving any application for review shall order the director to submit to it the record upon which he acted and thereafter, upon that record, may sustain, reverse or modify the action of the director or, in its discretion, may order that further evidence be taken by him to be submitted to the board and considered by it upon its review.

Sec. 18. Minnesota Statutes 1971, Section 43.121, Subdivision 2, is amended to read:

Subd. 2. When an additional class is added to the classification plan, it shall be assigned to one of the salary ranges *schedules* set forth in section 43.12, subdivision 2 ; and, if the duties and responsibilities of a class in the plan are substantially changed, or if an apparent inequity exists in the assignment of a class to a salary range, that class shall be reassigned to another salary range by the director of civil service. Such assignment or reassignment to a salary range *schedule* when approved by the civil service board after public hearing shall be submitted to the commissioner of administration who shall determine whether funds are available for such purposes. The commissioner of administration may approve or reject such schedules. These schedules shall become effective when approved by the commissioner and shall be used by him in connection with all payrolls and accounting records and with all budget estimates for all departments of agencies of the state government. Upon his approval, the commissioner shall file such new schedules in the office of the secretary of state.

Sec. 19. Minnesota Statutes 1971, Section 43.122, is amended to read:

43.122 [SALARY INCREASES.] Subdivision 1. Appointing authorities are authorized to grant achievement awards in the amount of one salary step for employees assigned to the schedule A, as set forth in section 43.12, subdivision 2 clause (1), who have demonstrated outstanding performance. Justification to the director must be in writing setting forth qualitative and quantitative criteria on which the determination was made. In no instance shall such awards be granted in excess of 20 percent of employees authorized at the beginning of each fiscal year, nor to employees whose rates of pay are at or above the maximum rate of pay established for their class. Appointing authorities shall make every effort to distribute achievement awards equitably among and within all classifications to eligible employees. To insure conformance to legislative intent, appointing authorities shall submit quarterly reports to the chairman of the senate civil administration and house governmental operations committees indicating the name and classification of each employee granted an achievement award, and the salary step at which the employee is being compensated within his salary range. A copy of each such report must be filed with the civil service director. The first quarterly report is due April 1, 1972.

Subd. 2. Within the limits of available appropriations an appointing authority may propose salary increases *within the range* of more than one step or more frequently than provided in this section upon detailed written statements to the director specifying

the unusual employment conditions that make such action necessary. The director shall review each such proposal giving due consideration to the salary rates paid other employees in the same class and agency and may deny any request which in his judgment is contrary to the best interest of the service.

Subd. 3. (a) Employees in classes assigned to the "A" schedule as cited in section 43.12, subdivision 2, clause (1), may receive a one step salary increase annually, on their anniversary date, to the position rate in their salary range, provided performance is satisfactory as indicated by their appointing authority.

The position rate shall be as follows:

9 step salary range—5th step

8 step salary range—5th step

7 step salary range—4th step

6 step salary range—4th step

5 step salary range—4th step

4 step salary range—3rd step

3 step salary range—3rd step

Beyond the position rate, employees may receive one step satisfactory performance increases biennially, on their anniversary date, upon the recommendation of their appointing authority, up to and including the maximum rate of the salary range for their class.

No increases authorized by this subdivision shall be granted by the appointing authority until an appropriate employee evaluation program is filed with the director. Authorized increases shall be recommended in the context of performance measured against specific performance standards or objectives.

Appointing authorities shall not recommend increases for those employees in this schedule who have not met, or only marginally attained, performance standards or objectives. Increases withheld may subsequently be granted by the appointing authority upon certification to the director that the employee is achieving performance standards or objectives.

(b) Employees in classes assigned to the "C" schedule as cited in section 43.12, subdivision 2, clause (6), shall progress through the salary range for their class according to the following procedure:

Employees compensated at the first step in their salary range shall be advanced to the second step following the completion of 1,044 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7). Employees compensated at the second step in their salary range shall be advanced to the third step following the completion of 1,044 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7).

Employees compensated at or beyond the third step in their

salary range shall advance to the next highest rate in their salary range at the completion of each increment of 2,088 hours of satisfactory service subsequent to the implementation of the provisions of section 43.12, subdivision 2, clause (7), until the maximum rate of pay is attained.

Employees compensated at the maximum step in their range or above shall receive no salary adjustments under the provisions of this subdivision.

(c) Appointing authorities may withhold increases authorized in section 43.122, subdivision 3, clause (b). Those employees who will be denied an increase because of unsatisfactory service must be notified in writing. Increases withheld may subsequently be granted by the appointing authority upon certification to the director that the employee has achieved a satisfactory level of performance.

(d) All salary increase provisions for the "A" schedule cited in section 43.122, subdivision 3, shall be effective beginning with the payroll period following the employee's anniversary date but in no instance prior to the first full payroll period subsequent to May 30, 1974.

Subd. 4. [ANNIVERSARY DATES.] To determine anniversary dates for the purposes of this section, the following procedure shall be used. For all persons employed on or before May 30, 1973, annual anniversary dates shall be computed from that date. For those employed subsequent to May 30, 1973, the anniversary date shall be computed from the date of employment. For those promoted, reinstated, reemployed, or returned from leave of absence subsequent to May 30, 1973, the anniversary date shall be computed from the date of the action. Anniversary dates shall not be affected by the withholding of increases authorized in section 43.122, subdivision 3, clause (1).

Sec. 20. Minnesota Statutes 1971, Section 43.126, Subdivision 1, is amended to read:

43.126 [SPECIAL RATES OF PAY.] Subdivision 1. Notwithstanding the provisions of sections 43.12 and 43.121 to 43.123, the following salary ranges are established with annual salaries as shown:

Range A ~~\$19,500~~ \$23,000 to ~~\$28,000~~ \$32,000
 Range B ~~\$23,500~~ \$28,000 to ~~\$32,000~~ \$38,000
 Range C ~~\$27,500~~ \$30,000 to ~~\$37,000~~ \$45,000

Sec. 21. Minnesota Statutes 1971, Section 43.24, Subdivision 1, is amended to read:

43.24 [REMOVAL.] Subdivision 1. [WRITTEN STATEMENT.] No permanent employee in the classified service, under the provisions of this chapter or the rules made pursuant thereto, shall be removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position, except for just cause, which shall not be religious or political, or because of the employee's race, sex, disability or age, subject however to the mandatory re-

irement ages specified by law. In case of any disciplinary action, as enumerated in this section, the employee shall, before the action is taken, be furnished with a statement, in writing, setting forth the reasons for the disciplinary action, be permitted five days time to reply thereto, in writing, or upon his request, to appear personally and reply to the head of the department. A copy of the statement and the employee's reply, if any, shall be filed with the director of *civil service* prior to the effective date thereof.

Sec. 22. Minnesota Statutes 1971, Section 43.50, Subdivision 1, is amended to read:

43.50 [PAYMENT OF PREMIUMS.] Subdivision 1. Each department or agency of the state government shall pay the amounts due for basic life insurance and basic health benefits coverage authorized for eligible state employees as provided by Laws 1967, Chapter 103. *Additionally, and notwithstanding any law to the contrary, effective July 1, 1974, each department or agency of the state government shall contribute \$10 per month toward the cost of dependent hospital-medical insurance coverage premiums for their eligible employees who have eligible dependents. To enable employees to receive benefit from this provision, an open enrollment period of not less than one month, commencing May 1, 1974, is established. During said open enrollment period employees may enroll their dependents without proof of insurability. Effective January 1, 1975, the state contribution provided herein shall apply to eligible members of the legislature who have eligible dependents.* Each of such departments and agencies shall pay such amounts from such accounts and funds from which each department or agency receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. Such sums of money as are necessary for such purposes are hereby appropriated to such departments and agencies from such account and funds in the state treasury. In order to enable the state auditor to maintain proper records covering the appropriations made by this section, he may require such certifications in connection therewith as he may deem necessary from any state department or agency whose officers and employees receive benefits pursuant to Laws 1967, Chapter 103. The accounts and funds referred to from which departments and agencies receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 23. Minnesota Statutes 1971, Section 299D.03, Subdivision 2, is amended to read:

Subd. 2. [SALARIES.] (1) Each such employee other than the chief supervisor, lieutenant colonel, majors, captains, and sergeants hereinafter designated shall be known as patrol officers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, sergeants and officers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except

for officers, shall be selected from the patrol officers, sergeants, captains, and majors who shall have had at least five years' experience as either patrol officers, sergeants, or supervisors. The total number of supervisors shall not exceed one for each ten patrol officers, but no supervisor shall be demoted in order to obtain this ratio. Vacancies in supervisory positions, however, shall not be filled until the ratio provided for herein is reached.

(3) Commencing ~~November 17, 1971~~ July 11, 1973, the salaries for all members of the highway patrol, except for the chief supervisor and these members subject to the provisions of clause (7), shall be as shown in the following table:

	TIME IN RANK							
	Base Salary	1 Year	2 Years	3 Years	4 Years	5 & 6 Years	7 thru 11 Years	12 and Over Years
Officer	\$ 735	766	797	828	861	896	931	969
Sergeant	1000	1000	1000	1049	1049	1000	1000	1000
Captain	1134	1134	1134	1179	1179	1226	1226	1226
Major	1275	1275	1275	1326	1326	1379	1379	1379
Lt. Col.	1434	1434	1434	1491	1491	1550	1550	1550

(4) Beginning with the first payroll period in fiscal year 1972-73, the salaries for all members of the highway patrol, except for the chief supervisor, and those members subject to the provisions of clause (7), shall be as shown in the following table:

	TIME IN RANK							
	Base Salary	1 Year	2 Years	3 Years	4 thru 6 Years	5 & 6 Years	7 thru 11 Years	12 Years and Over
Officer	\$766	808	797	851	820	894	851	938
Sergeant	1049	1113	1049	1113	1049	1158	1090	1158
Captain	1179	1252	1179	1252	1179	1302	1226	1302
Major	1326	1408	1326	1408	1326	1464	1379	1464
Lt. Col.	1491	1584	1491	1584	1491	1647	1550	1647

Commencing July 10, 1974, the salary rates for all highway patrol officers and sergeants as cited in section 299D.03, subdivision 2, clause (3), shall be increased by \$10 per month in lieu of receiving any salary differential for working evening and night hours.

The salary figures shown in the table above shall be increased in value by ~~two~~ percent, effective at the beginning of the first payroll period in fiscal year 1972-73, if the classified civil service receives a two percent cost of living increase pursuant to other law.

In addition to the rates of pay provided above, all employees

compensated according to the above salary table shall be paid a cost of living allowance to be determined and redetermined in the following manner:

The difference, if any, between the consumers price index for the city of Minneapolis-St. Paul, Minnesota (new series index 1967=100) as published for the months July, 1973, and April, 1974, by the Bureau of Labor Statistics of the United States Department of Labor shall be computed. For each full four tenths point increase so computed, one cent per hour shall be added to the hourly rate of pay of each highway patrol officer; and two tenths of one percent rounded to the nearest dollar shall be added to the monthly rate of pay of each sergeant, captain, major, and lieutenant colonel. Such cost of living allowance shall become effective the first full payroll period after July 1, 1974, and shall continue in effect until the first full payroll period after January 1, 1975. A redetermination of the cost of living allowance shall be made in October, 1974, and will involve computation of the difference, if any, between the aforementioned index as published for the base month of July, 1973, and the month of October, 1974. For each full four tenths point increase so computed one cent per hour shall be added to the hourly rate of pay of each officer; and two tenths of one percent rounded to the nearest dollar shall be added to the monthly rate of pay of each sergeant, captain, major and lieutenant colonel as a cost of living allowance. Such cost of living allowance shall become effective the first full payroll after January 1, 1975.

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly and monthly rates of pay for highway patrol officer, sergeant, captain, major and lieutenant colonel, and treated as a part thereof in all calculations involving employees' pay.

The commissioner of administration may direct the state auditor to transfer to the department of public safety the necessary amount to finance the increased cost of the cost of living provisions of this clause. This amount is appropriated from the trunk highway fund to the department of public safety for this purpose.

~~(5)~~ (4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and, if initially appointed to the highway patrol on or before the effective date of this act, shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.

~~(5)~~ (5) Any time in rank increases in salary provided for in the tables in clauses clause (3) and ~~(4)~~, shall be effective for the payroll period nearest the employee's anniversary date of employment.

~~(7)~~ Patrol officers appointed on or after the effective date of this act, shall be paid the base salary assigned to the rank of patrol officer. In lieu of time in rank increases, 20 percent of such officers shall be eligible for achievement awards contemplated by Minnesota Statutes, Section 43.122, Subdivision 1.

(8) No time in rank increases shall be granted after June 30, 1973.

The salary rates for all highway patrol officers and sergeants as cited in section 299D.03, subdivision 2, clause (3) shall be deemed to include reimbursement for meal and business expenses incurred by highway patrol officers and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Sec. 24. Minnesota Statutes 1971, Section 352.03, Subdivision 1, is amended to read:

352.03 [BOARD OF DIRECTORS, COMPOSITION, EXECUTIVE DIRECTOR; DUTIES, POWERS.] Subdivision 1. [MEMBERSHIP OF BOARD; ELECTION; TERM.] The policy making function of the system is hereby vested in a board of seven members, who shall be known as the board of directors, hereinafter called the board. This board shall consist of ~~the state auditor, the state treasurer, the insurance commissioner, three members appointed by the governor, one of whom shall be a constitutional officer or appointed state official and two public members knowledgeable in pension matters,~~ and four state employees who shall be elected by state employees covered by the system at a time and in a manner to be fixed by the board. Two board members, whose terms of office shall begin on the first Monday in March next succeeding their election, shall be elected biennially. The term of the two board members whose terms expire in 1968 shall terminate on the first Monday in March, 1968, and the terms of the two board members whose terms expire in 1970 shall terminate on the first Monday in March, 1970. The members of the board so elected shall hold office for a term of four years and until their successors are elected, and have qualified. A state employee on leave of absence shall not be eligible for election or re-election to membership on the board of directors; and the term of any board member who is on leave for more than six months shall automatically terminate upon the expiration of such period.

Sec. 25. Minnesota Statutes 1971, Section 352.03, Subdivision 3, is amended to read:

Subd. 3. [DIRECTORS SERVE WITHOUT COMPENSATION.] The members of the board *employed by the state* shall serve without compensation, but shall be reimbursed out of the retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties, and shall suffer no loss of salary or wages through service on the board. *The public members of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.*

Sec. 26. Minnesota Statutes 1971, Section 352.04, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS.] The employee

contribution to the fund ~~(a)~~ by those employees whose state service is covered by the federal social security act shall be an amount equal to ~~three~~ *four* percent of salary, and ~~(b)~~ by those employees whose state service is not covered by the federal social security act shall be an amount equal to ~~six~~ percent of salary *beginning with the first full pay period after June 30, 1973*. These contributions shall be made by deduction from salary in the manner provided in subdivision 4.

Sec. 27. Minnesota Statutes 1971, Section 352.04, Subdivision 3, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTIONS.] The employer contribution to the fund shall be ~~(1)~~ an amount equal to the total amount deducted from the salaries of employees on each payroll abstract, plus ~~(2)~~ ~~(a)~~ *an additional one-half of the amount of such deductions beginning with the first full pay period after June 30, 1969, for employees paying three percent contributions, such amount to be reduced to one-third of such deductions beginning with the first full pay period after June 30, 1970, or (b) an additional one-sixth of the amount of such deductions for employees paying six percent contributions an additional two percent of salary beginning with the first full pay period after June 30, 1973*. The employer contribution shall be made in the manner provided in subdivisions 5 and 6.

Sec. 28. Minnesota Statutes 1971, Section 352.115, Subdivision 2, is amended to read:

Subd. 2. [AVERAGE SALARY.] The retirement annuity hereunder payable at age 65 or thereafter shall be computed in accordance with the applicable provisions of the formula stated in subdivision 3 hereof, on the basis of the employee's average salary for the period of his allowable service. Such retirement annuity is known as the "normal" retirement annuity.

~~(a)~~ For years prior to July 1, 1957, "average salary" for the purpose of determining an employee's retirement annuity means the average of his highest salary upon which deductions were based for any five consecutive years prior to that date.

~~(b)~~ For each year of allowable service subsequent to June 30, 1957, "average salary" of an employee for the purpose of determining his retirement annuity means the average of his *the highest five successive years of salary upon which he has made contributions to the retirement fund by payroll deductions.*

Sec. 29. Minnesota Statutes 1971, Section 352.115, Subdivision 3, is amended to read:

Subd. 3. [RETIREMENT ANNUITY FORMULA.] The employee's average salary, as defined in subdivision 2 multiplied by the applicable percentages indicated below *1 percent per year of allowable service for the first ten years and 1.5 percent for each subsequent year of allowable service and pro rata for completed months less than a full year shall determine the amount*

of the retirement annuity to which the employee qualifying therefor is entitled ÷ .

(1) For Years of Allowable Service Rendered Prior to July 1, 1969	Percentages at the Rate of ÷
(a) First ten years	1 percent per year of service
(b) Second ten years or completed months of service less than such period	1.1 percent per year of service
(c) Third ten years or completed months of service less than such period	1.7 percent per year of service
(d) Subsequent years or completed months of service less than such period	2 percent per year of service
(2) For years of Allowable Service Rendered Subsequent to June 30, 1969	Percentage at the Rate of
(a) First ten years of	1 percent per year of service
(b) Second ten years of completed months of service less than such period	1.3 percent per year of service
(c) Third ten years of completed months of service less than such period	2 percent per year of service
(d) Subsequent years of completed months of service less than such period	2.5 percent per year of service

(3) If a combination of the above formulas is used, the formula percentages used shall be those percentages in each formula as continued for the respective years of allowable service from one formula to the next.

Sec. 30. Minnesota Statutes 1971, Section 352.115, is amended by adding a subdivision to read:

Subd. 13. [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Any employee who prior to July 1, 1973, was less than 60 years of age when entering covered state service who, due to the lowering of the mandatory retirement age, does not qualify for an annuity at the time he is required to retire, shall be entitled upon application to a proportionate annuity based upon his allowable service credit at time of mandatory retirement.

Sec. 31. Minnesota Statutes 1971, Section 352.116, Subdivision 1, is amended to read:

352.116 [ANNUITIES UPON RETIREMENT.] Subdivision 1. [REDUCED ANNUITY BEFORE AGE 65.] Any employee who retires prior to age 65 shall be paid the normal retirement annuity provided in sections 352.115, subdivisions 2 and 3, or 352.715, subdivision 2, as the case may be, reduced by one-half of one percent for each month that the employee is under age 65 on the last day for which he is entitled to service credit as provided in section 352.01, subdivision 11, clause (3), or the date state service terminated, or the date the application for the annuity is filed with the director, whichever is later, *provided however that if an employee is entitled to credit for not less than 30 years allowable service, such reduction shall be applied only for each month the employee is under age 62.*

Sec. 32. Minnesota Statutes 1971, Section 352.118, is amended to read:

352.118 [INCREASE IN BENEFITS.] The retirement annuities and disability benefits authorized and in effect on June 30, ~~1969~~ 1973 shall be increased in the same ratio that the actuarially computed reserve for such benefits determined by using an interest assumption of three *and one-half* percent bears to the actuarially computed reserve for such benefits determined by using an interest assumption of ~~three and one-half~~ *five* percent. The reserves upon which such increase shall be based shall be the actuarially determined reserve for benefits in effect at ~~December 31, 1968~~ *June 30, 1972*, in accordance with the mortality assumptions then in effect and at interest assumptions of three *and one-half* percent and ~~three and one-half~~ *five* percent. Such ratio of increase computed to the last full one one-hundredth of one percent shall be applied to benefits in effect on June 30, ~~1969~~ 1973 and shall begin to accrue July 1, ~~1969~~ 1973. Notwithstanding section 356.18, increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the Minnesota state retirement system requesting that the increase shall not be made.

Sec. 33. Minnesota Statutes 1971, Section 352.119, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] ~~(1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1969 and as amended in accordance with Laws 1969, Chapter 893, shall be determined in accordance with the 1937 standard annuity table of mortality, calculated separately as to sex, with an interest assumption of three and one-half percent and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with the procedures specified by law for the Minnesota adjustable fixed benefit fund.~~

~~(2) (1) Effective July 1, 1969, for those employees commencing to receive benefits pursuant to chapter 352, and acts amendatory~~

thereof, the required reserves as determined in accordance with ~~this section~~ *the interest assumption then in effect and appropriate mortality table based on experience of the fund as recommended by the system's actuary shall be transferred to the Minnesota adjustable fixed benefit fund as of the date benefits begin to accrue.*

(3) (2) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.

Sec. 34. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.1191] [SURVIVOR BENEFIT INCREASE.] *The survivor benefits payable from the state employees retirement fund as provided by section 352.715, subdivision 4, which are authorized and in effect on January 1, 1974 shall be increased 25 percent. Such increase shall apply to the accrual of benefits commencing January 1, 1974.*

Sec. 35. Minnesota Statutes 1971, Section 352.22, Subdivision 1, is amended to read:

352.22 [REFUNDMENTS OR DEFERRED ANNUITIES.] Subdivision 1. [SERVICE TERMINATION.] Any employee who ceases to be a state employee by reason of termination of state service, shall be entitled to a refundment provided in subdivision 2 or a deferred retirement annuity as provided in subdivision 3. Application for a refundment may be made 60 or more days after the termination of state service if the applicant has not again become a state employee required to be covered by the system; except that employees of the University of Minnesota, having attained the age of 60 years or more, and employees of other departments and agencies of the state having attained the age of 70 years or more, whose state service is terminated by operation of law, or by direction of the appointing authority, who attain mandatory retirement age and are required to retire and who are not eligible to receive an annuity under sections 352.115 or 352.72, may apply for refundment without any waiting period.

Sec. 36. Minnesota Statutes 1971, Section 352.22, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT OF REFUNDMENT.] Except as provided in subdivision 3, any person who ceased to be a state employee after June 30, 1973, by reason of termination of state service shall receive a refundment in an amount equal to his accumulated contributions without interest, except that an employee terminating state service at the age of 65 or more shall receive a refundment in an amount equal to his accumulated contributions plus interest thereon to the date of termination at the rate of three and one-half percent per annum compounded annually if the employee due to age could not qualify for an annuity upon reaching compulsory retirement age had he continued in covered employment. Interest shall not be paid on any contributions for service rendered prior to age 60 at the rate of three and one-half percent per annum compounded annually on deductions taken after the third year of

coverage except that if the employee, due to age, could not qualify for an annuity upon reaching compulsory retirement age had he continued in covered employment, he shall be paid interest from the date of coverage. Such interest shall be computed to the first day of the month in which the refund is processed and shall be based on fiscal year balances .

Sec. 37. Minnesota Statutes 1971, Section 352.23, is amended to read:

352.23 [TERMINATION OF RIGHTS.] When any employee accepts a refundment as provided in section 352.22, all existing service credits and all rights and benefits to which the employee was entitled prior to the acceptance of such refundment shall terminate and shall not again be restored until the former employee acquires not less than one year's allowable service credit subsequent to taking his last refundment. In that event, he may repay all refundments which he had taken from the retirement fund. Repayment of refundments will entitle the employee only to credit for service covered by (a) salary deductions, (b) payments made in lieu of salary deductions, and (c) payments made to obtain credit for service as permitted by laws in effect at the time payment was made. If an employee before taking one or more refundments had credit for prior service or for military service without payment in either case, he may obtain credit for such forfeited service prior to July 1, 1929, and for such forfeited military service by making payments at a contribution rate of three percent of his average salary upon which deductions for the retirement fund were based, for the three year period immediately preceding repayment of refundment for service credit prior to July 1, 1929, and on the salary received by him at the time of entering military service to restore his military service credit. All such payments and repayment of refundments are to be paid with interest at ~~four~~ six percent per annum compounded annually.

Sec. 38. Minnesota Statutes 1971, Section 352.27, is amended to read:

352.27 [CREDIT FOR MILITARY SERVICE.] Any employee given a leave of absence to enter military service who returns to state service upon discharge from military service as provided in section 192.262, may obtain credit for his period of military service but he shall not be entitled to credit for any voluntary extension of military service at the instance of the employee beyond the initial period of enlistment, induction or call to active duty, nor to credit for any period of service following a voluntary return to military service. Such employee may obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of this contribution shall be the applicable amounts required in section 352.04, subdivision 2, plus interest at ~~four~~ six percent per annum compounded annually. In such cases the matching employer contribution and additional contribution provided in section 352.04 shall be paid by the department employing such employee upon his return to state service from funds available to such department at the time and in the manner provided in section 352.04.

Sec. 39. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.90] [CORRECTIONAL EMPLOYEES.] *It is the policy of the legislature to provide special retirement benefits and contributions for certain correctional employees who, because of the nature of their employment, are required to retire at an early age. For the purpose of Minnesota Statutes, Chapter 356, the actuary shall make separate reports with respect to these employees. Except as otherwise provided, the provisions of Minnesota Statutes, Chapter 352, apply to covered correctional employees.*

Sec. 40. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.91] [COVERED CORRECTIONAL SERVICE.] *Covered correctional service means: (a) services performed on, before, or after July 1, 1973, by a state employee, as defined in section 352.01, as an attendant guard, attendant guard supervisor, correctional captain, correctional counselor I, correctional counselor II, correctional counselor III, correctional counselor IV, correctional lieutenant, correctional officer, correctional sergeant, director of attendant guards and guard farmer garden, provided the employee was employed in such position on July 1, 1973 or thereafter; (b) services performed before July 1, 1973 by an employee covered under clause (a) in a position classified as a houseparent or guard instructor; and (c) services performed before July 1, 1973 in a position listed in clause (a) and positions classified as houseparent, guard instructor and guard farmer dairy, by a person employed on July 1, 1973 in a position classified as a license plant manager, prison industry foreman (general, metal fabricating and foundry), prison industry supervisor, food service manager, prison farmer supervisor, prison farmer assistant supervisor or rehabilitation therapist employed at the Minnesota security hospital. However an employee shall not be covered hereunder if first employed after July 1, 1973 and who because of his age could not acquire ten years of service to qualify for an annuity as a correctional employee.*

Sec. 41. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.92] [CORRECTIONAL EMPLOYEE CONTRIBUTIONS.] *Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973 in lieu of employee contributions payable under section 352.04, subdivision 2, contributions by covered correctional employees shall be in an amount equal to six percent of salary.*

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Beginning with the first full pay period after June 30, 1973, in lieu of employer contributions payable under section 352.04, subdivision 3, the employer shall contribute for covered correctional employees (1) an amount equal to 1½ times the deduction from salaries of covered correctional employees on each payroll abstract, plus (2) an additional amount of five percent of salaries of covered correctional employees on each payroll abstract.

Sec. 42. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.93] [RETIREMENT ANNUITY.] *Subdivision 1. After separation from state service an employee covered under section 34 of this act who has attained the age of at least 55 years and has credit for not less than a total of ten years of covered correctional service and regular Minnesota state retirement system service shall be entitled upon application to a retirement annuity under this section based only on covered correctional employees' service.*

For the purpose of this section, average salary means the average of the monthly salary during the employees' highest five successive years of salary as a correctional employee.

Subd. 2. The monthly annuity under this section shall be determined by multiplying the average monthly salary by the number of years, or completed months, of covered correctional service by 2.5 percent for the first 20 years of correctional service and two percent for each year thereafter; provided however, the monthly annuity shall not exceed 75 percent of the average monthly salary.

Subd. 3. The annuity under this section shall begin to accrue as provided in section 352.115, subdivision 8, and shall be paid for an additional 84 full calendar months or to the first of the month following the month in which he becomes age 65, whichever occurs first, and then be reduced to the amount as calculated under section 352.115, except that if this amount, when added to the social security benefit based on state service the employee is eligible to receive at such time, is less than the benefit payable under subdivision 2, the retired employee shall receive an amount that when added to such social security benefit will equal the amount payable under subdivision 2. When an annuity is reduced under this subdivision, the percentage adjustments, if any, that have been applied to the original annuity under Minnesota Statutes, Section 11.25, prior to the reduction, shall be compounded and applied to the reduced annuity. A former correctional employee employed by the state in a position covered by the regular plan between the ages of 58 and 65 shall receive a partial return of his correctional contributions at retirement with five percent interest based on the following formula:

<i>Employee contributions contributed as a correctional employee in excess of the contributions such employee would have contributed as a regular employee</i>	X	<table border="0"> <tr> <td style="text-align: center;"><i>Years and complete months of regular service between ages 58 and 65</i></td> <td style="border-bottom: 1px solid black; padding: 0 10px;"></td> </tr> <tr> <td style="text-align: center;">7</td> <td style="border-bottom: 1px solid black; padding: 0 10px;"></td> </tr> </table>	<i>Years and complete months of regular service between ages 58 and 65</i>		7		.
<i>Years and complete months of regular service between ages 58 and 65</i>							
7							

Subd. 4. A former employee who has both regular and correctional service shall, if qualified, receive an annuity based on both periods of service under applicable sections of law but no period of service shall be used more than once in calculating the annuity.

Subd. 5. Notwithstanding the provisions of subdivision 1 an employee who was in a covered correctional position on July 1,

1973; was employed in a position covered by Minnesota Statutes, Chapter 352, prior to reaching age 60; and was required to retire because of the lowering of the mandatory age, shall be entitled to an annuity under this section even though he does not have ten years of covered service under Minnesota Statutes, Chapter 352.

Subd. 6. This section shall apply to qualified employees who retire on or after July 1, 1973, but the annuity payable hereunder shall not begin to accrue until July 1, 1974.

Sec. 43. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.94] [AUGMENTATION.] *Subdivision 1. An employee who becomes a correctional employee after serving as a regular employee shall be covered under section 352.72, subdivision 2, with respect to the regular service.*

Subd. 2. An employee who becomes a regular employee after serving as a correctional employee shall not be covered under section 352.72, subdivision 2, with respect to his correctional service.

Sec. 44. Minnesota Statutes 1971, Chapter 352, is amended by adding a section to read:

[352.95] [DISABILITY BENEFITS.] *An employee who becomes totally and permanently disabled while in a covered correctional position shall have his disability benefit rights determined under section 352.113 except that when such person becomes 55 years of age he shall be deemed to be retired and shall be entitled to receive the benefit provided under section 352.113, subdivision 3, whether or not disabled at such age. An employee who receives a disability benefit shall not be entitled to an annuity under Minnesota Statutes, Section 352.93, even though otherwise qualified, until reemployed in a covered correctional position for a period of at least one year.*

Sec. 45. Minnesota Statutes 1971, Section 356.21, Subdivision 5, is amended to read:

Subd. 5. [ACTUARIAL SURVEY; CONTENTS.] Each actuarial survey required under this section shall include:

(1) For each fund providing any benefits under a benefit formula, the level normal cost of the benefits provided by the laws governing the fund as of the date of the survey, computed in accordance with the Entry Age Normal Cost (Level Normal Cost) Method. Accrued liabilities of the fund shall also be calculated in accordance with that method.

(2) For each fund providing benefits under the money purchase method, the member contributions accumulated at interest, as apportioned to members' accounts, to the date of the survey. These accumulations shall be separately tabulated in such manner as to reflect properly any differences in money purchase annuity rates which may apply.

(3) An interest assumption of ~~three and one-half~~ five percent.

(4) Other assumptions as to mortality, disability, withdrawal,

and salary scale that are appropriate to the fund, which shall be set forth in the survey report.

(5) A balance sheet showing accrued assets, accrued liabilities, and the deficit from full funding of liabilities (unfunded accrued liability). The accrued liabilities shall include the following required reserves:

- (a) For active members
 - 1. Retirement benefits
 - 2. Disability benefits
 - 3. Refundment liability due to death or withdrawal
 - 4. Survivors' benefits
- (b) For deferred annuitants' benefits
- (c) For former members without vested rights
- (d) For annuitants
 - 1. Retirement annuities
 - 3. Widows' annuities
 - 4. Surviving children's annuities

In addition to the above required reserves, separate items shall be shown for additional benefits, if any, which may not be appropriately included in the reserves listed above.

(6) In addition to the level normal cost, such additional rate of support as is required to amortize any deficit in the fund by the end of the fiscal year occurring in 1997.

(7) Each actuarial survey shall measure all aspects of the fund in accordance with such changes in benefit plans, if any, as will be in force during the following fiscal year.

(8) An actuarial balance sheet shall not include as an asset any amount representing the present value of contributions to be made for the purpose of amortizing the present deficit in the fund.

(9) A statement of the average entry ages at which employment commences.

(a) For all those currently active members at the date of the actuarial valuation.

(b) Separately as to new entrants for each of the last five fiscal years.

(10) A statement of the average ages at which service retirements have taken place.

(a) For all service retirement annuitants living at the date of the actuarial valuation.

(b) Separately as to new retirements for each of the last five fiscal years.

(11) A separate item of administrative expense and a statement of level normal cost. The administrative expense and level normal cost shall also be expressed as a percentage of covered payroll.

(12) For each fund providing any benefit that is based entirely on the rate of compensation in the year of retirement or later years or on a limited period of years in which compensation was at its highest level, an assumption that in each future year the salary on which a retirement or other benefit is based is 1.035 multiplied by the salary for the preceding year.

Sec. 46. Section 45 of this act is effective June 30, 1973.

Sec. 47. Minnesota Statutes 1971, Sections 3A.02, Subdivision 1a; and 16.02, Subdivision 20a, are repealed.

Sec. 48. Except as otherwise specifically provided, the effective date of this act is July 1, 1973."

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 operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 3A.02, Subdivisions 1 and 2, and by adding a subdivision; 3A.03, Subdivision 1; 3A.04, Subdivisions 1 and 2; 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.03, Subdivisions 1 and 3; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding a subdivision; 352.116, Subdivision 1; 352.118; 352.119, Subdivision 2; 352.22, Subdivisions 1 and 2; 352.23; 352.-27; 356.21, Subdivision 5; and Chapters 3A, by adding a section; and 352, by adding sections; repealing Minnesota Statutes 1971, Sections 3A.02, Subdivision 1a; and 16.02, Subdivision 20a."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) John C. Lindstrom, E. W. Quirin, Richard J. Parish, Donald M. Moe and Charles R. Weaver.

Senate Conferees: (Signed) John C. Chenoweth, Clarence M. Purfeerst, Harmon T. Ogdahl, Jack Kleinbaum and Joseph T. O'Neill.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1355 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 3A.02, Subdivisions 1 and 2, and by adding a subdivision; 3A.03, Subdivision 1; 3A.04, Subdivisions 1 and 2; 43.01, Subdivision 9, and by adding subdivi-

sions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.03, Subdivisions 1 and 3; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding a subdivision; 352.116, Subdivision 1; 352.118; 352.119, Subdivision 2; 352.22, Subdivisions 1 and 2; 352.23; 352.27; 356.21, Subdivision 5; and Chapters 3A, by adding a section; and 352, by adding sections; repealing Minnesota Statutes 1971, Sections 3A.02, Subdivision 1a; and 16.02, Subdivision 20a.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schrom
Arnold	Dunn	Kleinbaum	Novak	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olhoft	Solon
Bang	Frederick	Larson	Olson, H. D.	Stokowski
Bernhagen	Gearty	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Baldy	Lewis	O'Neill	Thorup
Chenoweth	Hansen, Mel	Lord	Patton	Ueland
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Willet
Coleman	Humphrey	Milton	Perpich, G.	
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, S.	Nelson	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1659, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1659: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

House File No. 1659 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1659

A bill for act prescribing policies and procedures for the selection, designation, planning and regulation of areas of critical concern.

May 17, 1973

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. 1659, 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. 1659, the typewritten bill, be amended as follows:

Page 1, line 23, after "the" and before "environmental" insert "Minnesota"

Page 6, after line 2, insert:

"(c) The order designating an area of critical concern shall be effective for no longer than three years pending approval by the legislature or by the regional development commission, where one exists, of each development region in which a part of the area of critical concern is located. After a regional development commission has approved the designation of an area of critical concern, it shall not revoke or rescind its approval, except as necessary to update and re-evaluate plans and regulations under section 10."

Page 8, line 4, strike "as though validly" and insert in lieu thereof "when"

Page 8, line 5, after "government" and before "upon" insert "or, following legislative or regional development commission approval of the designation,"

Page 12, lines 3 and 4, strike "without the payment of full compensation"

Page 12, strike lines 23 to 28

Page 13, strike line 1

Page 13, line 4, strike all the language after "for" in line 4 and insert in lieu thereof "as much as 100 percent but not less than 50 percent of the non-federal cost of preparing and adopting plans and regulations for areas of critical concern pursuant to section 7, for a period not to exceed five years from the date the legislature or regional development commissions approve the designation of an area of critical concern."

Page 13, strike lines 5 and 6

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Bruce Vento, Harry Sieben and David Fjoslien.

Senate Conferees: (Signed) Winston Borden, Robert Dunn and Roger Moe.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1659 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1659: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	Moe	Purfeerst
Arnold	Dunn	Keefe, S.	Nelson	Renneke
Ashbach	Fitzsimons	Kirchner	North	Schrom
Bang	Frederick	Kleinbaum	Olhoft	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A.G.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hanson, R.	Lewis	O'Neill	Ueland
Chmielewski	Hughes	Lord	Patton	Wegener
Conzemius	Humphrey	McCutcheon	Perpich, A. J.	Willet
Davies	Jensen	Milton	Perpich, G.	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1673, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1673: A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding a subdivision; 353.31, Subdivision 1 and 8; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3, and by adding a subdivision; 353.656, Subdivisions 1, 3 and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and

Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 3, 4, 5, 6, 7, and 10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.

House File No. 1673 is herewith transmitted to the Senate

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1673

A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language, elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 25, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, 6, and 8; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivision 4, and by adding a subdivision; 353.31, Subdivisions 1 and 8, and by adding a subdivision; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3, and by adding a subdivision; 353.656, Subdivisions 3 and 6; 353.657, Subdivisions 1, 2, and 3, and by adding a subdivision; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; 490.12, Subdivision 5; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.01, Subdivisions 24 and 30; 353.015; 353.07; 353.13; 353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.30, Subdivision 3; 353.31, Subdivisions 2, 3, 4, 5, 6, 7, 10, and 11; 353.32, Subdivision 3; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; and 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.

May 16, 1973

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. 1673, 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. 1673 be further amended as follows:

Page 2, line 7, delete the comma and insert in lieu thereof "and"

Page 2, line 8, delete "and the highway patrolmen's retirement"

Page 2, line 9, delete "association"

Page 2, line 14, delete the comma and insert in lieu thereof "and"

Page 2, line 14, after "association" delete "and"

Page 2, line 15, delete everything before the period

Page 2, after line 15, add a section to read:

"Sec. 2. Minnesota Statutes 1971, Section 11.25, is amended by adding a subdivision to read:

Subd. 14. All assets in the annuity stabilization reserve and suspense account shall be credited proportionately to the individual retirement funds' participation in the Minnesota adjustable fixed benefit fund, except that the share attributable to the municipal employees retirement fund of Minneapolis shall be used to increase benefits or may at the discretion of its board of trustees be returned to such fund.

Effective January 1, 1974 each participating fund in the Minnesota adjustable fixed benefit fund, except the municipal employees retirement fund of Minneapolis, shall increase the benefits in effect on June 30, 1973 by an amount that when added to the interest assumption increase granted to such benefits effective July 1, 1973, equals 25 percent. The increase shall apply to the accrual of benefits commencing January 1, 1974 and shall be in lieu of the adjustment provided by section 11.25, subdivisions 12 and 13 scheduled to take effect January 1, 1974.

The actuary for each participating fund, except the municipal employees retirement fund of Minneapolis, shall calculate the reserve required to support the benefits in effect on June 30, 1973 as increased July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota Adjustable fixed benefit fund assets so that its participation equals the total of such required reserve and the reserve for benefits authorized on or after July 1, 1973.

The increased benefits accruing as of January 1, 1974 shall be considered the "originally determined benefits" for the purpose of future adjustments.

Notwithstanding section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the public employees retirement association requesting that the increase shall not be made."

Page 8, after line 12, insert the following:

"(p) Nothing in this act shall be interpreted to impair or revoke any option exercised under Laws 1963, Chapter 793."

Page 11, line 9, restore the stricken "his"

Page 11, line 15, restore the stricken language and delete the underscored language

Page 11, line 16, restore the stricken "his"

Page 14, delete lines 24 through 28

Page 15, delete lines 1 and 2

Page 32, delete all of lines 7 through 28 and insert in lieu thereof the following:

"Subd. 2. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] ~~(1) As of June 30, 1969, the present value of all annuities in force as of June 30, 1960, except for supplementary benefits payable from the general fund of the state and except for survivor or disability benefits, shall be determined by the 1965 group annuity table males, the 1965 group annuity table females, and three and one half percent interest, and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in section 11.25.~~

~~(2) (1) Effective July 1, 1969 1973, for those members retiring pursuant to the provisions of the law relating to the public employees retirement association, the required reserves as determined in accordance with these sections on a five percent interest assumption shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement. The 1965 group annuity table males, the 1965 group annuity table females, and three and one-half percent interest, will be used to determine the amount to be transferred.~~

~~(3) (2) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.~~

~~(4) (3) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless the intended recipient files written notice is filed by the annuitant with the public employees retirement association requesting that the increase shall not be made."~~

Page 33, delete all of lines 1 through 6

Page 33, line 10, delete "and benefits"

Page 33, line 15, delete "and benefits"

Page 33, line 18, delete "and benefits"

Page 33, line 23, delete "and benefits"

Page 35, delete lines 12 through 28

Page 36, delete line 1

Page 37, after line 33, insert "for the first ten years and thereafter by 2.5 percent per year of allowable service"

Page 37, line 35, delete "1.25" and insert in lieu thereof "one"

Page 37, after line 35, insert "for the first ten years and thereafter by 1.5 percent per year of allowable service"

Page 39, line 22, delete "a subdivision" and insert in lieu thereof "subdivisions"

Page 40, after line 1, insert the following:

Subd. 1b. [EARLY RETIREMENT; REDUCTION IN ANNUITY IN CERTAIN CASES.] Any person with 30 years or more of allowable service credit who elects early retirement under subdivision 1, shall receive an annuity reduced by one-half of one percent for each month that such person is under age 62 at the time of retirement."

Page 40, line 8, restore the stricken language and delete the underscored language

Page 40, line 10, restore the stricken language and delete the underscored language

Page 40, line 12, restore the stricken language and delete the underscored language

Page 40, line 13, after the period insert "*Upon retirement a member may select an optional form of annuity in lieu of accepting any other form of annuity which might otherwise be available.*"

Page 43, line 26, after "member" insert "*or former member who terminated public service after June 30, 1973,*"

Page 44, line 6, strike "two" and insert in lieu thereof "*three and one-half*"

Page 44, line 7, delete the underscored language

Page 44, line 13, strike "If a former member dies before he"

Page 44, strike all of lines 14 through 18

Page 49, line 6, strike "He may instead"

Page 49, strike all of lines 7 through 11

Page 49, line 12, strike "section 353.31."

Page 49, line 19, after "employee" insert "*after June 30, 1973*"

Page 49, line 20, after "interest" insert "*for the first three years of membership and thereafter accumulated deductions with interest to the first day of the month in which the refund is processed at the rate of three and one-half percent per annum compounded annually after the third year of membership based on fiscal year balances*"

Page 50, line 28, strike "without interest"

Page 59, line 12, before "*The rights*" insert "*Except as provided in section 84 of this act,*"

Page 60, delete all of lines 20 through 27

Page 63, line 17, delete "73" and insert in lieu thereof "71"

Page 64, line 1, strike the comma

Page 64, strike all of lines 2 and 3

Page 64, line 4, strike "then available to other members retiring at the time"

Page 65, strike all of lines 9 through 17

Page 66, line 7, delete "*, including surviving spouse and*"

Page 66, line 8, delete "*children,*"

Page 66, line 18, delete "73" and insert in lieu thereof "71"

Page 71, line 14, delete "20" and insert in lieu thereof "25"

Page 71, line 18, delete "20" and insert in lieu thereof "25"

Page 71, after line 21, insert the following:

"Notwithstanding section 356.18, increases in payments pursuant to this section will be made automatically unless the intended recipient files written notice with the public employees retirement association requesting that the increase shall not be made."

Page 71, delete lines 22 through 28

Page 72, delete lines 1 through 17

Page 72, line 18, after "Sections" insert "353.01, Subdivision 25;"

Page 72, line 20, after "353.31, Subdivisions" insert "2,"

Renumber the sections in sequence

Further amend the title as follows:

Line 12, after "Sections" insert "11.25, by adding a subdivision;"

Line 14, delete "25,"

Line 21, before "6" insert "and" and after "6" delete ", and 8"

Line 24, delete "a subdivision" and insert in lieu thereof "subdivisions"

Line 33, after "2 and 3" delete ", and"

Line 34, delete "by adding a subdivision"

Line 38, delete "490.12,"

Line 39, delete "Subdivision 5;"

Line 41, after "Sections" insert "353.01, Subdivision 25;"

Line 44, after "Subdivisions" insert "2,"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Richard J. Parish, E. W. Quirin, Donald M. Moe, Calvin R. Larson and Al Patton.

Senate Conferees: (Signed) John C. Chenoweth, Jack Kleinbaum, Eugene Stokowski, Harmon T. Ogdahl and Edward J. Gearty.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1673 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1673: A bill for an act relating to the public employees retirement association; appointment of assistant attorney general to serve three funds; clarification of language; elimination of unnecessary language; increased contributions, actuarial interest assumption, and benefits on high five years final average salary; providing penalties; amending Minnesota Statutes 1971, Chapter 8, by adding a section; Sections 11.25, by adding a subdivision; 353.01, Subdivisions 2, 4, 6, 7, 10, 11, 12, 15, 16, 20, 23, 27, 29, and 31, and by adding subdivisions; 353.03, Subdivision 1, and by adding a subdivision; 353.06; 353.08; 353.14; 353.15; 353.18; 353.19; 353.27, Subdivisions 1, 2, 3, 4, and 7, and by adding subdivisions; 353.271, Subdivisions 1 and 2; 353.28, Subdivisions 1, and 6; 353.29, Subdivisions 1, 2, and 3, and by adding subdivisions; 353.30, Subdivisions 3 and 4, and by adding subdivisions; 353.31, Subdivisions 1 and 8; 353.32, Subdivisions 1, 2, 4, and 5, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, and 11; 353.34, Subdivisions 2, 3, and 6; 353.35; 353.36, Subdivision 2, and by adding subdivisions; 353.37, Subdivision 1; 353.40; 353.46, Subdivisions 1, 2, 3, and 4; 353.65, Subdivisions 2 and 3; 353.656, Subdivisions 1, 3 and 6; 353.657, Subdivisions 1, 2, and 3; 353.68, Subdivision 4; 353.69; 353.71, Subdivisions 1, 2, 3, and 4; and Chapter 353, by adding sections; repealing Minnesota Statutes 1971, Sections 353.01, Subdivision 25; 353.015; 353.07; 353.13;

353.26; 353.27, Subdivision 5; 353.28, Subdivisions 2, 3, 4, 7, 9, and 10; 353.31, Subdivisions 2, 3, 4, 5, 6, 7, and 10; 353.33, Subdivision 10; 353.36, Subdivisions 5, 6, 7, 8, 9, and 10; 353.37, Subdivisions 2 and 3; 353.39; 353.44; 353.45; 353.46, Subdivision 5; 353.51; 353.52; 353.53; 353.54; 353.55; 353.56; 353.57; 353.58; 353.59; 353.591; 353.60; 353.61; 353.65, Subdivision 5; 353.654; 353.655; 353.66; 353.68, Subdivisions 2, 3, 5, 6, 7, 8, and 9.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Nelson	Pillsbury
Arnold	Davies	Keefe, S.	North	Purfeerst
Ashbach	Doty	Kirchner	Novak	Renneke
Bang	Dunn	Kleinbaum	Ogdahl	Schaaf
Berg	Fitzsimons	Kowalczyk	Olhoff	Schrom
Bernhagen	Frederick	Larson	Olson, A. G.	Solon
Blatz	Gearly	Laufenburger	Olson, H. D.	Spear
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lord	O'Neill	Tennessee
Chenoweth	Hughes	McCutcheon	Patton	Thorup
Chmielewski	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Jensen	Moe	Perpich, G.	Willet

Mr. Hansen, Mel voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1854, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1854: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

House File No. 1854 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1854

A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

May 17, 1973

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. 1854, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the amendments of the Senate and that H. F. No. 1854 be further amended as follows:

Page 2, line 5, delete "*December*" and insert in lieu thereof "*July*"

Page 2, line 14, delete "*December*" and insert in lieu thereof "*July*"

Page 2, line 18, delete "*, provided that*" and insert in lieu thereof a period

Page 2, line 19, delete "*15*" and insert in lieu thereof "*30*"

Page 4, line 12, after "*vice-chairman*" strike "*and*" and insert in lieu thereof "*,*"

Page 4, line 12, after "*secretary,*" insert "*and other officers as they deem necessary,*"

Page 4, line 23, strike "*September*" and insert in lieu thereof "*November*"

Page 5, line 2, after the period, insert "*The Ramsey county board of commissioners shall consult with the commission before approval.*"

Page 9, after line 7, add the following section

"Sec. 10. [EFFECTIVE DATE.] *This act is effective upon its approval by the board of county commissioners of Ramsey county and by the city council of the city of St. Paul, and upon compliance with Minnesota Statutes, Section 645.021.*"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Bruce F. Vento, Robert J. Ferderer and Ray W. Faricy.

Senate Conferees: (Signed) Joseph T. O'Neill, John Milton and Robert D. North.

Mr. O'Neill moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1854 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1854: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and repealing Laws 1969, Chapter 1104, Section 11.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Purfeerst
Arnold	Doty	Keefe, J.	Nelson	Renneke
Ashbach	Dunn	Keefe, S.	North	Schrom
Bang	Fitzsimons	Kirchner	Novak	Solon
Berg	Frederick	Kleinbaum	Olhoft	Spear
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Brown	Hanson, R.	Lewis	Patton	Wegener
Chenoweth	Hughes	Lord	Perpich, A. J.	Willet
Chmielewski	Humphrey	McCutcheon	Perpich, G.	
Coleman	Jensen	Milton	Pillsbury	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2353, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations for the county for the preliminary plans of a detention center or centers.

House File No. 2353 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 18, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2353

A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

May 15, 1973

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. 2353, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2353 be amended by striking everything after the enacting clause and inserting in lieu thereof the following:

“Section 1. The county board of commissioners of Ramsey county may appropriate a sum not exceeding \$30,000 for the preliminary plans for a detention center or centers, juvenile and adult, in Ramsey county or in conjunction with any adjoining county.

Sec. 2. The county board of commissioners may levy a tax for the purposes of the plans and designs which power is in addition to all other taxing powers of the county and independently of any restrictions upon the power of the county to levy taxes for other purposes, except the restrictions contained in Minnesota Statutes, Sections 275.50 to 275.56.

Sec. 3. The final report shall be submitted to the county board on or before December 15, 1973. An interim progress report shall be submitted to the county board not later than October 1, 1973.

Sec. 4. This act becomes effective on the date following its enactment.”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) John D. Tomlinson, Neil Dieterich and Richard A. Andersen.

Senate Conferees: (Signed) William McCutcheon, John Milton and David D. Schaaf.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2353 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Novak	Solon
Bang	Fitzsimons	Kleinbaum	Olhoft	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Wegener
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Willet
Chmielewski	Jensen	Milton	Pillsbury	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1821, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

House File No. 1821 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1821

A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

May 18, 1973

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. 1821, 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. 1821, the typewritten bill, be amended as follows:

Page 1, strike lines 31 and 32

Re-number the subsequent subdivisions

Page 3, line 15, after "agency" strike "and the director" and insert in lieu thereof "may"

Page 5, line 20, strike "protection goals" and insert "policies"

Page 5, line 28, strike "or environmental protection problem" and insert "problem or be inconsistent with state environmental policies, the manufacturer of the product may withdraw it from further consideration until such time as the manufacturer may resubmit such product to the agency, or"

Page 6, line 12, strike "prepare" and insert "adopt and may amend or rescind"

Page 6, line 14, after "review" strike the period and insert "after notice and hearing as provided in Minnesota Statutes, Section 15.0412, Subdivision 4."

Page 6, line 20, after "cause." insert "Except as may be necessary in connection with any public hearing, the agency shall keep the samples and information confidential if the person submitting them certifies that disclosure of said samples and information would affect the competitive position of the person."

Page 7, line 22, after "contract" strike "affected by this section may" and insert "in effect on final enactment of this act may, if the parties to the contract mutually agree,"

Page 7, line 24, after "section." insert "The exemption shall terminate upon expiration of the contract. If a party to such a contract, after a good faith attempt to renegotiate the contract, is unable to do so and the contract will continue in effect on and after March 1, 1974, the commissioner of taxation, after notice from the party in such form as the commissioner may prescribe and setting forth these facts, shall issue to the party a certificate that solid waste materials disposed of pursuant to the contract are exempt from the user fee imposed by this section. The operator of a solid waste disposal facility may require such a party to display his certificate of exemption at the operator's request."

Page 8, line 19, strike "July 1, 1974" and insert in lieu thereof "March 1, 1974"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Willard Munger, Henry Savelkoul, and Walter Hanson

Senate Conferees: (Signed) James Lord, John Keefe, and Winston W. Borden

Mr. Lord moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1821 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendation and Conference Committee Report were adopted.

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Purfeerst
Arnold	Fitzsimons	Kleinbaum	Novak	Renneke
Bernhagen	Frederick	Kowalczyk	Ogdahl	Schaaf
Blatz	Gearty	Larson	Olhoff	Solon
Borden	Hansen, Baldy	Laufenburger	Olson, A. G.	Stassen
Brown	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Lord	Olson, J. L.	Tennessee
Chmielewski	Hughes	McCutcheon	Patton	Thorup
Conzemius	Humphrey	Milton	Perpich, A. J.	Ueland
Davies	Keefe, J.	Moe	Perpich, G.	Wegener
Doty	Keefe, S.	Nelson	Pillsbury	Willet

Messrs. Berg, Jensen and Schrom voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 624, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

House File No. 624 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 624

A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

May 18, 1973

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. 624, 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. [CITATION.] Sections 1 to 4 may be cited as the Minnesota free flow of information act.

Sec. 2. [PUBLIC POLICY.] In order to protect the public interest and the free flow of information, the news media should have the benefit of a substantial privilege not to reveal sources of information or to disclose unpublished information. To this end, the freedom of press requires protection of the confidential relationship between the news gatherer and the source of information. The purpose of this act is to insure and perpetuate, consistent with the public interest, the confidential relationship between the news media and its sources.

Sec. 3. [DISCLOSURE PROHIBITED.] No person who is or has been directly engaged in the gathering, procuring, compiling, editing, or publishing of information for the purpose of transmission, dissemination or publication to the public shall be required by any court, grand jury, agency, department or branch of the state, or any of its political subdivisions or other public body, or by either house of the legislature or any committee, officer, member, or employee thereof, to disclose in any proceeding the person or means from or through which information was obtained, or to disclose any unpublished information procured by him in the course of his work or any of his notes, memoranda, recording tapes, film or other reportorial data which would tend to identify the person or means through which the information was obtained.

Sec. 4. [EXCEPTION AND PROCEDURE.] Subdivision 1. A person seeking disclosure may apply to the district court of the county where the person employed by or associated with a news media resides, has his principal place of business or where the proceeding in which the information sought is pending.

Subd. 2. The application shall be granted only if the court determines after hearing the parties that the person making application, by clear and convincing evidence, has met all three of the following conditions:

(1) that there is probable cause to believe that the source has information clearly relevant to a specific violation of the law other than a misdemeanor,

(2) that the information cannot be obtained by any alternative means or remedy less destructive of first amendment rights, and

(3) that there is a compelling and overriding interest requiring the disclosure of the information where the disclosure is necessary to prevent injustice.

Subd. 3. The district court shall consider the nature of the proceedings, the merits of the claims and defenses, the adequacies of alternative remedies, the relevancy of the information sought, and

the possibility of establishing by other means that which the source is expected or may tend to prove. The court shall make its appropriate order after making findings of fact, which order may be appealed directly to the supreme court according to the appropriate rule of appellate procedure. The order is stayed and nondisclosure shall remain in full force and effect during the pendency of the appeal.

Sec. 5. [DEFAMATION.] Subdivision 1. The prohibition of disclosure provided in section 3 shall not apply in any defamation action where the person seeking disclosure can demonstrate that the identity of the source will lead to relevant evidence on the issue of actual malice.

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, the identity of the source of information shall not be ordered disclosed unless the following conditions are met:

(a) that there is probable cause to believe that the source has information clearly relevant to the issue of defamation;

(b) that the information cannot be obtained by any alternative means or remedy less destructive of First Amendment rights.

Subd. 3. The court shall make its order on the issue of disclosure after making findings of fact, which order may be appealed directly to the supreme court according to the rules of appellate procedure. During the appeal the order is stayed and nondisclosure shall remain in full force and effect."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Russell P. Stanton, Salisbury Adams, and Ray W. Faricy

Senate Conferees: (Signed) Hubert H. Humphrey III, Robert J. Brown, and Robert J. Tennesen

Mr. Humphrey moved that the foregoing recommendations and Conference Committee Report on H. F. No. 624 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Ogdahl	Solon
Arnold	Doty	Kowalczyk	Olhoft	Spear
Ashbach	Dunn	Larson	Olson, A. G.	Stassen
Bang	Fitzsimons	Laufenburger	Olson, H. D.	Stokowski
Bernhagen	Gearty	Lewis	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	McCutcheon	Patton	Ueland
Borden	Hanson, R.	Milton	Perpich, A. J.	Wegener
Brown	Hughes	Moe	Perpich, G.	Willet
Chenoweth	Humphrey	Nelson	Purfeerst	
Chmielewski	Josefson	North	Renneke	
Conzemius	Keefe, S.	Novak	Schaaf	

Those who voted in the negative were:

Frederick	Jensen	Keefe, J.	Pillsbury	Schrom
Hansen, Baldy				

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2417

A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawnings areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

May 18, 1973

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. 2417, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and substitute in lieu thereof the following:

“Section 1. EXPENSES OF STATE GOVERNMENT APPROPRIATIONS. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures “1973”, “1974”, and “1975”, wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.

	1973	1974	1975
	\$	\$	\$
not cancel but shall be available for the second year of the biennium.			
Subd. 7. Legislative Retirement Study Commission		130,000	
Subd. 8. Mississippi River Parkway Commission		5,000	5,000
These amounts are appropriated from the trunk highway fund.			
Subd. 9. General Contingent Account		1,175,000	875,000
Should the appropriations for either year be insufficient, then the appropriation for the other year shall be available therefor.			
Subd. 10. Game and Fish Contingent Account		100,000	
This appropriation is from the game and fish fund for the purpose of supplementing any requirements of the department of natural resources for activities which are financed from the game and fish fund.			
Subd. 11. Motor Vehicle Contingent Account		150,000	
This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense.			
Subd. 12. Criminal Justice Contingent Account		1,600,000	
The legislature shall designate an appropriate committee to study the application of these funds and to recommend to the legislature appropriate future action.			
This appropriation is available			

	1973	1974	1975
	\$	\$	\$

to provide additional matching funds for the various state agencies and local governments for programs qualifying under the safe streets and omnibus crime control act of 1968, as amended.

The above funds shall not be available until the criminal justice state plan has been reviewed by the senate committee on finance and the house committee on appropriations. At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the respective committees for review.

Subd. 13. Postage Contingent Account	250,000
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To be used by the commissioner of administration in supplementing the appropriations made for supplies and expense to the various state departments and agencies for any postage rate increases during the biennium ending June 30, 1975, where sufficient appropriations have not been made available therefor.

Of the above amount \$125,000 is appropriated from the highway user tax distribution fund to meet the needs of the motor vehicle section of the department of public safety.

Subd. 14. Traffic Safety Contingent Account	50,000
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This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.

The appropriations in subdivi-

	1973	1974	1975
	\$	\$	\$

sions 9 through 14 shall be expended with the approval of the governor after consultation with the legislative advisory committee.

Any unexpended balances remaining in subdivisions 10 through 14 the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. GOVERNOR

Subdivision 1. Salaries, supplies, and expense	489,500	492,500
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If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment.

Subd. 2. Personal expenses connected with office	15,000	15,000
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Subd. 3. Governor's portrait ..		2,000
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Subd. 4. Upper Great Lakes Regional Commission — state share	71,000	71,000
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This appropriation shall cancel if the federal support for the regional commission is withdrawn.

Subd. 5. Great Lakes Basin Commission — state share ...	26,000	18,000
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Subd. 6. Upper Mississippi River Basin Commission — state share	30,000	30,000
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Subd. 7. Missouri River Basin Commission — state share ..	3,950	8,200 8,200
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Sec. 4. STATE PLANNING AGENCY

Subdivision 1. Salaries, supplies, and expense	634,022	633,281
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The amount that may be ex-

	1973	1974	1975
	\$	\$	\$
<p>pended from state funds for each subprogram or activity is as follows:</p>			
State Policy Development Subprogram			
Issue Analysis	\$42,847	\$42,847	
State, Local, Regional	22,359	22,359	
Program Review and Coordination Subprogram			
Federal Aid			
Review	21,228	21,228	
State Program			
Review	13,572	13,572	
Planning Technical Assistance Subprogram			
Planning Information	16,312	16,312	
Planning, Organization and Manpower Development	13,572	13,572	
Functional Area Planning Subprogram			
Comprehensive Health Planning	78,909	78,909	
Developmental Disabilities	17,531	17,531	
Environmental Planning	47,192	47,192	
Transportation Planning	44,065	44,065	
Human Resources Planning	21,184	21,184	
Developmental Disabilities Grants	-0-	-0-	
Technical Assistance Subprogram			
Planning Grant			
Administration	33,930	33,930	
Planning and Management Technical Assistance	34,800	34,800	

	1973	1974	1975
	\$	\$	\$
Local/Regional Training Assistance	57,192	57,192	
Administration Activity Sub-program Administration	166,329	165,588	

The state planning director may transfer unexpended balances among the above activities. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The state planning agency shall maintain individual control accounts for the items listed in this section.

When instructed by the state planning agency to perform planning work, state agencies will be expected to use existing staff.

Subd. 2. Grants for Regional Development Commissions . .

	400,000	400,000
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Notwithstanding the provisions of Minnesota Statutes 462.396, the state planning officer may make available financial state assistance to regional development commissions for the fiscal years 1974 and 1975.

Not more than \$400,000 the first year shall be expended for state support of regional development commissions. The state planning agency shall distribute such funds on a proportional basis so that no regional development commission receives more funds in one year than the amount would be if all regional development commissions were organized.

	1973	1974	1975
	\$	\$	\$
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 5. GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL			
Salaries, supplies, and expense		50,000	50,000
Approved Complement — 35			
Sec. 6. GOVERNOR'S COMMISSION ON EMPLOYMENT OF HANDICAPPED PERSONS			
		51,513	51,863
Sec. 7. LIEUTENANT GOVERNOR			
Subdivision 1. Salary and expenses		145,100	145,100
Subd. 2. Personal expenses connected with office		2,000	2,000
Sec. 8. STATE AUDITOR			
Subdivision 1. Salaries		505,795	505,795
Approved Complement — 49			
Subd. 2. Supplies and expenses		120,400	122,100
Provided that the auditor's biennial report shall be printed in summary form notwithstanding any law to the contrary.			
Subd. 3. Statewide accounting system		1,016,046	824,206
Subd. 4. Contributory share of public employees retirement association for legislative members	204.62		
Sec. 9. STATE TREASURER			
Subdivision 1. Salaries		223,370	223,370
Approved Complement—23			
Subd. 2. Supplies and expense		85,100	81,575
Sec. 10. PUBLIC EXAMINER			
Subdivision 1. Salaries		463,754	463,754

	1973	1974	1975
	\$	\$	\$
Approved Complement—38			
Subd. 2. Supplies and expense		70,360	74,305
Subd. 3. Public examiner's revolving fund	1,866.78	50,000	

This deficiency appropriation is to restore to the public examiner's revolving fund the amount not recoverable from an audit made of the Montevideo housing and redevelopment authority.

The appropriation for fiscal year 1974 is provided to finance a study of local government accounting systems, practices, and reporting.

The appropriations in this section provide complement and related expenses to perform for the legislature a post audit function upon request from the legislature.

Sec. 11. DEPARTMENT OF TAXATION

Subdivision 1. Salaries		8,841,000	8,841,000
Approved Complement—920			
Subd. 2. Supplies and expense		3,519,000	3,523,600
Subd. 3. Tax assessors or deputies training		60,000	60,000

The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by department are to be deposited in the general fund.

The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously performed by the university of Minnesota.

Sec. 12. TAX COURT

Subdivision 1. Salaries		43,361	43,361
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	1973	1974	1975
	\$	\$	\$
Subd. 2. Supplies and expense.		8,777	8,483
Sec. 13. ATTORNEY GENERAL			
Subdivision 1. Salaries		788,747	811,947
Approved Complement—45			
Subd. 2. Supplies and expense.		167,745	139,820
Subd. 3. Special contingent appropriation		50,000	

This appropriation shall not be available for paying the costs of special legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes 1971, Section 501.12 hereafter filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust.

Subd. 4. Antitrust appropriation		200,000	
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This appropriation is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws.

The attorney general shall report on an annual basis the purpose for which the moneys appropriated by this subdivision are utilized. Such reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives, with the first report due August 15, 1974.

Any unexpended balance re-

	1973	1974	1975
	\$	\$	\$
<p>maining in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
<p>Subd. 5. Minnesota Peace Officers Training Board</p>			
(a) Salaries		34,400	34,500
<p>Approved Complement—3</p>			
(b) Supplies and expense		23,715	23,067
(c) Reimbursements to local government		300,000	300,000

The appropriations made in subdivision 5 (c) shall only be expended for the payment of obligations incurred during the 1973-75 biennium.

Reimbursement for costs of substitute local protection while officers attend regular training courses.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Any unexpended balance in the milk and dairy investigation account on June 30, 1973, shall not cancel but shall be available for the biennium beginning July 1, 1973.

Sec. 14. DISTRICT COURT

To be disbursed by the state auditor

Subdivision 1. Salaries, supplies, and expense	54,221	2,100,000	2,100,000
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Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

Sec. 15. RETIRED SUPREME AND DISTRICT

	1973	1974	1975
	\$	\$	\$

COURT JUDGES AND COMMISSIONERS

To be disbursed by the state auditor

Salaries	71,436	379,000	379,000
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Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor. This appropriation shall be used for the payment of salaries, retirement benefits, and survivorship benefits to retired supreme and district court judges, commissioners and widows of supreme and district court judges.

Sec. 16. SUPREME COURT

Subdivision 1. Salaries		842,214	873,550
Subd. 2. Supplies and expense .		233,434	226,737
Subd. 3. Commission on judicial standards		10,000	

Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 17. JUDICIAL COUNCIL

4,950

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 18. PUBLIC DEFENDER

Subdivision 1. Salaries, supplies, and expense		230,379	233,323
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Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable

	1973	1974	1975
	\$	\$	\$

to defend and then only by order of the court.

Subd. 2. To provide civil legal services and to develop and explain grievance procedures to the prison inmate.

100,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be reduced by an amount equal to the receipt of any federal grant in excess of \$60,000 for the biennium.

Sec. 19. REVISOR OF STATUTES

Subdivision 1. Salaries

217,992

217,992

Subd. 2. Supplies and expense .

50,366

50,331

Subd. 3. Bill Drafting Salaries and Expenses

600,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Printing Regular Session Laws

75,000

These laws may be published and printed in the same manner as prescribed by Minnesota Statutes 648.41, Subdivision 2.

Sec. 20. DEPARTMENT OF ADMINISTRATION

There is appropriated to the commissioner of administration the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

	1973	1974	1975
	\$	\$	\$
Subdivision 1. General Operations and Management		7,876,625	7,819,450

Of the amounts herein provided, \$11,424 each year is appropriated from the game and fish fund and \$576 each year is appropriated from the state airports fund for payroll preparation and employee statistics.

The department of administration shall be solely responsible for architectural services for the state college system except for dormitory food service, student union and campus master planning.

The amounts that may be expended from these funds for each program are as follows:

Budget Services	\$ 294,390	\$ 320,880
Management Services	687,185	614,840
General Services	6,526,270	6,518,530
General Support	368,780	365,200

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this subdivision. The department of administration shall maintain individual control accounts for the items listed in this subdivision.

The commissioner of administration shall submit to the senate finance committee and the

1973

1974

1975

\$

\$

\$

house appropriations committee, not later than November 1, 1974, a detailed report of each management study made, recommendations made as a result of each study and changes instituted because of each study.

Any moneys appropriated for the salaries of state employees whose duties it is to perform cleaning services in and for state buildings shall be used by the commissioner of administration to contract and pay for such services if he determines that the contract method is more economical than having such services performed by state employees.

The commissioner of administration shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of the collections of the fee appears excessive in relation to the amount of the fee collected. The report shall be submitted on or before November 15, 1974, to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Notwithstanding any law to the contrary, the department of administration shall appraise and establish rental rates for all living accommodations provided by the state for its employees.

The commissioner of administration shall deposit in the state treasury and credit to the general fund all money collected from private tenants as rent from space in the Capitol Square Building.

	1973	1974	1975
	\$	\$	\$

The commissioner of administration may lease portions of state owned buildings in the capitol complex, the capitol square building, and at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied, and, notwithstanding the provisions of any law to the contrary, all moneys collected as rents shall be deposited in the state treasury and credited to the general fund.

The position of administrator of the employees merit award system may be in the classified or unclassified service.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of administration from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the department of administration from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

In the case of state departments, agencies, and institu-

	1973	1974	1975
	\$	\$	\$

tions which are financed in whole or in part with federal funds, that portion of the cost of collecting social security contributions which is chargeable to federal funds shall be reimbursed from federal funds, and such amounts as are necessary are appropriated from such funds for that purpose.

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose.

Notwithstanding the provisions of any law to the contrary, the commissioner of administration may sell the state-owned property comprising the Owatonna state school in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the best bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The

	1973	1974	1975
	\$	\$	\$
state reserves the right to reject any and all bids.			
Subd. 2. Ancillary Services Program		108,440	131,090
Subd. 3. University/State Information System		350,000	
Sec. 21. BOARD OF INVESTMENT			
Subdivision 1. Salaries, supplies, and expense		367,304	365,559
Approved Complement — 17			
Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating machine.			
Sec. 22. SECRETARY OF STATE			
Subdivision 1. Salaries		187,672	187,672
Approved Complement — 20			
Subd. 2. Supplies and expense		57,129	50,313
Subd. 3. Printing Legislative Manual			90,922
Notwithstanding any other law to the contrary, the appropriation in this subdivision shall be available until the legislative manual is printed and distributed.			
Subd. 4. Publishing Constitutional Amendments			18,180
Subd. 5. Election Expense and Nomination Fees		36,005	27,180
Sec. 23. DEPARTMENT OF CIVIL SERVICE			
Subdivision 1. Salaries		664,818	664,818
Approved Complement—			
	1974-71		
	1975-64		

The director is requested to report to the committee on fi-

	1973	1974	1975
	\$	\$	\$
<p>nance of the Senate and the committee on appropriations of the House the progress made in pilot job clarification projects for the purpose of determining whether the program should be financed in fiscal year 1975.</p>			
Subd. 2. Supplies and expense		166,706	139,839
<p>Subd. 3. Management and Personnel Training Program</p>			
Salaries, supplies, and expense		253,984	248,316
<p>Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
<p>Sec. 24. MUNICIPAL COMMISSION</p>			
Salaries and supplies		78,616	78,626
<p>Approved Complement — 3</p>			
<p>Sec. 25. MILITARY AFFAIRS</p>			
Subdivision 1. Salaries		1,316,520	1,319,830
<p>Approved Complement —</p>			
		1974 - 177	
		1975 - 178	
<p>Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available.</p>			
Subd. 2. Supplies and expense		811,895	844,285
<p>Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section which relate to armory maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.</p>			
<p>Sec. 26. DEPARTMENT OF COMMERCE</p>			

	1973	1974	1975
	\$	\$	\$
Subdivision 1. Salaries		2,295,940	2,299,320
Approved Complement — 202			
Subd. 2. Supplies and expense		415,440	409,075

The appropriations in this section include moneys for those activities previously financed from the real estate revolving account, the transfer of the regulation of collection agencies as imposed upon the department by this act, and the duties required of the agency relating to franchise regulation if an act conferring these duties is enacted by the 68th session of the legislature.

Sec. 27. PUBLIC SERVICE

Subdivision 1. Administration

(a) Salaries	1,333,696	1,333,696
Approved Complement—122		
(b) Supplies and expense . . .	331,765	267,565

Subd. 2. Grain Inspection

(a) Salaries	2,184,088	2,184,088
(b) Supplies and expense . . .	175,000	175,000
(c) Overtime	300,000	300,000

The department of public service is directed to adjust its schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year

	1973	1974	1975
	\$	\$	\$

shall be more than 103 percent of such expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure less the amount of such excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year shall be less than the expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from such fees during that year, and plus 3 percent of the total expenditure for both the latter and the first year referred to herein.

Such schedule of fees shall provide that any elevator, mill, or other department business requesting the weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by such employee shall be credited against the charge made therefor. Such minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the department, a charge for actual overtime costs may be made.

	1973	1974	1975
	\$	\$	\$
Sec. 28. LABOR AND INDUSTRY			
Subdivision 1. Salaries		1,967,781	2,019,992
Approved Complement—211			
Subd. 2. Supplies and expense .		384,198	402,609
Sec. 29. LIQUOR CONTROL			
Subdivision 1. Salaries		315,872	315,872
Approved Complement—28			
Subd. 2. Supplies and expense .		62,823	59,543
Sec. 30. BUREAU OF MEDIATION SERVICES			
Subdivision 1. Salaries		383,898	383,898
Approved Complement—25			
Subd. 2. Supplies and expense .		91,407	86,732
Sec. 31. DEPARTMENT OF ECONOMIC DEVELOPMENT			
Subdivision 1. Salaries, supplies, and expense		950,000	952,000
Approved Complement—39			
Not more than one research project may be undertaken. The commissioner shall report to the next legislative session specific requests for research projects for the next biennium.			
Subd. 2. Advertising and publications		300,000	300,000
Not more than \$15,000 each year may be expended for promotional expense.			
Subd. 3. Regional matching . .		190,000	190,000
Subd. 4. Port Authority of Duluth—final state appropriation		80,000	80,000

These amounts are appropriated to the port authority of Duluth, organized under Minnesota Statutes 1971, Section 458.09 to 458.19, and shall be

	1973	1974	1975
	\$	\$	\$

used for the promotion of sea-way trade after consultation with the department of economic development.

The port authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1974.

Sec. 32. DEPARTMENT OF AERONAUTICS

Subdivision 1. Salaries	410,000	412,000
Approved Complement — 33		
Subd. 2. Supplies and expense	88,260	92,300
Subd. 3. Aeronautics proceedings	7,500	7,500

This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings.

Subd. 4. Aeronautics safety and education	20,000	20,000
Subd. 5. Airport construction and improvements		
(a) Key system airports	2,850,000	
(b) Secondary system airports	1,142,500	
(c) State landing strips	1,299,430	

The appropriations made in this subdivision shall be expended only for grant-in-aid programs for airports which are not state owned.

These appropriations are to be expended in accordance with Minnesota Statutes 1971, Section 360.305, Subdivision 4 (1), (2), (4), and (5), as amended.

The commissioner of aeronautics may transfer unexpended

	1973	1974	1975
	\$	\$	\$
balances between the above items with the approval of the governor after consultation with the legislative advisory committee.			
Subd. 6. Navigational Aids . .		800,000	
Subd. 7. Striping airport runways		48,150	
Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.			
Subd. 8. Construction and operation of state-owned airports		1,310,302	

At state-owned airports at Thief River Falls and Orr, the commissioner of aeronautics is directed to complete construction as proposed; including land acquisition, buildings, security fencing, paving, lighting and electronic aeronautical guidance systems. The commissioner is further directed to take whatever steps are necessary to return these airports to their respective communities, counties or regions at no cost to the state and report his progress to the finance committee of the Senate and the appropriations committee of the House of Representatives by January 15, 1974. It is the legislative intent that the airports be returned to the respective communities, counties or regions at no cost to the state.

Notwithstanding the provisions of Minnesota Statutes 1971, Section 360.021, Subdivision 1 or any other law to the contrary, the commissioner of aeronautics shall acquire no additional airports, nor shall he establish any additional state-owned airports during the biennium ending June 30, 1975.

	\$	\$	\$
	1973	1974	1975

No moneys shall be expended by the commissioner of aeronautics under the appropriations made by subdivisions 5, 6, and 7, or any other law, for land acquisition, or for the construction, improvement, maintenance of airports, or for air navigation facilities for an airport, unless the governmental unit involved has or is establishing a zoning authority for that airport, and such authority has made a good faith showing that it is in the process of and will complete with due diligence, an airport zoning ordinance in accordance with Minnesota Statutes 360.061 to 360.074.

The commissioner of aeronautics is directed to make maximum use of zoning and easements to eliminate runway and other potential airport hazards rather than land acquisition in fee.

Any unexpended balance remaining in subdivisions 5 through 8 the first year shall not cancel but shall be available for the second year of the biennium.

The amounts appropriated by this section are from the state airport fund.

Sec. 33. DEPARTMENT OF AGRICULTURE

There is appropriated to the commissioner of agriculture the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the Senate and the committee on appropriations of the House of Representatives.

2,363,115	2,371,248
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	1973	1974	1975
	\$	\$	\$
The amounts that may be expended from the above appropriations for each program are as follows:			
Marketing Services and Marketing Development	317,974	319,339	
Food and Livestock Regulation and Development	735,582	737,350	
Development and Protection of Agricultural Resources	752,509	753,709	
General Support	557,050	560,850	

The commissioner of agriculture with the approval of the commissioner of administration, may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the Senate and the committee on appropriations of the House of Representatives.

The state auditor shall establish a single control account for the items listed in this section. The department of agriculture shall maintain individual control accounts for the items listed in this section.

The standing appropriation made by Laws 1963, Chapter 832, Section 4, in the sum of \$75,000 per biennium for the administration and enforcement of Minnesota Statutes 1971, Chapter 33, is rescinded and shall no longer be of any force and effect.

	1973	1974	1975
	\$	\$	\$

The commissioner of administration shall require that the service fees charged for fruit and vegetable inspection and certification will be reviewed and, if necessary, adjusted each six months to the end that such fees shall insofar as it is practicable cover the cost of the services rendered. All moneys collected by authority of Minnesota Statutes 1971, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Section 21.47 to 21.58. All moneys collected by authority of Minnesota Statutes 1971, Section 27.07, for services rendered pursuant to written contracts are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Chapter 27, and the moneys so collected and appropriated shall be in addition to and not in substitution for the sums appropriated in this section. All funds, sums of money or other resources paid or furnished to the department of agriculture, dairy and food, by the federal government shall be credited to and become a part of the various appropriations provided for in this section, and all such funds, sums of money or other resources so credited to the various appropriations shall be in addition to and not in substitution for any sum appropriated or otherwise made available by this section.

Provided that the fees for services performed for poultry breeding and inspection shall be fixed by the commissioner of administration at the begin-

	1973	1974	1975
	\$	\$	\$

ning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall insofar as practicable cover the cost of all services rendered.

The department of agriculture shall submit a semi-annual report on the collection of all license and inspection fees to the committee on finance of the Senate and the committee on appropriations of the House of Representatives. The first report shall be submitted on or before February 15, 1974.

Any butter purchased may be sold if marketable under the laws of this state.

Notwithstanding any law to the contrary, the person hired to promote market development shall be in the unclassified service and shall work only at promoting market development.

The commissioner of agriculture shall submit financial reports of the actual and anticipated expenditures of his department to the committee on finance of the Senate and the committee on appropriations of the House of Representatives. Such reports shall be structured on an activity basis and shall include all moneys under the control of the commissioner and such additional information as may be requested by the committees to which the reports are made. The first report shall be submitted not later than February 15, 1974, and thereafter such reports shall be made on a quarterly basis.

Sec. 34. DEPARTMENT OF PUBLIC SAFETY

	1973	1974	1975
	\$	\$	\$
There is appropriated to the commissioner of public safety the following amounts for the following purposes, said amounts to be under the control of and to be expended by direction of the commissioner of public safety.			
Subdivision 1. Salaries		15,283,864	15,301,959
Approved Complement—			
1974—1,388			
1975—1,389			

Of the amounts provided in subdivision 1, \$11,605,614 for the first year and \$11,611,909 for the second year is appropriated from the trunk highway fund for traffic safety programs, and \$1,456,227 each year is appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 1, \$2,222,023 for the first year and \$2,233,823 for the second year is appropriated from the general fund.

The above approved complement includes a total of 123 for the bureau of criminal apprehension and a total of 504 for all unclassified patrol officers and supervisors of the highway patrol. These respective complements shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of administration, between the various units and divisions within this subdivision, providing that the above complement restrictions are not exceeded in the indicated units. If the per-

	1973	1974	1975
	\$	\$	\$

sonnel in the above restricted complements are transferred to other units or divisions of the department, the above complements shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

The legislature recommends that the commissioner of public safety merge the fire marshal division with the bureau of criminal apprehension if able to reduce administrative costs and to improve the investigational capability in the arson area.

Subd. 2. Weight Scale and Motor Vehicle Inspection

The personnel involved in the support of the weight scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund.	380,000	380,000
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Subd. 3. Supplies and expense .	8,541,100	8,704,600
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Of the amounts provided in subdivision 3, \$5,914,600 for the first year and \$5,814,550 for the second year are appropriated from the trunk highway fund for traffic safety programs.

Of the amounts provided in subdivision 3, \$1,563,554 for the first year and \$1,479,124 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

Of the amount provided in subdivision 3, \$1,062,946 for the first year and \$1,410,926 for

	1973	1974	1975
	\$	\$	\$
<p>the second year is appropriated from the general fund.</p>			
<p>The state auditor is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivisions 1, 2, and 3.</p>			
Subd. 4. Sheriffs Teletype Operations		325,266	325,266
<p>Approved Complement—14</p>			
<p>Subd. 5. Police Schools</p>			
(a) Supplies and expense		120,847	123,868
<p>Of the amounts provided in subdivision 4, \$12,000 for the first year and \$12,000 for the second year are appropriated from the trunk highway fund for highway safety activities.</p>			
<p>Subd. 6. License plates</p>			
(a) Salaries		162,412	162,412
<p>Approved Complement—12</p>			
(b) Supplies and expense		1,362,175	1,332,175
<p>The amounts provided in subdivision 6, items (a) and (b) are appropriated from the highway user tax distribution fund.</p>			
Subd. 7. Fire Services—Advisory Council		7,500	7,500
Subd. 8. State Aids for Air Warning		30,000	30,000

The department of public safety is authorized to make grants-in-aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems.

Sec. 35. DEPARTMENT OF NATURAL RESOURCES

There is appropriated to the commissioner of natural resources the following amounts

	1973	1974	1975
	\$	\$	\$
for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.		21,939,570	21,981,431

Approved Complement—1,200

The amount that may be expended from these funds for each program is as follows:

Protection and Development of Land, Water and Wildlife Resources

\$11,312,289 \$11,408,190

Public Use of Recreational Resources

4,172,125 4,165,580

Economic Distribution and Utilization of Public and Private Resources

1,966,515 1,943,255

General Support and Management Services

4,488,641 4,464,406

The commissioner of natural resources may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The department of natural resources shall maintain individual control accounts for the items listed in this section.

Of the amounts herein provided, \$11,543,492 for the first year and \$11,495,157 for the second year are appropriated from the general fund; \$9,846,078 for the first year and \$9,936,274 for the second year are

	1973	1974	1975
	\$	\$	\$

appropriated from the game and fish fund; and \$550,000 each year is appropriated from the wildlife acquisition account.

In addition to the amounts herein appropriated, all moneys credited to the game and fish fund under Minnesota Statutes 1971, Section 296.421, Subdivision 4, are appropriated to the commissioner of natural resources for the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement.

The appropriations in this section include sufficient moneys for payments in lieu of taxes to local units of government on wetlands for wildlife habitat.

The department may publish not more than six issues of the conservation volunteer during each fiscal year.

The commissioner of natural resources shall submit financial reports of the actual and anticipated expenditures of his department to the committee on finance of the senate and the committee on appropriations of the house of representatives. Such reports shall be structured on an activity basis and shall include all moneys under the control of the commissioner and such additional information as may be requested by the committees to which the reports are made. The first report shall be submitted not later than February 15, 1974, and thereafter such reports shall be made on a quarterly basis.

Sec. 36. MINNESOTA WATER RESOURCES BOARD

Salaries, supplies, and expense	55,274	54,726
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	1973	1974	1975
	\$	\$	\$

All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

Sec. 37. POLLUTION CONTROL AGENCY

Subdivision 1. Salaries, supplies, and expense		1,684,730	1,820,722
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Approved Complement—153

The agency is hereby authorized up to 20 additional positions upon the approval by the commissioner of administration of the agency's work program, priorities, and proposed job assignments. Such financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of any of these additional employees.

Subd. 2. Additional special studies		140,000	
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The agency is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Health will continue to render such staff services as agency may require from time to time through health's division of environmental health, and health is to be reimbursed from this appropriation for the cost thereof.

On or before June 30, 1973, agency through its executive

	1973	1974	1975
	\$	\$	\$

director will make and submit to the governor for approval an interdepartmental agreement, but if agency and health do not so agree at the time required, the matters to be covered by the agreement will be determined by executive order. The matters so to be covered by agreement or order are: (1) adequate exchange between agency and health of information in the health aspects of the work of each; (2) staff services and facilities required by agency to be furnished by health; (3) basis of reimbursement to health for services and facilities to agency. This agreement may be modified from time to time by agency and health with approval of the governor, and by executive order if the arrangement is effected by order, and the agreement or order, as the case may be, will be followed by the authorities involved in disbursing this appropriation.

The amounts provided in subdivisions 1 and 2 are sufficient to fulfill all duties imposed upon the agency by the 1973 legislature.

Prior to the holding of any public hearings, the purpose for which being the establishment of odor control regulations which would apply to agriculture, the agency shall notify the appropriate committees of the legislature.

Subd. 3. Automobile recycling .	800,000	800,000
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Sec. 38. LIVESTOCK SANITARY BOARD

Subdivision 1. Salaries	516,756	541,317
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Approved Complement—48

	1973	1974	1975
	\$	\$	\$
Subd. 2. Supplies and expense .		198,438	233,605
Subd. 3. Indemnities		100,000	
No payment for less than \$1 for indemnities may be made.			
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Subd. 4. Field Laboratories . . .		67,000	67,000
For the operation of field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases.			
Subd. 5. Contingent Account . .		150,000	
The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board. Upon receipt of the request, the commissioner of administration shall certify to the state auditor the amounts to be transferred and the accounts into which the funds shall be transferred. Funds so transferred are hereby appropriated.			
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 39. HUMAN RIGHTS			
Salaries, supplies, and expense		399,800	381,830
Approved Complement—27			
Sec. 40. WAR VETERANS AFFAIRS			
Subdivision 1. Salaries		371,931	371,931
Approved Complement—41			
Subd. 2. Supplies and expense .		67,072	68,783
Subd. 3. Veterans relief fund . .		910,000	960,000

	1973	1974	1975
	\$	\$	\$

The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.

None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps.

Subd. 4. War veterans and war orphans education aid	40,000	45,000
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To be expended pursuant to Minnesota Statutes 1971, Section 197.75.

Subd. 5. Headstones, markers, and sockets for soldiers and sailors graves	10,000	
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Any unexpended balances remaining in subdivisions 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 41. STATE LAW LIBRARY

Subdivision 1. Salaries	88,624	88,624
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Approved Complement—8

Subd. 2. Supplies and expense .	57,945	60,558
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Subd. 3. Books and binding . .	120,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 42. STATE ZOOLOGICAL BOARD

Subdivision 1. Salaries, supplies, and expense	168,179	324,006
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Sec. 43. NATURAL RESOURCES ACCELERATION

Subdivision 1. Minnesota Resources Commission together with any sums received as grants-in-aid from federal

	1973	1974	1975
	\$	\$	\$
sources and any sums granted by private sources to carry out the purposes of the commission. Such moneys shall be available to the commission until expended.		150,000	

The commission during the 1973-75 biennium shall review the work programs and progress reports required under subdivision 14 of this section and report their findings and recommendations to the committee on finance for the Senate and the committee on appropriations for the House of Representatives. The commission may prepare in cooperation with the committee on taxes a report to the 69th session of the legislature regarding payment in lieu of taxes on state and federally owned lands. The commission may also prepare a report to the 69th session of the legislature pertaining to the recodification and simplification of the laws and statutes pertaining to the Minnesota outdoor recreation and resource commission and the Minnesota resources commission.

Subd. 2. Department of Administration

a. Acquisition of state recreation lands and trails	2,000,000
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To be expended in accordance with the purposes and criteria of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or according to the priorities established in project 80. These funds shall only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild,

	1973	1974	1975
	\$	\$	\$
scenic and recreational rivers, state scientific and natural areas, and the Sand Dunes state forest.			
b. Acquisition of land—memorial hardwood forest		350,000	
c. Acquisition of scenic easements—Lower St. Croix recreational riverway		275,000	
d. Acquisition of spawning areas		50,000	
e. Acquisition of key deer yards		30,000	
f. Topographic mapping—final appropriation		1,060,000	
g. Grants-in-aid to local units of government		2,750,000	
<p>This appropriation is to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23 as amended by Laws 1969, Chapter 1139, subdivision 7, g.</p> <p>Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.</p> <p>The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid to local units of government.</p> <p>This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee.</p>			
h. Grants-in-aid for regional recreational and natural areas		6,000,000	

	1973	1974	1975
	\$	\$	\$

The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid programs to local units of government and public educational institutions.

\$2,000,000 of this appropriation shall be reserved for projects outside of the jurisdiction of the metropolitan council.

This appropriation is available to pay up to 100 percent of the local share for development, acquisition and lease of land for recreation areas, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

Priorities for use of funds will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

i. Iron range interpretive center	500,000
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This money is available when there is evidence that other financing shall be available to complete the project.

j. Minneapolis public library— Environmental information center	100,000
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Subject to the conditions of Laws 1971, Chapter 864, Section 3.

k. Rainy River junior college— Voyageurs national park seminar	5,000
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	1973	1974	1975
	\$	\$	\$
Subd. 3. Department of Economic Development			
Innovative program funding . .		50,200	
Subd. 4. Department of Education			
a. FFA stocking of upland game birds		60,000	
b. Minnesota Environmental Education Council		100,000	
Subd. 5. Governor			
For the Minnesota bicentennial committee		200,000	
Subd. 6. Department of Health			
a. Abandoned well location and sealing		10,600	
b. Ground water quality program		86,240	
Subd. 7. Minnesota Historical Society			
a. Fort Snelling restoration . .		1,071,500	
b. Historic sites program		345,000	
Site engineering	\$ 35,000		
Historic site interpretation	100,000		
Historic archaeology	60,000		
Regional research libraries	50,000		
Curriculum materials on Minnesota history	25,000		
Traveling historical exhibits	50,000		
Map restoration	25,000		
c. Grand Mound interpretive center		150,000	

The Minnesota historical society is hereby authorized to establish and collect such fees as it may deem reasonable for admission to the state-owned sites under its control. All such fees that are collected from the

	1973	1974	1975
\$	\$	\$	\$

operation of these state-owned sites shall be deposited in and for the benefit of the general fund.

The Minnesota historical society is exempted from the competitive bidding procedures of Minnesota Statutes 1971, Chapter 16.07, in its completion of these projects.

The appropriations made in subdivision 7 of this section shall be subject to the allotment and encumbrance provisions of Minnesota Statutes 1971, Chapter 16.

Subd. 8. Department of Natural Resources

a. State land recreation development	3,400,000
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To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers and state scientific and natural areas.

Of the above amount, \$1,900,000 is appropriated from the state parks development account.

The commissioner of natural resources will review the proposed expenditures from this appropriation against priorities established by project 80 in consultation with the legislative building commission or its successor.

	1973	1974	1975
	\$	\$	\$
b. Interpretive services program		134,800	
c. Spawning land development		50,000	
d. Operation pheasant		200,000	
e. Stream improvement		50,000	
f. Development of artificial spawning reefs for walleyes...		40,000	
g. Watershed studies and reports		150,000	
h. Ground water surveys, sand plains areas		50,000	
Of the amount appropriated not less than \$40,000 shall be for grants-in-aid.			
i. Environmental review		37,500	
j. Remote Sensing Program..		25,000	
k. Lower St. Croix river resource management plan		40,000	
l. Melrose dam repair project.		100,000	
This appropriation is available to pay up to 50 percent of the total cost of repair or reconstruction.			
m. Clearwater County—First and second lake recreation project		10,000	
n. Planning, protection and development of scenic rivers and trails		100,000	
o. Forest roads		100,000	
Subd. 9. State Planning Agency			
a. State land use planning....		380,000	

The study is to be done in cooperation with the affected state agencies and coordinated with local units of government and regional development commissions.

	1973	1974	1975
	\$	\$	\$
b. Voyageurs park peripheral plan		75,000	
c. Voyageurs area soils survey .		40,000	
d. Land use control and protection—St. Louis and Koochiching counties		60,000	
e. Soils, surficial and subsurface data collection and mapping. .		100,000	
The university of Minnesota, the Minnesota geologic survey, the department of natural resources and the state planning agency are required to develop a coordinated system of priorities and assignment of agency responsibilities before these funds are obligated.			
f. Copper nickel study		100,000	
The department of natural resources, the university of Minnesota, and the state planning agency will report to the legislature on the economic needs and problems related to the development of a copper nickel industry in Minnesota and environmental impact of the various development proposals.			
Subd. 10. State College Board Southwest college regional environmental program		50,000	
Subd. 11. Regents of the University of Minnesota			
a. Prehistoric archaeology. . . .		45,600	
b. Limnological research—final appropriation		35,000	
c. Energy extraction from solid wastes		90,000	
Subd. 12. Professional Services			
a. Department of natural resources		534,500	
b. State planning agency.		80,000	

	1973	1974	1975
	\$	\$	\$
c. Department of administration—land acquisition.....		315,000	

Subd. 13. It shall be a condition of acceptance of the appropriations made by this section and specified by this subdivision that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in such form as may be determined by the Minnesota resources commission for the following projects: for the projects authorized in subd. 2b, subd. 2c, subd. 2h, subd. 3, subd. 4, subd. 6b, subd. 7b, provided that no reports shall be required for site engineering or map restoration, subd. 8b, subd. 8d, subd. 8h, subd. 8j, subd. 8k, subd. 8n, subd. 9, subd. 10, subd. 11b, and subd. 11c.

Any unexpended balance remaining in the first year from appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

Subd. 14. Natural Resource Federal Reimbursement Account

Reimbursements and matching funds received from the federal government for expenditures of appropriations made for the purposes described in Minnesota Statutes 1971, Chapter 86, shall in the first instance be credited to a federal receipt account by the state agency receiving such reimbursements and matching funds.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, who receive reimbursements for ex-

	1973	1974	1975
	\$	\$	\$
penditures made under appropriations in this section; from Laws 1971, Section 48; from Laws 1969, Chapter 879, Section 4, Subdivisions 2, 3, 4, and 5; or from Laws 1969, Chapter 1139, Section 48, shall transfer such reimbursements to the natural resources reimbursement account. Funds so transferred are appropriated for the purpose of that account. This provision shall not apply to federal aid reimbursements received under Minnesota Statutes 6.40.			

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963 through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

There is established a maximum balance of \$1,000,000 to be retained for expenditure from this account. At any time that the undisbursed balance of the account exceeds the established maximum by an amount equal to or greater than \$100,000, the state auditor is directed to cancel the full amount of the excess to the general fund.

This appropriation is available for the purposes of land acquisition as described in subdivision 2 of this section, state land recreation development as described in subdivision 8 of this section, and acquisition and development of historic sites by the state of Minnesota, the Minnesota historical society, or the university of Minnesota, when such acquisition

	1973	1974	1975
	\$	\$	\$

or development is deemed to be of an emergency or critical nature.

All requests for allocation from the account must be accompanied by a certification signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state recreation plan or project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee.

Sec. 44. WORKMEN'S COMPENSATION 229,794.92

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Administration	\$ 26,377.48
Agriculture	4,514.02
Auditor	260.50
Civil Service	196.32
Commerce	186.67
Economic Development	2,285.61
Governor's Committee on the Employment of Handicapped Persons	15.90
Judicial	6,255.55

	1973	1974	1975
	\$	\$	\$
Labor and Industry	5,647.87		
Legislature	250.81		
Military Affairs	7,034.40		
Natural Resources	150,233.61		
Public Defender	5,399.60		
Public Examiner	935.53		
Public Safety	15,436.11		
Public Service	4,764.94		

Of the amount appropriated \$30,965.85 shall be paid from the game and fish fund.

Sec. 45. UNEMPLOYMENT COMPENSATION 476,555.09

In reimbursement of unemployment compensation benefits paid for former employees of the following:

Agriculture	\$ 17,543.74
Commerce	8,814.44
Economic Development	2,994.09
Indian Affairs	1,664.00
Natural Resources	441,496.64
Public Service	4,042.18

Of the amount appropriated \$120,743.70 shall be paid from the game and fish fund.

Sec. 46. UNOBLIGATED BALANCES. The unobligated balance on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for each of the state departments or divisions for which an appropriation is made herein out of the general fund are hereby cancelled into said general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state; and all such federal aid,

contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 47. MISAPPROPRIATION OF FUNDS. It shall be illegal for any state officer or head of any state department or any employee thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, provided, however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

Sec. 48. TRANSFER OF FUNDS, STATE AUDITOR. The state auditor is hereby authorized and directed to transfer to the general fund in the state treasury, all moneys credited to any fund established in connection with the payment of certificates of indebtedness when the purposes for which the act authorizing such certificates have been accomplished.

Subdivision 1. There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$1,289,916.86 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1971-73 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$4,989.77 to correct an underestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1969-71 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$46,246.71 to reimburse the general fund for functions performed by the office of the state treasurer in mailing gas tax refunds during the 1971-73 biennium.

There is hereby transferred from the general to the highway user tax distribution fund, the sum of \$882.74 to correct an overestimate in the cost of mailing gas tax refunds during the 1969-71 biennium.

There is hereby transferred to the general fund, from the computer services revolving fund, the sum of \$710,000.00 to reimburse the general fund for the costs of remodeling.

There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

- | | |
|---|-------------|
| (a) From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1973 | \$ 3,600.00 |
| (b) From the state airports fund for the department of aeronautics, striping airport runways, for the year ending June 30, 1973 | 10,000.00 |

- (c) From the state airports fund for the department of aeronautics, salaries, for the year ending June 30, 1973 8,750.00

Sec. 49. Any moneys made available to any state department or agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Sections 355.50 and 352.04, Subdivision 5.

Sec. 50. Notwithstanding the provisions of any other law, state departments and agencies may, with the approval of the commissioner of administration, eliminate authorized positions and use the moneys for purchase of interdepartmental tabulating services from the department of administration, information systems division, or for the leasing or purchase of equipment if such is found to be more economical than filling of authorized positions. Such moneys are hereby authorized to be transferred to the supplies and expense account of the department. Such moneys transferred are hereby appropriated for this purpose.

The commissioner of administration, in reviewing the proposals, shall also review the documentation presented indicating the analysis of the cost benefit and reduction of personnel or other savings or benefit that will occur with the computerization or further computerization of the systems involved in the proposal. Upon implementation of the proposal, the complement shall be reduced and the indicated savings reserved and cancelled.

Sec. 51. The commissioner of administration shall endeavor to make maximum utilization of available space in state institutions by not renewing the leases of departments renting space from non-public property owners near state institutions which have available space. He shall encourage departments to lease such space from the institution at a rate to be determined by the commissioner of administration. Any remodeling required shall be performed by the maintenance forces of the institution providing the space if at all possible. Receipts from such rentals or leases are hereby reappropriated to the department providing the space. The commissioner shall report to the 69th legislature concerning these instructions.

Sec. 52. (15.16 subd. 5) No control of state-owned lands shall be transferred between state departments without first consulting the legislative building commission, or other appropriate legislative committee or committees and obtaining a recommendation thereon. The recommendation shall be advisory only. Failure to obtain a prompt recommendation shall be deemed a negative recommendation.

Sec. 53. Notwithstanding any provisions of Minnesota Statutes 1971, Section 16.17, or Extra Session Laws 1971, Chapter 3, Section 53, or any other law to the contrary, the unencumbered balance remaining on June 30, 1973, of the \$3,480,000 appropriated by Extra Session Laws 1971, Chapter 3, Section 48, subdivision 6 (a) (1), shall not lapse but shall remain available for expenditure for the projects specified below:

- (a) Gooseberry Falls State Park, sewage disposal
- (b) Helmer Myre, visitor center and water chlorination system
- (c) Interstate Park, sewer system
- (d) Itasca State Park, Douglas Lodge sewer system rehabilitation
- (e) Jay Cooke State Park, sewer system and water system
- (f) Lake Carlos State Park, sewer system
- (g) William O'Brien State Park, sewer lagoon

Sec. 54. Subdivision 1. The powers, duties, and responsibilities of the department of labor and industry under Minnesota Statutes, Section 332.31 to 332.45 relating to collection agencies are hereby transferred to and imposed upon the section of consumer services in the department of commerce.

Subd. 2. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be required to record the powers, duties, and responsibilities which are transferred by this section.

Sec. 55. Minnesota Statutes 1971, Section 3.102, is amended to read:

3.102. (INTERIM LIVING EXPENSES.) Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity when the legislature is not in session. The amount of such reimbursement shall not exceed \$26 \$33 per day as a per diem expense allowance for all expenses incurred except travel. He shall also be reimbursed for his travel expenses in the same amount as state employees are reimbursed for such travel.

Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.

Expenses for members of the legislature are payable in the manner and in the amount designated by the Senate committee on rules and administration as to members of the Senate and by the committee on rules and legislative administration as to members of the House of Representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 56. Coded in part. (15.50) Subdivision 1. The capitol area architectural and planning commission is hereby authorized and directed to conduct a study, prepare a written report, and make recommendations to the legislature, not later than January 1, 1974, on the location of the offices and functions of state government within the capitol area as defined by Minnesota Statutes, Section 15.50, including, but not limited to, the following questions:

- (a) Which offices and functions must be located within the capitol area to ensure the orderly functioning of state government;

(b) Which offices and functions may be located outside of the capitol area without impairing the orderly functioning of state government;

In conducting its study and making its reports and recommendations, the commission shall also consider the effect of the location of the offices and functions of state government on

(1) The accessibility of the offices and functions of state government to members of the public; and

(2) The convenience of the employees of state government.

The commission may hire such additional employees and consultants as may be necessary to complete the study and prepare the report and recommendations.

Subd. 2. Notwithstanding the provisions of Minnesota Statutes 1971, Section 15.50, Subdivision 3, the full cost of the study and report required by this section shall be the responsibility of the state.

Subd. 3. There is hereby appropriated \$100,000 from the general fund for the purposes of this section for the biennium ending June 30, 1975.

Sec. 57. Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended by Laws 1967, Chapter 867, Section 9, is repealed.

Sec. 58. Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are otherwise authorized by law during the 1973 session of the legislature.

Subd. 2. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are authorized under the provisions of Minnesota Statutes, Sections 15A.021 and 15A.12.

Subd. 3. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers and employees of the executive branch of state government all in the classified service, members of the state highway patrol, and non-academic employees of the university of Minnesota who are paid from state funds, if such salary increases are authorized by law during the 1973 session of the legislature.

Subd. 4. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay shift differential and severance pay to employees of the state classified service, members of the highway

patrol and unclassified employees of the junior college system, if such payments are authorized by law during the 1973 session of the legislature.

Subd. 5. The commissioner shall certify the necessary amounts to the state auditor, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1973.

Subd. 6. Any sums certified and transferred to the university of Minnesota under the provisions of subdivision 3 of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increased cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury.

Sec 59. Minnesota Statutes 1971, Section 326.52, is amended to read:

326.52 [DEPOSIT OF FEES.] All fees received under sections 326.46 to 326.52 shall be paid *deposited* by the department of labor and industry ~~to the state treasurer, and an amount of money equal to the amount so paid over by the department to the treasurer is hereby appropriated, out of any funds to the credit of the general fund in the state treasury not otherwise appropriated, to the department for the purpose of carrying out the provisions of sections 326.46 to 326.52.~~ The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses, and all incidental expenses of the department in carrying out the provisions of sections 326.46 to 326.52 shall be paid ~~on order of the department from such appropriation, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided from the appropriations made to the department of labor and industry.~~

Sec. 60. (15.161). The head of a state department or agency shall consult with the chairman of the house appropriations committee and the chairman of the senate finance committee before accepting any federal land or buildings thereon or any interest therein which is declared surplus by federal authorities and obtaining a recommendation thereon which shall be advisory only. Failure to obtain a recommendation thereon promptly shall be deemed a negative recommendation.

Sec. 61. Subdivision 1. Notwithstanding any provision of law to the contrary, no contract shall be awarded for the removal of rough fish except in accordance with requirements of law regarding the awarding of a contract after competitive bidding. A contractor of rough fish pursuant to this subdivision may sell or otherwise dispose of the rough fish which he acquires from the state.

Subd. 2. Minnesota Statutes 1971, Section 97.486 is repealed.

Sec. 62. The sum of \$40,000 is appropriated for the biennium ending June 30, 1975, to the department of military affairs for the

St. Cloud national guard armory to be expended for blacktopping the parking lot, installing curbs, gutters, and catch basins, and providing security lighting.

Sec. 63. APPLICATIONS FOR NON-STATE FUNDS. Subdivision 1. Every department or agency of the executive branch of state government shall, prior to the submission of any application for non-state funds, submit the original of the application to the commissioner of administration. The commissioner shall promptly return the application indicating his approval or disapproval. No application for funds shall be submitted without the prior approval of the commissioner of administration. The commissioner of administration may promulgate rules, regulations, and directives to implement the provisions of this section.

Subd. 2. The provisions of this section shall not apply to the Minnesota historical society.

Subd. 3. Minnesota Statutes 1971, Section 16.165 is repealed.

Sec. 64. Subdivision 1. (16.141) (Subd. 3a) Notwithstanding any other law to the contrary, the commissioner of administration after consulting the committee on appropriations of the house of representatives and the committee on finance of the senate may waive the requirements for submitting a budget by object of expenditure for agencies and departments which are, at his direction, requesting programmatic appropriations.

Sub. 2. Subdivision 1 takes the place of Minnesota Statutes 1971, Section 16.141, Subdivision 3, which subdivision is repealed.

Sec. 65. DEPOSIT OF TAX RECEIPTS. Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Sections 290.361, 291.33, 297.13, 298.17, 298.281, 298.282, 298.32, 298.39, 298.396, 298.51, 298.64, 298.65, 340.60 and similar laws to the contrary relating to the depositing, disposition, or apportionment of tax receipts, the state auditor may provide for a single depository account for each tax or kind of taxes providing adequate information is available to determine the source and disposition or apportionment of the tax to meet statutory requirements. The auditor shall request such transfers and certifications as are necessary to meet such statutory requirements. The state auditor may issue directives to implement the provisions of this section.

Sec. 66. Any moneys heretofore or hereafter received from federal general revenue sharing funds and any interest earned on such moneys shall be transferred to the general fund in order to comply with United States Department of Treasury regulations that such federal general revenue sharing funds be appropriated and expended in the same manner as the state's own revenues. Upon transfer such federal general revenue sharing funds shall be appropriated and expended in the same manner as all other moneys in the general fund. Provided, however, that such federal general revenue sharing funds shall not be appropriated or considered to be appropriated to any local unit of government, including school districts, the university of Minnesota, or for any purpose that is contrary to the provisions of Public Law 92-512 or

the regulations of the United States Department of the Treasury. The state auditor shall make such transfers, and the sums so transferred are then a part of the general fund and available for appropriation and expenditure.

Sec. 67. The balance remaining from the amount appropriated for lake and channel improvement by Laws of 1971, Extra Session, Chapter 3, Section 36, Subdivision 2, item (d), shall not cancel on June 30, 1973, but shall be available until expended.

Sec. 68. Minnesota Statutes 1971, Section 8.02, is amended to read:

8.02 [DEPUTIES, ASSISTANTS.] The attorney general may appoint, and at his pleasure remove, two deputy attorneys general and ~~six~~ *nine* assistant attorneys general, who shall render such aid as he may require of them in the discharge of his official duty. He shall keep a record of his official correspondence and of all matters placed in his hands by the governor, auditor, secretary of state, or treasurer, or any officer or board in charge of any of the business of the state upon which any official action is necessary; he shall also keep a record of all legal proceedings instituted by him or in which he appears, and of the several steps taken therein. All official opinions shall be in writing and copies thereof made and filed in his office. The deputy attorneys general and each of such assistants shall, to the extent authorized in writing by the attorney general, have authority to appear before grand juries or in any court of this state, as the attorney general himself might do.

The attorney general shall have power to employ such assistance, whether lay, legal, or expert, as he may deem necessary for the protection of the interests of the state through the proper conduct of its legal business.

Sec. 69. Minnesota Statutes 1971, Section 3.921, is amended to read:

3.921 [STANDING COMMITTEES AS INTERIM STUDY COMMITTEES.] Subdivision 1. Each standing committee or subcommittee existing in the senate and house of representatives is continued during the intervals between sessions of the legislature to make studies and investigations within the general jurisdiction of each such committee, *as directed by the committee on rules and administration of the senate and the committee on rules and legislative administration of the house of representatives*, or as otherwise prescribed by resolution; ~~existing at the time the legislature last adjourned in regular session;~~ *duly adopted or by law.*

Subd. 2. Vacancies in any such committee or subcommittee during such intervals shall be filled by the last elected speaker of the house of representatives as to house committees and by the last elected senate committee on committees as to senate committees.

Subd. 3. Any standing committee of the senate that requires an appropriation of funds to defray expenses of its operations during the interim shall prepare a budget, which budget shall be submitted to the senate committee on rules and ~~legislative expense~~

administration for its approval. No funds shall be expended by such standing committee without prior approval of the senate committee on rules and legislative expense. *administration*. Any standing committee of the house of representatives that requires an appropriation of funds to defray expenses of its operations during the interim shall prepare a budget, which budget shall be submitted to the rules committee of the house of representatives for its approval. No funds shall be expended by such standing committee without prior approval of the rules committee of the house of representatives.

Subd. 4. The expenses of any such committee shall be paid upon the certification to the state auditor of the amount thereof. Payment of such expenses is hereby directed from any direct appropriation therefor to the legislature or either branch thereof.

Sec. 70. Minnesota Statutes, Section 16.02, Subdivision 5, shall not apply to the construction of the Minnesota Zoological Gardens except with respect to the letting of competitive bids.

Sec. 71. Subdivision 1. The appropriation made in Laws 1973, Chapter 143, Section 1, Subdivision 12, in the sum of \$1,385.03 is cancelled.

Subd. 2. There is hereby appropriated to the state auditor for the biennium ending June 30, 1973, \$1,385.03 for payment to Webb Publishing Company for printing of Minnesota Liability Study Commission report.

Sec. 72. No part time special attorney assigned to any professional or occupational licensing board of state government, after having received \$10,000 for his official duties in any fiscal year, regardless of the fund from which he is paid, shall be paid an hourly amount exceeding the equivalent amount paid full time special assistant attorneys general, plus reasonable office expenses, as approved by the attorney general.

Sec. 73. Subdivision 1. Minnesota Statutes 1971, Section 268.15, Subdivision 3, is amended to read:

Subd. 3. [INTEREST AND PENALTIES.] There is hereby created in the state treasury a special fund, to be known as the manpower services contingent fund, which shall not lapse nor revert to any other fund. Such fund shall consist of all moneys appropriated therefor by the legislature. All moneys in the form of interest and penalties collected pursuant to section 268.16 and all moneys received in the form of voluntary contributions to this fund. All moneys in such fund shall be supplemental to all federal moneys that would be available to the commissioner but for the existence of this fund. Such fund shall be available to the commissioner for such expenditures as he may deem necessary in connection with the administration of sections 268.03 to 268.24. Whenever the commissioner expends moneys from said contingent fund for the proper and efficient administration of the Minnesota manpower services law for which funds have not yet been made available by the federal government, such moneys so withdrawn from the contingent fund shall be replaced as hereinafter provided.

Upon the deposit in the manpower services administration fund of moneys which are received in reimbursement of payments made as above provided from said contingent fund, the commissioner shall certify to the state treasurer the amount of such reimbursement and thereupon the state treasurer shall transfer such amount from the manpower services administration fund to said contingent fund. All moneys in this fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as is provided by law for the other special funds in the state treasury except that moneys in this fund shall not be commingled with other state funds, but shall be maintained in a separate account on the books of a depository bank. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the manpower services contingent fund provided for herein shall be paid into the general fund.

Subd. 2. Minnesota Statutes 1971, Section 268.16, Subdivision 1, is amended to read:

268.16 [COLLECTION OF CONTRIBUTIONS.] Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions are not paid on the date on which they are due and payable, as prescribed by the commissioner, the whole or part thereafter remaining unpaid shall bear interest at the rate of one percent per month from and after such date until the first day of the calendar month during which payment is made to the department of manpower services; provided, however, that during the first month of delinquency interest shall be computed on the basis of one-thirtieth of one percent per month for each and every day of such delinquency. After any contribution has become delinquent for a period of 12 months thereafter interest thereon shall be computed at the rate of six percent per annum. Contributions, if mailed, shall be deemed to have been paid on the date of mailing as indicated by the postmark on the cover thereof; provided, however, that after January 1, 1949, contributions received by mail postmarked on a day following the date on which the law requires such contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence by affidavit or otherwise reasonably tending to prove that said report or contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. Interest collected pursuant to this subdivision shall be paid into the contingent fund.

Subd. 3. Minnesota Statutes 1971, Section 268.16, Subdivision 2, is amended to read:

Subd. 2. [REPORTS; DELINQUENCIES; PENALTIES.] (1) Any employer who knowingly fails to make and submit to the department of manpower services any report of wages paid by or due from him for insured work in the manner and at the time such report is required by regulations prescribed by the commissioner shall pay to the department of manpower services for the contingent fund an amount equal to one percent of contributions accrued during the period for which such report is required, for each month

from and after such date until such report is properly made and submitted to the department of manpower services. In no case shall the amount of the penalty imposed hereby be less than \$5 except that in cases where the contribution is less than \$10 and the commissioner finds that the employer does not habitually fail to report on time the penalty shall be \$1. Any employing unit which fails to make and submit to the commissioner any report, other than one of wages paid or payable for insured work, as and when required by the regulations of the commissioner, shall be subject to a penalty in the sum of \$10 payable to the department of manpower services for the contingent fund. All such penalties shall be in addition to interest and any other penalties provided for by sections 268.03 to 268.24 and shall be collected by civil action as hereinafter provided.

(2) If any employing unit required by sections 268.03 to 268.24 to make and submit contribution reports shall fail to do so within the time prescribed by these sections or by regulations under the authority thereof, or shall make, wilfully or otherwise, an incorrect, false or fraudulent contribution report, he shall, on the written demand of the commissioner, make such contribution report, or corrected report, within ten days after the mailing of such written demand and at the same time pay the whole contribution, or additional contribution, due on the basis thereof. If such employer shall fail within that time to make such report, or corrected report, the commissioner shall make for him a report, or corrected report, from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a contribution on the basis thereof, which contribution, plus penalties and interest which thereafter accrued (less any payments theretofore made) shall be paid within ten days after the commissioner has mailed to such employer a written notice of the amount thereof and demand for its payment. Any such contribution report or assessment made by the commissioner on account of the failure of the employer to make a report or corrected report shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto. Whenever such delinquent employer shall file a report or corrected report, the commissioner may, if he finds it substantially correct, substitute it for the commissioner's report. If an employer has failed to submit any report of wages paid, or has filed an incorrect report, and the commissioner finds that such noncompliance with the terms of sections 268.03 to 268.24 was not wilful and that such employer was free from fraudulent intent, the commissioner shall limit the charge against such employer to the period of the year in which such condition has been found to exist and for the preceding calendar year.

Sec. 74. (6.221) Notwithstanding the provisions of any other law to the contrary, neither the judicial nor legislative branches of state government are required to participate in the statewide accounting system or in a computerized payroll system.

Sec. 75. Notwithstanding any other law to the contrary, if a law is passed in the 68th session of the legislature creating a TV cable

commission and appropriating money for such commission, the appropriation shall be available until June 30, 1975.

Sec. 76. Subdivision 1. The term "president pro-tempore" as used in the law creating the legislative audit commission means the "president of the Senate".

Subdivision 2. The revisor of statutes shall make the appropriate change in terminology in the next edition of Minnesota Statutes or any supplement thereof.

Sec. 77. Minnesota Statutes 1971, Section 16.17, is amended to read:

16.17. [APPROPRIATIONS TO REVERT TO STATE TREASURY.] Except as specifically provided for in appropriation acts, every appropriation or part thereof of any kind hereafter made subject to the provisions of this section remaining unexpended and unencumbered at the close of any fiscal year shall lapse and be returned to the *general fund fund from which such appropriation was made*; provided, that an appropriation for construction or other permanent improvement shall not lapse until the purposes for which the appropriation was made shall have been accomplished or abandoned unless such appropriation has stood during the entire fiscal biennium without any expenditure therefrom or encumbrances thereon.

Except as otherwise expressly provided by law, the provisions of this section shall apply to every appropriation of a stated sum for a specified purpose or purposes heretofore or hereafter made from the general fund, but shall not, unless expressly so provided by law, apply to any fund or balance of a fund derived wholly or partly from special taxes, fees, earnings, fines, federal grants, or other sources which are by law appropriated for special purposes by standing, continuing, or revolving appropriations.

Sec. 78. [TRAVEL EXPENSES, BOARDS AND COMMISSIONS.] Notwithstanding the provisions of any other law, the members and staff of all state boards, councils, and commissions in the executive branch, established by state law or otherwise, shall only be reimbursed for travel expenses both in-state and out-of-state in accordance with the rules and regulations promulgated by the commissioner of administration governing the travel of state officers and employees.

Sec. 79. Minnesota Statutes 1971, Section 15A.21 is repealed.

Sec. 80. The mills referred to in a law enacted in the 1973 session and identified as H.F. No. 715, authorizing the metropolitan transit commission to levy taxes, are mills prior to the adoption of Minnesota Statutes, Section 273.1102.

Sec. 81. [COUNTY OF WRIGHT; ABATEMENT OF CERTAIN REAL ESTATE TAXES.] The county auditor of the county of Wright is hereby directed to remove from that county's tax rolls and to forthwith abate all real estate taxes currently levied and assessed against Lots 1, 2, 3, 4, 5, 6 and 7, Guilfoyle's Addition to the Village of Delano, County of Wright, State of Minnesota.

Sec. 82. The commissioner of taxation is authorized to pay from the department appropriations, the per diem and expenses of the public member of the levy limitations review board in the event that such board is established by act of the 1973 session of the legislature.

Sec. 83. [STATE; CONVEYANCE OF CERTAIN REAL PROPERTY.] Subdivision 1. The commissioner of taxation shall convey and quit claim to Clarence R. Berthiaume, in such form as may be prescribed by the attorney general and for the consideration of \$40, the lands described in subdivision 2, such conveyance to be made without recourse.

Subd. 2. The lands to be conveyed pursuant to subdivision 1, being situated in the state of Minnesota, county of Hennepin, are further described as follows: the westerly four (4) feet of Lot 5, Block 2, in the village of Loretto.

Subd. 3. The provisions of this section shall take effect on the day following final enactment.

Sec. 84. There is hereby appropriated to the commissioner of natural resources the sum of \$1,658,000 from the game and fish fund for the remodeling and reconstruction of the French River and Lanesboro hatchery facilities. The department is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of those projects. The department is authorized to implement a commissioner's order for a two dollar additional fee or license surcharge to take lake trout, brook trout, salmon, and other trout from the public waters of the state. This appropriation shall be available until expended or the projects are completed or abandoned. Any and all revenues which may be raised by the license surcharge herein authorized, shall be deposited to the game and fish fund.

Sec. 85. Notwithstanding the provisions of any other law to the contrary, all personnel employed by the adjutant general and assigned to an armory shall be in the unclassified service."

Further amend by striking the title in its entirety and substituting in lieu thereof the following:

"A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1971, Sections 3.102; 3.921; 6.221; 8.02; 15.16; 15.50; 16.17; 268.15, Subdivision 3; 268.16, Subdivision 1; 268.16, Subdivision 2; 326.52; repealing Minnesota Statutes 1971, Sections 15A.21; 16.141, Subdivision 3; 16.165; 97.486; and Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended."

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) John C. Chenoweth, Gerald L. Willet, Edward G. Novak, J. A. Josefson and Richard W. Fitzsimons.

House Conferees: (Signed) Neil S. Haugerud, Willis Eken, Gordon O. Voss, Richard A. Andersen and Dale E. Erdahl.

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2417 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawnings areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Renneke
Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Knutson	Olsen, A. G.	Solon
Bang	Fitzsimons	Kowalczyk	Olsen, H. D.	Spear
Berg	Frederick	Larson	Olsen, J. L.	Stokowski
Bernhagen	Gearty	Laufenburger	O'Neill	Tennessee
Blatz	Hansen, Baldy	Lewis	Patton	Thorup
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Milton	Perpich, G.	Wegener
Chmielewski	Hughes	McE	Pillsbury	Willet
Coleman	Humphrey	Nelson	Purfeerst	

Messrs. Brown; Jensen; Keefe, J. and Stassen voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 9, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

House File No. 9 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CALL OF THE SENATE

Mr. Milton imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Olhoff	Spear
Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Stassen
Bang	Frederick	Knutson	Olson, H. D.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Blatz	Hansen, Mel	Lewis	Patton	Ueland
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Wegener
Brown	Hughes	Milton	Perpich, G.	Willet
Chenoweth	Humphrey	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Schrom	
Davies	Keefe, J.	North	Sillers	
Doty	Keefe, S.	Novak	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 9

A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

May 18, 1973

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. 9, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 9 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [CITATION.] This act may be cited as the Minnesota fair labor standards act.

Sec. 2. [STATEMENT OF POLICY.] It is declared to be the policy of the Minnesota fair labor standards act (1) to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency, and general well-

being; (2) to safeguard existing minimum wage and overtime compensation standards which are adequate to maintain the health, efficiency, and general well-being of workers against the unfair competition of wage and hour standards which do not provide such adequate standards of living; and (3) to sustain purchasing power and increase employment opportunities.

Sec. 3. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act, shall have the meanings given to them in this section.

Subd. 2. "Department" means the Minnesota department of labor and industry.

Subd. 3. "Commissioner" means the commissioner of labor and industry of Minnesota or his authorized designee.

Subd. 4. "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such allowances as may be permitted by regulations of the department under section 8.

Subd. 5. "Employ" means to suffer or permit to work.

Subd. 6. "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;

(3) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a non-profit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of Minnesota Statutes, Section 353.01, Subdivision 2, Paragraph (2), Clauses (a), (b), (d), and (h);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program.

Subd. 8. "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Subd. 9. "Gratuities" means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

Sec. 4. [PAYMENT OF MINIMUM WAGES.] Except as may otherwise be provided in this act, or by regulation issued pursuant thereto, every employer shall pay to each of his employees wages at a rate of not less than \$1.80 an hour.

Sec. 5. [OVERTIME.] Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; provided, however, that an employer if it is the State of Minnesota or a political subdivision may grant time off at the rate of one and one half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a work week in excess of that specified in this section without paying the compensation for overtime employment prescribed herein if such employee is so employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended.

Subd. 2. No employer engaged in the operation of a health care facility shall be deemed to have violated subdivision 1 if pursuant to an agreement or understanding arrived at between the employer and employee before performance of the work, a work period of 14 consecutive days is accepted in lieu of the work week of 7 consecutive days for the purpose of overtime compensation and if for his

employment in excess of 8 hours in any work day and in excess of 80 hours in such 14 day period the employee receives compensation at a rate not less than one and one half times the regular rate at which he is employed.

Subd. 3. The provisions of subdivision 1 shall not apply with respect to any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, or farm implements and paid on a commission or incentive basis, if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers.

Sec. 6. [DIVISION OF LABOR STANDARDS IS CREATED.]
Subdivision 1. A division of labor standards is hereby created in the department of labor and industry under the supervision and control of the commissioner of labor and industry.

Subd. 2. [POWERS AND DUTIES.] The powers, duties, and functions vested in, or imposed upon, the division of women and children of the department of labor and industry by Minnesota Statutes, Chapter 177, and other applicable laws relating to wages, hours, and working conditions, are transferred, vested in, and imposed upon the division of labor standards. In addition, the division of labor standards shall administer the provisions of this act and chapter 184.

Subd. 3. [EMPLOYEES; TRANSFER FROM DIVISION OF WOMEN AND CHILDREN.] All persons employed by the department of labor and industry in the division of women and children shall be transferred to the division of labor standards without loss to the person of any rights acquired by reason of his employment at the time of transfer.

Sec. 7. [POWERS AND DUTIES OF THE COMMISSIONER.]
Subdivision 1. The commissioner or his authorized representative may enter during reasonable office hours or upon request and inspect the place of business or employment of any employer of employees in any occupation in the state, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; transcribe any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the provisions of this act and the regulations issued pursuant thereto have been and are being complied with.

Subd. 2. The commissioner or his authorized representative may require from any employer of employees in any occupation in the state full and correct statements in writing, including sworn statements, with respect to wages, hours, name, addresses, and such other information pertaining to his employees and their employment as the commissioner or his authorized representative may deem necessary or appropriate.

Subd. 3. The commissioner or his authorized representative may issue any order requiring an employer to comply with the provisions of this act or with any regulation promulgated under the provisions of section 8. Any order shall be served by the department upon the employer or his authorized representative in person or by certified mail at the employer's place of business. If an employer wishes to contest the order for any reason, he shall file written notice of his objection to the order with the commissioner within 10 days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of Minnesota Statutes, Sections 15.0418 to 15.0426, and such regulations consistent therewith as the commissioner may make.

Subd. 4. The commissioner may investigate, mediate, and settle wage claims by an employee against an employer if the failure to pay any such wage may violate Minnesota laws or any order or regulation of the department thereunder.

Subd. 5. The commissioner may commence a civil action in any court of competent jurisdiction for the benefit of any employee for appropriate relief with respect to any wage claim which the commissioner deems to be valid, upon a written request being filed with the commissioner by such employee, provided: (1) the failure to pay such wage would constitute a violation of Minnesota laws or any order or regulation of the department thereunder, and (2) the wage claim does not exceed \$300. The employer shall pay all costs and disbursements as may be allowed by the court, and shall further pay an assessment of ten percent of the amount of any awarded wage claim to the treasurer of the state of Minnesota. In any action herein no security for payment of costs shall be required. Nothing herein shall be construed to prevent an employee from prosecuting his own claim for wages.

Subd. 6. Upon the written request of the commissioner, the attorney general of the state of Minnesota shall commence a civil action for appropriate relief against the employer as provided in subdivision 5.

Sec. 8. [POWER TO MAKE REGULATIONS.] Subdivision 1. The commissioner shall make and revise such regulations, including definitions of terms, as he shall deem appropriate to carry out the purposes of this act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage and overtime rates established by sections 4 and 5.

Subd. 2. The commissioner shall appoint an advisory committee composed of an equal number of not more than three representatives each of employers and employees and of not more than three disinterested persons representing the public, which he shall consult concerning the making and revising of administrative regulations.

Subd. 3. The commissioner may establish regulations which define and govern this act with respect to, salesmen who conduct no more than 20 percent of their sales on the premises of the employer; allowances as part of the wage rates for board, lodging and other facilities or services furnished by the employer and used

by the employees. Regulations issued by the department pursuant to this section shall include, but are not limited to, bonuses; part-time rates for employees working 24 hours or less per week; special pay for special or extra work; procedures in contested cases; other facilities or services furnished by employers and used by employees; and other special items usual in a particular employer-employee relationship.

Subd. 4. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25 percent of the minimum wage which a tipped employee receives. Said credit against the wages due for gratuities received by a tipped employee may not be taken unless a signed statement from each tipped employee states that he did receive during the pay period an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records.

Subd. 5. In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rates under sections 4 and 5, the department shall also issue regulations providing for the employment of handicapped workers at wages lower than the wage rates applicable under sections 4 and 5, under permits and for such periods of time as specified therein; and providing for the employment of learners and apprentices at wages lower than the wage rates applicable under sections 4 and 5, under permits and subject to such limitations on number, proportion, length of learning period, occupations, and other conditions as the department may prescribe. The regulations issued by the department shall provide that where a handicapped person is now performing or is being considered for employment where he will perform work which is equal to work performed by a non-handicapped person, such handicapped person shall be paid the same wage as a non-handicapped person with similar experience and skill.

Subd. 6. Regulations shall be adopted by the department only after a public hearing held upon due publication of notice, at which any interested person may be heard and of which a record shall be made. Regulations shall be published by the department and shall take effect upon publication and filing with the secretary of state and the department of administration. Such regulations shall have the force and effect of law upon filing as provided herein.

Sec. 9. [JUDICIAL REVIEW.] Subdivision 1. Any person who may be aggrieved by any administrative regulation issued pursuant to section 8 may obtain a review thereof in the district court for Ramsey county, by filing in such court a written petition for declaratory judgment praying that the regulation be modified or set aside. A copy of such petition shall be served upon the department. The department's findings of fact, if any, shall be conclusive upon the court if supported by substantial evidence. The court shall determine whether the regulation is in accordance with law.

If the court determines that such regulation is not in accordance with law, it shall remand the case to the department with direc-

tions to modify or revoke such regulation. If application is made to the court by any aggrieved party for leave to adduce additional evidence, such party shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence before the department. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the department with directions that such additional evidence be taken by the department. The department may modify its findings and conclusions, in whole or in part, by reason of such additional evidence.

Subd. 2. Hearings in the district court on all appeals taken under subdivision 1 shall be privileged and take precedence over all matters, except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review on appeal to the supreme court.

Subd. 3. The commencement of proceedings under subdivision 1 shall not, unless specifically ordered by the court, operate as a stay of an administrative regulation issued pursuant to section 8. The court shall not grant any stay of an administrative regulation unless the person complaining of such regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

Sec. 10. [KEEPING RECORDS.] Every employer subject to any provision of this act or of any regulation issued pursuant thereto shall make and keep, for a period of not less than three years in or about the premises wherein any employee is employed, a record of the name, address and occupation of each of his employees, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each work-week by such employee, and such other information as the department shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this act or of the regulations issued pursuant thereto.

Sec. 11. [POSTING OF LAW AND REGULATIONS.] Every employer subject to any provision of this act shall keep a summary thereof, approved by the department, and copies of any applicable regulations issued pursuant thereto, or a summary of such regulations, posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. The department shall furnish copies of such summaries and regulations to employers without charge.

Sec. 12. [PENALTIES.] Subdivision 1. Any employer who hinders or delays the department or its authorized representative in the performance of its duties under this act or refuses to admit the commissioner or his authorized representative to any place of

employment as required by section 7, subdivision 1; or fails to make, keep, and preserve records as required by section 10; or falsifies any such record; or refuses to make any such record accessible, or to furnish a sworn statement of such record or any other information as required by section 7; or fails to post a summary of this act or a copy of any applicable regulation as required by section 11; or pays or agrees to pay wages at a rate less than the rate applicable under or pursuant to this act; or otherwise violates any provision of this act or of any regulation issued pursuant thereto; is guilty of a misdemeanor.

Subd. 2. Any employer who discharges or in any other manner discriminates against any employee because such employee has complained to his employer, to the department, or to an authorized representative of the department that he has not been paid wages in accordance with this act or regulations issued pursuant thereto or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any such proceeding shall, upon conviction therefor, be fined not less than \$500 nor more than \$1000.

Sec. 13. [EMPLOYEES' REMEDIES.] Any employer who pays any employee less than the wages and overtime compensation to which such employee is entitled under this act and regulations issued pursuant thereto shall be liable to such employee for the full amount of such wages and overtime compensation, less any amount actually paid to such employee by the employer, for an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than the applicable wage rate shall be no defense to such action. Such action may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves.

Sec. 14. [RELATION TO OTHER LAWS.] Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other law of this state on the effective date of this act which are more favorable to employees than those applicable hereunder shall not be deemed to be amended, rescinded, or otherwise affected by this act but shall continue in full force and effect until they are specifically superseded by standards more favorable to such employees by operation of or in accordance with this act or regulations issued pursuant thereto.

Sec. 15. [RIGHT OF COLLECTIVE BARGAINING.] Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work more favorable to the employees than those required by this act and regulations issued pursuant thereto.

Sec. 16. Minnesota Statutes 1971, Sections 175.38, 175.39, 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.075,

177.08, 177.09, 177.10, 177.11, 177.12, 177.121, 177.122, 177.13, 177.14, 177.15, 177.16, 177.17, 177.19, and 177.20, are repealed.

Sec. 17. [EFFECTIVE DATE.] This act shall become effective January 1, 1974."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Ray W. Faricy, Robert J. Ferderer and Jack H. La Voy.

Senate Conferees: (Signed) John Milton, Al Kowalczyk and Howard D. Olson.

RECESS

Mr. Coleman moved that the Senate do now recess subject to call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

Mr. Milton moved that the foregoing recommendations and Conference Committee Report on H. F. No. 9 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 30 and nays 27, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kowalczyk	Nelson	Schaaf
Borden	Gearty	Laufenburger	North	Solon
Chenoweth	Hughes	Lewis	Novak	Spear
Chmielewski	Humphrey	Lord	Olson, A.G.	Stokowski
Coleman	Keefe, S.	McCutcheon	Olson, H. D.	Tennessee
Davies	Kirchner	Moe	Purfeerst	Thorup

Those who voted in the negative were:

Bang	Fitzsimons	Keefe, J.	Olson, J. L.	Ueland
Berg	Frederick	Kleinbaum	O'Neill	Wegener
Bernhagen	Hansen, Baldy	Knutson	Patton	Willet
Blatz	Hanson, R.	Krieger	Pillsbury	
Conzemius	Jensen	Larson	Renneke	
Dunn	Josefson	Milton	Schrom	

So the bill failed to pass.

Mr. Milton moved that the vote whereby H. F. No. 9 failed to pass on May 19, 1973 be now reconsidered. Which motion prevailed. So the vote was reconsidered.

Mr. Milton moved that the vote whereby the Conference Committee Report on H. F. No. 9 was adopted be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 48 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Novak	Solon
Arnold	Dunn	Kowalczyk	Olhoff	Spear
Bernhagen	Fitzsimons	Laufenburger	Olson, A. G.	Stassen
Borden	Gearty	Lewis	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Lord	O'Neill	Tennessee
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Hughes	Milton	Perpich, G.	Wegener
Coleman	Humphrey	Moe	Purfeerst	Willet
Conzernius	Keefe, S.	Nelson	Schaaf	
Davies	Kirchner	North	Sillers	

Those who voted in the negative were:

Berg	Jensen	Krieger	Pillbury	Ueland
Frederick	Josefson	Larson	Renneke	
Hansen, Baldy	Knutson	Patton		

Which motion prevailed. So the vote was reconsidered.

Mr. Milton moved that H. F. No. 9 be returned to Conference Committee for further consideration. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2437, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2437: A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

House File No. 2437 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2437

A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

May 19, 1973

Honorable Martin Sabo, Speaker of the House of Representatives

Honorable Alec 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. 2437, 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. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated “APPROPRIATIONS”, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures “1973”, “1974”, and “1975” wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, 1974, and 1975 respectively.

	APPROPRIATIONS		
	Available for the Year		
	Ending June 30,		
	1973	1974	1975
	\$	\$	\$
Sec. 2. DEPARTMENT OF EDUCATION			
Subdivision 1. General Academic and Related Services . .		1,863,810	1,751,440
(1) Salaries, supplies, and expenses	\$1,197,476	\$1,199,020	
(2) Claims, grants, and shared revenue	\$ 666,334	\$ 552,420	

	1973	1974	1975
	\$	\$	\$
<p>The appropriation in (1) includes \$100,000 each year for the right to read program. Of the amount provided by this subdivision, \$14,100 each year is appropriated from the trunk highway fund.</p>			
<p>Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
<p>Provided that notwithstanding the provisions of Minnesota Statutes 1971, Section 121.26 and 125.08 to the contrary, the fee for registering with the teachers employment bureau shall not be less than \$10. and the fee for a certificate to teach or for a renewal or extension of certificate to teach shall not be less than \$10.</p>			
Subd. 2. Vocational Technical Instruction and Related Services		455,342	455,853
(1) Salaries, supplies, and expenses			
\$ 455,342	\$ 455,853		
Subd. 3. Special and Compensatory Instruction and Related Services		509,624	512,434
(1) Salaries, supplies, and expenses			
\$ 279,624	\$ 282,434		
(2) Claims, grants, and shared revenue			
(a) Indian scholarships			
\$ 230,000	\$ 230,000		
<p>Any unexpended balance remaining in (a) in the first year shall not cancel but shall be available for the second year of the biennium.</p>			
Subd. 4. Education Planning Innovative Developmental Evaluative Services		796,800	796,800

	1973	1974	1975
	\$	\$	\$
(1) Salaries, supplies, and expenses	\$ 221,800	\$ 221,800	
(2) Claims, grants, and shared revenue	\$ 575,000	\$ 575,000	
Subd. 5. Auxiliary Services and General Support		3,024,973	4,259,125
(1) Salaries, supplies, and expenses	\$1,708,579	\$3,139,731	

Of the amounts in (1), \$1,932,476 shall not be available in fiscal year 1974-75 until the senate committee on finance and the house committee on appropriations has reviewed the progress of the Minnesota education computer consortium. Recommendations will be made to the legislative advisory committee before March 1, 1974, for the release of the appropriation for the first six months of fiscal year 1974-75 and before September 1, 1974, for the release of the balance of the appropriation for fiscal year 1974-75.

The department shall establish reasonable charges to MECC users for on-line computer time actually used. Such receipts shall be deposited in a non-dedicated receipt account of the general fund.

The above appropriation includes in the first year of the biennium, \$45,000 for the summarization and dissemination of school statistical information. Any unexpended balance in the \$45,000 appropriation shall not cancel but shall be available for the second year of the biennium.

(2) Claims, grants, and shared revenue

	1973	1974	1975
	\$	\$	\$
(a) School lunch			
\$1,316,394	\$1,119,394		

Any unexpended balance remaining in (a) in the first year shall not cancel but shall be available for the second year of the biennium.

Item (2) includes a contingent fund of \$300,000 for state matching of federal funds to be expended in the first year upon showing that local resources qualifying under federal match formula have been fully utilized.

Of the amount provided in (2) of this subdivision, so much thereof as is necessary shall be used for the type "A" lunch program to be distributed under standards established by the state board of education.

Subd. 6. Community Library Services	1,806,026	1,838,026
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(1) Salaries, supplies and expenses
 \$ 234,436 \$ 266,436

(2) Claims, grants, and shared revenue
 \$1,571,590 \$1,571,590

Any unexpended balance remaining in (2) in the first year shall not cancel but shall be available for the second year of the biennium.

These funds may be granted for the improvement of library services at welfare and corrections institution libraries and for library services to the blind and physically handicapped. These funds shall not exceed in either year the amount provided for fiscal year 1972.

(3) A public library is a public library serving 20,000 or more persons or serving less than

	1973	1974	1975
	\$	\$	\$

20,000 persons with the approval of the commissioner of education and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

To qualify for the state library grant herein authorized, local levies for libraries shall not be less than the library levies in effect January 1, 1973. All of the above funds are limited to operating purposes only.

Applications for financial assistance shall contain such information as the department requires including descriptions of areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the areas it serves and an estimate of the financial assistance to put such a plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of library service in the state.

Provided that no state funds shall be used for construction of library facilities.

	1973	1974	1975
	\$	\$	\$
Subd. 7. Vocational Rehabilitation		1,947,902	1,952,725
(1) Salaries, supplies and expenses and Counseling and Care of Persons	\$1,458,565		\$1,490,275
(2) Claims, grants, and shared revenues	\$ 119,337		\$ 72,450
(3) Rehabilitation facilities	\$ 370,000		\$ 390,000

Any unexpended balance remaining in (3) in the first year shall not cancel but shall be available for the second year of the biennium.

None of the amounts appropriated in Subdivisions 1, 3, 4, 5, 6, and 7 listed as claims, grants and shared revenues on the official worksheets of the conferees of the Senate and House of Representatives, a true copy of which is on file in the office of the commissioner of administration, shall be transferred to any other expenditure category other than that for which it was appropriated.

The number of state funded positions shall not exceed the number shown on official worksheets.

Sec. 3. STATE COLLEGE BOARD

Subdivision 1. Maintenance and Equipment	41,439,465	43,058,111
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The amounts appropriated in subdivisions 1 and 2 include a sum in each year for recruitment of unclassified staff. Candidates for positions in the state college board central office or in a state college who have been invited by the state college board for interview,

	1973	1974	1975
	\$	\$	\$

may be reimbursed for travel and subsistence expenses in the same manner and amounts as state employees. This reimbursement may be made from college imprest cash funds.

In developing new programs with the funds provided herein the state colleges shall, wherever appropriate and educationally sound, attempt to employ excess faculty resulting from declining or shifting enrollments.

Subd. 2. Metropolitan State College	850,000	900,000
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The above amount shall be used by the state college board for operating an educational program for a state college center as organized in the seven county metropolitan area. The center may operate in facilities acquired through the commissioner of administration by gift or lease. The faculty and staff of the state college system shall provide assistance in developing curricular and educational programs for the college. The state college board shall also request the assistance of the university of Minnesota, the junior colleges, the area vocational-technical schools, and the private colleges in planning such programs. The college shall serve the needs of the graduates of the state junior colleges and the area vocational-technical schools, and include curricula for retraining adults to meet the technological demands of the changing economy.

Subd. 3. State College Board Contingent	750,000	
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Any unexpended balance remaining in the first year shall

	1973	1974	1975
	\$	\$	\$

not cancel but shall be available for the second year of the biennium.

In event the enrollment of full time equivalent students enrolled exceeds the budget estimates of 32,000 full time equivalents the first year and 31,000 full time equivalents the second year of the biennium for the total state college system, it is the intent of the legislature to provide additional teaching positions at a ratio of one position for each 19 full time equivalent undergraduate students, and one position for each 13 graduate students in excess of the biennial budget enrollment estimates for each year of the biennium.

In order to provide for an orderly realignment of faculty staffing resulting from reduced or shifting enrollments, not more than \$600,000 of this appropriation may be expended to pay the salaries of faculty members employed on terminal year contracts where such terminal appointments are required by current state college board rules. The state college board shall conduct a comprehensive program review at southwest Minnesota state college to determine the basic staffing requirements necessary to offer a sound educational program. Pursuant to this review the board may recommend to the legislative advisory committee a minimum staffing for that institution. Before any of the above appropriation is expended, the state college board shall demonstrate to the legislative advisory committee that all reasonable measures were taken to adjust staffing patterns in such a manner as to

	1973	1974	1975
	\$	\$	\$

minimize the need for such contracts.

The above appropriation is to be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes 1971, Section 3.30.

Subd. 4. Student Loans—State Matching	274,472	274,472
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The above appropriation shall be used as state's matching share for any federal student aid or loan program.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1973.

Subd. 5. General Research ...	25,000	25,000
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None of this appropriation shall be allotted or encumbered until a research project has been approved by the state college board. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, including but not limited to students' tuition and fees, federal receipts, aids, contributions, and reimbursements in all state colleges are reappropriated to the state college board, but subject to budgetary control by the commissioner of administration, except the following receipts not subject to budgetary control by the commissioner of administration:

	1973	1974	1975
	\$	\$	\$
(a) those attributed to dormitory functions handled under Minnesota Statutes 1971, Sections 136.31 to 136.38, and			
(b) those attributable to college activity funds (including, for example, receipts from vending machines in buildings other than dormitories and student unions), and			
(c) those attributable to grants for special projects, institutes, and similar activities subject to Minnesota Statutes 1971, Sections 136.143 and 136.144.			

A report shall be submitted to the 69th session of the legislature as to the use of all such excepted funds.

The state college board is hereby authorized to transfer funds within the various college operating accounts of the maintenance and equipment appropriation account after the close of a fiscal year; provided such transfers are in accordance with the laws of 1949, Chapter 230, Section 1, Subdivision 8.

Grants awarded to the state college system by any state agency shall be transferred to the account(s) of the state college board. Such transfers shall be by journal voucher or a request for transfer of funds as deemed most appropriate by the state auditor.

During the 1973-75 biennium, the state college board shall identify non-academic unclassified positions in the state college system for transfer to the classified state service. Persons in employee status in such positions at the time of transfer may be transferred with their consent into the classified service of the state without com-

	1973	1974	1975
	\$	\$	\$

petitive examination, and shall be placed in the proper classifications by the director of civil service, provided, however, that the salary of any present incumbent shall not be reduced because the range maximum is lower than his or her present salary. Personnel occupying positions transferred may continue in the retirement programs in which they currently participate. Employees who have been employed by the colleges more than one year shall be granted permanent status; those employees with less than one year of service will be placed on probationary status. The above provisions shall be effective notwithstanding any other provisions of law to the contrary.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Notwithstanding the provisions of any law to the contrary, Minnesota Metropolitan State College is authorized to deposit tuition receipts received during the final quarter of each fiscal year in a suspense account. The balance in such an account shall not cancel on June 30 but shall be available in the next fiscal year.

The state college board may allocate, not to exceed \$3,000 annually, to each college president and the office of the chancellor for miscellaneous expenses in connection with the state college system. The provisions of Minnesota Statutes 1971, Chapter 16, shall not apply to such expenditures but the state college board shall

	1973	1974	1975
	\$	\$	\$

prescribe the manner, amount, and purpose of such expenditures and report thereon to the 1975 legislature.

Notwithstanding the provisions of Minnesota Statutes 1971, Section 136.06, or any other law to the contrary, expenses incurred in travel outside of the state of Minnesota shall be paid upon prior authorization of the chief executive officer or president of the state college board. No other approval shall be required.

The state college board is authorized to utilize up to \$200,000 of the maintenance and equipment appropriation each year for regional and community service projects provided that the agency or local unit of government receiving such services shall reimburse the college system for not less than one-third their cost. Receipts so derived shall be treated as tuition for enrollment and budgetary purposes.

Notwithstanding any provision in Minnesota Statutes 1971, Chapter 16, which may indicate the contrary, when the state college board so requests, technical educational equipment may be procured for the state colleges either by brand designation or in accordance with standards and specifications which the board may promulgate.

In addition to the fees prescribed by Minnesota Statutes 1971, Section 136.11, the state college board may prescribe fees to be charged students for college activities, functions and purposes.

Notwithstanding any other provision of law to the contrary,

	1973	1974	1975
	\$	\$	\$

the state college board may make refunds to students for tuition, activity fees, union fees and any other fees from imprest cash funds. The imprest cash fund shall be reimbursed periodically by checks or warrants drawn on the funds and accounts to which the refund should ultimately be charged. The state college board shall obtain the approval of the public examiner for the procedures used in carrying out the provisions of this paragraph.

The state college board may waive tuition on institutes, courses or projects when the sponsor pays all costs.

Notwithstanding the provisions of any law to the contrary, the state college board is authorized to provide for the orderly replacement of aircraft. An equipment suspense account shall be established by the state auditor within the general fund. All receipts which are attributable to the operation or use of such aircraft are hereby reappropriated to the state college board. These receipts, or such portion thereof as may be designated by the board, shall be credited to the equipment suspense account. Any balance in this account shall not cancel at the end of a fiscal year but shall remain available for transfer at the request of the board to its maintenance and equipment account.

The state colleges are authorized to charge a placement service registration fee of \$10 to each student or graduate upon registration with the college placement service.

The state college board is authorized to contract for hos-

	1973	1974	1975
	\$	\$	\$

pital benefits coverage and medical benefits coverage for students in the same manner as authorized by Minnesota Statutes 1971, Section 43.45.

The provisions of Minnesota Statutes 1971, Section 136.13, non-withstanding, the state college board may hold its annual meeting on any day in the month of May.

Sec. 4. STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES

Subdivision 1. Maintenance and Operations

88,275,234 91,681,244

The board of regents of the university may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes 1971, Chapter 117.

Provided that these appropriations for maintenance and operations are made from revenues accruing to the university from:

- (1) the investments of the permanent university fund; and
- (2) the occupation tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general fund. The income derived from the investment of the permanent university fund is hereby appropriated to the board of regents pursuant to Minnesota Statutes 1971, 137.-022.

	1973	1974	1975
	\$	\$	\$

For the purposes of these appropriations it is estimated that the income to be derived from the investment of the permanent university fund will not exceed \$2,160,000 for the first year and \$2,160,000 for the second year. If at the end of any fiscal year there are unexpended revenues accruing to the university from the occupation tax on iron ore, the general fund shall be reimbursed therefrom to the extent that payments have been made from the general fund during such fiscal year pursuant to these appropriations. The board of regents shall certify to the state auditor at the end of each quarter the amounts of earnings derived from the investment of the permanent university fund and if the income derived from the investment of the permanent university fund during any fiscal year exceeds the amounts herein stated, the amounts payable from the general fund shall be reduced accordingly.

For budgetary purposes it is estimated that the foregoing appropriation from the general fund will not exceed the sum of \$84,740,234 the first year and \$88,146,244 the second year.

Subd. 2. Equipment and Library Supplement	425,000	575,000
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Of the above appropriation, \$150,000 in the second year shall be spent for the purpose of upgrading equipment of the industrial education program following legislative review and approval.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

	1973	1974	1975
	\$	\$	\$
Subd. 3. Summer School Tuition and Continuing Education Supplement		700,000	700,000

Provided that the board of regents shall expend the funds to equalize tuition rates among undergraduate students for regular session, summer session and extension programs in order to facilitate to the maximum the use of campus units, buildings and staff. The university shall submit a progress report by November 15, 1974 to the chairmen of the house appropriations committee and the senate finance committee.

The appropriations made in subdivisions 2 and 3 are supplemental to the appropriation made in subdivision 1 but shall not become a part of the expenditure base.

On October 1, 1974 and 1975 the president of the university of Minnesota shall furnish the house appropriations and senate finance committees and the commissioner of administration the following information:

- (1) the total amount of receipts during the fiscal year 1974 from all sources in excess of \$45,500,000 and during the fiscal year 1975 from all sources in excess of \$47,200,000.
- (2) the sources of said receipts; and
- (3) the purposes for which any excess receipts were expended and accounts to which transferred.

Subd. 4. For the Support of the University of Minnesota Technical College—Crookston		1,083,205	1,186,343
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Subd. 5. Waseca Technical College		812,054	888,478
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	1973	1974	1975
	\$	\$	\$

The Technical Colleges at Crookston and Waseca shall continue their programs without new construction until such time as the legislature has reviewed their programs and determined the need for additional facilities.

Subd. 6. Student Loans—State Matching 395,000

The above appropriation shall be used as state's matching share for any federal student aid or loan program. Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL

Subdivision 1. For State's Share of Expenses of County Indigent Patients 1,680,000 1,680,000

In lieu of the formula for reimbursing a county as provided in Minnesota Statutes 1971, Section 158.04, a county under this appropriation will be reimbursed for 70% of the expenses charged against a patient at the university hospital up to \$5,000. A charge against a patient in excess of \$5,000 will be paid by the state. Except as otherwise herein set forth, the other provisions of the cited statute shall continue in force and effect.

Subdivision 1 shall include and cover the amounts which may become due to the university of Minnesota from the state during the fiscal years covered by said subdivisions.

	1973	1974	1975
	\$	\$	\$
There is further appropriated to the university of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said university for the sum due from counties during said fiscal years under the provisions of said acts, payments to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of Minnesota Statutes 1971, Chapter 158.		720,000	720,000

The state auditor is authorized and directed to pay the university out of sums collected from counties under the provisions of said chapter 158, during the fiscal years ending June 30, 1974, and June 30, 1975, respectively, an amount sufficient to reimburse said university in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. EDUCATIONAL OFF-SET		250,000	250,000
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Sec. 7. PSYCHOPATHIC DEPARTMENT — UNIVERSITY OF MINNESOTA HOSPITALS.		1,524,013	1,547,171
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Sec. 8. CHILD PSYCHIATRIC DEPARTMENT — UNIVERSITY OF MINNESOTA . .		567,971	578,820
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Sec. 9. REHABILITATION CENTER — UNIVERSITY OF MINNESOTA HOSPITALS . . .		1,501,727	1,525,609
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Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are

	1973	1974	1975
	\$	\$	\$
hereby reappropriated to said university hospital.			
Sec. 10. DEPARTMENT OF COMMUNITY SERVICE—UNIVERSITY OF MINNESOTA HOSPITALS		69,184	73,043
Sec. 11. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA			
Subdivision 1. Agricultural Extension Service		3,629,961	3,721,084
This subdivision includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this subdivision by the university shall not result in a reduction of the county portion of the salary payments.			
This appropriation includes funds for each year for the potato and sugar beet extension program in the Red River Valley, contingent on an equal amount being provided by the state of North Dakota.			
The appropriation includes funds for irrigation and marketing development project.			
Subd. 2. Agriculture			
(a) General Agricultural Research		2,800,000	2,850,000
(Includes Agricultural Research—Rosemount)			
The above appropriation includes funds for research on aquatic plants including wild rice.			
(b) Soybean Research		169,519	176,761

(c) Potato Processing Research Laboratory	34,772	35,860
(d) Forest Research Center—Cloquet	68,335	70,540
Subd. 3. Veterinary Medicine		
(a) Veterinary Diagnostic Laboratory	262,016	268,664
(b) Veterinary Medicine Teaching Hospital	50,000	50,000
Subd. 4. Geological Research	119,363	124,647
Subd. 5. Lake Superior Basin Studies	50,000	50,000

Not more than \$25,000 of the above appropriation may be expended prior to receipt of matching funds.

In conducting the study, the university is directed to cooperate and coordinate its program with similar work in studies being conducted by other Minnesota state agencies or those of other states.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

The University shall submit a progress report to the 1975 legislature.

Subd. 6. General Research	1,867,570	1,642,199
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This appropriation is, as the board of regents may direct, for general research, business and economic research including Duluth, institute of child development, special education training and research, training for careers in fire prevention and protection, center for urban and regional affairs, criminal justice studies, museum of natural history, project Newgate, and juvenile justice seminar.

Subd. 7. Industrial Relations Education Program	165,800	195,800
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	1973	1974	1975
	\$	\$	\$
The above appropriation includes funds for short courses, programs, and seminars for labor and management.			
Subd. 8. Municipal Reference Bureau		54,927	
Subd. 9. Medical Research		842,487	867,918
The above amount includes funds for psychiatric research, control of hypercholesterolemia, medical and cancer research and multiple sclerosis and other neurological problems.			
(a) Basic Sciences Program for Medical Training—Duluth Branch		832,481	1,017,375
(b) Dental Hygiene Program—Duluth Branch		127,743	138,364
(c) Duluth Graduate School of Social Work		328,327	379,470
(d) Undergraduate Instruction of Medical Students at (1) Hennepin County General Hospital, (2) St. Paul-Ramsey Hospital, and (3) Private Hospitals		1,296,000	1,392,000
(e) Graduate Residency Program			
(1) University of Minnesota		1,275,000	1,500,000
(2) Hennepin County General Hospital		532,000	532,000
(3) St. Paul-Ramsey Hospital		418,000	456,000

All hospitals receiving any portion of the above appropriation shall furnish the house appropriations and senate finance committees with a full report no later than November 15, 1974, of all actual and reasonable costs resulting from graduate family practice residency education, and all fees and income to the hospital generated by the graduate residents in family practice and the pur-

	1973	1974	1975
	\$	\$	\$

poses for which such funds were expended.

In the event that the number of graduate residents enrolled in the above program falls below the number projected on the official committee allocations worksheets, the university of Minnesota hospital and its affiliated hospitals shall cancel \$15,000, and Hennepin and Ramsey Hospitals each shall cancel \$19,000 for each student to the general fund.

Expenditures from this appropriation may be made only for activities directly related to the training of doctors in family practice at the above named and affiliated hospitals.

(f) Medical Services and Instruction	1,422,350	1,558,792
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The above amount includes funds for the rural health physicians' associate program, family practice and community health, drug abuse information and education, allied health—nurse—clinician generalist program, and patient transportation.

(g) Law School Supplement . .	170,000	350,000
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The above appropriation is for additional law students over planned first year enrollments for the 1973-74 school year, and additional law students over planned first year enrollments for the 1974-75 school year.

(h) Hormel Institute—Austin	100,000	100,000
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To support the operation of the institute and to promote research by such institute.

From the appropriation made to the university of Minnesota by this act and from other

	1973	1974	1975
	\$	\$	\$

sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

The appropriations made to the university of Minnesota by this act include funds for the employers share of social security, state retirement, and health insurance and such funds shall be expended only for these purposes. Any funds provided for these purposes by this act that are in excess of the employers share shall be returned to the state treasury.

None of the appropriations made in this act, with the exceptions of the appropriations for the university of Minnesota hospitals or made in this or other acts toward buildings, shall be made to the university by the auditor until the university first certifies to the auditor that its aggregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7 million plus one-third of all tuition and fee payments from the previous fiscal year. Upon such certification, one-twelfth of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the state auditor whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments, are reduced below the indicated levels.

No payment of appropriations toward buildings shall be made by the auditor until all bal-

	1973	1974	1975
	\$	\$	\$

ances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5 million. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above \$5 million.

Appropriations not paid to the university in any fiscal year shall carry over to the following fiscal year.

Moneys not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by Minnesota Statutes 1971, Section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

In preparing legislative budget request for the 1975-1977 biennium, all projected income from student tuition shall be based on a charge per credit hour schedule.

Sec. 12. MAYO MEDICAL SCHOOL	608,000	928,000
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The state of Minnesota shall pay a capitation of \$8,000 for each student who is a resident of Minnesota for a maximum of 40 such students in each class.

Sec. 13. MINNESOTA BOARD OF NURSING

Subdivision 1. For Nursing Scholarships	125,000	125,000
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	1973	1974	1975
	\$	\$	\$
Sec. 14. MINNESOTA HIGHER EDUCATION COORDINATING COMMISSION			
Subdivision 1. Salaries and Expenses		475,085	481,871
This appropriation includes funds for the administration of the state scholarship, state grant-in-aid, student loan, and inter-institutional educational television programs and program review, and private college contracts.			
Subd. 2. State Scholarship Program		3,175,000	3,875,000
Subd. 3. State Grant-in-aid Program		3,125,000	3,875,000
Subd. 4. Inter-institutional Educational Television		210,000	165,000

The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the inter-institutional television program.

The staff of the higher education coordinating commission is directed to study the need for and the use of instructional television in Minnesota institutions of post-secondary education in cooperation with the senate finance committee and the house appropriations committee. The study shall include reconsideration of the assessments and recommendations of the interinstitutional feasibility study as presented to the 1965 legislature, evaluation of progress in meeting objectives presented in the feasibility study report, determination of the usefulness of the interinsti-

	1973	1974	1975
	\$	\$	\$

tutional television program, and formulation of state policies on instructional television for the future. A staff report on the study shall be presented to the finance and appropriations committees by October 1, 1974. Recommendations of the commission on instructional television shall be included in the commission's biennial report to the 1975 legislature.

Of the amount appropriated in this subdivision, \$45,000 is for the study.

Subd. 5. Minitex Library Program	248,600	248,600
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The commission, in cooperation with the state junior college system, the state college system, the university of Minnesota, and the Minnesota private colleges, shall be responsible for coordination and management of the minitex library program.

Subd. 6. Private College Contracts	1,476,200	1,476,200
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Subd. 7. Regional Coordination and Service	175,000	
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The Higher Education Coordinating Commission is directed to develop and administer three experimental regional post-secondary education projects aimed at improving the efficiency and effectiveness of post-secondary education in meeting regional needs through increased interinstitutional cooperation and coordination of programs and planning within a region. In developing the three experimental projects, the Commission shall attempt to (1) improve the accessibility of all levels of post-secondary education to residents of the regions,

	1973	1974	1975
	\$	\$	\$

(2) eliminate any unwarranted duplication of effort in the regions, (3) facilitate effective use of post-secondary education facilities and services for meeting regional needs, (4) provide for more effective liaison between regional planning and coordination of post-secondary education with regional planning and coordination of other public services, and (5) test means for accomplishing greater interinstitutional cooperative efforts for meeting local and regional needs of Minnesota residents. The Commission shall report on the results of the experimental regional projects in its next biennial report to the Governor and the Legislature. All post-secondary institutions and systems are requested to cooperate with and to assist the Commission in developing these projects.

Subd. 8. Student Loans 1,000,000

The commission is authorized and directed to supervise a student loan program in accordance with Minnesota Statutes, Section 136A.14 to 136A.17.

The Higher Education Coordinating Commission is hereby directed to take the necessary steps to encourage and expand the sharing of facilities and course offerings, through cross-registration or other appropriate means, between all public and private institutions of higher learning in Minnesota. A report showing the achievements and progress as well as recommendations for improvements and progress in this area shall be submitted to the 1975 Legislature no later than January 1, 1975.

	1973	1974	1975
	\$	\$	\$

For the purpose of improved communications between all segments of public and private post-secondary education, the advisory council of the Higher Education Coordinating Commission shall be requested to sit with the Higher Education Coordinating Commission in the deliberations and discussions of the commission. Members of the advisory council shall, however, not vote on any matter before the commission.

Subd. 9. Upon request of the state finance officer and for the purpose of improving coordination of the state's effort in higher education, the Higher Education Coordinating Commission may (1) develop and implement an ongoing budgeting process and standardized reporting format which is compatible among the University of Minnesota, the state colleges, the state junior colleges, and public vocational technical schools, and which includes the relating of dollars expended to program output anticipated; (2) review budget requests, including requests for construction or acquisition of facilities, of the University of Minnesota, the state colleges, the state junior colleges, and public vocational technical schools, for the purpose of relating present resources and higher educational programs to the state's present and long-range needs; and conduct a continuous analysis of the financing of post-secondary institutions and systems, including assessments as to the extent to which such expenditures and accomplishments are consistent with legislative intent; (3) obtain from private post-secondary institutions re-

	1973	1974	1975
	\$	\$	\$

ceiving state funds a report on their use of those funds as specified above for public institutions. All institutions of higher education, public and private, and all state departments and agencies are requested to cooperate with and instructed to supply such written information as may be requested by the Higher Education Coordinating Commission in order to enable it to carry out and perform its duties. The commission shall include its budgetary recommendations for the University of Minnesota, the state colleges, the state junior colleges, public vocational technical schools, and private post-secondary institutions in reports to the governor and the legislature no later than November 15, 1974. There is hereby appropriated \$120,000 for this purpose.

Any unexpended balance remaining the first year in subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 9 shall not cancel but shall be available for the second year of the biennium.

Sec. 15. STATE JUNIOR COLLEGE BOARD

Subdivision 1. Maintenance and Equipment

17,700,554 18,836,682

The appropriation in this account provides salary increase funds sufficient to meet the obligations of the Minnesota junior college board as stated in their contract negotiated with the junior college faculty association which is hereby approved for the 1973-1975 biennium only.

The above appropriation is for maintenance and equipment of the state junior college board

	1973	1974	1975
	\$	\$	\$

and the state junior colleges. The state junior colleges are encouraged to use off-campus courses to extend the benefits of this appropriation to as many Minnesota residents as possible.

The above appropriation includes \$30,000 for development of community education programs at three out-state junior colleges.

The amounts appropriated in subdivision 1 include a sum in each year for recruitment of faculty. Candidates for twelve month administrative positions and for academic positions who have been invited by the state junior college board for interview may be reimbursed for travel and subsistence expenses in the same manner and in the same amounts as state officers and employees.

Subd. 2. Occupational Program Development	400,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

All receipts of every kind, nature and description, including student tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state junior colleges are hereby reappropriated to the state junior college board, but are subject to budgetary control to be exercised by the commissioner of administration.

The state junior college board is authorized to establish activity funds, except for dormitory purposes, and imprest

	\$	\$	\$
	1973	1974	1975

cash funds, to waive tuition charges and to act as agent and accept the benefits of public law 88-452, known as the economic opportunity act of 1964, as amended, public law 85-864, known as the national defense education act of 1958, as amended, to the same extent and subject to the same conditions as such authority is vested in the state college board. Minnesota Statutes 1971, Sections 136.56, 136.045, 136.142, 136.143, 136.144, 136.171, 136.22, 169.966, 352.01, Subdivision 2a(6), also apply to the state junior college board and the state junior colleges in the same manner as to the state college board and the state colleges.

All receipts attributable to the college activity funds and deposited in the state treasury are hereby reappropriated to the state junior college board and are not subject to budgetary control as exercised by the commissioner of administration.

Notwithstanding any other law to the contrary, reimbursements are appropriated for use during the fiscal year in which they are received.

Subd. 3. Student Loan Program — State Matching		75,000	85,000
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The above appropriation shall be used as state's matching share for any federal student aid or loan programs.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. State Junior College

	1973	1974	1975
	\$	\$	\$
Board Contingent		800,000	

Of the above appropriation, not more than \$600,000 may be used to provide for meeting of contractual obligations between the junior college board and faculty resulting from reduced or shifting enrollments, a shift to more costly programs requiring lower faculty-student ratios, and to maintain sound program offerings at the smaller institutions. Before any of the above appropriation is expended, the junior college board shall demonstrate to the legislative advisory committee that all reasonable measures have been taken to adjust staffing patterns to the degree possible within existing appropriation. A full report shall be submitted to the House appropriations and Senate finance committees on January 1, 1974 on the use made of this appropriation to that date.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

This appropriation shall be expended with the approval of the Governor after consultation with the Legislative Advisory Committee, as provided by Minnesota Statutes 1971, Section 3.30.

Sec. 16. EMPLOYEES COMPENSATION

To be transferred by the State Auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

	1973	1974	1975
	\$	\$	\$
State College Board	53,951.30		
Sec. 17. UNEMPLOYMENT COMPENSATION	41,139.72		

In reimbursement of unemployment compensation benefits paid for former employees of the state college board.

Sec. 18. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL FUND. Except the revolving fund for the on-the-job training program, the unobligated balances on hand as of June 30, 1973, June 30, 1974, June 30, 1975, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general fund for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975 appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

Sec. 19. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL FUND. Except as herein otherwise specifically provided, except the income to the University of Minnesota, and except all federal aid, contributions, or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general fund.

Sec. 20. APPROVED COMPLEMENT. Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the Governor, but the Governor shall not approve such additional personnel until he has consulted with the Legislative Advisory Committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the Legislative Advisory Committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 21. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Section 355.50 and 352.04, Subdivision 5.

Sec. 22. In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with such program shall be deposited in the state treasury. Such receipts are hereby reappropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of such programs. The balance of the state's share of the cost of such programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

Sec. 23. Notwithstanding the provisions of any law to the contrary, the administrative expenses of the supplemental retirement plan established pursuant to Minnesota Statutes 1971, Sections 136.80 to 136.87 shall be paid from the portion of the cash realized on the redemption of shares pursuant to Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5) which becomes the property of the supplemental retirement account of the teachers retirement fund. The balance of said cash after payment of said expenses shall be prorated as thereafter provided in Minnesota Statutes 1971, Section 136.82, Subdivision 1, clause (5). The amount of \$12,500 is hereby annually appropriated to the teachers retirement association from the cash balance described herein for said purposes."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Howard E. Smith, Ray W. Faricy, Peter X. Fugina, Stanley A. Enebo, Rodney N. Searle.

Senate Conferees: (Signed) Jack T. Davies, Norbert Arnold, Jerome M. Hughes, Robert O. Ashbach, John L. Olson.

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2437 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2437: A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Olhoff	Sillers
Bang	Gearty	Kowalczyk	Olson, A. G.	Solon
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stassen
Blatz	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Davies	Josefson	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willet

Mr. Brown voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

SECOND READING OF HOUSE BILLS

H. F. No. 2444 was read the second time.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 2444, on the General Orders Calendar, be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

SUSPENSION OF RULES

Mr. Olson, A. G. moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2444 and that the rules of the Senate be so far suspended as to give H. F. No. 2444, now on General Orders, its third reading and placed on final passage.

CALL OF THE SENATE

Mr. Olson, A. G. imposed a call of the Senate on H. F. No. 2444. The following Senators answered to their names:

Anderson	Davies	Keefe, S.	Nelson	Purfeerst
Ashbach	Doty	Kirchner	North	Renneke
Bang	Dunn	Kleinbaum	Novak	Sillers
Berg	Frederick	Kowalczyk	Ogdahl	Spear
Bernhagen	Gearty	Krieger	Olhoff	Stassen
Blatz	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Borden	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Brown	Hughes	Lewis	Patton	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Pillsbury	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

The question being taken on the adoption of the motion of Mr. Olson, A. G.,

Mr. Olson, A. G. moved that those not voting be excused from voting.

And the roll being called, there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Renneke
Arnold	Doty	Kleinbaum	Ogdahl	Sillers
Ashbach	Dunn	Knutson	Olhoff	Spear
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Stassen
Berg	Frederick	Krieger	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Borden	Hansen, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Josefson	Moe	Pillsbury	
Conzemius	Keefe, S.	North	Purfeerst	

Messrs. Brown and Keefe, J. voted in the negative.

Which motion prevailed. So the rules were suspended.

Mr. Olson, A. G. moved to amend H. F. No. 2444, the printed bill, as amended under Rule 49 and adopted by the Senate May 18, 1973, as follows:

Of the language stricken by the Rule 49 amendment, reinstate the following:

Page 2, line 30, after the period, insert "*Grants appropriated pursuant to this section shall not exceed \$20,000,000 in any one fiscal year of the state of Minnesota.*"

Page 2, line 33, before the period, insert "*, and these regulations, standards, and priorities are to be developed in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B.*"

Page 5, line 25, after the period, insert "*Grants appropriated pursuant to this section shall not exceed \$14,000,000 in any one fiscal year of the state of Minnesota.*"

Which motion prevailed. So the amendment was adopted.

Mr. Tennesen moved to amend H. F. No. 2444, the printed bill, as follows:

Page 2, line 23, strike "\$120,000,000" and insert "\$70,000,000"

Page 8, after line 26, insert:

"Sec. 7. [TRUNK HIGHWAY BONDS; ISSUANCE AND SALE.] *The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota trunk highway bonds under the provisions of Minnesota Statutes, Sections 167.50 to 617.52 and of the Minnesota Constitution, Article IX, Section 6, and Article XVI, Section 12, at such times and in such amounts as may be requested by the commissioner of highways. Bonds issued pursuant to this section are authorized in an aggregate principal amount of \$50,000,000, provided that the total aggregate principal amount of the Minnesota trunk highway bonds issued under the authority of this section or under the authority of any other law, shall not at any time exceed \$150,000,000. The proceeds of such bonds shall be appropriated to the trunk highway fund and shall be used for the purposes specified in the Minnesota Constitution, Article XVI, Section 2.*

Sec. 8. Minnesota Statutes 1971, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~seven~~ eight cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter."

Page 9, strike lines 21 and 22

Re-number the remaining sections accordingly

Underline all the new language

Further amend the title as follows:

In the last line of the title after "Sections" insert "296.02, Subdivision 1;"

Mr. Chmielewski moved to amend the Tennesen amendment to H. F. No. 2444, the printed bill, as follows:

Page 1, of the Tennesen amendment, strike section 8 and insert:

"Sec. 8. *A separate account is hereby created in the trunk highway fund. Money in this account may be used solely for the construction, reconstruction, and improvement of trunk highways that are not included in the backbone system as designated in the highway department publication "A (backbone) concept for development of trunk highways dated July 1972." there shall be transferred to the separate account from the highway user tax distribution fund an amount equal to fifteen million dollars plus 62 percent of the proceeds collected from a one-cent tax per gallon on gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. Thereafter each year there shall be transferred to the separate account from the highway user tax dis-*

tribution fund 62 percent of the proceeds collected from a one-cent tax per gallon on gasoline and special fuel used in producing and generating power for propelling motor vehicles used on the public highways of this state. The transfers shall be made quarterly on the 15th day after the last day of each quarter. The first transfer shall be made on October 15, 1973 for the quarter ending September 30, 1973."

Which motion did not prevail. So the amendment was not adopted.

The question recurred on the adoption of the Tennessen amendment,

And the roll being called, there were yeas 40 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Kowalczyk	Ogdahl	Schaaf
Bang	Hughes	Laufenburger	Olhoff	Solon
Blatz	Humphrey	Lewis	Olson, A.G.	Spear
Borden	Keefe, J.	Lord	O'Neill	Stassen
Chenoweth	Keefe, S.	McCutcheon	Perpich, A. J.	Stokowski
Coleman	Kirchner	Milton	Perpich, G.	Tennessen
Davies	Kleinbaum	Moe	Pillsbury	Thorup
Gearty	Knutson	North	Purfeerst	Wegener

Those who voted in the negative were:

Anderson	Bernhagen	Frederick	Krieger	Renneke
Arnold	Chmielewski	Hanson, R.	Larson	Ueland
Berg	Fitzsimons	Josefson	Patton	Willet

Which motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 2444, the printed bill, as follows:

Page 2, line 11, strike "principal"

Page 2, line 16, strike "principal"

Page 2, line 19, strike "PRINCIPAL"

Page 2, line 21, strike "principal"

Page 3, line 18, strike "PRINCIPAL"

Page 3, line 19, strike "principal"

Page 3, line 21, strike "principal"

Page 3, line 31, strike "principal"

Page 4, line 12, strike "principal"

Page 4, line 17, strike "principal"

Page 4, line 18, strike "principal"

Page 4, line 22, strike "principal"

Page 4, line 26, strike "principal"

Page 5, line 1, strike "principal"

Page 5, line 8, after "state" strike "principal"

Amend the title as follows:

Line 1, strike "principal"

Line 3, strike "principal"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 22 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Josefson	Laufenburger	Ueland
Arnold	Frederick	Kirchner	Patton	Willet
Berg	Hansen, Mel	Knutson	Pillsbury	
Bernhagen	Hanson, R.	Kowalczyk	Renneke	
Chmielewski	Jensen	Larson	Sillers	

Those who voted in the negative were:

Ashbach	Davies	Krieger	Ogdahl	Schaaf
Bang	Gearty	Lewis	Olhoft	Solon
Blatz	Hughes	Lord	Olson, A.G.	Spear
Borden	Humphrey	McCutcheon	O'Neill	Stassen
Chenoweth	Keefe, J.	Milton	Perpich, A. J.	Stokowski
Coleman	Keefe, S.	Moe	Perpich, G.	Tennessee
Conzemius	Kleinbaum	North	Purfeerst	Wegener

Which motion did not prevail. So the amendment was not adopted.

Mr. Milton moved to amend H. F. No. 2444, the printed bill, as amended under Rule 49 and adopted May 18, 1973, as follows:

Pages 8 & 9, restore sections 7 & 8 which were stricken by the Rule 49 amendment

Mr. Chenoweth moved a substitute amendment to the Milton amendment on H. F. No. 2444, the printed bill, as follows:

Page 8, after line 26, insert a new section to read:

"Sec. 7. Minnesota Statutes 1971, 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 on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.0~~ 1.4 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 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; plus

(b) 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."

Underline all new language in the bill

Renumber remaining sections in sequence

Amend the title as follows:

Page 1, line 8, after "with" insert "; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1"

Which motion prevailed. So the substitute motion was adopted.

The question recurred on the adoption of the Chenoweth amendment.

Which motion prevailed. So the amendment was adopted.

Mr. Anderson moved to amend H. F. No. 2444, the printed bill, as follows:

Page 9, strike lines 21 and 22 and insert in lieu thereof:

"Sec. 9. [SEVERABILITY.] *The invalidity of any provision of any one of sections 2, 3, 4, 5, or 6 of this act shall invalidate the remainder of those sections.*"

Which motion did not prevail. So the amendment was not adopted.

H. F. No. 2444 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 45 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	North	Purfeerst
Arnold	Gearty	Knutson	Novak	Schaaf
Ashbach	Hansen, Mel	Kowalczyk	Ogdahl	Sillers
Borden	Hansen, R.	Laufenburger	Olhoft	Spear
Chenoweth	Hughes	Lewis	Olson, A. G.	Stassen
Chmielewski	Humphrey	Lord	Olson, H. D.	Stokowski
Coleman	Keefe, J.	McCutcheon	O'Neill	Tennessee
Conzemius	Keefe, S.	Milton	Perpich, A. J.	Thorup
Davies	Kirchner	Moe	Perpich, G.	Wegener

Those who voted in the negative were:

Bang	Brown	Hansen, Baldy	Larson	Renneke
Berg	Doty	Jensen	Nelson	Solon
Bernhagen	Fitzsimons	Josefson	Patton	Ueland
Blatz	Frederick	Krieger	Pillsbury	Willet

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2121, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2121: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 290.361, Subdivision 4; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; and 477A.01, Subdivisions 12 and 15.

House File No. 2121 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT—H. F. NO. 2121

A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13,

Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 290.361, Subdivision 4; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; and 477A.01, Subdivisions 12 and 15.

May 18, 1973

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. 2121, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2121 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“ARTICLE I

Section 1. Minnesota Statutes 1971, Section 124.03, Subdivision 3, is amended to read:

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 25 mills to the valuation determined on the January 2, 1971 assessment and 8.3 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of taxation by November 15 of each year for verification.

(b) If the commissioner of taxation agrees with the computation, he shall deliver to the state auditor his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the state auditor his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district distributing the remainder of the amount certified by the commissioner shown to be due to the school district for the year 1972. The state auditor in the same manner shall make distribution ~~in subsequent years~~ *for the year 1973* in the same manner with

respect to amounts shown to be due in accordance with the commissioner's certification. *For the year 1974 and subsequent years, the state auditor shall issue his warrant in an amount equal to one-half the amount certified on or before July 15, but no earlier than July 1. The remainder shall be distributed as provided herein.*

(d) In the event that a final judicial determination is not in agreement with the amount certified by the commissioner, the state auditor shall either increase or decrease the amount of the following payment required to be made to the school district in accordance with such judicial determination.

(e) There is hereby appropriated to the school districts entitled to such payments from the general fund, an amount sufficient to make the payments.

(f) The county auditor shall reduce the dollars levied for school maintenance by each district by the amount determined in (a) and (b). The amounts paid to the county treasurer pursuant to (c) shall be transmitted by the county treasurer to the school district at the same time the real estate settlement is made.

Sec. 2. The provisions of this article shall be effective the day following its final passage.

ARTICLE II

Section 1. Minnesota Statutes 1971, Section 273.134, is amended to read:

273.134 [TACONITE AND IRON ORE AREAS; TAX RELIEF AREA; DEFINITIONS.] For purposes of this section and section 273.135, "municipality" means a city, village or town, and the applicable assessment date is the date as of which property is listed and assessed for the tax in question.

For the purposes of section 273.135 "tax relief area" means the geographic area contained, within the boundaries of a school district which contains a municipality which meets the following qualifications:

(1) it is a municipality in which the assessed valuation of unmined iron ore on May 1, 1941, was not less than 40 percent of the assessed valuation of all real property and in which, as of the applicable assessment date, the assessed valuation of unmined iron ore is not more than 55 60 percent of the assessed valuation of all real property; or

(2) it is a municipality in which, as of the applicable assessment date, there is a taconite concentrating plant or where taconite is mined or quarried or where there is located an electric generating plant which qualifies as a taconite facility.

Sec. 2. Section 1 shall be effective with respect to taxes levied in 1972 and thereafter and payable in 1973 and thereafter.

Sec. 3. In the case of taxes payable in 1973, the county auditor shall allow the same credits to any additional area or areas designated as a "tax relief area" in accordance with section 1, as has been allowed to other tax relief areas, and shall issue revised statements or refunds as may be necessary.

Sec. 4. *Notwithstanding the provisions of Minnesota Statutes, Section 273.136, Subdivision 2, the county auditor having jurisdiction over any tax relief area shall, on or before June 15, 1973, revise his certification to the state auditor so as to include in his certification any additional municipal aids or reductions of taxes allowed in 1973 as a result of sections 1 and 2. The amount of such additional certification, to the extent that it exceeds amounts remaining in the taconite property tax relief account, shall be paid from the state general fund, and an equivalent amount shall be transferred in 1974 from the taconite property tax relief account to the state general fund prior to the determination of the amount available for distribution.*

ARTICLE III

Section 1. Minnesota Statutes 1971, Section 273.41, is amended to read:

273.41 [AMOUNT OF TAX; DISTRIBUTION.] There is hereby imposed upon each such cooperative association on December 31 of each year a tax of \$10 for each 100 members, or fraction thereof, of such association. The tax, when paid, shall be in lieu of all personal property taxes, state, county, or local, upon distribution lines and the attachments and appurtenances thereto of such associations located in rural areas. The tax shall be payable on or before March 1 of the next succeeding year, to the commissioner of taxation. If the tax, or any portion thereof, is not paid within the time herein specified for the payment thereof, there shall be added thereto a specific penalty equal to five percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate of four percent per annum from the time such tax should have been paid until paid. The commissioner shall retain five percent of the proceeds of such tax, penalty and interest for expenses of administration and shall distribute the balance thereof, on or before July 1 of each year to the treasurers of the respective counties of the state in proportion to the number of members of such associations in the several counties as of December 31 of the preceding year, as determined by reports of such associations made and verified in such manner and in such forms as may be prescribed by the commissioner of taxation. The moneys so distributed to the respective counties shall be credited by the treasurers thereof to the general revenue fund of the county ~~deposit the~~ *the amount so received in the general fund of the state treasury.*

~~There is hereby appropriated to the counties entitled to such payment, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make such payment as is authorized herein.~~

Sec. 2. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE IV

Section 1. Minnesota Statutes 1971, Section 275.50, Subdivision 2, is amended to read:

Subd. 2. "Governmental subdivision" means any county, city, village, borough, or town having the powers of a village pursuant to ~~section sections~~ *sections 368.01 or 368.61, or by special law, or any board or commission thereof authorized by law or charter to levy property taxes.* The term does not include school districts, *towns without village powers, or special taxing districts determined by the department of taxation.*

Sec. 2. Minnesota Statutes 1971, Section 275.50, Subdivision 4, is amended to read:

Subd. 4. "Special assessments" means assessments made against real property for purposes of financing, wholly or in part, only those types of improvements enumerated in ~~section sections~~ *429.-021, subdivision 1 and 429.101, whether imposed pursuant to such sections or pursuant to home rule charter provisions.* General tax levies spread upon real estate not specifically benefitted by the improvements, *and on the benefitted real estate as part of the taxable valuation of the governmental subdivision,* are not considered special assessments.

Sec. 3. Minnesota Statutes 1971, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. "Special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an ~~explicit~~ *express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;*

(b) pay the costs of complying with any *written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, or any law enacted by the 1971 legislature which specifically requires an activity which results in increased expenditures of expanded county court systems not in full operation during the entire year 1971 which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of taxation shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;*

(c) *pay the costs of complying with any law enacted by the 1971 legislature or a prior or subsequent year's legislature which specifically*

and directly requires a new or altered activity after levy year 1970, taxes payable in 1971, but only to the extent of the increased cost for such activity after levy year 1970, taxes payable in 1971;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1970, taxes payable in 1971;

~~(e)~~ *(e) pay amounts required by any public pension plan to the extent that operation of the laws enacted before July 1, 1971, of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision ;*

~~(d)~~ *(f) pay amounts required by to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773 ;*

~~(e)~~ *(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law , including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970 , subject to rules promulgated by the commissioner of taxation pursuant to the administrative procedures act ;*

~~(f)~~ *(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster . "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The civil defense division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;*

~~(g)~~ *(i) pay the costs not reimbursed by the state or federal government , of payments made to or on behalf of recipients of aid under sections 245.21 to 245.43 (Aid to the Disabled), sections 256.11 to 256.43 (Old Age Assistance), sections 256.49 to 256.71 (Aid to the Blind), sections 256.72 to 256.87 (Aid to Families with dependent Children), chapter 256B (Medical Assistance), and chapters 261, 262 and 263 (Poor Relief);*

~~(h)~~ *(j) pay the costs of principal and interest on bonded indebtedness , or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the*

year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(p) pay the amounts required to compensate for a decrease in gross earnings tax aids pursuant to sections 276.15 to 276.18, or 368.39 to 368.42, or 373.20 to 373.24, to the extent that the distribution of these aids to the governmental subdivision in the calendar year immediately preceding the current levy year is less than the distribution of these aids to the governmental subdivision in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the

levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal commission in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the commission in its order pursuant to section 414.01, subdivision 15;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development.

Sec. 4. Minnesota Statutes 1971, Section 275.51, Subdivision 1, is amended to read:

275.51 [LEVY LIMITS.] Subdivision 1. Notwithstanding any provisions of law or municipal charter to the contrary which authorize ad valorem levies in excess of the limitations established by sections 275.50 to 275.56, but subject to section 275.56, the provisions of this section shall apply to the levies by governmental subdivisions in the

years 1971, 1972 and subsequent years for all purposes other than those for which special levies and special assessments are made.

Sec. 5. Minnesota Statutes 1971, Section 275.51, Subdivision 2, is amended to read:

Subd. 2. The property tax levy limitation for governmental subdivisions in 1971 is calculated as follows. There shall be calculated the aggregate of receipts by each governmental subdivision from:

(a) the total amount of property taxes levied before any reduction prescribed by sections 273.13 and 273.135 in respect to homestead property, by or for each governmental subdivision in 1970, or in the most recent preceding year when such taxes were levied for a period of 12 months if the governmental subdivision levied such taxes for a shorter period in 1970, for all purposes, except for special assessments and special levies;

(b) exempt property tax reimbursement payments, if any, estimated by the department of taxation to be due and payable for the year 1971 from the state pursuant to section 273.69, *minus the allocation of these payments on a percentage distribution basis to the welfare aids and bonded indebtedness special levies in taxes payable year 1971* ;

(c) per capita aid payments estimated by the department of taxation to be due and payable for the year 1971 from the state pursuant to sections 297A.51 to 297A.60, *minus the allocation of these payments on a percentage distribution basis to the welfare aids special levy in taxes payable year 1971* .

The aggregate of the foregoing receipts shall be divided by the 1970 population of the governmental subdivision established pursuant to section 275.53. The resulting quotient (~~aggregate 1971 receipts per capita~~) *is the per capita limitation and may be adjusted (1971 payable 1971 levy limit base per capita) shall be increased pursuant to section 275.52, subdivision 2, to derive the 1971 payable 1972 levy limit base per capita* . The ~~adjusted quotient~~ *1971 payable 1972 levy limit base per capita* shall then be multiplied by the 1971 population of the governmental subdivision established pursuant to section 275.53. From the resulting figure *(1971 payable 1972 levy limit base)* shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to ~~Extra Session Laws 1971, Chapter 31, Article 21 section 477A.01, as amended~~ and the taconite production tax municipal and county aids to be paid pursuant to ~~Extra Session Laws 1971, Chapter 31, Article 30 section 298.282, as amended~~ , to the governmental subdivision during the calendar year 1972. The resulting figure is the amount of property taxes which the governmental subdivision may levy in 1971 for all purposes other than those for which special levies and special assessments are made.

Sec. 6. Minnesota Statutes 1971, Section 275.51, Subdivision 3, is amended to read:

Subd. 3. The property tax levy limitation for governmental subdivisions in 1972 and subsequent *levy* years is calculated as

follows. There shall be calculated the aggregate of receipts by each governmental subdivision from:

(a) the total amount of property taxes levied pursuant to subdivision 1 in 1971 and succeeding years respectively;

(b) state formula and taconite production tax, municipal and county aid payments estimated by the department of taxation to be due and payable for the year 1972 and succeeding years, respectively, from the state pursuant to Extra Session Laws 1971, Chapter 31, Articles 24 and 30.

The aggregate of the foregoing receipts shall be divided by the 1971 or subsequent year's population of the governmental subdivision established as above for the preceding year. The resulting quotient (aggregate receipts per capita) is the per capita limitation and may be adjusted pursuant to section 275.52. The governmental subdivision's levy limit base per capita for the immediately preceding levy year shall be increased pursuant to section 275.52, subdivision 2. The adjusted quotient shall then be multiplied by the 1972 or subsequent resulting current levy year's levy limit base per capita shall then be multiplied by the current levy year's population of the governmental subdivision established pursuant to section 275.53. From the resulting figure (current levy year's levy limit base) shall be deducted the amount of state formula aids estimated by the department of taxation to be paid pursuant to Extra Session Laws 1971, Chapter 31, Article 21 section 477A.01, as amended, and the taconite production tax, municipal and county aids paid pursuant to Extra Session Laws 1971, Chapter 31, Article 30 section 298.282, as amended, to the governmental subdivision during the calendar year 1973, or subsequent year, as the case may be tax collection year to which the current levy year's levy limit base applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in 1972 and the current levy year for all purposes other than those for which special levies and special assessments are made.

For the purpose of determining the amount of property taxes that a governmental subdivision may levy, in 1973 and thereafter, taxes payable in 1974 and thereafter, for all purposes except special levies and special assessments, the following amounts (increased by 12.36 percent and divided by the 1973 population of the governmental subdivision established pursuant to section 275.53) shall be added to the governmental subdivision's 1972 payable 1973 levy limit base per capita and adjusted pursuant to section 275.52, subdivision 2:

(1) The amount of a county auditor's error of omission in the ad valorem taxes extended in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

(2) The amount of an error of omission in the levy certified to

the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

The foregoing addition shall not be construed to alter in any way the amount of state formula aids estimated by the department of taxation to be paid a governmental subdivision pursuant to section 477A.01 in calendar years 1972 and 1973.

For levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the current levy year's levy limit base for the governmental subdivision shall be increased by:

(a) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to sections 297.13 and 340.60, 70 percent of the amount of county government was entitled to receive pursuant to section 287.12 and 100 percent of the amount a city, village or town government was entitled to receive pursuant to section 287.12, in calendar year 1973, before any adjustments for payments made in preceding calendar years;

(b) the amount of aids (estimated by the department of taxation) that the governmental subdivision was entitled to receive from the state, pursuant to section 290.361, on November 30, 1972 and May 31, 1973, before any adjustments for prior payments.

The foregoing addition shall be made after the per capita adjustment pursuant to section 275.52, subdivision 2, and after the multiplication of the current levy year's levy limit base per capita by the current levy year's population of the governmental subdivision, but before the deduction of the aids estimated by the department of taxation to be paid to the governmental subdivision pursuant to sections 477A.01 and 298.282, as amended, during the tax collection year to which the current levy year's levy limit base applies.

Sec. 7. Minnesota Statutes 1971, Section 275.51, is amended by adding a subdivision to read:

Subd. 3a. Notwithstanding the provisions of subdivision 3, but subject to any other law or charter limitation, each governmental subdivision is entitled, in levy year 1973 and subsequent levy years, to a minimum property tax levy limitation of six percent of its state aids estimated by the department of taxation to be paid, pursuant to sections 477A.01 and 298.282, as amended, to the governmental subdivision during the tax collection year to which the property tax levy limitation applies.

A governmental subdivision which would maximize its property tax levy limitation under this subdivision shall qualify for this subdivision and subdivision 3 shall not apply to such governmental subdivision. In any levy year (qualifying levy year) that a govern-

mental subdivision qualifies for this subdivision, its property tax levy limitation shall be determined as follows.

The state aids estimated by the department of taxation to be paid, pursuant to sections 477A.01 and 298.282, as amended, to the governmental subdivision in the taxes payable year to which such qualifying levy year applies shall be divided by the population of the governmental subdivision in such qualifying levy year as determined pursuant to section 275.53.

The resulting quotient shall be increased pursuant to section 275.52, subdivision 2, to derive the levy limit base per capita for the governmental subdivision for the qualifying levy year. The levy limit base per capita for the qualifying levy year shall be multiplied by the population of the governmental subdivision in the qualifying levy year as determined pursuant to section 275.53. From the resulting figure (levy limit base for the qualifying levy year) shall be deducted the amount (estimated by the department of taxation) of state formula aids to be paid pursuant to section 477A.01, as amended, and the taconite production tax municipal aids to be paid pursuant to section 298.282, as amended, to the governmental subdivision during the tax collection year to which the qualifying levy year applies. The resulting figure is the amount of property taxes which the governmental subdivision may levy in the qualifying levy year for all purposes other than those for which special levies and special assessments are made.

In any levy year that a governmental subdivision would maximize its property tax levy limitation under subdivision 3 instead of this subdivision, the levy limit base per capita for the last qualifying levy year constituting the preceding year's levy limit base per capita for the provisions of subdivision 3, the governmental subdivision shall no longer qualify for this subdivision and shall presume to have its property tax levy limitation calculated pursuant to subdivision 3.

Sec. 8. Minnesota Statutes 1971, Section 275.51, Subdivision 4, is amended to read:

Subd. 4. If in 1971 the levy made by any governmental subdivision exceeds the limitation provided in this section, *except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28*, subsequent distributions of formula aids pursuant to ~~Extra Session Laws 1971, Chapter 31 sections 298.282 and 477A.01, as amended~~, shall be reduced 10 cents for each full dollar that the levy exceeds the limitation imposed by this section. If in any year subsequent to 1971 the levy made by a governmental subdivision exceeds the limitation provided in sections 275.50 to 275.56, *except when such excess levy is due to the rounding of the mill rates of the governmental subdivision in accordance with section 275.28*, subsequent distributions required to be made by the state auditor from any formula aids pursuant to ~~Extra Session Laws 1971, Chapter 31 sections 298.282 and 477A.01, as amended~~, shall be reduced 10 cents for each full dollar the levy exceeds the limitation up

to five percent, and 33 cents for each full dollar the levy exceeds the limitation by more than five percent; provided that a governmental subdivision may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed five percent by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. Thereafter the resolution shall be published for two successive weeks in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative, adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution authorizing a levy in excess of the limitation imposed by sections 275.50 to 275.56 shall be published in the official newspaper of the governmental subdivision or if there be no official newspaper, in a newspaper of general circulation therein. If within 30 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city, village, borough, or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of taxation is directed to prepare a suggested form of question to be presented at any such referendum. A levy approved at any such referendum held at a special or general election held prior to October 1 in any levy year increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years, and there shall be no reduction in distributions of formula aids to the governmental subdivision as a result of such levy. If no referendum is requested, the excess levy authorized by the resolution, if the resolution is adopted prior to October 1 in any year, may be levied in that same levy year and subsequent distributions required to be made by the state auditor from any formula aids pursuant to Extra Session Laws 1971, Chapter 31, shall be reduced 15 cents for each full dollar the levy exceeds the limitation. A levy made in 1971 prior to the effective date of Extra Session Laws 1971, Chapter 31 shall be reviewed and may be modified by the appropriate authority of the governmental subdivision for the purpose of reducing such levy to conform to the limitations imposed by this section. Any reduction in such levy made prior to December 15, 1971, shall be given the same effect as though such reduction had been made prior to the expiration of the time allowed by law for making the levy. The provisions of this subdivision shall apply to the levy of a metropolitan county before the reduction required pursuant to section 163.051, subdivision 5.

Sec. 9. Minnesota Statutes 1971, Section 275.52, Subdivision 2, is amended to read:

Subd. 2. The ~~per capita limitation~~ *levy limit base per capita*, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed six percent of the previous year's ~~per capita limitation~~ *levy limit base per capita*.

Sec. 10. Minnesota Statutes 1971, Section 275.52, Subdivision 3, is amended to read:

Subd. 3. If the population of any governmental subdivision decreases from one year to the next, the *current levy year's* population shall, for purposes of sections 275.50 to 275.56, be increased by an amount equal to one half of the decrease in population from the prior *levy* year, such increase to be effective for the said one *levy* year only. ~~This subdivision shall not apply to decreases in population resulting from a change or change in the boundaries of a governmental subdivision.~~

Sec. 11. Minnesota Statutes 1971, Section 275.53, Subdivision 1, is amended to read:

275.53. [GOVERNING CENSUS.] Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter, the population of the governmental subdivision shall be that established by the last state or federal census, or by a special census taken within the entire governmental subdivision pursuant to sections 275.50 to 275.56 or to any other law, by a census taken pursuant to subdivision 2, or by a population estimate made ~~by the state health department,~~ by the metropolitan council ~~by a regional development commission,~~ by an order of the Minnesota municipal commission pursuant to section 414.01, subdivision 14, or by an estimate made pursuant to subdivision 3, whichever is the most recent *as to the stated date of count or estimate*.

Sec. 12. Minnesota Statutes 1971, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In lieu of passing a resolution pursuant to subdivision 2, the governing body of a ~~municipality or town~~ *governmental subdivision* may pass by June 1 of any year a resolution containing an estimate of the current population of the subdivision. The resolution shall describe with specificity the criteria upon which the estimate is based, and shall state that the estimate is made for purposes of increasing that subdivision's tax levy pursuant to sections 275.50 to 275.56.

(b) The resolution shall then be submitted to the ~~vital statistics section of the state department of health~~ *state planning agency*. The ~~section~~ *agency* shall determine, and so inform the subdivision in writing within 30 days of receipt of the resolution, whether the criteria described therein do or do not provide a reasonable

basis for the population estimate. No determination by the ~~section~~ *agency* made pursuant to this subdivision shall constitute, nor shall it be represented as constituting, a determination of actual population.

(c) If the ~~section~~ *agency* determines that the criteria do not provide a reasonable basis for the population estimate, the resolution shall be of no effect. If the ~~section~~ *agency* determines that the criteria do provide a reasonable basis for the population estimate, the resolution shall be published at least once in a legal newspaper of general circulation in said subdivision. Said estimate may be used for computing the amount of ad valorem taxes the subdivision may levy, unless within 30 days following the publication of the resolution, 10 percent or more of the registered voters of the subdivision, or if the subdivision does not require voter registration, then 10 percent or more of its voters, who voted at the subdivision's last election, sign a petition demanding a special census, and submit the petition to the governing body of the subdivision.

(d) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(e) Upon the receipt of a petition conforming to this subdivision, the governing body shall pass a resolution requesting the secretary of state to take a special census of the governmental subdivision. The census shall be taken and financed pursuant to the provisions of subdivision 2. Any population estimate made by the governing body of any governmental subdivision shall be superseded by any subsequent state or federal census taken pursuant to sections 275.50 to 275.56 or any other law, or by a population estimate made by the ~~state health department, the metropolitan council or a regional development commission~~. The governing body of a governmental subdivision may not avail itself of the provisions of this subdivision during any year for which any state or federal census has been taken or for which the ~~state health department, the metropolitan council or a regional development commission~~ has made a population estimate of the subdivision.

(f) ~~In the event of any variance in population certified, the governmental subdivision by resolution shall choose from among the population estimates the figure which shall be governing for purposes of sections 275.50 to 275.56.~~

Sec. 13. Minnesota Statutes 1971, Section 275.55, is amended to read:

275.55 [STATE REVIEW AND REGULATION OF LEVIES.] The ~~state auditor and the commissioner of taxation, or their~~ *his* designees, shall establish procedures by which levies of all governmental units shall be periodically reviewed. The commissioner shall

be empowered to order withholding of state aids where such penalties are authorized by law, ~~to order the reduction of current or future levies where levy limitations have been exceeded,~~ to issue, in accordance with chapter 15, rulings interpreting sections 275.50 to 275.56, and to take such other administrative actions as he deems necessary in order to carry out the provisions of sections 275.50 to 275.56. *If the commissioner of taxation takes administrative action or any other action authorized by this section to enforce the provisions of sections 275.50 to 275.56, he shall give written notice of such action to the governmental subdivision affected. Such notice shall specify the actual or impending violations by the governmental subdivision of sections 275.50 to 275.56 or the rules and regulations of the department of taxation pertaining thereto, describe the corrective action required, including, in the case of an excess levy, reduction of the governmental subdivision's levy in the next succeeding levy year in an amount equal to the amount of the excess levy, set a reasonable period of time within which the governmental subdivision shall correct the specified actual or impending violations and caution the governmental subdivision that if the specified correction is not made within the time allowed, the state aids to the governmental subdivision pursuant to sections 477A.01 and 298.282, as amended, will be reduced as provided in section 275.51, subdivision 4. The time period first allowed for correction may be extended by the commissioner if he finds a reasonable basis for delay. County auditors, in addition to duties otherwise provided by law, shall cooperate with the commissioner and auditor in establishing such procedures and enforcing the provisions of sections 275.50 to 275.56.*

Sec. 14. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.551] [LEVY LIMITATIONS REVIEW BOARD.] *A levy limitations review board is hereby created to resolve questions concerning administrative interpretation of sections 275.50 to 275.56 that require review and to hear appeals by governing bodies of governmental subdivisions who disagree with the administrative rulings issued by the commissioner of taxation pursuant to section 275.55.*

The members of the review board shall be the commissioner of taxation, the chairman of the municipal commission and one public member appointed by the governor, by and with the approval of the senate, for a four year term which shall begin February 15 and continue until his successor is duly appointed and qualifies. The first public member, however, shall be appointed for a term ending February 15, 1975. A vacancy in the office of the public member of the board shall be filled by the governor, with the advice and consent of the senate, for the unexpired term. The governor may remove the public member at any time for good cause shown, after notice and hearing.

The public member shall be a citizen of the state who is knowledgeable in finance and local government. The public member shall not, at the time he is a member of the board, hold any other public office, or be employed by or represent a governmental subdivision,

or have any personal financial interest in any contract with a governmental subdivision, or serve in any capacity where a conflict of interest could arise. The public member shall receive as compensation for his services the amount of \$35 for each day or fraction thereof spent in attending meetings of the board or in performing other duties required by law, and shall be reimbursed for actual and necessary expenses incurred in the performance of his duties.

Sec. 15. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.552] [CONTESTED CASES; HEARING, NOTICE, EVIDENCE, DECISIONS, ORDERS.] *The governing body of a governmental subdivision to whom a notice pursuant to section 275.55 is given may by a majority vote of the whole governing body decide to dispute the commissioner's administrative action. Notice of such decision must be given the commissioner within 30 days of the issuance of the commissioner's notice, or else the commissioner's decision is final and not subject to the review of the levy limitations review board. Upon receipt of a notice from a governmental subdivision within the time allowed, disputing the commissioner's administrative action, the commissioner shall conduct further investigation of the disputed issues of fact as he deems necessary. If the commissioner continues to adhere to his previous notice, the governing body of the governmental subdivision shall be entitled to a hearing before the levy limitations review board. The board shall set a time and place for the hearing and notice shall be given by mail to the governing body of the governmental subdivision. The board shall adopt rules governing the proceedings for hearings which shall afford all interested parties the opportunity to present evidence and arguments with respect to the contested issues of fact. The decision of the board shall be in writing, and shall state in detail the basis and reason for each conclusion upon each contested issue of fact. A copy of the decision and order together with the detailed reasons shall be delivered or mailed to the governmental subdivision or its attorney of record. The decision of the levy limitations review board under this section may be reviewed on certiorari by the district court of the county wherein the governmental subdivision, or any part thereof, is located.*

Sec. 16. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.58] [ELECTIONS TO INCREASE LEVY.] *Subdivision 1. Notwithstanding the provisions of sections 275.50 to 275.56, but subject to other law or charter provisions establishing per capita, mill or other limitations on the amount of taxes that may be levied, the levy of a governmental subdivision, as defined by section 275.50, subdivision 1, may be increased above the limitation imposed by sections 275.50 to 275.56 in any per capita or dollar amount which is approved by the majority of voters of the governmental subdivision voting on the question at a general or special election. When the governing body of the governmental subdivision resolves to increase the levy of the governmental subdivision pursuant to this section, it shall provide for submission of the proposition of an increase in the levy limit base per capita or the*

proposition of an additional levy, as the case may be, at a general or special election. Notice of such election shall be given in the manner required by law. If the proposition is for an adjustment to the governmental subdivision's levy limit base per capita, increasing the levy limit base per capita over the per capita amount established pursuant to section 275.51, subdivision 3, such notice shall state the purpose of such per capita adjustment and the per capita amount of such adjustment. If the proposition is for an additional levy, such notice shall state the purpose and maximum yearly amount of such additional levy.

Subd. 2. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year increases the levy limit base per capita in that same levy year by the approved per capita amount and provides a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years. A levy limit base per capita adjustment approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not increase the levy limit base per capita in that same levy year but shall provide a permanent adjustment to the levy limit base per capita of the governmental subdivision for future levy years.

Subd. 3. An additional levy approved pursuant to subdivision 1 at a general or special election held prior to October 1 in any levy year may be levied in that same levy year and in any levy years thereafter. An additional levy approved pursuant to subdivision 1 at a general or special election held after September 30 in any levy year shall not be levied in that same levy year, but may be levied in the subsequent levy year and in levy years thereafter.

Subd. 4. An additional levy approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is over and above the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 and shall not be subject to the penalty provisions of section 275.51, subdivision 4. A levy limit base per capita adjustment approved by the majority of the voters of the governmental subdivision pursuant to subdivision 1 is a permanent adjustment to the levy limit base per capita established pursuant to section 275.51, subdivision 3, and shall not be subject to the penalty provisions of section 275.51, subdivision 4.

Subd. 5. Notwithstanding any statute, special law, ordinance or charter provision to the contrary, it shall require approval of a majority of those voting on the question to pass a referendum pursuant to subdivision 1.

Subd. 6. Notwithstanding any statute, special law, ordinance or charter provision to the contrary, the governing body of a governmental subdivision may call and hold special elections pursuant to this section.

Sec. 17. Minnesota Statutes 1971, Chapter 275, is amended by adding a section to read:

[275.59] [GOVERNMENTAL SUBDIVISIONS UNDER 500 POPULATION; EXEMPTION FROM LEVY LIMITS.] *Commencing with levy year 1973 and thereafter, taxes payable in 1974 and thereafter, the provisions of sections 275.50 to 275.56 shall not apply to any city, village, borough or town with village powers whose population according to the latest state or federal census is under 500.*

Sec. 18. Minnesota Statutes 1971, Section 414.01, is amended by adding a subdivision to read:

Subd. 15. When a commission order enlarges an existing municipality or creates a new municipality, the commission shall indicate in its order the estimated increased costs to such municipality as the result of such annexation or consolidation, and the time period that such municipality would be allowed a special levy for these increased costs pursuant to section 275.50, subdivision 5, clause (s). This subdivision shall apply to annexations or consolidations of municipalities in levy year 1971 or a subsequent levy year.

ARTICLE V

Section 1. Minnesota Statutes 1971, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.] All taxes paid to the county treasurers under the provisions of sections 287.01 to 287.12 shall be apportioned, ~~one-sixth~~ 95 percent to the general fund of the state, ~~one-sixth~~ and five percent to the county revenue fund ; and ~~the balance to be divided equally between the school district and the city, village, or town in which the real estate described in the mortgage is situated. Where the amount determined to be apportionable in any instance to any given school district, city, village or town is less than \$1, such amount shall be retained in the county revenue fund .~~

Sec. 2. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE VI

Section 1. Minnesota Statutes 1971, Section 290.081, is amended to read:

290.081 [INCOME OF NONRESIDENTS, RECIPROCITY.]

(a) The compensation received for the performance of personal or professional services within this state by an individual who resides and has his place of abode and place to which he customarily returns at least once a month in another state, shall be excluded from gross income to the extent such compensation is subject to an income tax imposed by the state of his residence; provided that such state allows a similar exclusion of compensation received by residents of Minnesota for services performed therein, or

(b) Whenever a nonresident taxpayer has become liable for

income taxes to the state where he resides upon his net income for the taxable year derived from the performance of personal or professional services within this state and subject to taxation under chapter 290, there shall be allowed as a credit against the amount of income tax payable by him under this chapter, such proportion of the tax so paid by him to the state where he resides as his gross income subject to taxation under this chapter bears to his entire gross income upon which the tax so paid to such other state was imposed; provided, that such credit shall be allowed only if the laws of such state grant a substantially similar credit to residents of this state subject to income tax under such laws, or

(c) If any taxpayer who is a resident of this state, or a domestic corporation or corporation commercially domiciled therein, has become liable for taxes on or measured by net income to another state upon income derived from the performance of personal or professional services within such other state and subject to taxation under this chapter he or it shall be entitled to a credit against the amount of taxes payable under this chapter, of such proportion thereof, as such gross income subject to taxation in such state bears to his entire gross income subject to taxation under this chapter; provided (1) that such credit shall in no event exceed the amount of tax so paid to such other state on the gross income earned within such other state and subject to taxation under this chapter, and (2) that such credit shall not be allowed if such other state allows residents of this state a credit against the taxes imposed by such state for taxes payable under this chapter substantially similar to the credit provided for by paragraph (b) of this section, and (3) the allowance of such credit shall not operate to reduce the taxes payable under this chapter to an amount less than would have been payable if the gross income earned in such other state had been excluded in computing net income under this chapter.

(d) The commissioner shall by regulation determine with respect to gross income earned in any other state the applicable clause of this section. *When it is deemed to be in the best interests of the people of this state, the commissioner may determine that the provisions of clause (a) shall not apply.*

(e) "Tax So Paid" as used in this section means taxes on or measured by net income payable to another state on income earned within the taxable year for which the credit is claimed, provided that such tax is actually paid in that taxable year, or subsequent taxable years.

(f) *For the purposes of clause (a), whenever the Wisconsin tax on Minnesota residents which would have been paid Wisconsin without clause (a) exceeds the Minnesota tax on Wisconsin residents which would have been paid Minnesota without clause (a), or vice versa, then the state with the net revenue loss resulting from clause (a) shall receive from the other state the amount of such loss. This provision shall be effective for all years beginning after December 31, 1972. The data used for computing the loss to either state shall be determined on or before September 30 of the year following the close of the previous calendar year.*

If an agreement cannot be reached as to the amount of the loss, the commissioner of taxation and the taxing official of the state of Wisconsin shall each appoint a member of a board of arbitration and these members shall appoint the third member of the board. The board shall select one of its members as chairman. Such board may administer oaths, take testimony, subpoena witnesses, and require their attendance, require the production of books, papers and documents, and hold hearings at such places as are deemed necessary. The board shall then make a determination as to the amount to be paid the other state which determination shall be final and conclusive.

ARTICLE VII

Section 1. Minnesota Statutes 1971, Section 290.17, is amended to read:

290.17 [GROSS INCOME, ALLOCATION TO STATE.] Items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of non-resident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if the grantor of any trust is domiciled within this state and such income or gains would be taxable to such grantor under sections 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his

property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business, including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1). *For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.*

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent unless it can be shown to the contrary.

(5) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 2. Minnesota Statutes 1971, Section 290.19, Subdivision 1, is amended to read:

290.19 [NET INCOME; ALLOCATION TO STATE, METHODS.] Subdivision 1. [COMPUTATION, BUSINESS CONDUCTED PARTLY WITHIN STATE; APPORTIONMENT.] The taxable net income from a trade or business carried on partly within and partly without this state shall be computed by deducting from the gross income of such business, wherever derived, deductions of the kind permitted by section 290.09, so far as connected with or allocable against the production or receipt of such income. The remaining net income shall be apportioned to Minnesota as follows:

(1) If the business consists of the mining, producing, smelting,

refining, or any combination of these activities of copper and nickel ores, or of the manufacture of personal property and the sale of said property within and without the state, the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(a) The percentage which the sales made within this state and through, from or by offices, agencies, branches or stores within this state is of the total sales wherever made;

(b) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned or rented and, used by the taxpayer in connection with such trade or business during the tax period; and,

(c) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(d) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (1) (a), 15 percent of the percentage determined under clause (1) (b), and 15 percent of the percentage determined under clause (1) (c);

(2) (a) In all other cases the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(1) The percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted;

(2) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned, or rented, and used by the taxpayer in connection with such trade or business during the tax period; and

(3) The percentage which the taxpayer's total pay-rolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total pay-rolls paid or incurred in connection with such entire trade or business;

(4) The percentage of such remainder to be assigned to this

state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (2) (a) (1), 15 percent of the percentage determined under clause (2) (a) (2), and 15 percent of the percentage determined under clause (2) (a) (3);

(b) If the methods prescribed under clause (2) (a) will not properly reflect taxable net income assignable to the state, there may be used, if practicable and if such use will properly and fairly reflect such income, the percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted; or the separate or segregated accounting method;

(3) The sales, pay-rolls, earnings, and receipts referred to in this section shall be those for the taxable year in respect of which the tax is being computed. The property referred to in this section shall be the average of the property owned or used by the taxpayer during the taxable year in respect of which the tax is being computed ;

~~(4) For the purposes of this section, in determining the amount of sales made within Minnesota, there shall be excluded therefrom sales negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at, connected with, or sent out from premises for the transaction of business owned or rented by the taxpayer or by his agents or agencies outside the state and sales otherwise determined by the commissioner to be attributable to the business conducted on such premises. If the commissioner finds that the taxpayer maintains an office, warehouse or other places of business outside the state for the purpose of reducing its tax under this section it shall in determining the amount of taxable net income include therein the proceeds of sales attributed by the taxpayer to the business conducted at such place outside the state .~~

Sec. 3. Minnesota Statutes 1971, Section 290.19, is amended by adding a subdivision to read:

Subd. 1a. [DETERMINATION OF SALES MADE WITHIN THIS STATE.] For purposes of this section the following rules shall apply in determining whether or not sales are made within this state.

Sales of tangible personal property are made within this state if the property is delivered or shipped to a purchaser within this state, and the taxpayer is taxable in this state, regardless of the f.o.b. point or other conditions of the sale.

Sales made by or through a corporation which is qualified as a domestic international sales corporation under section 992 of the Internal Revenue Code of 1954, as amended through December 31, 1972, shall not be considered to have been made within this state.

Sec. 4. *This article is effective for taxable years beginning after December 31, 1973.*

ARTICLE VIII

Section 1. Minnesota Statutes 1971, Section 290.361, Subdivision 4, is amended to read:

Subd. 4. [DISPOSITION OF TAX.] (a) The revenues derived from the excise tax on banks shall be paid into the state treasury and credited to the general fund, from which shall be paid all refunds of taxes erroneously collected from banks as certified by the commissioner. ~~Forty-five percent of the balance of such tax so collected shall be transmitted, on the last days of May and November of each year, to the respective counties in which are located the banks paying the tax. The county auditor shall apportion and distribute 45 percent of the respective amounts paid by each bank in his county, less 45 percent of the refunds paid to that bank, in the same manner and on the same basis as he distributes taxes on personal property in the taxing districts in which that bank is located, provided that the governing body of any political subdivision receiving such apportionment may place all such amounts to the credit of its general fund.~~

There is hereby appropriated to the persons or banks entitled to such refunds, from the general fund, an amount sufficient to make the refunds.

(b) For purposes of the apportionment and distribution required to be made to the county auditor under clause (a) of this subdivision, the tax so collected shall be deemed to have been paid to the commissioner on the last date prescribed by law for the filing of the excise tax return, or date when such excise tax was received by the commissioner, whichever date occurs later.

(c) There is hereby annually appropriated from the general fund to the taxing districts entitled to such payments as are authorized under this section, sufficient moneys to make such payments.

Sec. 2. *After November 30, 1973 no adjustments shall be made to the November 30, 1973 distributions or prior distributions required to be made to the several county auditors pursuant to Minnesota Statutes, Section 290.361, Subdivision 4. Any amounts appropriated for this purpose shall lapse after November 30, 1973 and shall revert to the general fund.*

Sec. 3. *The provisions of this article shall be effective for all payments required to be made after November 30, 1973.*

ARTICLE IX

Section 1. Minnesota Statutes 1971, Section 290.982, is amended to read:

290.982 [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.981 to 290.992, who was domiciled in this state during the entire calendar year preceding the year in which he files claim for relief, who resided in a rented or leased private commercial unit on which ad valorem taxes are accrued operated for profit, or in a rented or leased unit owned temporarily

due to foreclosure by the federal housing administration, for not less than the last six months of the calendar year covered by the claim. When a unit is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, such individuals may determine between them as to who the claimant shall be, and all amounts paid for the unit during the selected claimant's occupancy shall be considered as paid by him. If they are unable to agree, the matter shall be referred to the commissioner of taxation and his decision shall be final.

Sec. 2. Minnesota Statutes 1971, Section 290.983, Subdivision 1, is amended to read:

290.983 [AMOUNT OF CREDIT; OFFSET AGAINST TAX.] Subdivision 1. The credit allowed by section 290.981 shall be $7\frac{1}{2}$ 10 percent of the total amount paid by the claimant during the taxable year as rent for the occupancy of real property used as the place of residence of his household. The credit shall not exceed \$90 \$120 in any taxable year. For purposes of sections 290.981 to 290.992 "rent" does not include payments attributable to heat, light, or other utilities.

Sec. 3. Minnesota Statutes 1971, Section 290.99, is amended to read:

290.99 [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 290.981 to 290.992 shall be allowed to any person who is a recipient of public funds for the payment of rent during the period for which the claim is filed. ~~No claim for relief under sections 290.981 to 290.992 shall be allowed to any person residing in a rental unit the rental of which is subject to regulations of a governmental agency, federal, state or local.~~

Sec. 4. *The provisions of this article shall be effective for all years beginning after December 31, 1972.*

ARTICLE X

Section 1. Minnesota Statutes 1971, Section 297.13, Subdivision 1, is amended to read:

297.13 [REVENUE, DISPOSAL.] Subdivision 1. [CIGARETTE TAX APPORTIONMENT FUND.] Notwithstanding any other provisions of law, for all periods beginning after the date of final enactment of this act, the provisions of this section shall be applicable. Five and one-half percent of the revenues received from taxes, penalties and interest under sections 297.01 to 297.13 shall be deposited by the commissioner of taxation in the general fund and credited to a special account to be known as the "natural resources account," which is hereby created. Expenditures shall be made from said account only as may be authorized by law to carry out the provisions of this act and in conformance with the provisions of chapter 16. Five and one-half percent shall be deposited in the general fund and credited to the "natural resources acceleration" account for the purposes provided in Laws 1969, Chapter 879, Section 4. ~~Until January 1, 1972, an additional 5.5 percent of the revenues received from taxes,~~

penalties and interest under sections 297.01 to 297.13 shall be deposited by the commissioner of taxation in the general fund and said amount shall be considered for the purposes of section 297A.51 as if the tax were imposed by sections 297A.01 to 297A.44. The balance of the revenues derived from taxes, penalties, and interest under sections 297.01 to 297.13 and from license fees and miscellaneous sources of revenue shall be deposited by the commissioner in the general fund and credited 11.0 percent to a special account to be known as the "cigarette tax apportionment account," which account is hereby created, but in no event shall the amount credited to the account be less than that credited to such account in the fiscal year beginning July 1, 1968 and ending June 30, 1969, and the balance to the general fund. The revenues in the apportionment account shall be apportioned as provided in subdivision 2 to the several counties, cities, villages and boroughs in this state, and the term "village" as used herein shall include those towns which have village powers as defined in section 360.01. In computing the population of counties, cities, villages and boroughs the state auditor shall add increases in population disclosed by reason of any special census conducted under subdivision 7 to the population of the political subdivision conducting the census and to the population of the county in which the political subdivision is located. Each county, city, village, and borough shall receive from the apportionment account an amount bearing the same relation to the total amount to be apportioned as its population bears to the total population of all the counties, cities, villages and boroughs in this state, except, that for the purposes of sections 297.01 to 297.13, the population of a county shall be that part of its population exclusive of the population of the several cities, villages and boroughs within the county.

Sec. 2. *Minnesota Statutes 1971, Sections 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15, and 297.16 are repealed.*

Sec. 3. *After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 297.13, Subdivision 2. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.*

Sec. 4. *The provisions of this article shall be effective for all payments required to be made after December 31, 1973.*

ARTICLE XI

Section 1. *Minnesota Statutes 1971, Section 340.60, Subdivision 1, is amended to read:*

340.60 [LIQUOR RECEIPTS.] Subdivision 1. [PAID INTO STATE TREASURY.] *Except as provided in the following subdivisions, All taxes, penalties, license fees, and receipts of every kind, character, and description provided for and payable to the state under the terms and provisions of the intoxicating liquor act and sections 340.44 to 340.56, including all moneys collected*

by the liquor control commissioner under rules and regulations established by him such as certificate labels, truck labels, case labels, and any other form that he may establish, shall be paid into the state treasury the same as other departmental receipts, and are to be credited to the *revenue general* fund of the state.

Sec. 2. *Minnesota Statutes 1971, Section 340.60, Subdivisions 2, 3, 4, 5, 6 and 7 are repealed.*

Sec. 3. *After August 15, 1973 no adjustments shall be made to the August 15, 1973 payments or prior payments made to the treasurers of the several counties, cities, villages and boroughs pursuant to Minnesota Statutes, Section 340.60, Subdivision 3. Any amounts appropriated for this purpose shall lapse after August 15, 1973 and shall revert to the general fund.*

Sec. 4. *The provisions of this article shall be effective for all payments required to be made after August 15, 1973.*

ARTICLE XII

Section 1. *The significant increase in ad valorem taxes in recent years is a major concern of the legislature in view of the impact of such increases upon all economic groups within the state, but with particular emphasis upon certain home owners, renters and farmers. The legislature attributes this steadily increasing property tax burden to the rising costs of local government, increased school and welfare expenditures, and a continuing and strong inflationary effect on real property values.*

In Extra Session Laws 1971, Chapter 31, Article XIII, the legislature created a tax study commission to examine Minnesota's total tax structure as its equity and distribution methods relate to the general economic needs and development of the state, the special needs of employment and job opportunity and the revenue needs and sources of revenue available to the state and to its political subdivisions.

The tax study commission is herewith directed to focus particular attention on the process of assessing and classifying real and personal property for ad valorem tax purposes, in order that the legislature may be able to achieve a reasonable balance between the total revenue requirements of the state and its political subdivision and that portion of such revenues that should be raised by property taxes.

No appropriation is made for the purposes of this article, as funds are being made available to the tax study commission in other sections of the law.

ARTICLE XIII

Section 1. *Minnesota Statutes 1971, Section 297A.14, is amended to read:*

297A.14 [USING, STORING OR CONSUMING TANGIBLE PERSONAL PROPERTY; ADMISSIONS; UTILITIES.] *For the privilege of using, storing or consuming in Minnesota tangible*

personal property, tickets or admissions to places of amusement and athletic events, electricity, gas, and local exchange telephone service purchased for use, storage or consumption in this state, there is hereby imposed on every person in this state a use tax at the rate of four percent of the sales price of sales at retail of any of the aforementioned items made to such person after October 31, 1971, unless the tax imposed by section 297A.02 was paid on said sales price.

Motor vehicles subject to tax under this section shall be taxed at the fair market value at the time of transport into Minnesota if such motor vehicles were acquired more than three months prior to its transport into this state.

Notwithstanding any other provisions of section 297A.01 to 297A.44 to the contrary, the cost of paper and ink products exceeding \$100,000 in any calendar year, used or consumed in producing a publication as defined in section 297A.25, subdivision 1, clause (i) is subject to the tax imposed by this section.

Sec. 2. Minnesota Statutes 1971, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property, the ultimate destination of which is outside the state of Minnesota and which is not thereafter returned to a point within Minnesota except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been

imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, *including returnable containers used in packaging food and beverage products*, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, *research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and road building.* Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, *are not included within this exemption. The terms of the preceding sentence shall include the basic machine itself and all of its component parts, such as belts, pulleys, shafts, moving parts and operating structures as well as any accessory tools or equipment such as litho plates and other short lived items which are separate detachable units used in producing a direct effect upon the*

product, and shall further include equipment or devices used to control, regulate or operate the machine. Furniture and fixtures used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except ~~paper or ink products as provided in section 297A.14~~) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, *and any such publication.* For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office

telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of cigarettes.

(s) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(t) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(u) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of taxation filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(v) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to Minnesota Statutes, Section 141.25.

(w) The gross receipts from the sale of and the storage of

material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

Sec. 3. *Minnesota Statutes 1971, Section 297A.252, is repealed.*

Sec. 4. *The provisions of this article shall be effective after December 31, 1973.*

ARTICLE XIV

Section 1. *Minnesota Statutes 1971, Section 273.13, Subdivision 6, is amended to read:*

Subd. 6. [CLASS 3B.] *Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 80 acres, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal and interest on non-school district bonded indebtedness, shall be reduced by 35 45 percent of the tax; provided that the amount of said reduction shall not exceed \$250 \$325. Valuation subject to relief shall be limited to 80 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.*

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. *Minnesota Statutes 1971, 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 ~~35~~ 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed ~~\$250~~ \$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 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, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. 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 ~~35~~ 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed ~~\$250~~ \$325 . If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 $\frac{1}{3}$ percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 3. *This article is effective for taxes assessed in 1973 and payable in 1974 and thereafter.*

ARTICLE XV

Section 1. Minnesota Statutes 1971, Chapter 273, is amended by adding a section to read:

[273.011] [DEFINITIONS.] *Subdivision 1. [WORDS, TERMS, PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of sections 1 to 3 shall have the meanings given to them.*

Subd. 2. [QUALIFIED HOME OWNER.] The term "qualified home owner" means:

(a) (i) A person 65 years of age or older; or

(ii) The surviving spouse of a decedent, if such decedent was 65 years of age or older at his death, and such spouse has not remarried; and

(b) Who owns property as his homestead, and title to the property so used is held:

(i) In his name as owner of the fee; or

(ii) Only in his name and that of his spouse as joint tenants or tenants in common; or

(iii) Only in his name, or his name and that of his spouse as owner of an estate for life or an estate for years.

Subd. 3. [QUALIFIED PROPERTY.] The term "qualified property" means property which meets all of the following conditions:

(i) Is a single family dwelling, or is part of a multifamily dwelling, or is a portion of a multipurpose structure, or is a mobile home as defined in section 168.011 which is used for the purposes described in section 273.13, subdivision 7, together with one acre of land most contiguous to the structure or mobile home, provided title to such land is held by the person who owns the title to the property described herein; and

(ii) Is the homestead of a "qualified home owner."

Subd. 4. [BASE TAX.] The term "base tax" means the ad valorem tax legally due with respect to "qualified property" in the year preceding the year in which the "qualified home owner" thereof attains such status prior to June 1, unless such "qualified home owner" qualified for such status at an earlier date by reason of subdivision 2, clause (a) (ii) of this section; provided that where such status is attained on or after June 1, except as provided in the preceding sentence, the "base tax," notwithstanding the provisions of subdivision 5, shall be the "ad valorem tax" legally due in such year.

Subd. 5. [CURRENT TAX.] The term "current tax" means the ad valorem tax legally due and payable on "qualified property" in the year following the year of assessment.

Subd. 6. [AD VALOREM TAX.] The term "ad valorem tax" means the tax on "qualified property" exclusive of all special taxes payable thereon.

Subd. 7. The masculine gender shall include the feminine and the single shall include the plural.

Subd. 8. Where "qualified property" is part of a multidwelling

or multipurpose structure, the valuation of the "qualified property" area shall be determined by apportionment.

Sec. 2. Minnesota Statutes, Chapter 273, is amended by adding a section to read:

[273.012] [QUALIFIED PROPERTY TAX CREDIT.] *Subdivision 1. When used in this section, words and phrases defined in section 1 shall have the meanings given to them unless the language or context clearly indicates that a different meaning is intended.*

Subd. 2. Where the "current tax" on "qualified property" is in excess of the "base tax" on such property, there shall be allowed to the "qualified home owner" thereof a credit an equal amount to the excess of current tax over base tax as hereinafter provided under Minnesota Statutes, Chapter 290. In the event that a "qualified home owner" entitled to the credit provided herein dies prior to the receipt thereof, his surviving spouse shall be entitled to such credit. If there be no spouse surviving him, the right to such credit shall lapse.

Sec. 3. Minnesota Statutes, Chapter 290, is amended by adding a section to read:

[290.066] [SPECIAL PROPERTY TAX CREDIT.] *Subdivision 1. A person entitled to an amount equal to the qualified property tax credit allowed by section 2 shall file a claim with the department of taxation on or before June 30. The department of taxation shall make available suitable forms with instructions for the claimant, including a form which may be included with or as a part of the individual income tax blank. The claim shall be in such form as the commissioner may prescribe.*

Subd. 2. Such claim shall be subject to the provisions of Sections 290.0604, 290.0605, 290.061, 290.0611, 290.0612, 290.0614, and 290.0615, where applicable.

Subd. 3. In the event that a "qualified home owner," in addition to the credit provided in this section, is entitled to a credit under section 290.0618, he shall not include the amount of taxes refunded under this section in the amount of property tax on which the credit allowed by section 290.0618 is calculated.

Subd. 4. There is hereby appropriated from the general fund the necessary amounts to pay the claims allowed by this section.

Sec. 4. This article is effective for all "base taxes" due and payable after December 31, 1972, and is effective for all "current taxes" due and payable after December 31, 1973.

ARTICLE XVI

Section 1. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0618] [LIMITS.] *The amount of any claim pursuant to sections 290.0601 to 290.0618 shall be determined in accordance with the following schedule:*

<i>Property Tax</i>		<i>Total Household income</i>				
		<i>At Least:</i>				
		<i>0</i>	<i>1,500</i>	<i>2,000</i>	<i>2,500</i>	<i>3,000</i>
		<i>But Less Than:</i>				
		<i>1,499</i>	<i>1,999</i>	<i>2,499</i>	<i>2,999</i>	<i>3,499</i>
<i>At Least</i>	<i>But Less Than</i>	<i>Your Senior Citizens Tax Credit Is:</i>				
<i>0</i>	<i>25</i>	<i>\$ 22</i>	<i>\$ 21</i>	<i>\$ 19</i>	<i>\$ 16</i>	<i>\$ 12</i>
<i>25</i>	<i>50</i>	<i>45</i>	<i>42</i>	<i>38</i>	<i>32</i>	<i>25</i>
<i>50</i>	<i>75</i>	<i>68</i>	<i>64</i>	<i>56</i>	<i>49</i>	<i>38</i>
<i>75</i>	<i>100</i>	<i>90</i>	<i>85</i>	<i>75</i>	<i>65</i>	<i>50</i>
<i>100</i>	<i>125</i>	<i>112</i>	<i>106</i>	<i>94</i>	<i>81</i>	<i>62</i>
<i>125</i>	<i>150</i>	<i>135</i>	<i>128</i>	<i>112</i>	<i>98</i>	<i>75</i>
<i>150</i>	<i>175</i>	<i>158</i>	<i>149</i>	<i>131</i>	<i>114</i>	<i>88</i>
<i>175</i>	<i>200</i>	<i>180</i>	<i>170</i>	<i>150</i>	<i>130</i>	<i>100</i>
<i>200</i>	<i>225</i>	<i>202</i>	<i>191</i>	<i>169</i>	<i>146</i>	<i>112</i>
<i>225</i>	<i>250</i>	<i>225</i>	<i>212</i>	<i>188</i>	<i>162</i>	<i>125</i>
<i>250</i>	<i>275</i>	<i>248</i>	<i>234</i>	<i>206</i>	<i>179</i>	<i>138</i>
<i>275</i>	<i>300</i>	<i>270</i>	<i>255</i>	<i>225</i>	<i>195</i>	<i>150</i>
<i>300</i>	<i>325</i>	<i>292</i>	<i>276</i>	<i>244</i>	<i>211</i>	<i>162</i>
<i>325</i>	<i>350</i>	<i>315</i>	<i>298</i>	<i>262</i>	<i>228</i>	<i>175</i>
<i>350</i>	<i>375</i>	<i>338</i>	<i>319</i>	<i>281</i>	<i>244</i>	<i>188</i>
<i>375</i>	<i>400</i>	<i>360</i>	<i>340</i>	<i>300</i>	<i>260</i>	<i>200</i>
<i>400</i>	<i>425</i>	<i>382</i>	<i>361</i>	<i>319</i>	<i>276</i>	<i>212</i>
<i>425</i>	<i>450</i>	<i>405</i>	<i>382</i>	<i>338</i>	<i>292</i>	<i>225</i>
<i>450</i>	<i>475</i>	<i>428</i>	<i>404</i>	<i>356</i>	<i>309</i>	<i>238</i>
<i>475</i>	<i>500</i>	<i>450</i>	<i>425</i>	<i>375</i>	<i>325</i>	<i>250</i>
<i>500</i>	<i>525</i>	<i>472</i>	<i>446</i>	<i>394</i>	<i>341</i>	<i>262</i>
<i>525</i>	<i>550</i>	<i>495</i>	<i>468</i>	<i>412</i>	<i>358</i>	<i>275</i>
<i>550</i>	<i>575</i>	<i>518</i>	<i>489</i>	<i>431</i>	<i>374</i>	<i>288</i>
<i>575</i>	<i>600</i>	<i>540</i>	<i>510</i>	<i>450</i>	<i>390</i>	<i>300</i>
<i>600</i>	<i>625</i>	<i>562</i>	<i>531</i>	<i>469</i>	<i>406</i>	<i>312</i>
<i>625</i>	<i>650</i>	<i>585</i>	<i>552</i>	<i>488</i>	<i>422</i>	<i>325</i>
<i>650</i>	<i>675</i>	<i>608</i>	<i>574</i>	<i>506</i>	<i>439</i>	<i>338</i>
<i>675</i>	<i>700</i>	<i>630</i>	<i>595</i>	<i>525</i>	<i>455</i>	<i>350</i>
<i>700</i>	<i>725</i>	<i>652</i>	<i>616</i>	<i>544</i>	<i>471</i>	<i>362</i>
<i>725</i>	<i>750</i>	<i>675</i>	<i>638</i>	<i>562</i>	<i>488</i>	<i>375</i>
<i>750</i>	<i>775</i>	<i>698</i>	<i>659</i>	<i>581</i>	<i>504</i>	<i>388</i>
<i>775</i>	<i>800</i>	<i>720</i>	<i>680</i>	<i>600</i>	<i>520</i>	<i>400</i>

<i>Property Tax</i>		<i>Total Household Income</i>				
		<i>At Least</i>				
		<i>3,500</i>	<i>4,000</i>	<i>4,500</i>	<i>5,000</i>	<i>5,500</i>
		<i>But Less Than:</i>				
		<i>3,999</i>	<i>4,499</i>	<i>4,999</i>	<i>5,499</i>	<i>5,999</i>
<i>At Least</i>	<i>But Less Than</i>	<i>Your Senior Citizens Tax Credit Is:</i>				
<i>0</i>	<i>25</i>	<i>\$ 9</i>	<i>\$ 5</i>	<i>\$ 4</i>	<i>\$ 2</i>	<i>\$ 1</i>
<i>25</i>	<i>50</i>	<i>18</i>	<i>10</i>	<i>8</i>	<i>5</i>	<i>2</i>

50	75	26	15	11	8	4
75	100	35	20	15	10	5
100	125	44	25	19	12	6
125	150	52	30	22	15	8
150	175	61	35	26	18	9
175	200	70	40	30	20	10
200	225	79	45	34	22	11
225	250	88	50	38	25	12
250	275	96	55	41	28	14
275	300	105	60	45	30	15
300	325	114	65	49	32	16
325	350	122	70	52	35	18
350	375	131	75	56	38	19
375	400	140	80	60	40	20
400	425	149	85	64	42	21
425	450	158	90	68	45	22
450	475	166	95	71	48	24
475	500	175	100	75	50	25
500	525	184	105	79	52	26
525	550	192	110	82	55	28
550	575	201	115	86	58	29
575	600	210	120	90	60	30
600	625	219	125	94	62	31
625	650	228	130	98	65	32
650	675	236	123	101	68	34
675	700	245	140	105	70	35
700	725	254	145	109	72	36
725	750	262	150	112	75	38
750	775	271	155	116	78	39
775	800	280	160	120	80	40

In no event shall the claim allowed pursuant to the above schedule exceed the amount of property tax accrued.

Sec. 2. Minnesota Statutes 1971, Section 290.0604, is amended to read:

290.0604 [FILING TIME LIMIT, LATE FILING.] *No claim in respect of property taxes accrued in 1969 or in respect of 1969 rent constituting property taxes accrued shall be paid or allowed unless such claim is actually filed with and in the possession of the department of taxation on or before June 30, 1970. Thereafter, subject to the same conditions and limitations, claims must be filed on or before June 30 of each succeeding year for which the property taxes accrued or rent constituting property taxes have accrued. Any claim for property taxes accrued shall be filed with the department of taxation on or before June 30 of the year in which such property taxes are due and payable. Any claim for rent constituting property taxes accrued shall be filed on or before June 30 of the year following the year in which such rent was paid. The commissioner may extend the time for filing these claims, as provided in section 290.0615.*

A claim filed after the original or extended due dates shall be allowed, however the amount of credit shall be reduced by five

percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is not filed on or before two years after the original or extended due date for the filing of the claim.

Sec. 3. This article is effective for all claims filed on or after January 1, 1974 based on property taxes due and payable in 1974 and thereafter for each succeeding year, and for rent constituting property taxes accrued for 1973 and thereafter for each succeeding year.

Sec. 4. Minnesota Statutes 1971, Sections 290.0607 and 290.0617 are repealed.

ARTICLE XVII

Section 1. Minnesota Statutes 1971, Section 477A.01, Subdivision 1, is amended to read:

477A.01 [LOCAL GOVERNMENT AID.] Subdivision 1. Except in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute ~~\$25~~ \$35 for each person residing in the territory comprising each county for the calendar year ~~1972~~ 1974 and ~~\$27~~ \$36 for the calendar year ~~1973~~ 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the county's territory.

Sec. 2. Minnesota Statutes 1971, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. The county government shall receive *85 percent* of the same percentage of the distributions pursuant to subdivision 1, that it was entitled to receive in 1971 of the total distributions to the several taxing authorities in the county's territory pursuant to Minnesota Statutes 1969, sections 273.69 and 297A.51 to 297A.60, except that distributions to school districts under those laws shall be disregarded in making the calculation.

Sec. 3. Minnesota Statutes 1971, Section 477A.01, Subdivision 3, is amended to read:

Subd. 3. Each taxing authority in each county, other than the county, the school districts and the cities, villages and towns, shall receive in ~~1972~~ 1974 and ~~1973~~ 1975 a distribution equal to the distribution it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 4. Minnesota Statutes 1971, Section 477A.01, Subdivision 4, is amended to read:

Subd. 4. The balance of the distributions *in 1974* pursuant to subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the *levy limitation and special levies* of each city, village and town *for taxes* payable in ~~1971~~ 1973 bears to the total

dollar amount of the levies levy limitations and special levies of all the cities, villages and towns for taxes payable in 1973 .

The balance of the distribution in 1975 pursuant to subdivision 1, shall be divided among the several cities, villages and towns in the county's territory in the proportion that the dollar amount of the levy limitation and special levies of each city, village and town for taxes payable in 1974 bears to the total dollar amount of the levy limitations and special levies of all cities, villages and towns for taxes payable in 1974.

For the purposes of this subdivision, the levy limitation of a city village or town with village powers for taxes payable in 1973 or 1974 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to 275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city, village or town with village powers for taxes payable in 1973 or 1974 shall be the amounts of the governmental unit's tax levy payable in 1973 or 1974 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1974 and 1975, pursuant to this subdivision, based on their levies payable in 1973 and 1974, respectively.

Sec. 5. Minnesota Statutes 1971, Section 477A.01, Subdivision 5, is amended to read:

Subd. 5. ~~If the total amount distributed to the several taxing authorities within a county pursuant to subdivision 1 is less than the total amount the several taxing authorities within the county, except school districts, were entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution pursuant to subdivision 1.~~

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town, and county government within each county subject to the provisions of subdivision 1 or within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distributions of

bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12;

(7) 1973 gross earnings aid to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; and 373.20 to 373.24.

(b) If the total amount distributed to the several taxing authorities within a county pursuant to subdivision 1 or to the territory specified in subdivision 7 is less than the aggregate of aids to the several taxing authorities within such county or territory, except school districts, as calculated by the department of taxation pursuant to clause (a), the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution to the several taxing authorities within the territory specified in subdivision 7.

Sec. 6. Minnesota Statutes 1971, Section 477A.01, Subdivision 6, is amended to read:

Subd. 6. If the amount distributed to a city, village or town pursuant to subdivision 4, is less than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60, the amount distributed to it shall be raised to the amount distributed in 1971 and the distributions to each of the other cities, villages and towns and the county, shall be proportionately reduced as necessary to supply the difference. (a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town and county government within each county subject to the provisions of subdivision 1:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) 1973 gross earnings aids to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24;

(6) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(7) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the amount distributed to a city, village, borough, town or county government pursuant to subdivision 2 or subdivision 4 is less than the aggregate of aids for such county government, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or township as calculated by the department of taxation pursuant to clause (a), and the distributions to each of the other cities, villages, boroughs and towns and the county government shall be proportionately reduced as necessary to supply the difference.

Sec. 7. Minnesota Statutes 1971, Section 477A.01, Subdivision 7, is amended to read:

Subd. 7. In the territory comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, the state shall distribute ~~\$27~~ \$36 for each person residing in the territory for the calendar year ~~1972~~ 1974 and ~~\$29~~ \$37 for the calendar year ~~1973~~ 1975 to the several taxing authorities, except school districts, with authority to impose taxes on property located in the territory.

Sec. 8. Minnesota Statutes 1971, Section 477A.01, Subdivision 8, is amended to read:

Subd. 8. The seven county governments shall receive in total, in ~~1972~~ 1974, ~~10.5~~ 16 percent of ~~\$26~~ \$36 times the population of the seven counties, and, in ~~1973~~ 1975, ~~17.5~~ 16 percent of ~~\$20~~ \$37 times the population of the seven counties. That distribution in 1974 shall be divided among the seven county governments in the proportion that the levy of each payable in ~~1971~~ 1973 bears to the total levy of the seven. *That distribution in 1975 shall be divided among the seven county governments in the proportion that the levy of each payable in 1974 bears to the total levy of the seven. For the purposes of this subdivision the levy of a county payable in 1973 and 1974 shall exclude that portion of the levy which was subject to the penalty provisions of Minnesota Statutes, Section 275.51, Subdivision 4, as amended, and shall be before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c).* If any county government would receive less pursuant to this subdivision than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.69 and 297A.51 to 297A.60 it shall receive an amount equal to the amount to which it was entitled in 1971 and the distribution to other counties shall be proportionately reduced.

Sec. 9. Minnesota Statutes 1971, Section 477A.01, Subdivision 9, is amended to read:

Subd. 9. Each taxing authority in the counties named in subdivision 7, other than the counties, the school districts and the cities,

villages, boroughs and towns, shall receive in ~~1972~~ 1974 and ~~1973~~ 1975, a distribution equal to the distribution to which it was entitled in 1971 pursuant to Minnesota Statutes 1969, Section 273.69.

Sec. 10. Minnesota Statutes 1971, Section 477A.01, Subdivision 10, is amended to read:

Subd. 10. In ~~1972~~ 1974 ~~\$26~~ \$36 shall be multiplied times the population of the seven counties named in subdivision 7. The distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 11. Minnesota Statutes 1971, Section 477A.01, Subdivision 11, is amended to read:

Subd. 11. ~~The city of Minneapolis and the city of St. Paul shall receive a distribution of the balance remaining after the calculation provided by subdivision 10 shall be divided among the cities, villages, boroughs and towns in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in 1971 1973 bears to the dollar amount of the levies levy limitations and special levies of all cities, villages, boroughs and towns in the seven named counties. For the purposes of this subdivision limitation of a city, village, borough or town with village powers for taxes payable in 1973 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to 275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city, village, borough or town with village powers for taxes payable in 1973 shall be the amounts of the governmental unit's tax levy payable in 1973 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages, boroughs and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1974, pursuant to this subdivision, based on their levies payable in 1973.~~

Sec. 12. Minnesota Statutes 1971, Section 477A.01, Subdivision 13, is amended to read:

Subd. 13. In ~~1973~~ 1975 ~~\$20~~ \$37 shall be multiplied times the population of the seven counties named in subdivision 7. The distributions pursuant to subdivisions 8 and 9 shall be subtracted from the product of that calculation.

Sec. 13. Minnesota Statutes 1971, Section 477A.01, Subdivision 14, is amended to read:

Subd. 14. ~~The city of Minneapolis and the city of St. Paul shall receive a distribution of the balance remaining after the calculation provided by subdivision 13 shall be divided among the cities, villages, boroughs and towns in the proportion that the dollar amount of the levy limitation and special levies of each for taxes payable in 1971 1974 bears to the dollar amount of the levies levy~~

limitations and special levies of all cities, villages, boroughs and towns in the seven named counties. For purposes of this subdivision the levy limitation of a city, village, borough or town with village powers for taxes payable in 1974 shall be the limitation established for such governmental unit pursuant to Minnesota Statutes, Sections 275.50 to 275.56, as determined by the department of taxation. For the purposes of this subdivision, the special levies of a city, village, borough or town with village powers for taxes payable in 1974 shall be the amounts of the governmental unit's tax levy payable in 1974 which the department of taxation determines to be qualified special levies pursuant to Minnesota Statutes, Section 275.50, Subdivision 5, before the reduction pursuant to Minnesota Statutes 1971, Section 477A.02, Clause (c). Furthermore, cities, villages, boroughs, and towns with village powers under 500 population, according to the latest state or federal census, and towns without village powers, shall receive distributions in 1975, pursuant to this subdivision, based on their levies payable in 1974.

Sec. 14. Minnesota Statutes 1971, Section 477A.01, Subdivision 16, is amended to read:

Subd. 16. *If the amount distributed to a city, village, borough or town in 1972 or 1973 in the seven named counties pursuant to this section, is less than it was entitled to receive in 1971 pursuant to Minnesota Statutes 1969, Sections 273.60 and 297A.51 to 297A.60, the amount shall be raised to the amount distributed in 1971 and the distributions to each of the other cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference.*

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, borough, town, and county government within the territory specified in subdivision 7:

(1) 1973 local government aids pursuant to Minnesota Statutes 1971, Section 477A.01;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(5) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(6) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, borough and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12;

(7) 1973 gross earnings aids to cities, villages, towns and coun-

ties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24.

(b) If the amount distributed to a city, village, borough, town, or county in 1974 or 1975 in the seven named counties pursuant to this section is less than the aggregate of aids for such county, city, village, borough, or town as calculated by the department of taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or town as calculated by the department of taxation pursuant to clause (a), and the distributions to each of the other counties, cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference.

Sec. 15. Minnesota Statutes 1971, Section 477A.01, Subdivision 17, is amended to read:

Subd. 17. The commissioner of taxation shall make all necessary calculations based on the 1970 federal census and make payments directly to the affected taxing authorities in four equal parts on March 15, July 15, September 15, and November 15 in ~~1972~~ 1974 and ~~1973~~ 1975.

Sec. 16. An amount sufficient to make payments provided by this article is appropriated for 1974 and 1975 to the commissioner of taxation from the general fund for distributions provided by this article. Notwithstanding Minnesota Statutes, Section 16.17, or any other law to the contrary, the appropriations made by this section shall not lapse but shall continue until January 1, 1976.

Sec. 17. Minnesota Statutes 1971, Section 477A.01, Subdivisions 12 and 15, are repealed, for payments required to be made to political subdivisions after December 31, 1973.

ARTICLE XVIII

Section 1. Minnesota Statutes 1971, Section 290.0601, Subdivision 6, is amended to read:

Subd. 6. [CLAIMANT.] Claimant means a person who has filed a claim under sections 290.0601 to ~~290.0617~~ 290.0618, has attained either the age of 65 or was a recipient of "supplementary security income for the aged, blind, and disabled" provided under the social security amendments of 1972 (P.L. 92-603) during the calendar year for which the claim is filed, and was domiciled in this state during the entire calendar year for which the claim for relief under sections 290.0601 to ~~290.0617~~ 290.0618 was filed. In the case of claim for rent constituting property taxes accrued the claimant shall have rented property during any part of the calendar year for which he files claim for relief under sections 290.0601 to ~~290.0617~~ 290.0618. When two individuals are able to meet the qualifications for a claimant and are husband and wife, they may determine between them as to which of the two the claimant shall be. If they are unable to agree the matter shall be referred to the commissioner of taxation and his decision shall be final. When a homestead is occupied by two or more individuals and more than one such individual is able to qualify as a claimant, and some or all such

qualified individuals are not related as determined under subdivision 3, each such individual may be a claimant, provided he meets the requirements therefor. Each such claimant shall use only the rent constituting property taxes or property taxes accrued paid by him.

Sec. 2. Minnesota Statutes 1971, Section 290.0601, Subdivision 9, is amended to read:

Subd. 9. [PROPERTY TAXES ACCRUED.] Property taxes accrued means the net property tax after deducting the credit allowed by Minnesota Statutes 1967, Section 273.13, Subdivisions 6 and 7, (exclusive of special assessments, delinquent interest and charges for service) levied on a claimant's homestead in 1967 or any calendar year thereafter pursuant to Minnesota Statutes 1965, Chapters 272 and 273. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead as reflects the ownership percentage of the claimant and his household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer for collection. The local treasurer will include with the tax bill a statement that if the owner of the property is 65 years of age or over, or was a recipient of "supplementary security income for the aged, blind, and disabled" under the social security amendments of 1972 (P.L. 92-603), he may be eligible for the credit allowed by sections 290.0601 to ~~290.0617~~ 290.0618. When a claimant and his household own their homestead part of the preceding calendar year and rent the same or a different homestead for part of the same year "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as such by claimant and his household at the time of the levy, multiplied by the percentage of 12 months that such property was owned and occupied by such household as its homestead during the preceding year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall relate only to that property occupied by the household as a homestead on the levy date. Whenever a homestead is an integral part of a farm, the claimant may use the total property taxes accrued for the larger unit, but not exceeding 80 acres of land, as described in section 273.13, subdivision 6, except as the limitations of section 290.0608 apply. For the purpose of sections 290.0601 to ~~290.0617~~ 290.0618, the "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

Sec. 3. Minnesota Statutes 1971, Section 290.061, is amended to read:

290.061 [PROOF OF CLAIM.] Every claimant under sections 290.0601 to ~~290.0617~~ 290.0618 shall supply to the department of taxation, in support of his claim, reasonable proof of age, proof of "supplementary security income for the aged, blind, and disabled" received, rent paid, name and address of owner or managing agent of property rented, property taxes accrued, changes of homestead,

household membership, household income, size and nature of property claimed as the homestead and a statement that the property taxes accrued, used for purposes of sections 290.0601 to 290.0617 290.0618 have been or will be paid by him and that there are no delinquent property taxes on the homestead.

Sec. 4. *This article is effective January 1, 1974, and shall apply to property taxes and rent constituting property taxes accrued in 1973 and subsequent years.*

ARTICLE XIX

Section 1. *Subdivision 1. As used in this article the term "person" shall include any individual, firm, trust, estate, partnership, association, joint stock company, or corporation, or any representative appointed by order of any court.*

Subd. 2. *As used in this article the term "commissioner" shall mean the commissioner of taxation of the state of Minnesota.*

Sec. 2. *There is hereby imposed an excise tax of five percent of the gross proceeds or gross receipts from the sale or rental of outdoor advertising space situated within this state.*

Sec. 3. *The tax herein imposed shall be in addition to all other taxes provided for by law, but shall be in lieu of personal property or real estate tax on signboards owned by such companies.*

Sec. 4. *Every person selling or renting outdoor advertising space situated within this state shall report its gross proceeds or gross receipts from such source to the commissioner on such form as the commissioner may prescribe, on or before April 15 of the year following the year in which the gross proceeds or gross receipts were realized.*

Sec. 5. *At the time of filing such report and on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized, the person filing such report shall pay to the commissioner a tax equal to five percent of such gross proceeds or gross receipts.*

Sec. 6. *As soon as practicable after receiving such report, the commissioner shall examine the same to determine its correctness or validity. If the commissioner shall determine that the tax as paid by such person is less than that properly due and owing he shall immediately notify such person of the amount of tax he has found due and owing. The tax as found due and owing shall be paid by the person so notified within 30 days of the date of the mailing of the notice by the commissioner. If the commissioner shall find that the tax as paid by such person is in excess of that properly due and owing, such excess shall be a credit against any future liability incurred under this article.*

Sec. 7. *If any person required to file a report under this article and pay a tax under this article shall fail to do so within the time prescribed, the commissioner shall notify such person of such failure and such person shall, within 30 days of the mailing of the notice by the commissioner, file such report and pay such tax. If*

such person, after such notification, shall fail to make such report and pay such tax the commissioner shall, from such information as he may possess, make a report for such person and assess a tax on the basis of such report. The tax as assessed by the commissioner under this section shall be paid within 30 days after mailing of a notice of the amount due by the commissioner to such person.

Sec. 8. Subdivision 1. Any person who fails to file a report required by this article and pay the tax imposed by this article at the time prescribed, shall be subject to a specific penalty of ten percent of the tax found to be due.

Subd. 2. Any person who fails to pay the tax imposed by this article on or before April 15 of the year following the year in which the gross proceeds or gross receipts are realized shall be subject to a penalty of one percent per month until such tax is paid.

Subd. 3. Any person who willfully fails to file a report required by this article shall be guilty of a gross misdemeanor.

Sec. 9. The commissioner shall administer and enforce the assessment and collection of this tax. He may from time to time publish and distribute rules and regulations in enforcing its provisions. The commissioner shall have authority and power to prescribe for all persons liable for tax under this article a uniform method of accounting their gross receipts and gross proceeds subject to tax herein. Every person liable for tax imposed by this article shall keep such records, render such statements, make such returns, and comply with such regulations, as the commissioner may from time to time prescribe. Any such report or statement shall include therein the information required by such regulations and by the forms prescribed by the commissioner. For the purpose of determining compliance with the provisions of this article, the commissioner shall have power to examine, or cause to be examined, any books, papers, records, or memoranda relevant to making such determination, whether such books, papers, records, or memoranda are the property of or in the possession of such person or any other person or corporation. The commissioner shall further have power to require the attendance of any persons having knowledge or information in the premises, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to such determination, and to administer oaths or affirmations.

Sec. 10. Any tax or any penalty imposed by this article may be collected by an ordinary action at law which shall be brought in the name of the state. Any report made by the commissioner pursuant to this article, or any modification of tax made by the commissioner pursuant to this article, shall, in all courts of this state for all purposes be prima facie evidence of the correctness and validity of the gross receipts or gross proceeds reflected therein and of such tax and penalties and the liability of the person notified therefor.

Sec. 11. The proceeds of the tax imposed by this article shall be deposited in the general fund of this state.

Sec. 12. *This article shall apply to all gross receipts or gross proceeds realized after December 31, 1973.*

ARTICLE XX

Section 1. Minnesota Statutes 1971, Section 291.33, Subdivision 2, is amended to read:

Subd. 2. *Twenty Ten* percent of the amount as determined under the provisions of subdivision 1 shall be paid to each of such counties.

Said payments shall be transmitted to the county auditor of each county, to be placed to the credit of the county revenue fund. It shall be the duty of the state treasurer to pay warrants therefor out of any funds in the state treasury not otherwise appropriated. The moneys necessary to pay such warrants are hereby appropriated out of any moneys in the state treasury not otherwise appropriated.

Sec. 2. *After November 1, 1973, no adjustments shall be made to the distributions resulting from the commissioner's November 1, 1973 determination or to the distributions required to have been made in prior years pursuant to Minnesota Statutes, Section 291.33. Any amounts appropriated for this purpose shall lapse after November 1, 1973 and shall revert to the general fund.*

Sec. 3. *The provisions of this article shall be effective for all payments required to be made in 1973 and years thereafter.*

ARTICLE XXI

Section 1. Minnesota Statutes 1971, Chapter 272, is amended by adding a section to read:

[272.039] [LEGISLATIVE FINDINGS AND CONCLUSIONS RELATED TO THE TAXATION OF MINERALS OWNED SEPARATELY FROM THE SURFACE.] *The legislature finds, for the reasons stated below, that a class of real property has been created which, although not exempt from taxation, is not assessed for tax purposes and does not, therefore, contribute anything toward the cost of supporting the governments which protect and preserve the continued existence of the property. These reasons are as follows: (1) In the case of Washburn v. Gregory, 1914, 125 Minn. 491, 147 N.W. 706, the Minnesota Supreme Court determined that where mineral interests are owned separately from the surface interests in real estate, the mineral interest is a separate interest in land, separately taxable, and does not forfeit if the overlying surface interest forfeits for nonpayment of taxes due on the surface interest; (2) Since this 1914 decision, mineral interests owned separately from the surface have been valued and assessed for tax purposes, as a practical matter, only if the value of the minerals has been determined through drilling and drill core analysis; and (3) The absence of any taxation of mineral interests owned separately from the surface, except where drilling analysis is available, has encouraged the separation of ownership of surface*

*and mineral estates and resulted in the creation of hundreds of thousands of acres of untaxed mineral estate lands which thus are immune from tax forfeiture. The legislature also finds that the province of Ontario in Canada, which has land ownership patterns and mineral characteristics similar to that of Minnesota, has imposed a tax of \$.50 an acre on minerals owned separately from the surface since 1968, and \$.10 an acre before that. The legislature further finds that the identification of separately owned mineral interests by taxing authorities requires title searches which are extremely burdensome and, where no public tract index is available, prohibitively expensive. This result is caused in part by the decision in *Wichelman v. Messner*, 1957, 250 Minn. 88, 83 N.W. (2d) 800, where the so called "40 year law" was held inapplicable to mineral interests owned separately from surface interests. On the basis of the above findings, and for the purpose of requiring mineral interests owned separately from surface interests to contribute to the cost of government at a time when other interests in real property are heavily burdened with real property taxes, the legislature concludes that the taxation of severed mineral interests as provided in section 3 of this article is necessary and in the public interest, and provides fair taxation of a class of real property which has escaped taxation for many years. The legislature further concludes that such a tax is not prohibited by Minnesota Constitution, Article 18. The legislature concludes finally that the amendments and repeals made by this act to Minnesota Statutes, Sections 93.52 to 93.58, are necessary to provide adequate identification of mineral interests owned separately from the surface and to prevent the continued escape from taxation of obscure and fractionalized severed mineral interests.*

Sec. 2. Minnesota Statutes 1971, Section 272.04, Subdivision 1, is amended to read:

272.04 [MINERAL, GAS, COAL, AND OIL OWNED APART FROM LAND; SPACE ABOVE AND BELOW SURFACE.] Subdivision 1. When any mineral, gas, coal, oil, or other similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately from such surface rights and interests in such real estate, including but not limited to the taxation provided in section 3 of this act, and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.

Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:

Subd. 2a. [CLASS 1b.] "Mineral interest", for the purpose of this subdivision, means an interest in any minerals, including but not limited to gas, coal, oil, or other similar interest in real estate, which is owned separately and apart from the fee title to the surface of such real property. Mineral interests which are filed for record in the offices of either the register of deeds or registrar of titles pursuant to Minnesota Statutes, Sections 93.52 to 93.58, constitute class 1b, and shall be taxed as provided in this subdivi-

sion unless specifically excluded by this subdivision. A tax of \$.50 per acre or portion of an acre of mineral interest is hereby imposed and is due and payable annually. If an interest filed pursuant to sections 93.52 to 93.58 is a fractional undivided interest in an area, the tax due on the interest per acre or portion of an acre is equal to the product obtained by multiplying the fractional interest times \$.50, computed to the nearest cent. However, the minimum annual tax on any mineral interest is \$2. No such tax on mineral interests is due and payable on the following: (a) Mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests; (b) Mineral interests which are exempt from taxation pursuant to constitutional or related statutory provisions. Tax money received under this subdivision shall be apportioned to the taxing districts included in the area taxed in the same proportion as the surface interest mill rate of a taxing district bears to the total mill rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is not included within any limitations as to rate or amount of taxes which may be imposed in an area to which the tax imposed by this subdivision applies. The tax imposed by this subdivision shall not cause the amount of other taxes levied or to be levied in the area, which are subject to any such limitation, to be reduced in any amount whatsoever. The tax imposed by this section is effective for taxing years beginning January 1, 1975. Twenty percent of the revenues received from the tax imposed by this section shall be distributed under the provisions of section 4.

Sec. 4. Subdivision 1. For purposes of this section the following terms shall have the meanings ascribed to them herein.

Subd. 2. "Indian" means a person of one-quarter or more Indian blood.

Subd. 3. "Census" means the most recent census taken by the Minnesota department of manpower services.

Subd. 4. "Reservation residents" means Indians living on reservations at the time of the census.

Subd. 5. "Nonreservation residents" means Indians living off reservations in Minnesota at the time of the census, and who are enrolled members of a Minnesota-based tribe or band.

Subd. 6. "Person" means an individual Indian, or a partnership comprising Indians only, or a corporation whose stock is owned wholly by Indians.

Subd. 7. "Tribal council" means the reservation business committee or equivalent duly constituted tribal authority.

Subd. 8. The remaining 20 percent of the tax revenue received by the county auditor under section 3 shall be remitted by the county auditor to the state treasurer and shall be deposited in the general fund in special accounts identified as "reservation residents loan accounts" and a "nonreservation residents loan account." The amount to be credited to each reservation residents loan account shall be that percentage of the amount received from all the counties pursuant to subdivision 8 as the number of Indians

living on such reservation bears to all the Indians in Minnesota, according to the census. The amount remaining shall be credited to the nonreservation residents loan account. The amounts credited to each of these special accounts shall be used solely for making loans to Indians, in the manner provided by subdivisions 9 and 10.

Subd. 9. A reservation resident, desiring to make a loan for the purpose of starting a business enterprise or expanding a going business, shall make application to the state department of economic development. The department shall prescribe the necessary forms, and advise the prospective borrower as to the condition under which his application may be expected to receive favorable consideration. Thereafter the application shall be forwarded to the tribal council, which is empowered either to approve or reject the application. If the application is approved, the tribal council shall forward the application, together with all relevant documents pertinent thereto, to the state auditor, who shall draw his warrant in favor of the tribal council with appropriate notations identifying the borrower. The tribal council shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the state department of economic development. The tribal council shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent of the amount of the debt owed shall be charged. When any portion of a debt is repaid, the tribal council shall remit the amount so received plus interest paid thereon to the state treasurer. The amount so received shall be credited to such reservation residents loan account. The tribal council shall secure a bond from a surety company, in favor of the state treasurer, in an amount equal to the maximum amount to the credit of such reservation residents loan account during the fiscal year. Ten percent of the total amount made available to any tribal council during the fiscal year shall be paid to such council prior to December 31 for the purpose of financing administrative costs.

Subd. 10. A nonreservation resident desiring to make a loan for the purpose of starting a business enterprise or expanding a going business shall make application to the state department of economic development, on forms prescribed by the department. The department is empowered to either accept or reject the application, based upon guidelines and conditions essentially similar to those used for the purpose of recommending approval or rejection of reservation residents by the tribal council under subdivision 9 of this section. If the application is approved by the state department of economic development, the department shall forward the application, together with all the relevant documents pertinent thereto, to the state auditor, who shall draw his warrant in favor of the commissioner of economic development, with appropriate notations identifying the borrower. The department of economic development shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the department. The department of economic development shall main-

tain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent shall be charged. When any portion of a debt is repaid, the department of economic development shall remit the amount so received plus interest paid thereon to the state treasurer. The amount so received shall be credited to the nonreservation residents loan account.

Subd. 11. Loans made under subdivisions 9 and 10 shall be limited to a period of 20 years, if made for the purpose of financing nonreal estate purchases. Loans made for the purpose of financing real estate purchases, where such real property is to be used for nonresidential purposes only, shall be limited to a period of 40 years, and shall be a lien on the real property so acquired.

Subd. 12. Any person misrepresenting facts regarding the Indian ancestry of a prospective borrower for the purpose of securing a loan under subdivisions 9 and 10, whether such borrower be an individual, partnership or corporation, shall be guilty of a gross misdemeanor.

Subd. 13. The county auditor shall remit the tax revenue received yearly to the state treasurer as required by subdivision 8 no later than December 15.

Subd. 14. There is appropriated annually an amount equal to the tax revenue allotted under subdivisions 9 and 10.

Sec. 5. Minnesota Statutes 1971, Section 93.52, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 3, from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter referred to as a mineral interest, in lands in this state, which interest is owned separately from the fee title to the surface of the property upon or beneath which the mineral interest exists, shall file for record in the register of deeds office or, if registered properly, in the registrar of titles office in the county where the mineral interest is located a verified statement citing sections 93.52 to 93.58 and setting forth his address, his interest in the minerals, and ~~either both~~ (1) the legal description of the property upon or beneath which the interest exists, ~~or and~~ (2) the book and page number ~~or the document number~~, in the records of the register of deeds or registrar of titles, of the instrument by which the mineral interest is created or acquired. ~~Every five years thereafter the owner, or his successor in interest, shall renew the filing of a verified statement which shall contain the information as above required.~~ No statement may be filed for record which contains mineral interests from more than one government section unless the instrument by which the mineral interest is created or acquired includes mineral interests from more than one government section. The register of deeds and registrar of titles shall file with the county auditor a copy of each document so recorded within 60 days after recording in the office of register of deeds or registrar of titles.

Sec. 6. Minnesota Statutes 1971, Section 93.55, is amended to read:

93.55 [FAILURE TO FILE OR RE-FILE.] If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before ~~September 30, 1974~~ *December 31, 1973*, or within 90 days one year after acquiring such interests as to interests acquired after ~~September 30, 1974~~ *December 31, 1973*, and not previously filed under section 93.52, or if the owner fails to re-file such verified statement within five years after the last filing, the mineral may be leased by the commissioner of natural resources as agent for the owner, his successor, and assigns, in the manner provided hereafter interest shall forfeit to the state. The owner's failure to file the verified statement is deemed consent by the owner to such leasing. Thereafter the mineral interest may be leased in the same manner as provided in Minnesota Statutes, Section 93.335, for the lease of minerals and mineral rights becoming the absolute property of the state under the tax laws, except that no permit or lease issued pursuant to this section shall afford the permittee or lessee any of the rights of condemnation provided in section 93.05, as to overlying surface interests. After the mineral interest has forfeited to the state pursuant to this section, a person claiming an ownership interest before the forfeiture may recover the fair market value of the interest, only in the following manner. An action must be commenced within six years after the forfeiture under this section to determine the ownership and the fair market value of the mineral interests in the property both at the time of forfeiture and at the time of bringing the action. The action shall be brought in the manner provided in Minnesota Statutes, Chapter 559, for an action to determine adverse claims, to the extent applicable. The person bringing the action shall serve notice of the action on the commissioner of natural resources in the same manner as is provided for service of notice of the action on a defendant. The commissioner may appear and contest the allegations of ownership and value in the same manner as a defendant in such actions. Persons determined by the court to be owners of the interests at the time of forfeiture to the state under this section may present to the state auditor a verified claim for refund of the fair market value of the interest. A copy of the court's decree shall be attached to the claim. Thereupon the state auditor shall refund to the claimant the fair market value at the time of forfeiture or at the time of bringing the action, whichever is lesser, less any taxes, penalties, costs, and interest which could have been collected during the period following the forfeiture under this section, had the interest in minerals been valued and assessed for tax purposes at the time of forfeiture under this section. There is appropriated from the general fund to the persons entitled to a refund an amount sufficient to pay the refund. The forfeiture provisions of this section do not apply to mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests, so long as a tax is imposed and no forfeiture under the tax laws is complete. However, if the mineral interest is valued under other tax laws, but no tax is imposed, the mineral

interest forfeits under this section if not filed as required by this section.

Sec. 7. Minnesota Statutes 1971, Section 93.58, is amended to read:

93.58 [PUBLICATION OF ACT.] Sections 93.52 to 93.58 , as amended or repealed by this act, together with the other sections of this 1973 act, shall be published once during the first week of each month in a legal newspaper in each county in the months of October, November, and December of the year ~~1969~~ 1973 by the commissioner of natural resources at county expense. Sections 93.52 to 93.58 also shall be published by the commissioner of natural resources at least once in ~~1969~~ 1973 in two publications related to mining activities which have nationwide circulation. Failure to publish as herein provided shall not affect the validity of sections 93.52 to 93.58 or the other sections of this act .

Sec. 8. [SEVERABILITY.] *If any provision of sections 1 through 7 of this article or the application thereof to any person, agency, department or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of sections 1 through 7 are severable.*

Sec. 9. [REPEALER.] *Minnesota Statutes 1971, Sections 93.53, 93.54, 93.56, and 93.57 are repealed.*

Sec. 10. [EFFECTIVE DATE.] *Except for section 7, which is effective upon final enactment, this article is effective as of January 1, 1974. As soon as possible after final enactment but before the effective date of this article the register of deeds and registrar of titles in each county shall file with the county auditor a copy of each document recorded pursuant to Minnesota Statutes, Sections 93.52 to 93.58, before the effective date of this article.*

ARTICLE XXII

Section 1. [GENERAL ASSISTANCE ACT; DECLARATION OF POLICY; CITATION.] *Subdivision 1. The objectives of sections 1 to 30 are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; to provide property tax relief; and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law, who meet the eligibility requirements of this article and do not refuse suitable employment, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. To achieve this aim, the commissioner shall establish minimum standards of assistance for general assistance. The standard for cash payments to recipients shall be, as to shelter, 100 percent, and as to other budgetary items, 50 percent, of those established for the federally aided assistance programs; provided, however, that no general assistance payment shall exceed an amount, which when computed for the time period for which it is made, exceeds the equivalent on a weekly basis of 40 times the hourly federal minimum wage prevailing when the payment is made; and provided further that persons receiving general relief on the effective date of this article shall continue to be eligible therefor. In order to maximize the use of federal funds, the commissioner shall promulgate regulations, to the extent permitted by federal law for eligibility for the emergency assistance program, under the terms of this article for general assistance. The commissioner shall provide by regulation for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. The strengthening and preservation of the family unit shall be a principal consideration in the administration of this article and all general assistance policies shall be formulated and administered so as to further this objective.

Subd. 2. Sections 1 to 30 may be cited as the general assistance article.

Sec. 2. [DEFINITIONS.] Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 3. "Department" means the department of public welfare.

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. It shall include cash payments for goods, shelter, fuel, food, clothing, light, necessary household supplies, and personal need items. General assistance shall not include payments for foster care, child welfare services, medical, dental, hospitalization, nursing care, drugs, or medical supplies. It is the intent of this article that these items be provided by local agencies in accordance with programs in effect at the time of the passage of this article. Vendor payments may be made only as provided for in sections 9 and 11.

Subd. 5. "Family" means two or more individuals who are related by blood, marriage or adoption, who are living in a place or residence maintained by one or more of them as his or their own home, and at least one of whom is a child who is not married to another of such individuals and is in the care of or dependent upon another of such individuals.

Subd. 6. "Child" means an individual who is under the age of 18.

Subd. 7. "Childless couple" means two individuals who are related by marriage and who are living in a place of residence maintained by them as their own home.

Subd. 8. "Income" means earned and unearned income reduced by amounts paid or withheld for federal and state personal income taxes and federal social security taxes.

Subd. 9. "Earned income" means remuneration for services performed as an employee, and net earnings from self-employment.

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workmen's compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or family assistance program; rents, dividends, interest and royalties; and support and alimony payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit they are received, unless that person is under a legal duty to support another family member.

Subd. 11. "State aid" means state aid to local agencies for general assistance expenditures as provided for in this article.

Subd. 12. "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.

Sec. 3. [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] *Subdivision 1. Every local agency shall provide general assistance to persons residing within its jurisdiction who meet the need requirements of this article. General assistance shall be administered according to law and rules and regulations promulgated by the commissioner pursuant to the provisions of this article.*

Subd. 2. State aid shall be paid to local agencies for 50 percent of all general assistance grants up to the standards of section 1, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of section 1, subdivision 1.

Sec. 4. [DUTIES OF THE COMMISSIONER.] *In addition to any other duties imposed by law, the commissioner shall:*

(1) Supervise the administration of general assistance by local agencies as provided in this article;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of this article to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be

furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of Minnesota Statutes, Chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in this article;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under this article;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public.

Sec. 5. [ELIGIBILITY FOR GENERAL ASSISTANCE.] *Subdivision 1. Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, supplemental security income for the aged, blind, or disabled; or any successor to the above.*

Subd. 2. [USE OF FEDERAL FUNDS.] Notwithstanding any law to the contrary, if any person otherwise eligible for general assistance would, but for state statutory restriction or limitation, be eligible for a federally aided assistance program providing benefits equal to or greater than those of general assistance, he shall be eligible for that federally aided program and ineligible for general assistance; provided, however, that (a) nothing in this section shall be construed to extend eligibility for federally aided programs to persons not otherwise eligible for general assistance; (b) this section shall not be effective to the extent that federal law or regulation require new eligibility for federal programs to persons not otherwise eligible for general assistance; and (c) nothing in this section shall deny general assistance to a person otherwise eligible who is determined ineligible for a substitute federally aided program.

Sec. 6. [AMOUNT OF ASSISTANCE.] *Subdivision 1. General assistance shall be granted in such an amount that when added to*

the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance.

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, a grant of general assistance may be made to an eligible individual or family for one or more items encompassed within the definition of general assistance where the applicant or recipient requests temporary assistance not exceeding 30 days and an emergency situation appears to exist if the individual is ineligible for the federally aided program of emergency assistance.

Sec. 7. [TIME OF PAYMENT OF ASSISTANCE.] *An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by this article and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.*

If upon verification and due investigation it appears that the applicant swore falsely and such false information materially affected his eligibility for general assistance or the amount of his general assistance grant, the local agency shall refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 8. [EXCLUSION FROM RESOURCES.] *Subdivision 1. In determining eligibility of a family or individual there shall be excluded the following resources:*

(1) Property which does not exceed that permitted under the federally aided assistance program known as aid to families with dependent children; provided, however, that the commissioner may provide by rule and regulation more restrictive eligibility standards and levels of payment for general assistance if it is determined that funds available are not adequate to meet projected need; and

(2) Other property, including real or personal property used as a home, which has been determined, in accordance with and subject to limitations contained in rules and regulations promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule and regulation for those situations in which property may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family.

Subd. 2. Notwithstanding any other provision of this article, the commissioner shall provide by rule and regulation for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance

will not exceed 30 days and an undue hardship would be imposed on an individual or family by the forced disposal of such property.

Sec. 9. [FORM OF PAYMENT; VENDOR PAYMENTS.] *Subdivision 1. All grants of general assistance shall be paid in cash and with such frequency as the commissioner shall determine. The commissioner may provide by rule and regulation for the making of general assistance payments in different time periods for various reasonable classifications of recipients.*

Subd. 2. Notwithstanding the provisions of subdivision 1, the commissioner shall provide by rule and regulation for situations in which vendor payments may be made by local agencies because of the inability of the recipient to manage his general assistance grant for his own or family's benefit.

Sec. 10. [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] *No grant of general assistance except one made pursuant to section 6, subdivision 2 or section 8, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.*

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section 12 subsequent to any action taken by a local agency after a prior hearing.

Sec. 11. [WORK INCENTIVE AND REGISTRATION.] *Subdivision 1. Every person who is a recipient of general assistance and not employed shall be required, unless exempt by subdivision 6, to register with the state employment service of the department of manpower services and the local agency and accept any suitable employment that is offered him.*

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the department of manpower services. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 3. General assistance work program recipients shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient shall be determined by the needs of himself and his family including expenses incidental to his employment.

Subd. 4. A local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency.

Subd. 5. General assistance work program recipients are employees of the local agencies within the meaning of workmen's compensation laws, but not retirement or civil service laws.

Subd. 6. No person shall be required to register with the commissioner or state employment service if he is:

(1) A person with illness, incapacity, or advanced age;

(2) A child attending a school or college full time;

(3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;

(4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or

(5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.

Subd. 7. Any person who objects to being required to register with the commissioner or state employment service, shall be entitled to a prior hearing in accord with the provisions of section 10 on the issue of whether such person comes within the exemptions contained in subdivision 6, clause (1), (2), (3), or (4).

Subd. 8. (1) Any person who refuses to accept suitable employment when offered him shall lose his eligibility for general assistance and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule and regulation that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment has refused to do so.

(2) The provisions of section 10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits shall be applicable to determinations made under clause (1) of this subdivision.

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of manpower services or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

Sec. 12. [ADMINISTRATIVE AND JUDICIAL REVIEW.]
Subdivision 1. Any applicant or recipient aggrieved by any order or determination of a local agency may appeal from such order or determination to the commissioner of public welfare. The aggrieved applicant or recipient shall file with the local agency a notice of appeal within 30 days of the receipt by him of the order or determination of the local agency, provided that the order of determination is in writing and contains a statement advising the applicant or recipient of his right to appeal and the procedures for perfecting same.

If the order or determination of the local agency is not in writing or does not contain the appeal procedure statement referred to above, the 30-day period shall not be tolled until the applicant or recipient is properly notified in accordance with the provisions of this subdivision.

Notwithstanding the absence of proper notice or order or determination, the applicant or recipient may appeal to the commissioner by filing with the local agency any writing which states with reasonable clarity his dissatisfaction with or desire to obtain review of the determination or order of the local agency.

Subd. 2. Upon receipt the local agency shall immediately forward the notice of appeal to the commissioner. Within 30 days of the receipt of the notice of appeal, the commissioner shall provide the applicant or recipient with the opportunity for a hearing before the commissioner or his legal representative. The local agency shall be a party to the proceeding before the commissioner.

Subd. 3. The commissioner may, upon his own motion, review any decision made by a local agency and may make such additional investigation as he deems necessary.

Subd. 4. Within 30 days from the date of the hearing before the commissioner or his legal representative, a decision in writing making findings of fact and conclusions of law shall be rendered.

Subd. 5. Any applicant or recipient aggrieved by the determination by the commissioner may, within 30 days after notice of such decision is mailed, appeal from the decision or determination of the commissioner to the district court of the county in which the application was filed by serving a written notice of such appeal upon the commissioner and all other parties to the administrative hearing and by filing the original of such notice together with proof of service with the clerk of the district court of the county. No filing fee or other fees normally exacted by the clerk of district court upon the filing of a case shall be required.

A summary of the issues involved, a copy of all supporting papers, a transcript of any testimony, and a copy of the decision of the commissioner shall be filed with the court. The court shall summarily, upon ten days' written notice, try and determine the appeal upon the record of the commissioner as certified by the commissioner and in the determination thereof shall be governed by the standard of review applicable to contested proceedings

under Minnesota Statutes, Chapter 15. No new or additional evidence shall be taken on such appeal or introduced by any party to such hearing or appeal in a district court unless such new or additional evidence in the sound discretion of the court is necessary to a more equitable disposition of the appeal. If the court shall find that the order of the commissioner is not sustained by substantial evidence or is not in accord with applicable legal principles, the court shall make an order declaring the order of the commissioner null and void, giving the reasons therefor, and shall order the commissioner to take further action in the matter not inconsistent with the determination of the court. During the pendency of any appeal, if the commissioner has awarded general assistance, it shall be paid pending the determination of the appeal.

Subd. 6. Any party aggrieved by the determination of the district court may appeal to the supreme court in like manner as appeals are taken in civil actions, except that no filing fee shall be required by the clerk of the district court or supreme court.

The determination of the district court shall remain in effect during the pendency of any appeal to the supreme court.

Sec. 13. [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] *Subdivision 1. Notwithstanding the provisions of section 12 providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:*

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Subd. 2. The denial by a district court of a writ of mandamus shall not affect the right or scope of administrative or judicial review as set forth in section 16 of this article.

Sec. 14. [VIOLATIONS.] *Whoever obtains or attempts to obtain, or aids or abets any person to obtain by means of a willfully false statement or representation, or by impersonation, or other fraudulent device:*

(1) Assistance to which he is not entitled; or

(2) Assistance greater than that to which he is reasonably entitled; shall be considered to have violated Minnesota Statutes, Section 256.98, and shall be subject to the criminal and civil penalties provided therein.

Sec. 15. [RELATIVE'S RESPONSIBILITY.] *The financial responsibility of a relative for an applicant or recipient of general assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant or recipient who is a child.*

Sec. 16. [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] *On the death of any person who received any general assistance under this article, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.*

Sec. 17. [DATA PROCESSING PROCEDURES.] *The local agency shall, to the extent permitted by federal law or regulation, in addition to any other necessary records and procedures, provide for the inclusion of all general assistance records in any data processing system established for the medical assistance program, in accordance with procedures established by the commissioner.*

Sec. 18. [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY.] *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 Minnesota Statutes, Section 144.50, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. [PROCEDURE WHEN COUNTY OF FINANCIAL RESPONSIBILITY IS IN QUESTION.] 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 this article, and shall be so complied with pending any such appeal.

Sec. 19. [ABOLITION OF TOWNSHIP SYSTEM OF POOR RELIEF.] *Subdivision 1. The town system for caring for the poor in each of the counties in which it is in effect is hereby abolished. The county welfare board of each county shall administer general assistance under the provisions of this article.*

Subd. 2. All county welfare boards affected by this article are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief.

Sec. 20. [TRANSFER OF TOWN EMPLOYEES.] *Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security article as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.*

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on the effective date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All transferred employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on the effective date of this article shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and such accumulated sick leave shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2 of this section, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, and at the time of their transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to such transfer, for all or part of the accumulated vacation time.

Sec. 21. [CONTINUATION OF RETIREMENT SYSTEM FOR FORMER MINNEAPOLIS EMPLOYEES.] *Subdivision 1. Each employee of the city of Minneapolis who is transferred to and employed by the county under the provisions of section 20 and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 422, shall continue to be a member of that system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 422, unless he applies to cancel his membership within six months after the effective date of this article.*

Subd. 2. The cost to the public of that portion of the retirement allowances or other benefits accrued while any such employee was in the service of the city of Minneapolis shall remain an obligation of the city and a tax shall be levied and collected by it to discharge its obligation as provided by Minnesota Statutes, Chapter 422.

Subd. 3. The cost to the public of the retirement allowances or other benefits accruing to employees so transferred to and employed by the county shall be the obligation of and paid by the county at such time as the retirement board shall fix and determine in accordance with chapter 422. The county shall pay to the municipal retirement fund an amount certified to the county auditor of the county by the retirement board as the cost of the retirement allowances and other benefits accruing and owing to such county employees. The cost to the public of the retirement allowances as herein provided shall be paid from the county revenue fund by the county auditor upon receipt of certification from the retirement board as herein provided, and the county board is authorized to levy and collect such taxes as may be necessary to pay such costs.

Sec. 22. Minnesota Statutes 1971, Section 245.77, is amended to read:

245.77 [LEGAL SETTLEMENT OF PERSONS RECEIVING ASSISTANCE; ACCEPTANCE OF FEDERAL FUNDS.] In the event federal funds become available to the state for purposes of reimbursing the several local agencies of the state for

costs incurred in providing financial relief to poor persons under the liability imposed by section 261.03, or for reimbursing the state and counties for categorical aid assistance furnished to persons who are eligible for such assistance only because of the United States Supreme Court decision invalidating state residence requirements the commissioner of public welfare is hereby designated the state agent for receipt of such funds. Upon receipt of any federal funds the commissioner shall in a uniform and equitable manner use such funds to reimburse counties, ~~towns, cities and villages~~ for expenditures made in providing financial relief to poor persons. The commissioner is further authorized to promulgate rules and regulations, consistent with the rules and regulations promulgated by the Secretary of Health, Education and Welfare, governing the reimbursement provided for by this provision.

Sec. 23. Minnesota Statutes 1971, Section 261.04, Subdivision 1, is amended to read:

261.04 [LIABILITY OF ESTATE.] Subdivision 1. [SUPPORT, MAINTENANCE, CARE, OR BURIAL.] When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person by ~~any county, city, town, village, or borough~~ the ~~municipality~~ county so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such ~~municipality~~ county at its option upon discovery of any property belonging to the poor person or to his estate.

Sec. 24. Minnesota Statutes 1971, 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 *general assistance*, old age assistance, aid to dependent children, 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. 25. Minnesota Statutes 1971, Section 275.09, Subdivision 3, is amended to read:

Subd. 3. [TOWN PURPOSES.] There shall be levied annually on each dollar of taxable property, except such as is by law otherwise taxable, as assessed and entered on the tax lists for town purposes, such amount as is voted at any legal town meeting, the rate of which tax shall not exceed, exclusive of such sums as are voted at the annual town meeting for road and bridge purposes ~~and for the support of the poor~~, ten mills in any town having a

population of more than 7,000, excluding the population of any cities or villages therein, five mills in any town having a taxable valuation of \$100,000 or more, and the amount of which shall not exceed \$350 in any town having a taxable valuation of less than \$100,000, and the rate of which shall not exceed one percent in any town. The rate of tax for road and bridge purposes in any town shall not exceed the rate provided by section 164.04, and the tax for poor purposes shall not exceed five mills. In any town in which the amount levied within the above limitations is not sufficient to enable the town to carry on its necessary governmental functions, the electors, during the business hours, after disposing of the annual report, may make an additional levy of not to exceed five mills to enable the town to carry on such necessary governmental functions.

Sec. 26. Minnesota Statutes 1971, Section 376.424, is amended to read:

376.424 [CHARGES; PAYMENT.] The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of any such nontuberculous patient, which charge shall equal all costs of such hospitalization of such patient. Any person who is afflicted with a malady, deformity or ailment, other than tuberculosis, which can probably be remedied by hospital care, service and treatment, and who is unable to pay the charges, may be admitted to the sanatorium for care, treatment and maintenance upon application of the county ; ~~town;~~ ~~village;~~ ~~borough;~~ or city responsible for the care of any such person under the provisions of the statutes governing the relief of the poor, and such charges shall be paid by the county ; ~~town;~~ ~~village;~~ ~~borough;~~ or city making such application.

Sec. 27. Minnesota Statutes 1971, Section 393.01, Subdivision 3, is amended to read:

Subd. 3. [COUNTY BOARD TO BE WELFARE BOARD IN CERTAIN COUNTIES.] ~~In any county containing a city of the first class operating under a home rule charter, wherein there is established in such city a board of public welfare for administration of poor relief in such city only. In the county of Hennepin the board of county commissioners shall be the county welfare board. In such counties county the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such counties county the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings. In such counties the system of caring for the poor in effect at the time of the passage of this chapter shall be continued, subject to all provisions of law relating thereto, except that, if such county is operating under the township system of caring for the poor, such towns, villages, and cities of the second, third and fourth classes therein may, by resolution of its governing body, agree with the county welfare board that the latter shall supervise and administer the poor relief fund in such town, village, or city, or contract with any one or more of the public subdivisions of the county for the purpose of jointly supervising and administering the poor relief funds in~~

such towns, villages or cities. In any such county the powers and duties of such board of public welfare shall not be affected by the provisions of this chapter. Such board of public welfare, in administering poor relief funds granted by any state agency authorized so to do by law, shall comply with all standards of administration and procedure prescribed by such agency.

Sec. 28. Minnesota Statutes 1971, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county welfare board, except as provided in section 393.01, subdivision 3, and subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including *general assistance*, aid to dependent children, old age assistance, aid to the blind, child welfare services, mental health services, and other public assistance or public welfare services. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1971, Section 393.08, Subdivision 1, is amended to read:

393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.] Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, subdivisions *subdivision 3 and 4*, shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, Subdivision 3, the estimate required shall not include ~~poor relief in such counties or~~ institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for *public assistance and* categories of aid under the federal social security act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for ~~poor relief~~ *institutional requirements* as authorized

by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

On the 25th day of July of each year the county welfare board referred to in section 393.01, subdivision 4, shall present its estimate of the amount needed by it to perform its duties, including expense of administration, to the board of county commissioners of any such county and the council of the city of the first class located in such county. Said board and said council may appoint a welfare budget advisory committee to study said budget provided that said welfare budget advisory committee must report its recommendation to said board and said council not later than September 1 of each year. The board of county commissioners of such county and the city council of such city shall jointly adopt a budget for such county welfare board and such action of such board of county commissioners and such city council in so adopting such budget shall be taken not later than September 20th of each year. The cost of all such relief, including the maintenance of any almshouse, sanatorium, or hospital maintained by such county and city shall be paid 72½ percent by such county and 27½ percent by such city.

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

Sec. 30. To the extent of appropriations available therefor, the department of public welfare shall reimburse counties up to 50 percent of all salary expenses, approved by the commissioner, incurred and paid by the counties, for which no payment or reimbursement is made by the United States or any subdivision thereof, in administering, and salary administrative costs in providing services in connection with, all public assistance programs. No aid under this section shall be paid for salary costs of (a) single-county welfare directors; or (b) fiscal support personnel to the extent involved in the processing of public assistance claims and payments, or their supporting clerical staff; or (c) persons who are not regularly assigned employees of local agencies. Claims for reimbursement for expenditures made by the county shall be presented to the department by the respective counties at least four times per year in such manner as the commissioner shall prescribe. For the purposes of this section, the term "salary" shall include regular compensation not in excess of that paid similarly situated state employees, the employer's cost of health benefits and contributions to the appropriate retirement system,

but shall not include travel or other reimbursable expenses. The commissioner shall, pursuant to the administrative procedures act, prior to making any payments, promulgate rules to implement this section.

Sec. 31. There is appropriated to the department of public welfare from the general fund the sum of \$12,000,000 for the biennium ending June 30, 1975, to enable the department to pay claims made pursuant to section 30. If this appropriation is insufficient to pay all approved claims pursuant to section 30, the commissioner shall make a pro rata reduction in payments.

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$10,700,000 for the purpose of state aid for general assistance.

Sec. 33. *Minnesota Statutes 1971, Sections 245.46, 261.01, 261.02, 261.03, 261.05, 261.06, 261.061, 261.064, 261.065, 261.066, 261.067, 261.07, 261.08, 261.10, 261.11, 261.123, 261.124, 261.125, 261.126, 261.14, 261.141, 261.142, 261.143, and 261.26 and 393.08, Subdivision 2, are repealed.*

Sec. 34. This article is effective January 1, 1974.

ARTICLE XXIII

Section 1. Minnesota Statutes 1971, Section 290.06, Subdivision 1, is amended to read:

290.06 [RATES OF TAX; CREDITS AGAINST TAX.] Subdivision 1. [COMPUTATION, CORPORATIONS.] The privilege and income taxes imposed by this chapter upon corporations shall be computed by applying to their taxable net income in excess of the applicable credits allowed under section 290.21 the rate of 12 percent. The amount of tax payable by a corporation required to file a return shall not be less than ~~\$10~~ \$100 .

Sec. 2. *The provisions of this article shall be effective for taxable years beginning after December 31, 1972.*

ARTICLE XXIV

Section 1. Minnesota Statutes 1971, Section 273.11, is amended to read:

273.11 [VALUATION OF PROPERTY.] *Subdivision 1. Except as provided in subdivision 2 herein, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the*

aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

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 two years 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) may be entered in the following years assessment, notwithstanding the provisions of section 273.17.

Sec. 2. In the event that, for the assessment year 1973, the assessor has increased the value of such property by an amount in excess of the five percent limitation provided for in section 1 of this article, he shall mail revised statement notices advising the property owner of the reduction required by this article. The revised notice shall state that the reduction is made pursuant to a statute enacted by the 1973 legislature.

Sec. 3. The provisions of this article shall not be applicable to property that may have become subject to taxation since the last assessment.

Sec. 4. The provisions of this article shall apply to the 1973 assessment and subsequent assessments.

ARTICLE XXV

Section 1. Minnesota Statutes 1971, Section 272.02, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;
- (9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the tax commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.
- (b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county, city, or village of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county, city, or village thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, *and the property described in section 272.03, subdivision 1 (c)*, except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products.

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of taxation. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be

exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Subd. 2. After December 31, 1971, property owned, leased or used by any public elementary or secondary school district for a home, residence or lodging house for any teacher, instructor, or administrator shall not be included in the exemption provided in subdivision 1.

Subd. 3. After December 31, 1970, property owned or leased by, or loaned to, a hospital and used principally by such hospital as a recreational or rest area for employees, administrators, or medical personnel shall not be included in the exemption provided in subdivision 1.

Sec. 2. Minnesota Statutes 1971, Section 272.03, Subdivision 1, is amended to read:

272.03. [DEFINITIONS.] Subdivision 1. (a) [REAL PROPERTY.] For the purposes of taxation, "real property" includes the land itself and all buildings, structures, and improvements or other fixtures on it, and all rights and privileges belonging or appertaining to it, and all mines, minerals, quarries, fossils, and trees on or under it.

(b) A building or structure shall include the building or structure itself, together with all improvements or fixtures annexed to the building or structure, which are integrated with and of permanent benefit to the building or structure, regardless of the present use of the building, and which cannot be removed without substantial damage to itself or to the building or structure.

(c) *The term real property shall not include tools, implements, machinery, and equipment attached to or installed in real property for use in the business or production activity conducted thereon, regardless of size, weight or method of attachment.*

Sec. 3. Minnesota Statutes 1971, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] Tools, implements and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 $\frac{1}{3}$ percent of the market value thereof.

Sec. 4. *This article shall be effective for taxes assessed in 1973 and payable in 1974.*

Sec. 5. [ATTACHED MACHINERY AID.] *Subdivision 1. Except as provided in subdivision 4, each county government, city, village, borough, township and school district which levied ad valorem taxes payable in 1973 shall receive reimbursement in 1974 and subsequent years for real property exempted from property taxation by section 1 of this article.*

Subd. 2. Each county government, city, village, borough and township shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its total mill rate in levy year 1972, taxes payable in 1973, times the total 1972 assessed value of real property exempted from taxation by section 1 of this article which was located within the territory of such governmental unit. For the purpose of this subdivision, the "total mill rate" of a county government, city, village, borough or township includes mill rates for taxes levied by such governmental unit which were not levied on the entire taxable value of such governmental unit.

Subd. 3. Each school district shall receive reimbursement in 1974 and subsequent years in an amount equal to the product of its 1972 assessed value of real property exempted from taxation by section 1 of this article times the sum of its mill rates for the following levies:

(1) A levy for capital outlay, pursuant to Minnesota Statutes, Section 124.04;

(2) A levy to pay the principal and interest on bonded indebtedness, including the levy to pay the principal and interest on bonds issued pursuant to Minnesota Statutes, Section 275.125, Subdivision 3 (6) (c);

(3) A levy to pay the principal and interest on debt service loans, pursuant to Minnesota Statutes, Section 124.42;

(4) A levy to pay the principal and interest on capital loans, pursuant to Minnesota Statutes, Section 124.43;

(5) A levy to pay amounts required in support of a teacher retirement fund, pursuant to Minnesota Statutes, Section 422.13;

(6) A levy for additional maintenance cost in excess of 30 mills times the adjusted assessed valuation of the school district, pursuant to Minnesota Statutes, Section 275.125, Subdivision 3 (4).

For the purpose of this subdivision, a school district mill rate for any of the forementioned levies which was not applied to the total taxable value of such school district shall be added to the forementioned sum of mill rates as if it had been applied to the entire taxable value of the school district.

Subd. 4. The provisions of this section do not apply to special taxing districts (determined by the department of taxation) or to county governments, cities, villages, boroughs, townships or school districts with less than \$1,000 assessed value, according to the 1972 assessment, of real estate exempted by section 1 of this article.

Subd. 5. The commissioner of taxation shall calculate the aids pursuant to subdivisions 2 and 3, basing all necessary calculations on the abstracts of assessment of real property for assessment year 1972 (transmitted to the commissioner of taxation pursuant to Minnesota Statutes, Section 270.11) as equalized by the state board of equalization pursuant to Minnesota Statutes, Sections 270.11 and 270.12, and the 1973 abstracts of tax lists transmitted by the county auditors pursuant to Minnesota Statutes, Section 275.29. He shall make payments directly to the affected taxing authorities in two equal parts on July 15 and November 15 of each year, commencing in 1974.

Subd. 6. If a county government, city, village, borough or township is subject to the provisions of Minnesota Statutes, Sections 275.50 to 275.56, the amount of aid calculated for such taxing district pursuant to subdivision 2 for 1974 or a subsequent year shall be deducted from the taxing district's current levy year's levy limit base (determined pursuant to Minnesota Statutes, Section 275.51, Subdivision 3) in determining the taxing district's levy limitation for taxes payable in 1974 or such subsequent year as the case may be. The amount of aid calculated for a school district pursuant to subdivision 3 for 1974 or a subsequent year shall be deducted from the school district's maintenance levy limitation (established pursuant to Minnesota Statutes, Section 275.125, Subdivision 2), in determining the amount of taxes the school district may levy for general and special purposes for taxes payable in 1974 or such subsequent year as the case may be.

Sec. 6. There is hereby appropriated to the commissioner of taxation from the general fund an amount sufficient to make the payments provided by section 5 of this article.

ARTICLE XXVI

Section 1. Minnesota Statutes 1971, Section 290.361, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF TAXABLE NET INCOME.] The taxable net income shall be computed in the manner provided by this chapter except that in the case of national and state banks: (a) the rate shall be 13.64 percent until July 1, 1973 January 1, 1974 and 12 percent thereafter; (b) the basic date for the purpose of computing gain or loss and depreciation shall be January 1, 1940, instead of January 1, 1933; (c) property consisting of investments in bonds, stocks, notes, debentures, mortgages, certificates, or any evidence of indebtedness, and any property acquired in liquidation thereof when such property is held for investment or for sale, shall not be deemed to be capital assets; and (d) in computing net income there shall be allowable as a deduction from gross income, in addition to deductions otherwise provided for in this act, any dividend (not including any distribution in liquidation) paid, within the taxable year, to the United States or to any instrumentality thereof exempt from federal income taxes, on the preferred stock of the bank owned by the United States or such instrumentality.

Sec. 2. *The provisions of this article shall be effective on July 1, 1973.*

ARTICLE XXVII

Section 1. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0301] [EMPLOYERS PAYROLL TAX.] *Subdivision 1. For purposes of this section, the provisions of Minnesota Statutes, Chapter 268, are incorporated by reference herein, insofar as such provisions are applicable to the excise tax imposed by this section.*

Subd. 2. Unless the language or context indicates that a different meaning is intended, the following words, terms and phrases, for purposes of sections 4 and 5 of this article, shall have the meanings given to them.

Subd. 3. [EMPLOYER.] The term "employer" means any employer except a person which is exempt under section 290.05, subdivision 1, (h), (i), (l) and (m) or those employers which are subject to the provisions of sections 294.21 to 294.28 or chapter 295, other than sections 295.32 to 295.43.

Subd. 4. [TAXABLE COMPENSATION.] "Taxable compensation means the total compensation paid by an employer, as defined in subdivision 3, to employees after June 30, 1973, excluding therefrom the first \$100,000 of compensation paid during an employer's fiscal or calendar taxable year. There shall be deducted in determining taxable compensation for any taxable year the sum of \$100,000 except that where the taxable year is a period of less than 12 months and in the case of taxable years ending on or before May 31, 1974 the deduction shall be proportionately reduced.

Subd. 5. [TAXABLE NET INCOME.] "Taxable net income" means the taxable net income as defined by sections 290.18 and 290.19 for the taxable year, without any allowances for (1) federal, state or foreign nation income taxes accrued or paid, (2) deductions for long term capital gains, (3) net operating loss deductions, and (4) non-business deductions.

Subd. 6. [IMPOSITION OF TAX.] (a) Except as provided in (b) an excise tax of two mills per dollar on the taxable compensation paid by an employer is hereby imposed on such employer.

(b) In the event that an employer other than an employer exempt under the provisions of section 290.05, has taxable net income for the taxable year of \$0 or less, the excise tax imposed by (a) shall be one mill instead of two mills. It is specifically provided that where an employer taxable under this article but not taxable under section 290.05 shall be required to pay two mills on each dollar of taxable income.

Sec. 2. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0201] [PAYMENT OF TAX.] *Subdivision 1. The tax im-*

posed by section 1 shall be remitted to the commissioner of taxation, (together with all returns and reports required hereunder) by any employer who has paid or is expected to pay taxable compensation, at the time and in the manner provided for payments of withholding tax by employers to the commissioner under section 290.92, subdivision 6.

Subd. 2. The provisions of section 290.92 and all rules and regulations promulgated by the commissioner in respect thereto shall be applicable to the tax imposed by this article where applicable.

Sec. 3. Minnesota Statutes 1971, Chapter 290, is amended by adding a section to read:

[290.0202] [REFUND AND APPROPRIATION.] *Any overpayment of the tax required to be paid by section 1 by reason of reduction in the mill rate or for any other reason, shall be refunded by the commissioner. There is appropriated to the commissioner the amount necessary to make such refundment.*

ARTICLE XXVIII

Section 1. Minnesota Statutes 1971, Sections 276.15; 276.16; 276.17; 276.18; 295.38; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; and 373.24 are repealed for all payments required to be made thereunder subsequent to December 31, 1973."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to government; raising revenue; providing for the administration of public welfare and other public activities; appropriating money; providing penalties; amending Minnesota Statutes 1971, Chapters 272; 273; 275; and 290; by adding sections; Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 245.77; 261.04, Subdivision 1; 261.063; 272.02, Subdivision 1; 272.03, Subdivision 1; 272.04, Subdivision 1; 273.11; 273.13, Subdivisions 4, 6, and 7, and by adding a subdivision; 273.134; 273.41; 275.09, Subdivision 3; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivisions 2 and 4; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 293.07, Subdivision 2; 297.13, Subdivision 1; 297A.14; 297A.25, Subdivision 1; 340.60, Subdivision 1; 376.424; 393.01, Subdivision 3; 393.08, Subdivision 1; 414.01, by adding a subdivision; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; 290.0607; 290.0617; 297.13; Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; 393.08, Subdivision 2; and 477A.01, Subdivisions 12 and 15."

The conferees on H. F. No. 2121 amended the Conference Committee Report as follows:

Page 57, lines 23 to 28, strike the new language

Page 58, lines 1 to 3, strike the new language

Page 58, line 6, after the word "exemption;" insert the following:

"however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;"

Page 94, line 10, strike "\$.50" and insert "\$.25"

Page 96, line 8, strike "\$.50" and insert "\$.25"

Page 140, after line 2, insert a new section 4 as follows:

"Sec. 4. Notwithstanding any other provision of law to the contrary the limitation contained in section 1 and section 2 shall also apply to the authority of the local board of review as provided in section 274.01, the county board of equalization as provided in section 274.13, the state board of equalization and the commissioner of taxation as provided in section 270.11, 270.12 and 270.16, and any increase effected by these boards, the cumulative effect of which may increase property above the five percent permissible increase shall be invalid."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Martin O. Sabo, Irvin N. Anderson, Raymond Pavlak, Carl M. Johnson and Frank H. De Groat.

Senate Conferees: (Signed) A. J. Perpich, Nicholas D. Coleman, Alec G. Olson, George R. Conzemius and William McCutcheon.

Mr. Perpich, A. J. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2121 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2121: A bill for an act relating to government; raising revenue; providing for the administration of public welfare and other public activities; appropriating money; providing penalties; amending Minnesota Statutes 1971, Chapters 272; 273; 275; and 290; by adding sections; Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 245.77; 261.04, Subdivision 1; 261.063; 272.02, Subdivision 1; 272.03, Subdivision 1; 272.04, Subdivision 1; 273.11; 273.13, Subdivisions 4, 6, and 7, and by adding a subdivision; 273.134; 273.41; 275.09, Subdivision 3; 275.50, Subdivisions 2, 4, and 5; 275.51, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and

by adding a subdivision; 290.361, Subdivisions 2 and 4; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 293.07, Subdivision 2; 297.13, Subdivision 1; 297A.14; 297A.25, Subdivision 1; 340.60, Subdivision 1; 376.424; 393.01, Subdivision 3; 393.08, Subdivision 1; 414.01, by adding a subdivision; and 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.-26; 290.0607; 290.0617; 297.13; Subdivisions 2, 3, 4, 5, 6, 7, and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6, and 7; 393.08, Subdivision 2; and 477A.01, Subdivisions 12 and 15.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 40 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoft	Schrom
Arnold	Gearty	Lewis	Olson, A. G.	Solon
Borden	Hansen, Baldy	Lord	Olson, H. D.	Spear
Chenoweth	Hansen, Mel	McCutcheon	Patton	Stokowski
Chmielewski	Hughes	Milton	Perpich, A. J.	Tennessee
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Conzemius	Keefe, S.	North	Purfeerst	Wegener
Davies	Kleinbaum	Novak	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Krieger	Pillsbury
Bang	Fitzsimons	Keefe, J.	Larson	Renneke
Berg	Frederick	Kirchner	Nelson	Sillers
Bernhagen	Hanson, R.	Knutson	Ogdahl	Stassen
Blatz	Jensen	Kowalczyk	O'Neill	Ueland
Brown				

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 9:15 o'clock p.m. Which motion prevailed.

The hour of 9:15 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Ashbach was excused from this evening's Session.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 377:

H. F. No. 377, A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Norton, Bell and Faricy have been appointed as such committee on the part of the House.

House File No. 377 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 19, 1973

Mr. Coleman moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 377 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President.

Which motion prevailed.

After a brief recess, the President called the Senate to order.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 377, pursuant to the request of the House,

Messrs. Coleman, Stokowski, Sillers.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Coleman	Humphrey	North	Solon
Arnold	Conzemius	Keefe, S.	Novak	Spear
Berg	Davies	Kleinbaum	Olhoft	Stokowski
Bernhagen	Doty	Laufenburger	Olson, A. G.	Tennessee
Borden	Gearty	Lewis	Olson, H. D.	
Brown	Hansen, Baldy	Lord	Renneke	
Chenoweth	Hansen, Mel	McCutcheon	Schaaf	
Chmielewski	Hughes	Moe	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1626, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding Subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

Senate File No. 1626 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2417, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in

certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Senate File No. 2417 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2047, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

Senate File No. 2047 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1964, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chapter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 452, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 452: A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

Senate File No. 452 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1247, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03, and 207.08.

Senate File No. 1247 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 485, 582, 877 and 1633

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate regarding House File No. 9 and that the bill has been returned to the Conference Committee as formerly constituted.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

Mr. President:

I have the honor to announce that the House has acceded to

the request of the Senate regarding House File No. 835 and that the bill has been returned to the Conference Committee as formerly constituted.

H. F. No. 835: A bill for 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.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S. F. No. 464.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 160, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 160: A bill for an act relating to food; requiring open dating of perishable food; directing the commissioner of agriculture to promulgate rules and regulations governing the dating, handling and labeling of perishable food; providing penalties.

Senate File No. 160 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 384, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 384: A bill for an act relating to nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; establishing certain boards and prescribing their powers and duties; requiring

reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding a section; 256B, by adding sections; 609, by adding a section; and 626, by adding a section.

Senate File No. 384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1302, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

Senate File No. 1302 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1824, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

Senate File No. 1824 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2275, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2275: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

H. F. No. 2275 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2275

A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

May 18, 1973

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. 2275, 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. DEPARTMENTS OF PUBLIC WELFARE, CORRECTIONS, HEALTH, ALCOHOL AND DRUG PROBLEMS, OMBUDSMAN, AND BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS TO EXPEND MONEYS.

The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from the general fund in the state treasury not otherwise appropriated, or any other fund herein designated, to be expended for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

APPROPRIATIONS

Available for the Year

Ending June 30,

	1973	1974	1975
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	\$	\$	\$
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Sec. 2. TO THE COMMISSIONER OF PUBLIC WELFARE

	1973	1974	1975
	\$	\$	\$
Subdivision 1. Administration of the Department of Public Welfare — salaries		2,200,000	2,200,000

Unless approved by the governor, after consulting the legislative advisory committee, any federal funds received in excess of \$1,915,000 in fiscal year 1974 and \$1,930,000 in fiscal year 1975 shall reduce the state appropriation by a like amount.

Approved Complement — 327

Subd. 2. Supplies and Expense		1,552,800	1,397,600
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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. In determining the amount of the public assistance grant, the commissioner shall effect a 12 percent increase over the historical average grant.

	1973	1974	1975
	\$	\$	\$

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.

Subd. 3. Mechanized Payment System for the Categorical Aids	1,000,000
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Provided that these funds shall be available only if separate legislation passes the 1973 legislature which authorizes the department of public welfare to develop and implement such system.

Subd. 4. Mental Health Research	200,000
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Approved Complement — 2

Subd. 5. Mental Health Training Program	93,000
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	\$	\$	\$
	1973	1974	1975

Funds provided by this subdivision may be used for a psychiatric residency training program.

Of the amount appropriated by this subdivision, \$30,000 each year may be used for the employment of additional psychiatrists at state institutions and only such funds as are necessary shall be transferred to those institutions where the psychiatrists are employed.

Approved Complement — 0

Subd. 6. Community Mental Health Centers	5,200,000	5,500,000
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Notwithstanding any law to the contrary, no funds provided in this subdivision shall be used for matching that part of salaries paid above the class of persons in comparable positions in the state civil service nor shall any funds provided in this subdivision be used for matching that part of fringe benefits which exceed the fringe benefits provided to employees in the state civil service.

The above funds provide for a 50 percent matching, except for counties affected by subdivision 11, of local community mental health centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five percent of the federal funds may be used for program expansion.

The community mental health

	1973	1974	1975
	\$	\$	\$
centers may accept cases from juvenile courts for diagnostic evaluation.			
Approved Complement — 4			
Subd. 7. Care and Support of Children Under Guardianship of the Commissioner of Public Welfare		716,000	790,000
Subd. 8. Care, Relief, and Support of Dependent Children, Aged, Blind, Disabled and the Medical Assistance to the Needy Program		86,400,000	97,700,000

Provided that \$3,000,000 of the funds appropriated by this subdivision shall be available only if separate legislation is passed by the legislature to provide supplemental payments in the adult categories.

Notwithstanding the provision of any other law, the commissioner of public welfare may utilize the funds, pursuant to the approval of the governor, provided in the above subdivision to pay a portion of the cost of day care and vocational training programs. The portion of the cost not paid by federal funds shall be paid equally from state and local funds. The cases selected by the commissioner for the new programs, on the average, shall not have a greater cost than if they remained in this program. The commissioner shall develop such criteria, selection principles, and other rules so as to carry out the intent of this provision.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to families with dependent children program to meet special needs, as defined by the com-

	1973	1974	1975
	\$	\$	\$

missioner of public welfare, exceeds 3.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the blind program to meet special needs, as defined by the commissioner of public welfare, exceeds 3.2 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the old age assistance program to meet special needs, as defined by the commissioner of public welfare, exceeds 2.1 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

Notwithstanding any other law to the contrary, when the expenditure made in the aid to the disabled program to meet special needs, as defined by the commissioner of public welfare, exceeds 1.8 percent of the total expenditure for the above program in a county, that portion of the expenditure in excess of the above percentage not paid from federal funds shall be paid entirely by county funds.

	1973	1974	1975
	\$	\$	\$

Provided that the amount appropriated for implementation of Minnesota Statutes 245.0313 shall be available only if matched by federal funds. Provided that if the cost of care in state institutions falls below the projections used for implementation of Minnesota Statutes 245.0313, any excess appropriation shall revert to the general fund.

The department of public welfare may promulgate rules and regulations, not inconsistent with federal law or regulation, allowing recipients of medical services to be charged a specified minimum amount toward cost of medical services provided. An amount sufficient to meet anticipated needs for this purpose shall be included as part of the recipient's public assistance grant.

Notwithstanding any law to the contrary, if, due to any court ruling or federal law or regulation, federal financial participation in the aid to families with dependent children program for children over the age of 18 is conditioned upon the provision of aid to all children otherwise eligible between the ages of 18 and 21, eligibility for children under the aid to families with dependent children program shall cease at the age of 18; provided, however, that if such federal funds become unavailable, aid to families with dependent children shall be provided for children over 18 and under the age of 19 attending high school on a full-time basis, to be paid from state and county funds.

Subd. 9. Administrative Expense on Aging	125,000	125,000
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	1973	1974	1975
	\$	\$	\$

Provided that the funds appropriated by this subdivision may not be expended unless matched by federal funds.

The use of the funds appropriated herein may include the appropriate matching of federal funds provided programs for the aging for the payment to members of advisory committees required in these programs by federal law, for their actual expenses incurred in performance of their duties.

Subd. 10. Vocational Rehabilitation of the Blind	210,000	210,000
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The sum of \$2,500 each year out of the amount above appropriated shall be paid into the revolving fund established by Laws 1947, Chapter 535, for the purchase of equipment and supplies for establishing and operating of vending stands by blind persons. All income, receipts, earnings, and federal grants due to the operation thereof shall also be paid into said fund, and all equipment, supplies and expenses for the setting up of such stands to be so operated, shall be paid from said fund.

Subd. 11. Equalize the Cost of Welfare	1,075,000	1,075,000
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All payments from funds appropriated by this subdivision shall be based upon a formula which includes four factors: recipient rate, per capita income, per capita taxable value, and per capita expenditures for welfare as indicated in the work sheets of the conference committee which also specify the number of counties that may receive this aid.

	1973	1974	1975
	\$	\$	\$

Salary expenditures shall not be included for purposes of computing county per capita welfare costs or in county welfare costs.

Notwithstanding any law to the contrary, initial payments to counties shall be made on or before October 1, 1973, for fiscal year 1974 and on or before October 1, 1974, for fiscal year 1975. Final payments shall be made before October 1 of the following fiscal year.

For the purposes of this act, welfare costs shall be deemed to include all forms of public assistance and the administrative costs thereof, to-wit: old age assistance, medical assistance to the needy, aid to dependent children, aid to the permanently and totally disabled, aid to the blind, payments to the commissioner of public welfare for care and treatment of patients in state institutions, maintenance relief, medical relief, tuberculosis sanatoria care, hospital charges, maintenance of children not under state guardianship, cost of sundry poor, and all administrative costs except university hospitals care, care of children under state guardianships, and poor burials.

No county shall be entitled to the benefits of this act if it has transferred any moneys available for welfare purposes to any other county funds, except that a transfer of a surplus in the welfare fund may be made to the road and bridge fund of said county, and except that where funds are otherwise unavailable, a transfer may also be made to the general revenue

	1973	1974	1975
	\$	\$	\$

fund of said county for payment of rent of office space for the county welfare board. Such transfers shall be made only with the approval of the governor after consultation with the Minnesota public relief advisory committee. Provided further that such transfer of funds for payment for rent shall not be considered an expenditure for equalization aid reimbursement. Any federal funds received in lieu of taxes because of federal grants shall be available for welfare purposes.

Provided that no county shall receive in excess of 75 percent of its cost of welfare as defined in this subdivision from state funds.

Notwithstanding any law to the contrary, the formula used in this subdivision for equalizing welfare costs shall be used for computing distressed county aid for daytime activity centers and community mental health centers.

Subd. 12. Daytime Activity Centers for the Mentally Retarded

3,650,000

Approved Complement—1

The above funds provide for a 60 percent matching, except for counties affected by subdivision 11, of local daytime activity centers approved expenditures. Seventy-five percent of any federal funds received as reimbursement by the commissioner of public welfare shall be used to equally reduce local and state funding and surplus state funds resulting from federal funds shall cancel to the general fund. Twenty-five per-

	1973	1974	1975
	\$	\$	\$
cent of the federal funds may be used for program expansion.			
Subd. 13. Crippled Children Services		600,000	700,000
Subd. 14. Aid to Counties—Mentally Retarded		3,196,900	
Notwithstanding any law to the contrary, this appropriation provides for not more than 70 percent of the cost of care.			
Subd. 15. Red Lake Band of Chippewa Indians		130,000	130,000
Provided that any funds appropriated by this subdivision in excess of the county costs for this purpose shall cancel to the general fund.			
Subd. 16. General Relief—Indians		363,000	254,000
Provided further that reimbursements shall be prorated if the appropriation made in this subdivision is insufficient to provide full reimbursement.			
Subd. 17. Foster Grandparents Program		200,000	200,000
Five percent of this appropriation may be retained by the governor's council on aging as a fee for administrative services and expenses, pursuant to Minnesota Statutes 1971, Section 256.976.			
Subd. 18. Aid to Counties—Emotionally Disturbed		622,800	678,200
Subd. 19. Child Care Service Grants		800,000	
Subd. 20. State Hospitals			
(a) Current Expense		7,038,800	7,104,900
The above appropriation includes funds to provide temporary laundry service for Rice Memorial Hospital at a charge			

	1973	1974	1975
	\$	\$	\$

to be determined by the commissioner of public welfare.

Provided that laundry service shall be furnished without charge to the Willow River camp.

Provided that when equipment expenditures are necessary at the prison laundry, laundry service shall be provided without charge for the prison after the transfer of four positions from the department of corrections to the department of welfare has been accomplished.

Notwithstanding any law to the contrary, the commissioner of public welfare may authorize any state hospital to enter into agreement with other governmental and non-profit health service organizations for participation in "shared service" agreements which would be of mutual benefit to the state, the health service organizations involved and the public. The charges for such services shall be on an actual cost basis and the receipts shall be deposited in the general fund.

So much of the above funds as necessary may be established in a special account in the department of public welfare to pay for special costs relating to the mental health commitment act.

(b) Salaries	46,958,600	46,315,900
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Approved Complement—

- July 1, 1973—5,410
- January 1, 1975—5,250
- June 30, 1975—5,167

Provided that as the population decreases, the supportive staff complement shall be reduced in direct proportion.

	1973	1974	1975
	\$	\$	\$
<p>Not more than 25 percent of the salary savings occurring as a result of efficiencies in operations may be used for supplies and expense expenditures upon the advance approval of the commissioner of administration.</p>			
(c) Special Equipment		451,400	
<p>The commissioner of public welfare shall submit the budgets for the hospitals to the 1975 legislature on an individual hospital basis together with a summary budget.</p> <p>Funds are provided in this appropriation for developing a self-injurious behavior program at the Faribault state hospital. Information obtained from other states shall be used in developing this program.</p> <p>The hospitals enumerated by this subdivision are hereby granted authority to negotiate with sheltered workshops to provide services to the hospitals, provided salary savings are used to pay these costs.</p>			
(d) Hospital Care			50,000
<p>The amount appropriated by this item shall be used to cover the expense of hospital care for patients and inmates furnished in hospitals not under supervision of the commissioner of public welfare. All reimbursements received for such medical services shall be credited to this account and become a part thereof.</p>			
<p>Subd. 21. Braille and Sight Saving School</p>			
(a) Current Expense		52,100	53,100
(b) Salaries		632,000	622,000

	1973	1974	1975
	\$	\$	\$
Approved Complement—73			
(c) Regional Library for the Blind		66,400	65,800
Approved Complement—6.5			
Subd. 22. School for the Deaf			
(a) Current Expense		164,200	167,700
(b) Salaries		1,364,300	1,364,300
Approved Complement—150.5			
As soon as feasible, the business office of the braille and sight saving school shall be combined with that of the school for the deaf and the complement reduced accordingly.			
(c) Gallaudet Students		800	800
Subd. 23. Gillette State Hospital			
(a) Current Expense		339,200	340,700
(b) Salaries		2,149,000	2,149,000
Approved Complement—245.16			
(c) Honorarium for Visiting Staff		78,300	78,300
Subd. 24. Ah-Gwah-Ching Nursing Home			
(a) Current Expense		382,900	392,800
(b) Salaries		2,087,700	2,087,700
Approved Complement—271			
Subd. 25. Glen Lake State Sanatorium and Oak Terrace Nursing Home			
(a) Current Expense		433,600	433,900
(b) Salaries		2,506,400	2,506,400
Approved Complement—297			
(c) Central Library Service ..		12,000	12,000
Subd. 26. Special Equipment for the Braille and Sight Saving			

	1973	1974	1975
	\$	\$	\$
School, School for the Deaf, Gillette State Hospital, Ah- Gwah-Ching Nursing Home, and Glen Lake State Sanatori- um and Oak Terrace Nursing Home		122,300	

Any unexpended balances in subdivisions 3, 4, 5, 6, 12, 13, 14, 18, 19, 20 (c), 20 (d) and 26 remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. TO THE COMMISSIONER OF CORRECTIONS

Subdivision 1. Administration

(a) Salaries, supplies and expense	3,385,000	3,374,000
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Approved Complement — 245

The commissioner of corrections is authorized to establish a select committee of 15 to 20 members whose purpose will be to review the roles of all Minnesota correctional institutions and to determine which of these institutions should be retained.

The commissioner of corrections is authorized to appoint to this select committee members of the legislature, law enforcement and private citizens or citizen's groups.

The commissioner of corrections is hereby authorized to pay members of the select committee \$25 per diem plus travel expenses pursuant to rules and regulations promulgated by the commissioner of administration and to pay publication expenses for the committee's report. Said report will be submitted to the 1974 legislature by January 2, 1974.

	1973	1974	1975
	\$	\$	\$

This appropriation includes funds for the operation of the transportation unit.

No new program may be implemented unless a statistical evaluation of its objectives and accomplishments accompanies the development of such program.

Provided that the parole agents shall reside in the various districts of the state in which they are employed during the period for which this appropriation is effective.

This appropriation includes personnel and funds for the expenses of providing supervision for county homes.

Provided that regional supervisors paid from this account may also supervise state parole agents as directed by the commissioner of corrections. Such duties shall not interfere with the supervisor's responsibility under the County Probation Act, Laws 1959, Chapter 698.

(b) County Reimbursement . .	700,000	700,000
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Provided further that reimbursement to counties as provided by Minnesota Statutes 260.311, Subdivision 5, shall be computed on the basis of 50 percent of the probation officers salary costs only, including fringe benefits, however that part of fringe benefits in excess of those provided for state civil service employees shall not be reimbursable.

Notwithstanding any law to the contrary, no county shall be eligible for the reimbursement aforementioned unless its county probation officers are paid a salary commensurate

	1973	1974	1975
	\$	\$	\$

with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which the county probation officers shall be assigned shall be determined by the judge(s) of the juvenile court(s) who shall base the decision on length and performance of service of said officer(s). The judges of the juvenile courts shall annually assign their county probation officer(s) to a position on the aforementioned salary scale commensurate with the officer's experience, tenure, and responsibilities and said judges shall file with the county auditor an order setting said county probation officer's salary.

Provided further that reimbursement to counties shall be prorated if the appropriation made in this item is insufficient to pay the cost as provided by Minnesota Statutes 260.311, Subdivision 5.

Provided that time spent by the county probation officer as a court referee shall not qualify for reimbursement from this appropriation.

Subd. 2. Corrections Subsidy Act	1,500,000
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The commissioner of corrections shall select the counties which may participate under the Corrections Subsidy Act after consulting with the appropriate finance committees of the legislature. These funds shall not be expended unless separate legislation is passed by the 1973 legislature authorizing such expenditure.

Subd. 3. Medical and Psychiatric Services	1,500,000
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	1973	1974	1975
	\$	\$	\$

The amount appropriated by this item shall be used for psychiatric services and to cover the expense of providing secure hospital care for inmates and persons furnished in hospitals not under supervision of the commissioner of corrections. All reimbursements received for such medical services shall be credited to this account and become a part thereof.

The commissioner of corrections may contract with any other state department or agency to obtain psychiatric services for the department of corrections. This appropriation is in addition to funds for psychiatric services provided in the appropriations for the individual institutions.

Approved Complement—13

Subd. 4. Personnel Training . .	497,000
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This appropriation includes funds for training of group home parents in county homes.

Subd. 5. Vocational Training .	140,000
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The amount appropriated by this item shall be used for the purpose of providing vocational training of the inmates of institutions under the control of the commissioner of corrections. The commissioner of corrections is hereby authorized and empowered to employ skilled craftsmen to conduct a vocational training program and to instruct such inmates.

Subd. 6. Foster Group Care . .	1,000,000
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The amount appropriated by this item shall be used for foster group care facilities under the commissioner of corrections

	1973	1974	1975
	\$	\$	\$

and to reimburse counties pursuant to Minnesota Statutes 1971, Section 260.251, Subdivision 1a, provided, however, that such reimbursement to counties shall be prorated if the appropriation is insufficient.

The amounts reimbursed to the counties shall be based upon 50 percent of cost to the counties after federal and state aids, grants or relief programs have been deducted from the costs of said group home operations.

Subd. 7. Work Release and Newgate Programs		360,000	
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This appropriation includes \$110,000 for the Newgate program.

Subd. 8. Community Corrections Centers		425,000	
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This appropriation includes \$50,000 for community corrections centers on Indian reservations. Rules and regulations shall be developed by the commissioner of corrections for operation of such programs.

Subd. 9. Correctional Institutions

This appropriation is for the Minnesota state prison, reformatory for men, Minnesota correctional institution for women, state training school for boys, the Willow River camp, Minnesota home school, the Minnesota reception and diagnostic center and Thistle-dew camp.

(a) Current Expense	2,541,900	2,547,800	
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(b) Salaries	12,731,000	12,712,500	
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Approved Complement—
1,138.75

(c) Special Equipment		175,000	
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	1973	1974	1975
	\$	\$	\$

The academic school program at the state training school for boys and the Minnesota home school shall be conducted on a 12 month basis.

Provided that the appropriate committees on finance of the legislature shall receive a written report of the anticipated expenditures from the prison revolving fund for recreational or vocational equipment not less than 30 days prior to expenditure.

The reception and diagnostic center may be used for training and treatment of persons adjudicated delinquent and committed to the youth conservation commission. The commissioner may also set aside suitable space at other institutions under his control for the study, examination and diagnosis of persons committed to the youth conservation commission, and for temporary detention under the provisions of Minnesota Statutes 260.175.

Provided the youthful offender reception center shall be at the reformatory for men until June 30, 1975.

Subd. 10. Regional Jails, Area Lock-ups, and Detention Centers

550,000

It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Of the sum of \$800,000 appropriated from the general fund by Laws 1971, Chapter 961, Section 3, Subdivision 12, for regional jails, area lock-ups, and detention centers, the sum of \$381,206 is hereby reappropriated to the commissioner of

	1973	1974	1975
	\$	\$	\$
corrections for the purposes of Laws 1971, Chapter 961, Section 3, Subdivision 12.			
Subd. 11. Special Projects		50,000	
This appropriation is intended as the state match for applications for federal grants.			
The state auditor is hereby directed to establish whatever accounts the department of corrections deems necessary to expend the funds provided by this subdivision.			
Any unexpended balances in subdivisions 1 (b), 2, 3, 4, 5, 6, 7, 8, 9 (c), 10 and 11 remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 4. BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS			
Subdivision 1. Salaries, supplies and expense		54,600	54,900
Provided that after July 1, 1974, the commissioner of administration shall not permit the allotment and encumbrance of any funds in excess of the anticipated revenues.			
Sec. 5. ALCOHOL AND DRUG ABUSE			
Subdivision 1. Administration.		330,200	
Subd. 2. Community Grant Programs		2,925,000	
Any unexpended balances in subdivisions 1 and 2 remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Sec. 6. BOARD OF HEALTH			
Subdivision 1. Administration			

	1973	1974	1975
	\$	\$	\$
(a) Salaries		2,592,200	2,607,000

Approved Complement—255

Of the amounts provided by this item, \$61,500 for the first year and \$61,500 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

(b) Supplies and Expense		627,000	627,000
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Of the amounts provided by this item, \$27,000 for the first year and \$23,400 for the second year are appropriated from the trunk highway fund for highway safety activities and preventive health services for state employees.

Funds are provided in the above appropriation for expenses of the sanitarian advisory council and for the registration and inspection of x-ray and radium sources of ionizing radiations if separate legislation passes during the 1973 session which authorizes such.

All receipts received from the national office of vital statistics for microfilmed transcripts of vital statistics records shall be deposited in and for the benefit of the general fund.

Subd. 2. Mobile Health Clinic

(a) Salaries, supplies and expense		38,900	39,500
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Approved Complement—3

Sec. 7. CORRECTIONS OMBUDSMAN

Subdivision 1. Salaries, Supplies and Expense		15,600	93,400
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Sec. 8. COMMISSIONER OF PUBLIC WELFARE

	1973	1974	1975
	\$	\$	\$
Subdivision 1. Economic opportunity program		300,000	

This appropriation shall be available to allocate and 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 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. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Sec. 9. CONTINGENT FOR STATE INSTITUTIONS		500,000	
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The amount appropriated by this item or so much thereof as may be necessary, is to be used for emergency purposes, and for the purchase of food, clothing, drugs, and fuel for any of the institutions or work camps for which an appropriation is herein made. The expenditure of said contingent shall be under the control of the legislative advisory committee and no expenditure shall be made therefrom without the direction of the governor after consultation with the legislative advisory committee.

	1973	1974	1975
	\$	\$	\$

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Provided that the allowance for food may be adjusted annually according to the United States department of labor, bureau of labor statistics publication wholesale price index, upon the approval of the governor. Such adjustments shall be based on the July, 1973, wholesale food price index, but such adjustment shall be prorated if the wholesale food price index adjustment would require funds in excess of this appropriation.

Sec. 10. EMPLOYEES COMPENSATION 738,068.78

To be transferred by the state auditor to the department of labor and industry, compensation revolving fund, in payment of obligations incurred by the following state agencies in the amount as indicated:

Public Welfare	\$621,554.03
Corrections	\$116,514.65

Sec. 11. UNEMPLOYMENT COMPENSATION 39,548.67

To unemployment compensation fund in reimbursement of unemployment compensation benefits paid for former employees of the following:

Department of Corrections	\$ 39,548.67
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Sec. 12. CERTAIN FUNDS USED FOR CERTAIN PURPOSES.

Upon the approval of the commissioner of public welfare or the commissioner of corrections as to the institutions under their respective control, the superintendent of any such institution for which an appropriation is made herein may pay out of the current expense appropriation of said institution to any employee thereof, the amount of any property damage sustained by such employee, not in excess of \$250 by reason, or as a result of action of any patient or inmate of such institution.

Except at the state prison and state reformatory, profits accrued by reason of operation of diversified labor accounts may be used at

the direction of the superintendent of the institution for the purchase of occupational therapy equipment.

Sec. 13. APPROVED COMPLEMENT. Except as otherwise provided herein, whenever an appropriation to any institution or agency for salaries discloses an approved complement, the institution or agency is limited in the employment of the number of full-time equivalent persons indicated by such approved complement. Part-time and summer student help may be employed with the advance approval of the commissioner of administration, and shall not be included in the approved complement. Such approved complement, however, does not include employees engaged in repair or construction projects who may be employed only with the advance approval of the commissioner of administration.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee. Any requests for increases in the approved complement shall be forwarded to the appropriate committees on finance of the legislature not less than 30 days prior to the legislative advisory committee meeting. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred.

Sec. 14. CERTAIN EMPLOYEES. Provided that none of the moneys appropriated by this act or any other law shall be used to employ maids for personnel with similar domestic duties to work in the residences of any officer or employee of any institution, department, or agency of the state. This provision shall not apply to such persons who pay a fixed monthly fee for board and room and laundry and who obtain their meals from state operated dining rooms.

Sec. 15. RECEIPTS. All funds, sums of moneys, or other resources provided or to be received, including all receipts, collections, legislative allocations, transfers, and other income and receipts properly belonging to and to be used for financing activities, programs, and other projects other than the institutions now or hereafter under the supervision and jurisdiction of the commissioner of public welfare not otherwise specifically designated as income or credits to other state departments or funds by law, shall be credited to and become a part of the appropriations provided for in section 2, subdivisions 1, 2, 7, 8, 9, 10 and 11.

All receipts of said institutions and activities carried on under the direction of said commissioners of public welfare and corrections shall be deposited in and for the benefit of the general fund, provided, however, that this shall not apply to revolving funds now established in institutions under the control of said commissioner; and provided further that this shall not apply to receipts from the operation of patients' and inmates' stores and vending machines, which shall be deposited in the social welfare fund in each institution for the benefit of the patients and inmates; and provided further that this shall not apply to money received in payment for services of inmate labor employed in the industries carried on in the state reformatory for men,

state reformatory for women, and state prison, which receipts shall be credited to the current expense fund of said institutions.

Sec. 16. COMMISSARY AND QUARTER ALLOWANCE. No commissary privileges, including food, laundry service, and household supplies, shall be furnished to any person in staff residences or apartments from appropriations made by this act.

The director of civil service is hereby directed to increase the salaries of the adult correctional institutions heads \$150 per month, \$75 per month for correctional camps heads, and \$150 per month for physicians employed in institutions, above the normal adjustment to be made in salaries on or after July 1, 1973. The commissioner of administration is hereby directed to charge a fair rental rate which includes utility costs to any of the above persons who reside on the grounds.

Quarters and a stipend allowance of not to exceed \$150 per month may be authorized by the commissioner of welfare for medical students and physicians fellows.

Notwithstanding any provision in Minnesota Statutes, Section 246.02, to the contrary, maintenance including food, laundry service, and household supplies shall not be furnished to any officer including, but not limited to, the chief executive officers of the state prison and reformatories.

Sec. 17. PROVISIONS. Moneys appropriated under this act for the purchase of provisions within the item "current expense" shall be used solely for that purpose. The amounts appropriated for provisions are shown on the worksheets of the conferences of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of administration. Any money so provided and not used for purchase of provisions shall be cancelled into the fund from which appropriated. Except that money so provided and not used for the purchase of provisions because of population decreases may be transferred and used for the purchase of medical and hospital supplies after consultation with the legislative advisory committee, whose opinion shall be advisory only.

Sec. 18. FEDERAL GRANTS. Grants in aid now or hereafter received from the federal government for any welfare, assistance or relief program or for administration under the jurisdiction of the department of public welfare shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of public welfare in the appropriate account upon certification of the commissioner of public welfare that the amounts so requested to be transferred have been earned or are required for the purposes and programs intended. Moneys received by such federal grant fund need not be budgeted as such, provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriations.

The department of public welfare is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining

any grants or aids. Any grants or aids thus secured or received are hereby appropriated to said department of public welfare and made available for the uses and purposes for which it was received but shall be used to reduce the appropriations herein before provided unless federal law prohibits such action or unless the commissioner of public welfare obtains approval of the governor who shall seek the advice of the legislative advisory committee.

Grants now or hereafter received from the federal government for any vocational training program or for administration under the jurisdiction of the department of corrections shall, in the first instance, be credited to a federal grant fund and shall be transferred therefrom to the credit of the commissioner of corrections in the appropriate account upon certification of the commissioner of corrections that the amounts so requested to be transferred have been earned or are required for the purposes and program intended. Moneys received by such federal grant fund need not be budgeted as such provided transfers from such fund are budgeted for allotment purposes in the appropriate appropriation.

Sec. 19. BUDGETARY CONTROL. The budgetary control as provided in Minnesota Statutes, Chapter 16, shall extend to and apply to all appropriations herein made available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

All state departments, bureaus, agencies or divisions, operating under Minnesota Statutes, Chapter 16, financed by funds appropriated or receipts or fees of any nature whatsoever, when making requests or preparing budgets to be submitted to the federal government in support of or in request of funds, equipment, materials, or services, from the federal government shall, upon completion of such request or budget, first submit it to the commissioner of administration. The commissioner of administration shall have authority to approve, disapprove, modify, or amend any such request or budget before submitting it to the proper federal authority. When such federal authority has approved such request or budget, the state agency shall resubmit it to the commissioner of administration for recording before any allotment or encumbrance of the federal funds can be made.

Sec. 20. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for which an appropriation is herein made out of the general fund, or has heretofore been made, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975.

The provisions of this section shall not apply to aid, contributions, or reimbursements received from the federal government by the state or boxing tax receipts transferred to the depart-

ment of public welfare by the authority of Laws 1945, Chapter 245, and all such federal aid, contributions or reimbursements, and boxing tax receipts are hereby reappropriated for the purpose of supplementing the appropriation herein provided and shall be added to the maximums of the several accounts herein designated.

Sec. 21. TRANSFER OF FUNDS. (a) The commissioner of public welfare by direction of the governor after consulting with the legislative advisory committee may transfer unobligated appropriation balances between the various accounts appropriated under section 2, subdivisions 7, 8 and 10, and also between the various accounts appropriated under section 2, subdivisions 6, 12, 14, 18, 20a and 20b. Provided further that if the appropriation under section 2, subdivision 8 should be insufficient for either year, then the appropriation for the other year shall be available therefor by direction of the governor after consulting with the legislative advisory committee.

(b) Unless the 1973 legislature enacts legislation to the contrary, authority is hereby granted to the commissioner of corrections to transfer appropriations between all subdivisions of section 3, except for subdivision 1a in the best interest of the security and rehabilitation programs and for more efficient utilization of personnel and facilities. Of the appropriation provided by section 3, subdivision 1a, funds may be transferred from this appropriation to other appropriations in section 3, but in no case may transfers from the other appropriations in section 3 be made to section 3, subdivision 1a. Such transfers shall be made with the written approval of the governor after consulting with the legislative advisory committee.

Sec. 22. TRANSFER OF PERSONNEL. (a) Notwithstanding any other law to the contrary, the commissioner of public welfare shall transfer authorized positions between institutions under his control in order to properly staff the institutions, taking into account the differences between programs in each institution.

(b) Notwithstanding any other law to the contrary, the commissioner of corrections may transfer authorized positions between programs subject to the restrictions imposed by section 20b.

Sec. 23. [43.051, SUBDIVISION 3.] COMPULSORY RETIREMENT EXCLUSION. Notwithstanding any provision of laws to the contrary, a physician in the classified or unclassified state service may, upon reaching the age of 70 years continue to be employed in the department of health, subject to annual certification by the state board of health.

Sec. 24. Every group or individual policy of accident and sickness insurance issued or renewed after the effective date of this section regulated by Minnesota Statutes, Chapter 62A, and every group or individual service plan or subscriber contract issued or renewed after the effective date of this section regulated by

Minnesota Statutes, Chapter 62C, providing care or payment for care in this state, shall provide payments for services rendered by a hospital or medical facility owned or operated by, or on behalf of, the state or any unit of local government, or practitioners therein, on the same basis as are made for like care in other facilities. The unit of government concerned may maintain an action for recovery of such payments.

Sec. 25. Notwithstanding any law to the contrary, when institutions of the department of public welfare or the department of corrections are consolidated, the director of civil service and the commissioner of administration shall direct the department incorporating the consolidation and all other departments of the state of Minnesota to employ the affected employees at no loss in salary.

The director of civil service is hereby directed to temporarily suspend any rules, regulations, or laws to accommodate these provisions. Any department which employs any of the affected employees is authorized to temporarily exceed its approved complement. The commissioner of administration shall develop procedures to insure that the moving expenses are reimbursed for those employees who relocate pursuant to the consolidation."

Further amend H. F. No. 2275 by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, alcohol and drug problems, ombudsman, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief."

We request adoption of this report and repassage of the bill in accordance therewith:

House Conferees: (Signed) Donald B. Samuelson, James I. Rice, Walter R. Hanson, M. J. McCauley, Paul McCarron.

Senate Conferees: (Signed) Roger D. Moe, George Perpich, Harmon Ogdahl, William G. Kirchner, Robert J. Tennesen.

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2275 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2275: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, alcohol and drug problems, ombudsman, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Solon
Arnold	Dunn	Laufenburger	Olson, H. D.	Spear
Berg	Frederick	Lewis	O'Neill	Stassen
Bernhagen	Gearty	Lord	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Thorup
Chenoweth	Hansen, Mel	Milton	Pillsbury	Wegener
Chmielewski	Hughes	Moe	Purfeerst	Willet
Coleman	Humphrey	North	Renneke	
Conzemius	Josefson	Novak	Schaaf	
Davies	Keefe, S.	Olhoft	Schrom	

Mr. Brown voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2531, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2531: A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the Constitution, Article IX, Section 6, to finance said fund; appropriating moneys in connection therewith.

House File No. 2531 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT H. F. NO. 2531

A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the Constitution, Article IX, Section 6, to finance said fund; appropriating moneys in connection therewith.

May 19, 1973

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. 2531, report that we have agreed upon the items in dispute and recommend as follows:

Strike everything after the enacting clause and substitute in lieu thereof the following:

“Section 1. State government; public buildings; appropriation. Except as otherwise provided by this act there is hereby appropriated from the Minnesota state building fund in the state treasury for the purposes hereinafter stated, the sums of money herein set forth or so much thereof as may be necessary. There is also appropriated from federal funds or other sources the moneys made available for any of the purposes prescribed in this act and in accordance with the terms hereof.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) At the state institutions for alterations, betterments, construction, improvements, rehabilitation, fire safety, and demolition of buildings\$3,100,000

Provided that the expenditure of these funds shall be preceded by plans which are based on the 1973 legislative building commission's written recommendations which shall be forwarded to the senate finance committee and the house appropriations committee not less than 30 days prior to the implementation of such plan. Such plan shall be developed in accordance with standards, criteria and priorities established by the department pursuant to this subdivision. First priority shall be given to the demolition of those buildings which are unsafe due to fire hazard or structural deterioration, and to those which are old or obsolete and superfluous to immediate needs. Such demolition projects shall be commenced and may be completed before development of the remainder of the program and may be commenced prior to legislative recommendation. Priorities shall then be established among buildings suitable for continued use but requiring rehabilitation or improvement, those requiring alteration for different use, and those which should be replaced because of obsolescence, inefficiency, or inadequacy for modern needs. Criteria in establishing priorities for construction shall be based on the degree of safety hazard, demand for use, obsolescence, and operating as well as capital cost involved in rehabilitation of existing facilities, the cost, delay, and need of constructing new facilities and additions, and other factors deemed relevant by the department of public

welfare. Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to cause to be demolished any old or obsolete buildings immediately.

(2) At Gillette State Hospital

For designing, rehabilitation and constructing \$ 170,000

Provided that no more than \$170,000 may be expended for architectural planning of a project of which the state share shall not exceed \$3,530,000, however, these funds shall not be expended unless Ramsey county or an agency thereof provides its share.

Provided further that these funds shall not be available unless separate legislation is enacted by the legislature which authorizes a Gillette Authority.

(3) At the Lake Owasso Children's Home, Glen Lake State Sanatorium and Oak Terrace Nursing Home, Ah-Gwah-Ching Nursing Home, Braille and Sight Saving School, and the School for the Deaf for alterations, betterments, construction, reconstruction, improvements, rehabilitation, and fire safety \$ 540,000

Subd. 3. Department of Corrections:

(1) At the Minnesota State Prison

(a) Remodel minimum security building 135,000

Sec. 3. To the commissioner of administration to improve grounds at certain junior colleges 320,000

Sec. 4. To the commissioner of administration to construct and equip certain state college buildings 3,769,578

This appropriation and anticipated federal grants are for the construction and equipping of the following state college buildings in the amounts indicated:

(1) At Bemidji State College:

(a) Parking facilities \$ 132,000

(b) Conduct a feasibility study to convert Deputy Hall to business classroom building 10,000

(2) At Mankato State College:

(a) Install oil tanks 35,000

(b) Assessment to Mankato State College on Cherry/Warren projects 42,000

(c) Campus Study 20,000

The commissioner of administration in consultation with the chairmen of the house appropriations and senate finance committees may conduct a study to determine the need for continuation of the lower campus facilities at Mankato state college. The study

shall also include a review of current and future enrollments and programs at Mankato and other public or private institutions of post secondary education in the Mankato service area. The higher education coordinating commission is requested to provide assistance where necessary. A report of the findings, alternatives and recommendations shall be submitted to the chairmen of the house appropriations and senate finance committees no later than January 1, 1974.

(3) At Moorhead State College:

- | | |
|--------------------------------------|------------|
| (a) Install boiler | \$ 235,000 |
| (b) City street assessment | 6,400 |

(4) At St. Cloud State College:

- | | |
|---|-----------|
| (a) Construct and equip administration/orientation building | 2,242,178 |
| (b) Install and rehabilitate boiler . . . | 200,000 |
| (c) Install city utilities | 150,000 |
| (d) Complete and equip remodeling of Kiehle Hall | 397,000 |
| (e) Rehabilitate Stewart Hall | 200,000 |

(5) At Southwest State College:

- | | |
|--|---------|
| (a) Complete site work and landscaping and develop road and circulation patterns | 100,000 |
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The commissioner of administration is authorized to make applications for the maximum federal share for any project. In the event the amount of federal funds obtained for these projects exceeds the amount appropriated for it in the above appropriation, the commissioner of administration shall reduce the state share for individual projects.

The state auditor shall establish a single control account for the construction and equipping of state colleges. The appropriation in this section, federal grants received for state college construction and transfers from the higher education facilities contingent account shall be recorded in this account. The commissioner of administration shall maintain individual project accounts for each project authorized by this section.

Notwithstanding limitations on cost of projects approved, the commissioner of administration may exceed the cost approved for an authorized project within the limitations of total funds available from appropriation, from federal funds granted and from transfer from the higher education facilities contingent account. The moneys in excess of project authoriza-

tions are hereby appropriated for the purposes expressed in this paragraph.

Expenditure of funds in excess of the project authorization shall be made only after the commissioner of administration has consulted with 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 recommendation promptly shall be deemed a negative recommendation.

Sec. 5. To the commissioner of administration

(1) For land acquisition in the state capitol area including improvements and preparation of sites for construction\$1,000,000

Sec. 6. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act

(1) Remodel Capitol, east wing second and third floor, for Supreme Court and rent temporary quarters, phase I\$ 800,000

(2) Preliminary plans and cost estimates for Capitol building annex 1,200,000

(3) Special improvements including remodeling 4th floor of State Office building 410,000

(4) Building remodeling and rehabilitation and special projects 1,760,000

(5) Supplemental for Centennial building parking facility 829,000

(6) Improvements to Historical building 100,000

(7) Expand and equip state archives and records center for the Minnesota historical society 845,334

Provided that the funds shall not be expended without consulting with the director of the state historical society.

(8) Replace windows and install two elevators in the infirmary, tuckpoint, improve electrical service, install kitchen equipment and install bathrooms in building 6 domiciliary, install auditorium elevator. 50 percent to be federal funds furnished by the Veterans administration—total cost to the state 100,000

(9) In Capitol Area: Remodel and improve property in area bounded by 12th and 14th Streets and Robert and Jackson Streets, including Champion Chevrolet property 400,000

Sec. 7. Subdivision 1. To the regents of the University of Minne-

sota to be expended for the purposes and in accordance with the provisions of this act

Subd. 2. At the University of Minnesota, Twin Cities Campus

(1) Preliminary planning of Music building	\$ 100,000
(2) Working drawings for Veterinary Medicine, phase II	360,000
(3) Construct and equip Home Economics building expansion, phase I	5,800,000
(4) Remodel and rehabilitate to upgrade for the handicapped, phase I	300,000
(5) Remodel Cooke Hall/Norris Gym	781,800
(6) Land acquisition at Twin Cities campus	100,000
(7) Minneapolis primary electrical system, phase V	460,000
(8) St. Paul primary electrical system, phase III	270,000
(9) St. Paul gas main extension, phase II	25,000
(10) Boiler additions and pollution control at Minneapolis and St. Paul, phase II	2,048,800
(11) St. Anthony sewer assessment, phase II	125,000
(12) Renovate Peik Hall to meet safety code, industrial education area	100,000

Subd. 3. At the University of Minnesota, Twin Cities

(1) Planning for basic science remodeling	200,000
(2) Construct Unit B/C, health science	14,000,000
Construction not to start until \$14,000,000 non-state funds are available.	
(3) Primary electrical distribution system	250,000

Subd. 4. At University of Minnesota, Duluth Campus

(1) Facilities Study—Duluth	150,000
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For a study of the existing buildings on the UMD campus for the purpose of facilitating the fullest practical utilization of space for present programs, and inclusion of additional space for the basic sciences medical program by means of construction of additions to existing structures to accomplish this purpose.

(2) Preliminary planning—Social Sciences building	\$ 100,000
(3) Basic medical sciences building planning funds for a \$7,500,000 building. Not to be expended prior to July 1, 1974, and completion of facilities study	234,000
(4) Remodeling of Science building, phase III	411,000

(5) Health sciences library addition	1,893,000
(6) Boiler addition to heating plant	550,000
(7) Road and campus improvements, phase I	100,000

Subd. 5. At University of Minnesota, Morris Campus

(1) Remodel social science and Edson Hall	400,000
(2) Landscaping and campus development	10,000
(3) Paved parking lot (400 cars) to include lighting and relocation of Cyrus Road	170,000

Subd. 6. At Technical College, Crookston

(1) Construct plant service maintenance shop and vehicle storage building	50,000
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Subd. 7. At Northwest Experiment Station, Crookston

(1) Construct control for runoff from animal fa- cilities	30,000
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Subd. 8. At Technical College, Waseca

(1) Develop roadways and parking lots, phase II ...	50,000
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Subd. 9. At West Central Experiment Station, Morris

(1) Construct horticulture, soils, and agronomy building	35,000
(2) Road surfacing and improve drainage	15,000

Subd. 10. At Southwest Experiment Station, Lamber-
ton

(1) Complete drainage system	12,356
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Subd. 11. At North Central Experiment Station,
Grand Rapids

(1) Construct two herdsman's residences (to be built by station personnel)	35,000
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Subd. 12. At Cloquet Forest Research Center

(1) Improve campus roads, surfacing and lighting .. \$	15,000
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Subd. 13. At Lake Itasca Forestry and Biological
Station

(1) Rehabilitate station facilities, phase II, kitchen- dining-meeting room facility	81,040
(2) Construct student cabin	13,845

Subd. 14. Horticultural Research Center, Excelsior

(1) Remodel superintendent house	10,000
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- (2) Connect sewer to new main sewer line 20,000

Subd. 15. Landscape Arboretum, Excelsior

- (1) Construct greenhouse and head house facilities . 187,013

No buildings shall be constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The regents of the university of Minnesota are authorized to make applications for the maximum federal share for each project including interest subsidies. In the event the amount of federal funds obtained for any of these projects exceeds the amount appropriated for it in the above appropriation, the regents of the university shall reduce the state share for individual projects.

In the planning, design and operation of state buildings, all state agencies and the university of Minnesota are requested to take necessary measures to conserve to the greatest extent possible the use of various sources of energy. All agencies are requested to submit a report to the legislature no later than January 1, 1974, outlining steps and recommendations resulting in savings of energy sources.

Sec. 8. Subdivision 1. To the state auditor to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Expenses incidental to the sale, printing, execution, and delivery of the bonds authorized by this act, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for such purposes not to exceed \$48,234.

Sec. 9. 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. 10. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the regents of the university of Minnesota in the case of lands for the university and by the commissioner of administration in case of other lands. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 11. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in any of the sections 2 through 6, the commissioner of administration may transfer any

unexpended funds in said project account to any other project enumerated in the same section.

Subd. 2. Upon the awarding of final contracts for the completion of any projects enumerated in section 7, the regents of the university of Minnesota may transfer any unexpended funds in said project account therein enumerated.

Subd. 3. The moneys which may be transferred pursuant to this section are hereby appropriated for the purposes for which transferred.

Subd. 4. The commissioner of administration, and the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Subd. 5. The balance of each appropriation made by this and any prior act to the commissioner of administration from the Minnesota state building fund, remaining when the specific purpose of such appropriation is accomplished as certified by the commissioner to the state auditor, may be transferred to any other account for which an appropriation from the fund is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the chairman of the house appropriations committee and the chairman of the senate finance committee, which shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 12. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$100,000 which may be expended by him for the administration of the building program covered by this appropriation, including the employment of personnel. The commissioner may expend these funds for microfilming of plans for all state buildings.

Sec. 13. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$300,000 which may be expended for plans, studies and surveys, and for the alterations, betterments, construction, reconstruction, improvements or rehabilitation of any state-owned building or structure, if it appears to the commissioner that such an expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and funds have not been otherwise appropriated for such purposes. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 14. There is appropriated to the commissioner of adminis-

tration from the Minnesota state building fund the sum of \$50,000 which may be expended for the purpose of preparing preliminary plans, or other documentation that may be required, for assistance in obtaining non-state participation in state buildings programs. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 15. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$1,000,000 for a higher education facilities contingent account. The commissioner may transfer these funds when the amount of the federal share for a project is less than the amount anticipated or if it appears that the total cost of constructing and equipping an entire project will exceed the total cost authorized notwithstanding limitations on state funds appropriated therefor.

The commissioner may transfer these funds to the building accounts projects authorized in sections 3, 4, and 7, and to the building accounts of projects authorized by Laws 1967, Extra Session, Chapter 8, Section 9 and by Laws 1969, Chapter 1159, Section 8. Moneys transferred are hereby reappropriated for such purposes. All transfers authorized by this section shall be made only after the commissioner has consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee, and has received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. Funds for the transfer of moneys to a project under the authority of the university of Minnesota are hereby reappropriated to the board of regents to carry out the purpose of the transfer.

Sec. 16. Minnesota state building bond issue and appropriation. For the purpose of providing the moneys appropriated by this act to the state agencies herein designated, for the acquisition and betterment of the public lands and buildings and other public improvements of a capital nature herein designated, the state auditor is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$46,470,000 in the manner and upon the terms and conditions prescribed by Minnesota Statutes, Sections 6.30 and 6.31 and by the Constitution, Article IX, Section 6. The proceeds of such bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Sec. 17. Minnesota state building bond account; appropriation. In order to reduce the amount of taxes otherwise required by the Constitution, Article IX, Section 6, Subdivision 4, to be levied for the payment of interest and principal on the bonds authorized in Section 16 of this act, there is hereby appropriated annually to the Minnesota state building bond account in the state bond fund

from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on November 1 in each year in said Minnesota state building bond account, to pay all principal and interest due and to become due on said bonds within the then ensuing year and to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to the appropriation annually made by this section are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 18. Where an amount is payable to a creditor of the state from a project account which is financed partly with federal funds and such project is one included in appropriations now or hereafter made to the commissioner of administration for public buildings and equipment therefor and such amount cannot be timely paid because of a deficiency of money in such project account caused by a delay in the receipt of federal funds, the commissioner may provide such money as is needed to pay the amount by temporarily transferring such sum from any other appropriation made to him in the same act as contains the project account wherein the deficiency has occurred. Such moneys as are required therefor are hereby appropriated for such purpose. When the delayed federal funds are received the commissioner shall cause the amount of money transferred to be returned to the account from whence it came.

Sec. 19. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 20. Notwithstanding any other provision of law, all moneys appropriated by this act and all previous acts for the purposes of the Minnesota state building fund shall be and remain available for such purposes until and unless such appropriations are specifically rescinded by law. The state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects, incidental expenses or contingencies.

Sec. 21. The appropriation made by Section 6, Subdivision 1 (5) for the Centennial building parking facility is in addition to the amounts heretofore appropriated for the same purpose. The conditions imposed under prior laws for this facility are rescinded and in lieu thereof all appropriations made for such facility are subject to the following:

By July 1, 1973, or as soon thereafter as possible, the commissioner of administration, in accordance with the provisions of Minnesota Statutes, Section 16.72, shall fix and collect gross rents,

charges and fees in connection with and for the use of all parking lots and facilities now or hereafter owned and operated by the state and under the jurisdiction of the commissioner.

Such gross rents, charges and fees shall be fixed by the commissioner in such amount as will defray all costs of operating, maintaining and improving the parking lots and facilities under the jurisdiction of the commissioner and in addition provide the sum of \$4,064,000 which is hereby appropriated from such gross rents, charges and fees to the Minnesota State building bond account in the state bond fund, and which shall be credited to said account in the annual amount of \$203,200 on or before November 1 in each year, commencing in 1974 until the amount so appropriated has been credited to said account. The moneys received and on hand annually pursuant to this authorization are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 22. This act becomes effective the day following final enactment."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Fred C. Norton, Neil S. Haugerud, Howard E. Smith, Donald B. Samuelson and Delbert F. Anderson.

Senate Conferees: (Signed) Norbert Arnold, Edward G. Novak, John L. Olson, Richard W. Fitzsimons and Jack Davies.

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2531 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2531: A bill for an act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the Constitution, Article IX, Section 6, to finance said fund; appropriating moneys in connection therewith.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 59 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Moe	Schaaf
Arnold	Davies	Keefe, S.	Nelson	Schrom
Ashbach	Doty	Kirchner	North	Sillers
Bang	Dunn	Kleinbaum	Novak	Solon
Berg	Fitzsimons	Knutson	Ogdahl	Spear
Bernhagen	Gearty	Kowalczyk	Olhoft	Stokowski
Blatz	Hansen, Baldy	Larson	Oison, A. G.	Tennessee
Borden	Hansen, Mel	Laufenburger	Olson, H. D.	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Coleman	Jensen	Milton	Renneke	

Those who voted in the negative were:

Frederick	O'Neill	Perpich, G.	Pillsbury	Stassen
Josefson				

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2444.

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota State transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Anderson, I., Salchert and Dirlam have been appointed as such committee on the part of the House.

House File No. 2444 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2444 and that a Conference Committee of 3 members be appointed by the Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2530, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

House File No. 2530 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2530

A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

May 19, 1973

Honorable Martin Sabo,
Speaker of the House of Representatives

Honorable Alec 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. 2530, report that we have agreed upon the items in dispute and recommend as follows: Strike everything after the enacting clause, and substitute the following language:

“Section 1. Public buildings; appropriation. Except as otherwise provided in this act, the sums hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or such other funds as designated, for the purposes specified in the following sections of this act.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) Demolition of Welfare Institution Buildings. . . \$ 250,000

Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to demolish any old or obsolete buildings immediately from any funds available to the department of public welfare.

Subd. 3. At Minnesota State Prison:

(1) Tuckpointing	\$ 36,000
(2) One incinerator (inside prison walls)	40,000
(3) Roof repairs, cordage warehouse	30,000
(4) Replace windows and frames and doors in industry buildings	20,000
(5) Storm sewers	20,000
(6) Fire prevention measures	50,000

Subd. 4. At State Reformatory for Men:

(1) New oven—Food Service	17,000
(2) Miscellaneous reroofing	20,000
(3) Plaster ceiling area in Food Service and laundry	5,250
(4) Tuckpointing—supplies and equipment	10,000
(5) Resurface institution roads	10,000

Subd. 5. At Minnesota Correctional Institution for Women:

(1) Install exit lights, sprinkler system for Anthony cottage, administration and security section, and provide second means of egress in basement and second floor of Administration building	50,000
(2) Install new steps and stoop of Sanford cottage ..	3,500

Subd. 6. At State Training School for Boys:

(1) Repair, replace and maintain physical plant . . .	45,000
(2) Separation of storm and sanitary sewers, complete repair of roads and parking lots	25,000
(3) Repair and remodel interior of volunteer center ..	7,500
(4) Install seven drinking fountains and demolish old kitchen	15,000

Subd. 7. At Minnesota Home School:

(1) Remodel and equip counseling building	15,000
(2) Provide climate control in Senator Popp Building ..	5,000
(3) Remodel zoned heating in Alcott, Stowe and ..	

Evers cottages and replace radiators in Alcott, Stowe, Evers, Richard and Lind cottages	40,000
(4) Replace carpeting in Richard and Lind cottages	3,200
(5) Add combination storms and screens to Alcott, Evers, Stowe, Richard, Lind cottages and Morse Hall.	15,000
(6) Demolish Sullivan cottage upon completion of new security facility	—0—
Subd. 8. At Minnesota Reception and Diagnostic Center:	
(1) Modification of Administration Building \$	2,000
(2) Area lighting	15,000
(3) Install automatic fire detectors	8,000
Subd. 9. At Saint Croix Forestry Camp:	
(1) Correct foundation water problem at gymnasium corner	3,000
Subd. 10. At Thistledew Forestry Camp:	
(1) Construct Chapel addition and Challenge building from private donation of \$10,600	—0—
Subd. 11. At Willow River Forestry Camp:	
(1) Sewer system	15,000
Sec. 3. Subdivision 1. To the commissioner of public welfare to be expended for the purpose of repairs and replacements:	
Subd. 2. At Anoka State Hospital	88,672
Subd. 3. At Fergus Falls Hospital	156,060
Subd. 4. At Hastings State Hospital	71,000
Subd. 5. At Moose Lake State Hospital	79,400
Subd. 6. At Rochester State Hospital	145,650
Subd. 7. At St. Peter State Hospital	134,900
Subd. 8. At Willmar State Hospital	91,000
Subd. 9. At Faribault State Hospital	164,575
Subd. 10. At Cambridge State Hospital	129,800
Subd. 11. At Brainerd State Hospital	96,200
Subd. 12. At Braille and Sight Saving State School.	22,875
Subd. 13. At School for the Deaf	48,060
Subd. 14. At Gillette Children's Hospital	35,790
Subd. 15. At Ah-Gwah-Ching Nursing Home	45,000

Subd. 16. At Glen Lake State Sanatorium and Oak Terrace Nursing Home 72,500

Sec. 4. Subdivision 1. To the commissioner of corrections for the purpose of repairs and replacements:

Subd. 2. At Minnesota State Prison \$ 214,000

Subd. 3. At Reformatory for Men 119,795

Subd. 4. At Minnesota Correctional Institution for Women 10,100

Subd. 5. At Training School for Boys 55,250

Subd. 6. At Minnesota Home School 33,250

Subd. 7. At Minnesota Reception and Diagnostic Center 33,990

Subd. 8. At Correctional Camps 10,000

Sec. 5. Subdivision 1. To the state college board for repairs and betterments at the state colleges including preventative maintenance 1,100,000

Sec. 6. Subdivision 1. To the state junior college board for repairs and betterments at the state junior colleges 503,775

Sec. 7. Subdivision 1. To the Minnesota Veterans Home Board for the purpose of repairs and replacements at Minnesota Veterans Home 15,000

Sec. 8. To the Minnesota Historical Society:

(1) Improvements to historic sites 150,000

(2) Archaeological construction 50,000

(3) Contingent fund 30,000

Sec. 9. Notwithstanding any provision of Minnesota Statutes, Section 16.17, all the money appropriated by section 2 shall be deemed for construction, repairs, or other building improvements and shall be available until the purposes for which the appropriation was made shall have been accomplished or abandoned. The moneys appropriated by sections 3, 4, 5, 6, and 7 not expended or encumbered shall cancel on June 30, 1975.

Sec. 10. If moneys are appropriated during the same or different sessions of the legislature for the same or related projects which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects.

Sec. 11. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which

the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 12. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in section 2 of this act, the commissioner of administration may transfer any unexpended funds in said project to any other project therein enumerated.

Subd. 2. The balance of each appropriation made by this and any prior act to the commissioner of administration from the general fund for construction, repairs, and other permanent improvements, remaining when the specific purpose of such appropriation is accomplished, as certified by the commissioner to the chairman of the senate finance committee, the chairman of the senate finance committee, and the state auditor, may be transferred to any other account for which such an appropriation is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the chairman of the senate finance committee and the chairman of the house appropriations committee, which shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 13. Subdivision 1. The city of Fairmont donated by conveyance to the state of Minnesota for a junior college to be located in Fairmont the following described land lying and being in Martin county:

Government Lot Two (2) and Government Lot Three (3) of Section Seven (7), Township One Hundred Two (102) North, of Range Thirty (30) West, excepting the South Thirty-three (33) feet of the West 578.24 feet of said Government Lot Three (3), and excepting the West Thirty-three (33) feet of said Government Lot Two (2) and said Government Lot Three (3), to be used for future street purposes.

Although such lands are not presently needed for such college purposes, they shall remain in their present status until directed by the legislature, except that if the council of the city of Fairmont by resolution requests transfer of the land to the city the commissioner of administration may convey the land to the city.

Subd. 2. The village of Cambridge donated by conveyance to the state of Minnesota for a junior college to be located in Cambridge the following described land lying and being in Isanti county:

The West 1,400 feet of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-two (32) Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the West 675 feet of the South 762 feet thereof, and also the East 700 feet of the East Half of the Northeast Quarter (E $\frac{1}{2}$ of NE $\frac{1}{4}$),

Section Thirty-one (31), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the South 762 feet thereof, and also excepting from the tracts herein conveyed all public roads and easements of record.

Although such lands are not presently needed for such college purposes, they shall remain in their present status until directed by the legislature, except that if the council of the village of Cambridge by resolution requests transfer of the land to the village the commissioner of administration may convey the land to the village.

Sec. 14. The unexpended balances of appropriations as certified by the commissioner of administration to the state auditor heretofore made by the legislature by Laws 1965, Chapter 882, Section 2, Subdivision 12 (1), Section 4, Subdivision 4 (2) and Subdivision 7 (2), and Section 7, Subdivision 2; Extra Session Laws 1967, Chapter 8, Section 2, Subdivision 4 (1), 8 (2), 10 (1), 11 (1), and 13 (1), and Section 4; Extra Session Laws 1967, Chapter 13, Section 2, Subdivision 2 (2), Subdivision 4 (1), Subdivision 6 (1), Subdivision 16 (1), Subdivision 18 (1) and (2), Subdivision 22 (1), and Subdivision 23 (1); Laws 1969, Chapter 1155, Section 2, Subdivision 15 (1) and Subdivision 25 (2); Laws 1969, Chapter 1159, Section 7, Subdivision 1 (5), Section 13 and 14; and Laws 1971, Chapter 963, Section 2, Subdivision 15 (4) and 19 (1), Section 3 (Cambridge and Fairmont State Junior Colleges), and Section 4 (2) (b) are hereby reappropriated to the commissioner of administration as follows:

Laws 1965, Chapter 882, as detailed above	\$ 265,391.69
Extra Session Laws 1967, Chapter 8, as detailed above	95,117.79
Extra Session Laws 1967, Chapter 13, as detailed above	59,262.66
Laws 1969, Chapter 1155, as detailed above	14,887.90
Laws 1969, Chapter 1159, as detailed above	242,868.01
Laws 1971, Chapter 963, as detailed above	5,217,000.00

to be used for the following purposes:

- a. to reimburse the general fund for the appropriation made therefrom by Laws 1973, Chapter 99, Section 1, to the university of Minnesota to equip unit A, health sciences. \$ 3,000,000.00
- b. to improve grounds at certain junior colleges. 1,680,000.00
- c. Capitol remodeling: toilet remodeling, east wing-tunnel, first, second, and third floors, \$150,000; remodel Capitol tunnel, \$81,000; replacement of mail chute, \$12,000; replacement of dock and outside freight elevator in Capitol, \$80,000; rewire and reset light standards front of Capitol, \$5,000; four additional fuel storage tanks for heating plant, \$100,000; additional amount needed 308,000.00
- d. to supplement the appropriations made by Laws 1969, Chapter 1159, Section 7, Subdivision 1

(4) and Laws 1971, Chapter 963, Section 7, Subdivision 1 (11) for a parking facility, Capi- tol complex	906,528.05
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Sec. 15. (CONVEYANCE OF STATE PROPERTY, COMMISSIONER OF ADMINISTRATION, CITY OF MINNEAPOLIS)

The Commissioner of Administration is hereby authorized to convey by quitclaim deed to the City of Minneapolis, Minnesota, the following described state real property, to wit:

All of Lots 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, and 21, of Block 7 of the Washington Yale Addition to the City of Minneapolis, including that part of the Southeasterly one-half of the vacated alley adjoining the Northwesterly line of said Lot 7, and lying between the extensions across said Alley of the Southwesterly and Northeasterly line of said Lot 7; and

Lots 1, 2, 3, 4, 5, 6, 7, and 8 of the Gates Brothers Rearrangement of Block 7, Washington Yale Addition to the City of Minneapolis; and

The vacated alley lying South of Lot 11, Block 7, said Washington Yale Addition to the City of Minneapolis, being from a line parallel with and ten (10) feet Westerly of the Easterly line of said Lot 11, to the extension of the Westerly line of said Lot 11;

All according to the respective recorded plats or maps thereof, Hennepin County, Minnesota

In consideration of said transfer, the City of Minneapolis, Minnesota shall convey by warranty deed to the State of Minnesota the following described real property, to wit:

All of Block 2 of the Washington Yale Addition to the City of Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota.

Sec. 16. From the appropriation made in Chapter 963, Section 3, Laws 1971, the commissioner of administration is authorized to expend not more than \$1,000,000 for land acquisition, demolition, and site preparation at Metropolitan Junior College and such funds are appropriated for this purpose.

The junior college board and the state board of education shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee all plans for the proposed developments of this land prior to the implementation of said proposal.

Sec. 17. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the commissioner of administration. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 18. The effective date of this act is July 1, 1973 except for section 14, items c. and d. which are immediately available."

Further, strike the title and substitute the following:

"A bill for an act relating to the organization and operation of

state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating and reappropriating money therefor; authorizing reconveyance of real property."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Fred C. Norton, Don B. Samuelson, Neil S. Haugerud, Howard E. Smith, Delbert Anderson.

Senate Conferees: (Signed) Edward G. Novak, Norbert Arnold, Jack Davies, Richard W. Fitzsimons, John L. Olson.

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2530 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating and reappropriating money therefor; authorizing reconveyance of real property.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Blatz	Gearly	Larson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Brown	Hansen, Mel	Lewis	Patton	Tennessee
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Thorup
Chmielewski	Hughes	McCutcheon	Perpich, G.	Ueland
Coleman	Humphrey	Milton	Pillsbury	Willet
Conzemius	Jensen	Moe	Purfeerst	
Davies	Josefson	Nelson	Renneke	
Doty	Keefe, J.	North	Schaaf	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of this evening's Session. The following Senators answered to their names:

Anderson	Frederick	Kirchner	Nelson	Schaaf
Bernhagen	Gearty	Kleinbaum	North	Schrom
Berg	Hansen, Baldy	Kowalczyk	Olhofs	Solon
Borden	Hansen, Mel	Larson	Olson, A. G.	Stassen
Chmielewski	Hanson, R.	Laufenburger	Patton	Stokowski
Coleman	Hughes	Lord	Perpich, A. J.	Tennessee
Conzemius	Humphrey	McCutcheon	Perpich, G.	Ueland
Davies	Jensen	Milton	Pillsbury	Wegener
Dunn	Josefson	Moe	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 9, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

House File No. 9 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 9

A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

May 19, 1973

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. 9, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 9 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [CITATION.] This act may be cited as the Minnesota fair labor standards act.

Sec. 2. [STATEMENT OF POLICY.] It is declared to be the policy of the Minnesota fair labor standards act (1) to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency, and general well-being; (2) to safeguard existing minimum wage and overtime compensation standards which are adequate to maintain the health, efficiency, and general well-being of workers against the unfair competition of wage and hour standards which do not provide such adequate standards of living; and (3) to sustain purchasing power and increase employment opportunities.

Sec. 3. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act, shall have the meanings given to them in this section.

Subd. 2. “Department” means the Minnesota department of labor and industry.

Subd. 3. “Commissioner” means the commissioner of labor and industry of Minnesota or his authorized designee.

Subd. 4. “Wage” means compensation due to an employee by reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such allowances as may be permitted by regulations of the department under section 8.

Subd. 5. “Employ” means to suffer or permit to work.

Subd. 6. “Employer” means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 7. “Employee” means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;

(3) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of Minnesota Statutes, Section 353.01, Subdivision 2, Paragraph (2), Clauses (a), (b), (d), and (h);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program.

Subd. 8. "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Subd. 9. "Gratuities" means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

Sec. 4. [PAYMENT OF MINIMUM WAGES.] Except as may otherwise be provided in this act, or by regulation issued pursuant thereto, every employer shall pay to each of his employees wages at a rate of not less than \$1.80 an hour.

Sec. 5. [OVERTIME.] Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; provided, however, that an employer if it is the State of Minnesota or a political subdivision may grant time off at the rate of one and one-half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a work week in excess of that specified in this section without paying the compensation for overtime employment prescribed herein if such employee is so employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended.

Subd. 2. No employer engaged in the operation of a health care facility shall be deemed to have violated subdivision 1 if pursuant to an agreement or understanding arrived at between the employer and employee before performance of the work, a

work period of 14 consecutive days is accepted in lieu of the work week of 7 consecutive days for the purpose of overtime compensation and if for his employment in excess of 8 hours in any work day and in excess of 80 hours in such 14 day period the employee receives compensation at a rate not less than one and one half times the regular rate at which he is employed.

Subd. 3. The provisions of subdivision 1 shall not apply with respect to any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, or farm implements and paid on a commission or incentive basis, if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers.

Sec. 6. [DIVISION OF LABOR STANDARDS IS CREATED.] Subdivision 1. A division of labor standards is hereby created in the department of labor and industry under the supervision and control of the commissioner of labor and industry.

Subd. 2. [POWERS AND DUTIES.] The powers, duties, and functions vested in, or imposed upon, the division of women and children of the department of labor and industry by Minnesota Statutes, Chapter 177, and other applicable laws relating to wages, hours, and working conditions, are transferred, vested in, and imposed upon the division of labor standards. In addition, the division of labor standards shall administer the provisions of this act and chapter 184.

Subd. 3. [EMPLOYEES; TRANSFER FROM DIVISION OF WOMEN AND CHILDREN.] All persons employed by the department of labor and industry in the division of women and children shall be transferred to the division of labor standards without loss to the person of any rights acquired by reason of his employment at the time of transfer.

Sec. 7. [POWERS AND DUTIES OF THE COMMISSIONER.] Subdivision 1. The commissioner or his authorized representative may enter during reasonable office hours or upon request and inspect the place of business or employment of any employer of employees in any occupation in the state, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; transcribe any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the provisions of this act and the regulations issued pursuant thereto have been and are being complied with.

Subd. 2. The commissioner or his authorized representative may require from any employer of employees in any occupation in the state full and correct statements in writing, including sworn statements, with respect to wages, hours, name, addresses,

and such other information pertaining to his employees and their employment as the commissioner or his authorized representative may deem necessary or appropriate.

Subd. 3. The commissioner or his authorized representative may issue any order requiring an employer to comply with the provisions of this act or with any regulation promulgated under the provisions of section 8. Any order shall be served by the department upon the employer or his authorized representative in person or by certified mail at the employer's place of business. If an employer wishes to contest the order for any reason, he shall file written notice of his objection to the order with the commissioner within 10 days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of Minnesota Statutes, Sections 15.0418 to 15.0426, and such regulations consistent therewith as the commissioner may make.

Subd. 4. The commissioner may investigate, mediate, and settle wage claims by an employee against an employer if the failure to pay any such wage may violate Minnesota laws or any order or regulation of the department thereunder,

Subd. 5. The commissioner may commence a civil action in any court of competent jurisdiction for the benefit of any employee for appropriate relief with respect to any wage claim which the commissioner deems to be valid, upon a written request being filed with the commissioner by such employee, provided: (1) the failure to pay such wage would constitute a violation of Minnesota laws or any order or regulation of the department thereunder, and (2) the wage claim does not exceed \$300. The employer shall pay all costs and disbursements as may be allowed by the court, and shall further pay an assessment of ten percent of the amount of any awarded wage claim to the treasurer of the state of Minnesota. In any action herein no security for payment of costs shall be required. Nothing herein shall be construed to prevent an employee from prosecuting his own claim for wages.

Subd. 6. Upon the written request of the commissioner, the attorney general of the state of Minnesota shall commence a civil action for appropriate relief against the employer as provided in subdivision 5.

Sec. 8. [POWER TO MAKE REGULATIONS.] Subdivision 1. The commissioner shall make and revise such regulations, including definitions of terms, as he shall deem appropriate to carry out the purposes of this act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage and overtime rates established by sections 4 and 5.

Subd. 2. The commissioner shall appoint an advisory committee composed of an equal number of not more than three representatives each of employers and employees and of not more than three disinterested persons representing the public, which he shall consult concerning the making and revising of administrative regulations.

Subd. 3. The commissioner shall establish regulations which define and govern this act with respect to, salesmen who conduct no more

than 20 percent of their sales on the premises of the employer; allowances as part of the wage rates for board, lodging and other facilities or services furnished by the employer and used by the employees. Regulations issued by the department pursuant to this section shall include, but are not limited to, bonuses; special rates for employees under the age of 18, which rate shall not be more than 90 percent of the minimum wage established in section 4; part-time rates; special pay for special or extra work; procedures in contested cases; other facilities or services furnished by employers and used by employees; and other special items usual in a particular employer-employee relationship. Regulations required by this subdivision shall be established by November 1, 1973.

Subd. 4. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25 percent of the minimum wage which a tipped employee receives. Said credit against the wages due for gratuities received by a tipped employee may not be taken unless a signed statement from each tipped employee states that he did receive during the pay period an amount equal to or greater than the credit applied against the wages due by his employer. Such statements shall be maintained by the employer as a part of his business records.

Subd. 5. In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rates under sections 4 and 5, the department shall also issue regulations providing for the employment of handicapped workers at wages lower than the wage rates applicable under sections 4 and 5, under permits and for such periods of time as specified therein; and providing for the employment of learners and apprentices at wages lower than the wage rates applicable under sections 4 and 5, under permits and subject to such limitations on number, proportion, length of learning period, occupations, and other conditions as the department may prescribe. The regulations issued by the department shall provide that where a handicapped person is now performing or is being considered for employment where he will perform work which is equal to work performed by a non-handicapped person, such handicapped person shall be paid the same wage as a non-handicapped person with similar experience and skill.

Subd. 6. Regulations shall be adopted by the department only after a public hearing held upon due publication of notice, at which any interested person may be heard and of which a record shall be made. Regulations shall be published by the department and shall take effect upon publication and filing with the secretary of state and the department of administration. Such regulations shall have the force and effect of law upon filing as provided herein.

Sec. 9. [JUDICIAL REVIEW.] Subdivision 1. Any person who may be aggrieved by any administrative regulation issued pursuant to section 8 may obtain a review thereof in the district court for Ramsey county, by filing in such court a written petition for declaratory judgment praying that the regulation be modified or set aside. A copy of such petition shall be served upon the department. The department's findings of fact, if any.

shall be conclusive upon the court if supported by substantial evidence. The court shall determine whether the regulation is in accordance with law.

If the court determines that such regulation is not in accordance with law, it shall remand the case to the department with directions to modify or revoke such regulation. If application is made to the court by any aggrieved party for leave to adduce additional evidence, such party shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence before the department. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the department with directions that such additional evidence be taken by the department. The department may modify its findings and conclusions, in whole or in part, by reason of such additional evidence.

Subd. 2. Hearings in the district court on all appeals taken under subdivision 1 shall be privileged and take precedence over all matters, except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review on appeal to the supreme court.

Subd. 3. The commencement of proceedings under subdivision 1 shall not, unless specifically ordered by the court, operate as a stay of an administrative regulation issued pursuant to section 8. The court shall not grant any stay of an administrative regulation unless the person complaining of such regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

Sec. 10. [KEEPING RECORDS.] Every employer subject to any provision of this act or of any regulation issued pursuant thereto shall make and keep, for a period of not less than three years in or about the premises wherein any employee is employed, a record of the name, address and occupation of each of his employees, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other information as the department shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this act or of the regulations issued pursuant thereto.

Sec. 11. [POSTING OF LAW AND REGULATIONS.] Every employer subject to any provision of this act shall keep a summary thereof, approved by the department, and copies of any applicable regulations issued pursuant thereto, or a summary of such regulations, posted in a conspicuous and accessible place in or about the premises

wherein any person subject thereto is employed. The department shall furnish copies of such summaries and regulations to employers without charge.

Sec. 12. [PENALTIES.] Subdivision 1. Any employer who hinders or delays the department or its authorized representatives in the performance of its duties under this act or refuses to admit the commissioner or his authorized representative to any place of employment as required by section 7, subdivision 1; or fails to make, keep, and preserve records as required by section 10; or falsifies any such record; or refuses to make any such record accessible, or to furnish a sworn statement of such record or any other information as required by section 7; or fails to post a summary of this act or a copy of any applicable regulation as required by section 11; or pays or agrees to pay wages at a rate less than the rate applicable under or pursuant to this act; or otherwise violates any provision of this act or of any regulation issued pursuant thereto; is guilty of a misdemeanor.

Subd. 2. Any employer who discharges or in any other manner discriminates against any employee because such employee has complained to his employer, to the department, or to an authorized representative of the department that he has not been paid wages in accordance with this act or regulations issued pursuant thereto or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any such proceeding shall, upon conviction therefor, be fined not less than \$500 nor more than \$1000.

Sec. 13. [EMPLOYEES' REMEDIES.] Any employer who pays any employee less than the wages and overtime compensation to which such employee is entitled under this act and regulations issued pursuant thereto shall be liable to such employee for the full amount of such wages and overtime compensation, less any amount actually paid to such employee by the employer, for an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than the applicable wage rate shall be no defense to such action. Such action may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves.

Sec. 14. [RELATION TO OTHER LAWS.] Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other law of this state on the effective date of this act which are more favorable to employees than those applicable hereunder shall not be deemed to be amended, rescinded, or otherwise affected by this act but shall continue in full force and effect until they are specifically superseded by standards more favorable to such employees by operation of or in accordance with this act or regulations issued pursuant thereto.

Sec. 15. [RIGHT OF COLLECTIVE BARGAINING.] Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work more favorable to the

employees than those required by this act and regulations issued pursuant thereto.

Sec. 16. Minnesota Statutes 1971, Sections 175.38, 175.39, 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.075, 177.08, 177.09, 177.10, 177.11, 177.12, 177.121, 177.122, 177.13, 177.14, 177.15, 177.16, 177.17, 177.19, and 177.20, are repealed.

Sec. 17. [EFFECTIVE DATE.] This act shall become effective January 1, 1974."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Ray W. Faricy, Robert J. Ferderer, Jack H. LaVoy.

Senate Conferees: (Signed) John Milton, Al Kowalczyk, Howard D. Olson.

Mr. Milton moved that the foregoing recommendations and Conference Committee Report on H. F. No. 9 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill as amended by the Conference Committee,

And the roll being called, there were yeas 51 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Stassen
Arnold	Fitzsimons	Kleinbaum	Novak	Stokowski
Bang	Frederick	Knutson	Ogdahl	Tennessen
Berg	Gearty	Kowalczyk	Olhoft	Thorup
Blatz	Hansen, Mel	Laufenburger	Olson, H. D.	Ueland
Borden	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lord	Perpich, G.	Willet
Chmielewski	Humphrey	McCutcheon	Purfeerst	
Coleman	Josefson	Milton	Schaaf	
Conzemius	Keefe, J.	Moe	Solon	
Davies	Keefe, S.	Nelson	Spear	

Those who voted in the negative were:

Bernhagen	Jensen	Patton	Renneke	Schrom
Hansen, Baldy	Larson			

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 835, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 835: A bill for 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.

House File No. 835 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 835

A bill for 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.

May 19, 1973

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. 835, 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. 835 be amended as follows:

Page 4, delete lines 19 and 20

Page 4, line 21, delete "(3)" and insert in lieu thereof "(1)"

Page 4, line 22, delete "*of the party seeking the dissolution*"

Page 4, line 23, delete "(4)" and insert in lieu thereof "(2)"

Page 4, delete lines 27 and 28, and insert in lieu thereof "(3) *Habitual alcoholism or chemical dependency;*"

Page 5, delete lines 1 and 2

Page 5, line 3, delete "(7) *Three years under*" and insert in lieu thereof "(4)"

Page 5, line 6, delete "*the*"

Page 5, line 7, delete "*three years need not be continuous; (c)*"

Page 5, line 15, delete "(d)" and insert in lieu thereof "(c)"

Page 5, line 17, delete "(e)" and insert in lieu thereof "(d)"

Page 5, line 20, delete "(f)" and insert in lieu thereof "(e)"

Page 5, line 22, delete "(g)" and insert in lieu thereof "(f)"

Page 5, delete lines 24 and 25

Page 5, line 26, delete "*commencement of the action, and*" and insert in lieu thereof "(5)"

Page 5, line 28, delete "*two years*" and insert in lieu thereof "*one year*"

Page 6, line 1, delete "*action*" and insert in lieu thereof "*proceeding*"

Page 6, line 4, delete "*aforementioned grounds*" and insert in lieu thereof "*foregoing*"

Page 8, line 18, delete "*without enumerating the*"

Page 8, line 19, delete "*amounts thereof*"

Page 8, line 25, delete "*and that the maintenance of the*" and insert in lieu thereof a period

Page 8, delete lines 26 and 27

Page 14, line 5, after "OF" insert "DISSOLUTION"

Page 14, line 20, insert before the stricken language "18", restore the stricken language, and delete "*the age of majority*"

Page 20, after line 15, insert a new section to read:

"Sec. 28. *Wherever the word "divorce" is used in the statutes, it has the same meaning as "dissolution" or "dissolution of marriage".*"

Page 20, line 16, after "518.08" delete the comma and insert in lieu thereof a semicolon

Page 20, line 17, after "518.26" delete the comma and insert in lieu thereof a semicolon and after "518.28" delete the semicolon

Renumber the remaining sections in sequence

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Phyllis Kahn, Charles R. Weaver and Robert C. Bell.

Senate Conferees: (Signed) Allan H. Spear, Robert J. Tennesen and John B. Keefe.

Mr. Spear moved that the foregoing recommendations and Conference Committee report on H. F. No. 835 be now adopted and that the bill be repassed as amended by the Conference Committee.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 19 and nays 36, as follows:

Those who voted in the affirmative were:

Arnold	Humphrey	Lewis	Perpich, A. J.	Spear
Borden	Keefe, J.	Milton	Perpich, G.	Stokowski
Coleman	Keefe, S.	Moe	Pillsbury	Tennessee
Davies	Kleinbaum	North	Schaaf	

Those who voted in the negative were:

Anderson	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoff	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Wegener
Bernhagen	Gearty	Larson	O'Neill	Willet
Blatz	Hansen, Baldy	Laufenburger	Patton	
Brown	Hansen, Mel	McCutcheon	Purfeerst	
Chenoweth	Hanson, R.	Nelson	Renneke	
Chmielewski	Josefson	Novak	Schrom	

Which motion did not prevail. So the Conference Committee report was not adopted.

Mr. Davies moved that H. F. No. 835 be returned to the House of Representatives with the request that H. F. No. 835 be returned to the Conference Committee as formerly constituted for further consideration. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2444 pursuant to the request of the House.

Messrs. Olson, A.G., Chenoweth, McCutcheon.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2484, No. 136 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2484: A bill for an act relating to taxation of property devoted to temporary and seasonal residential occupancy; amending Minnesota Statutes 1971, Section 273.13, Subdivision 4.

Mr. Perpich, A. J. moved to amend H. F. No. 2484, the printed bill, as follows:

Page 1, line 9, strike "*residential*" and insert "*recreational*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 2484 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Olhoft	Solon
Arnold	Gearty	Knutson	O'Neill	Stassen
Berg	Hansen, Mel	Kowalczyk	Perpich, A. J.	Stokowski
Bernhagen	Hanson, R.	Larson	Perpich, G.	Thorup
Blatz	Hughes	Laufenburger	Pillsbury	Ueland
Coleman	Humphrey	Lewis	Purfeerst	Wegener
Conzemius	Jensen	Lord	Renneke	Willet
Davie;	Keefe, J.	Moe	Schaaf	
Doty	Keefe, S.	Nelson	Schrom	
Dunn	Kirchner	North	Sillers	

Messrs. Brown; Frederick; Hansen, Baldy and Novak voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 2444:

Messrs. Olson, A. G.; Chenoweth and McCutcheon. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1436, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

House File No. 1436 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1436

A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

May 18, 1973

Honorable Martin Sabo, Speaker
of the House of Representatives

Honorable Alec 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. 1436, 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. 1436 be amended as follows:

Page 1, delete lines 22 to 26 and insert in lieu thereof:

"Sec. 3. This act shall be effective for each of the cities of Brooklyn Center, Robbinsdale and Brooklyn Park, separately, upon its approval by the governing body of the particular city and upon compliance with Minnesota Statutes, Section 645.021."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Richard J. Parish, Ernee M. McArthur, James R. Casserly.

Senate Conferees: (Signed) Al Kowalczyk, Hubert H. Humphrey, Eugene Stokowski.

Mr. Kowalczyk moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1436 be now adopted and that the bill be repassed as amended by the Conference Committee.

Mr. Nelson moved that the Conference Committee Report on H. F. No. 1436 be rejected and returned to the Conference Committee.

The question being taken on adoption of the motion,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 14 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Nelson	Perpich, G.	Sillers
Berg	Frederick	Ogdahl	Pillsbury	Stassen
Bernhagen	Hansen, Mel	Patton	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Baldy	Knutson	Novak	Stokowski
Blatz	Hanson, R.	Kowalczyk	Olhoff	Tennessee
Borden	Hughes	Larson	Olson, H. D.	Thorup
Chmielewski	Humphrey	Laufenburger	Perpich, A. J.	Wegener
Coleman	Keefe, J.	Lord	Purfeerst	Willet
Conzemius	Keefe, S.	Milton	Schaaf	
Davies	Kirchner	Moe	Schrom	
Doty	Kleinbaum	North	Solon	

Which motion did not prevail.

The question recurred on the motion of Mr. Kowalczyk to adopt the Conference Committee Report on H. F. No. 1436. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Knutson	Olhoff	Solon
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Lord	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schrom	
Fitzsimons	Kleinbaum	Ogdahl	Sillers	

Mr. Nelson voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 2473, No. 144 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2473: A bill for an act relating to retirement; interest assumptions for police and firemen's relief purposes; amending Minnesota Statutes 1971, Sections 69.73; 69.77, Subdivision 2; and 69.772, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoft	Solon
Bang	Gearty	Kowalczyk	Olson, H. D.	Spear
Berg	Hansen, Baldy	Krieger	O'Neill	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stokowski
Borden	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Lord	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Jensen	Moe	Purfeerst	Wegener
Davies	Keefe, J.	Nelson	Renneke	Willett
Doty	Keefe, S.	North	Schaaf	
Dunn	Kirchner	Novak	Schrom	
Fitzsimons	Kleinbaum	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 2447, No. 146 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2447: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Dunn	Hanson, R.	Keefe, S.
Bang	Coleman	Fitzsimons	Hughes	Kleinbaum
Berg	Conzemius	Gearty	Humphrey	Knutson
Bernhagen	Davies	Hansen, Baldy	Jensen	Kowalczyk
Brown	Doty	Hansen, Mel	Keefe, J.	Laufenburger

Lewis	Novak	Perpich, A. J.	Schrom	Tennessen
Lord	Ogdahl	Perpich, G.	Sillers	Thorup
Milton	Olhoft	Pillsbury	Solon	Wegener
Moe	Olson, H. D.	Purfeerst	Spear	Willet
Nelson	O'Neill	Renneke	Stassen	
North	Patton	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 1675, No. 100 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1675: A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

Mr. Gearty moved to amend H. F. No. 1675, the typewritten bill, as amended by the Committee on Governmental Operations, as follows:

Page 15 of the amendment, before line 13, insert:

"Sec. 12. A judge of the Supreme Court, who holds office on or prior to January 1, 1974, is covered by the retirement provisions of Minnesota Statutes, Chapter 490, and shall continue to receive all the benefits thereunder unless he elects, in writing, to come under the provisions of this act by notifying the director of the State Retirement System thereof by January 1, 1974. None of the provisions of this act shall apply to a judge of the Supreme Court who does not make such election."

Renumber section 12 to section 13

Page 15 of the amendment, line 14, strike "10" and insert "12"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1675 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	North	Sillers
Bang	Frederick	Kleinbaum	Ogdahl	Spear
Berg	Gearty	Knutson	Olhoft	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hanson, R.	Krieger	O'Neill	Thorup
Brown	Hughes	Laufenburger	Patton	Ueland
Chmielewski	Jensen	Lewis	Pillsbury	Wegener
Conzemius	Josefson	Lord	Purfeerst	
Davies	Keefe, J.	Milton	Renneke	
Doty	Keefe, S.	Nelson	Schrom	

Messrs. Coleman; Hansen, Baldy; Perpich, A. J.; Perpich, G. and Willet voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 358, No. 126 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 358: A bill for an act relating to teachers retirement association; amending Minnesota Statutes 1971, Sections 136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.07, Subdivision 1; 354.09, Subdivision 3; 354.145; 354.31; 354.32; 354.33, Subdivisions 1, 5, 7, 8 and 9; 354.39; 354.41, Subdivision 3; 354.42, Subdivisions 2, 3 and 5; 354.44, Subdivisions 2, 6 and 7; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivisions 3 and 8, and by adding subdivisions; 354.62, Subdivisions 2 and 5; 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5.

Mr. Ogdahl moved to amend H. F. No. 358, the printed bill, as amended by the Senate Governmental Operations Committee, as follows:

Page 18, line 28, delete "thirty" and insert in lieu thereof "twenty-five"

Page 18, after line 31, insert:

"Subd. 15. Any member who ceased to render teaching service during the 1972-73 fiscal year whose application for retirement becomes effective after June 30, 1973, shall be eligible to receive the new retirement benefits provided in sections 9, 11, 12, 19, 20 and 21 of this act."

Page 21, delete the Senate amendment striking Sec. 31 and insert in lieu thereof the following:

"Sec. 31. Minnesota Statutes 1971, Section 11.25, is amended by adding a subdivision to read:

Subd. 14. All assets in the annuity stabilization reserve and suspense account shall be credited proportionately to the individual retirement funds' participation in the Minnesota adjustable fixed benefit fund, except that the share attributable to the municipal employees' retirement fund of Minneapolis shall be used to increase benefits or may at the discretion of its board of trustees be returned to such fund.

Effective January 1, 1974 each participating fund in the Minnesota adjustable fixed benefit fund, except the municipal employees retirement fund, shall increase the benefits in effect on June 30, 1973 by an amount that when added to the increase granted to such benefits effective July 1, 1973, equals 25 percent. The increase shall apply to the accrual of benefits commencing January 1, 1974 and shall be in lieu of the adjustment provided by section 11.25, subdivisions 12 and 13 scheduled to take effect January 1, 1974.

The actuary for each participating fund, except the municipal employees retirement fund of Minneapolis, shall calculate the reserve required to support the benefits in effect on June 30, 1973 as increased July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota adjustable fixed benefit fund assets so that its participation equals the total of such required reserves and the reserves for benefits authorized on or after July 1, 1973.

The increased benefits accruing as of January 1, 1974 shall be considered the "originally determined benefits" for the purpose of future adjustments."

Further amend the title, line 6 after "354.63, Subdivision 2;" by inserting "and 11.25, by adding a subdivision".

Which motion prevailed. So the amendment was adopted.

H. F. No. 358 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Borden	Hansen, Mel	Larson	O'Neill	Stassen
Brown	Hanson, R.	Laufenburger	Patton	Stokowski
Chmielewski	Hughes	Lewis	Perpich, A. J.	Tennessee
Coleman	Humphrey	Lord	Perpich, G.	Thorup
Conzemius	Jensen	Milton	Pillsbury	Ueland
Davies	Josefson	Moe	Purfeerst	Wegener
Doty	Keefe, J.	Nelson	Renneke	Willet
Dunn	Kirchner	North	Schaaf	
Fitzsimons	Kleinbaum	Novak	Schrom	

So the bill, as amended, passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 377, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7;

363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

House File No. 377 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 377

A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

May 19, 1973

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. 377, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 377 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 363.01, is amended by adding subdivisions to read:

Subd. 24. [LOCAL COMMISSION.] "Local commission" means an agency of a city, village, or borough created pursuant to law, city charter, or municipal ordinance for the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status, or status with regard to public assistance.

Subd. 25. [DISABILITY.] "Disability" means a mental or physical condition which constitutes a handicap.

Subd. 26. [DEPARTMENT.] "Department" means the department of human rights.

Subd. 27. [STATUS WITH REGARD TO PUBLIC ASSISTANCE.] "Status with regard to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, or of being a tenant receiving federal, state or local subsidies, including rental assistance or rent supplements.

Sec. 2. Minnesota Statutes 1971, Section 363.02, is amended to read:

363.02 [EXEMPTIONS.] Subdivision 1. [EMPLOYMENT.] The provisions of section 363.03, subdivision 1, shall not apply to:

(1) The employment of any individual

(a) by his parent, grandparent, spouse, child, or grandchild, or

(b) in the domestic service of any person.

(2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment.

(3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice.

It is not an unfair employment practice for an employer, employment agency or labor organization:

(i) to require a person to undergo physical examination for purpose of determining the person's capability to perform available employment; or

(ii) to conduct an investigation as to the person's medical history for the purpose of determining the person's capability to perform available employment.

Subd. 2. [HOUSING.] The provisions of section 363.03, subdivision 2, shall not apply to :

~~(a) The rental of a portion of a dwelling containing accommodations for two families, one of which is occupied by the owner, rooms in a temporary or permanent residence home run by a nonprofit organization, if the discrimination is by sex or (b) the rental by an owner or occupier of a one-family accommodation in which he resides of a room or rooms in such accommodation to another person or persons if the discrimination is by sex, marital status, status with regard to public assistance or disability. Nothing in this chapter shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this chapter be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract .~~

Subd. 3. [EDUCATION.] It is not an unfair discriminatory practice for a religious or denominational institution to limit admission or give preference to applicants of the same religion. *The provisions of section 363.03, subdivision 5, relating to sex, shall not apply to a private educational institution, or branch or level of a private educational institution, in which students of only one sex are permitted to enroll. Nothing in this chapter shall be construed to require any educational institution to provide any special service to any person because of the disability of such person or to modify in any manner its buildings, grounds, facilities, or admis-*

sion procedures because of the disability of any such person. Nothing in this chapter shall prohibit an educational institution from discriminating on the basis of academic qualifications or achievements or requiring from applicant's information which relates to academic qualifications or achievements.

Subd. 4. [PUBLIC ACCOMMODATIONS.] *The provisions of section 363.03, subdivision 3, relating to sex, shall not apply to such facilities as restrooms, lockerrooms, and other similar places.*

Subd. 5. [DISABILITY.] *Nothing in this chapter shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate or accommodate that person. It is a defense to a complaint or action brought under this chapter that the person bringing the complaint or action suffers from a mental disability which poses a serious threat to the safety of others. The burden of proving this defense is upon the respondent.*

Sec. 3. Minnesota Statutes 1971, Section 363.03, is amended to read:

363.03 [UNFAIR DISCRIMINATORY PRACTICES.] Subdivision 1. [EMPLOYMENT.] *Except when based on a bona fide occupational qualification, it is an unfair employment practice:*

(1) *For a labor organization, because of race, color, creed, religion, national origin, or sex, marital status, status with regard to public assistance or disability,*

(a) *to deny full and equal membership rights to an applicant for a person seeking membership or to a member;*

(b) *to expel a member from membership;*

(c) *to discriminate against an applicant for a person seeking membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or*

(d) *to fail to classify properly, or refer for employment or otherwise to discriminate against a member; person or member.*

(2) *For an employer, because of race, color, creed, religion, national origin, or sex, marital status, status with regard to public assistance or disability,*

(a) *to refuse to hire or to maintain a system of employment which unreasonably excludes an applicant for employment, or a person seeking employment; or*

(b) *to discharge an employee; or*

(c) *to discriminate against an employee a person with respect to his hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment;*

(3) *For an employment agency, because of race, color, creed, religion, national origin, or sex, marital status, status with regard to public assistance or disability,*

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against ~~an individual, or a person;~~ or

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter;

(4) For an employer, employment agency, or labor organization, before ~~an individual a person~~ is employed by an employer or admitted to membership in a labor organization, to

(a) require the ~~applicant person~~ to furnish information that pertains to the ~~applicant's~~ race, color, creed, religion, ~~or national origin, sex, marital status, status with regard to public assistance or disability,~~ unless, for the purpose of national security, information pertaining to the national origin of the applicant is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the purpose of compliance with the public contracts act or any rule, regulation or laws of the United States or of this state requiring information pertaining to the race, color, creed, religion, ~~or national origin, of the applicant sex, marital status, status with regard to public assistance or disability~~ is required by the United States or a political subdivision or agency of the United States; or

(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, ~~or sex, marital status, status with regard to public assistance or disability.~~

Subd. 2. [REAL PROPERTY.] It is an unfair discriminatory practice:

(1) For an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these

(a) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of the race, color, creed, religion, ~~or national origin, of such person or group of persons sex, marital status, status with regard to public assistance or disability;~~

(b) to discriminate against any person or group of persons because of the race, color, creed, religion, ~~or national origin, of such person or group of persons sex, marital status, status with regard to public assistance or disability~~ in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith; or

(c) in any transaction involving real property, to print, circulate or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental or lease of real property, or make any record or inquiry in connection with the prospective purchase, rental, or lease of real

property which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, ~~or~~ national origin, *sex, marital status, status with regard to public assistance or disability*, or any intent to make any such limitation, specification, or discrimination.

(2) For a real estate broker, real estate salesman, or employee, or agent thereof

(a) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property to any person or group of persons or to negotiate for the sale, rental, or lease of any real property to any person or group of persons because of the race, color, creed, religion, ~~or~~ national origin, ~~of such person or group of persons~~ *sex, marital status, status with regard to public assistance or disability*, or represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of the race, color, creed, religion, ~~or~~ national origin, ~~of such person or group of persons~~ *sex, marital status, status with regard to public assistance or disability*;

(b) to discriminate against any person because of his race, color, creed, religion, ~~or~~ national origin, *sex, marital status, status with regard to public assistance or disability* in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(c) to print, circulate, or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental, or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, ~~or~~ national origin, *sex, marital status, status with regard to public assistance or disability* or any intent to make any such limitation, specification or discrimination;

(3) For a person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property or any agent or employee thereof

(a) to discriminate against any person or group of persons because of the race, color, creed, religion, ~~or~~ national origin, *sex, marital status, status with regard to public assistance or disability* of such person or group of persons or of the prospective occupants or tenants of such real property in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions, or privileges of any such financial assistance or in the extension of services in connection therewith;

(b) to use any form of application for such financial assistance or make any record or inquiry in connection with applications for such financial assistance which expresses, directly or indirectly,

any limitation, specification, or discrimination as to race, color, creed, religion, ~~or~~ national origin , *sex, marital status, status with regard to public assistance or disability* or any intent to make any such limitation, specification, or discrimination.

(4) For any real estate broker or real estate salesman, for the purpose of inducing a real property transaction from which such person , *his firm*, or any of its members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, ~~or~~ national origin , *sex, marital status, status with regard to public assistance or disability* of the owners or occupants in the block, neighborhood, or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood, or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other public facilities.

Subd. 3. [PUBLIC ACCOMMODATIONS.] It is an unfair discriminatory practice:

To deny an ~~individual or group of individuals~~ *any person* the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, ~~or~~ national origin or *sex*. *It is an unfair discriminatory practice for a taxicab company to discriminate in the access to, full utilization of or benefit from service because of a person's disability .*

Subd. 4. [PUBLIC SERVICES.] It is an unfair discriminatory practice:

To discriminate against any person in the access to, admission to, full utilization of or benefit from any public service because of race, color, creed, religion, ~~or~~ national origin , *sex or status with regard to public assistance* .

Subd. 5. [EDUCATIONAL INSTITUTION.] It is an unfair discriminatory practice:

(1) To discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any ~~individual person~~ because of race, color, creed, religion, ~~or~~ national origin , *sex, marital status, status with regard to public assistance or disability* .

(2) To exclude, expel, ~~limit~~, or otherwise discriminate against ~~an individual a person~~ seeking admission as a student, or ~~an individual a person~~ enrolled as a student because of race, color, creed, religion ~~or~~ national origin , *sex, marital status, status with regard to public assistance or disability* .

(3) To make or use a written or oral inquiry, or form of application for admission that elicits or attempts to elicit information, or to make or keep a record, concerning the race, color, creed, religion, ~~or~~ national origin , *sex, marital status or disability* of an ~~applicant for a person~~ seeking admission, except as permitted by regulations of the department.

Subd. 6. [AIDING AND ABETTING AND OBSTRUCTION.] It is an unfair discriminatory practice for any person ; employer, labor organization, or employment agency :

(1) To intentionally engage in any economic or other reprisal against any person because that person has opposed any practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under this chapter;

(2) (1) Intentionally to aid, abet, incite, compel, or coerce a person to engage in any of the practices forbidden by this chapter;

(3) (2) Intentionally to attempt to aid, abet, incite, compel, or coerce a person to engage in any of the practices forbidden by this chapter;

(4) (3) To intentionally obstruct or prevent any person from complying with the provisions of this chapter, or any order issued thereunder, or to resist, prevent, impede, or interfere with the commissioner or any of his employees or representatives in the performance of duty under this chapter ; .

(5) To intentionally engage in any economic reprisal against any person because that person has associated with a person or group of persons of a different race, color, creed, religion or national origin.

Subd. 7. [REPRISALS.] *It is an unfair discriminatory practice for any employer, labor organization, employment agency, lessor, public accommodation, public service or educational institution to intentionally engage in any reprisal against any person because that person:*

(1) *Opposed a practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any matter in an investigation, proceeding or hearing under this chapter; or*

(2) *Associated with a person or group of persons of a different race, color, creed, religion or national origin.*

Sec. 4. Minnesota Statutes 1971, Section 363.04, Subdivision 8, is amended to read:

Subd. 8. [A D V I S O R Y C O M M I T T E E, M E M B E R S H I P, T E R M S.] There is hereby established within the department an advisory committee on women's affairs to advise and assist the commissioner. The committee shall consist of ~~15~~ 24 persons to be appointed by the commissioner. ~~Seven~~ Eight shall be appointed for terms expiring ~~March 1, 1968~~ the first Monday in January, 1974 , and every ~~two~~ three years thereafter, and eight shall be appointed for terms expiring ~~March 1, 1969~~ the first Monday in January, 1975 , and every ~~two~~ three years thereafter , and eight shall be appointed for terms expiring the first Monday in January, 1976, and every three years thereafter. The terms of all persons appointed to the committee prior to the effective date of this act shall remain in effect until their terms expire. Vacancies in unexpired terms shall be filled by appointment by the commissioner. Members may be removed by the commissioner for inefficiency, neglect

of duty or malfeasance. In addition to the ~~15~~ 24 members of the committee the following shall serve as ex officio, non-voting members of the committee: a member of the state senate to be appointed in January of each odd numbered year by the committee on committees of that body; a member of the house of representatives to be appointed in January of each odd numbered year by the speaker of that body; the commissioner of education, or his designee; the commissioner of public welfare, or his designee; and the executive secretary of the state board of health, or his designee. The committee shall elect, in January of each year, a chairman and such other officers as it may deem necessary. It shall meet at least twice in each year. Additional meetings may be called by the chairman, by the commissioner, or by a majority of the voting members. The chairman shall be an ex officio member of the state board of human rights. Each member of the committee shall be reimbursed for necessary expenses incurred in the performance of his duties in the same amount and in the same manner as provided by law for state officers and employees. *On the first Monday in January, 1974, and at all times thereafter, at least one appointee from each of the congressional districts of the state shall sit on the advisory committee on women's affairs.*

Sec. 5. Minnesota Statutes 1971, Section 363.05, Subdivision 1, is amended to read:

363.05 [DUTIES OF COMMISSIONER.] Subdivision 1. [FORMULATION OF POLICIES.] The commissioner shall formulate policies to effectuate the purposes of this chapter and shall:

(1) Exercise leadership under the direction of the governor in the development of human rights policies and programs, and make recommendations to the governor and the legislature for their consideration and implementation;

(2) cooperate and consult with the commissioners of education, labor and industry, public welfare, economic development, and natural resources, and with the secretary of the state board of health in developing plans and programs to most effectively serve the needs of Indians and to assist women in the areas designated in section 363.04, subdivision 7;

(3) establish and maintain a principal office in St. Paul, and any other necessary branch offices at any location within the state;

(4) meet and function at any place within the state;

(5) employ such hearing examiners, attorneys, clerks and other employees and agents as he may deem necessary and prescribe their duties;

(6) to the extent permitted by federal law and regulation, utilize the records of the department of manpower services of the state when necessary to effectuate the purposes of this chapter;

(7) obtain upon request and utilize the services of all state governmental departments and agencies;

(8) adopt suitable rules and regulations for effectuating the purposes of this chapter;

(9) issue complaints, receive and investigate charges alleging unfair discriminatory practices, and determine whether or not probable cause exists for hearing;

(10) subpoena witnesses, administer oaths, take testimony, and require the production for examination of any books or papers relative to any matter under investigation or in question; authorize hearing examiners to exercise the authority conferred by this clause;

(11) attempt, by means of education, conference, conciliation, and persuasion to eliminate unfair discriminatory practices as being contrary to the public policy of the state;

(12) conduct research and study discriminatory practices;

(13) publish and distribute the results of research and study when in the judgment of the commissioner the purposes of chapter 363, will be served thereby;

(14) develop and conduct programs of formal and informal education designed to eliminate discrimination and intergroup conflict by use of educational techniques and programs he deems necessary;

(15) make a written report of the activities of the commissioner to the governor each year and to the legislature at each session;

(16) accept gifts, bequests, grants or other payments public and private to help finance the activities of the department;

(17) create such local and statewide advisory committees as will in his judgment aid in effectuating the purposes of the department of human rights;

(18) appoint a hearing examiner to preside at a public hearing on any complaint;

(19) develop such programs as will aid in determining the compliance throughout the state with the provisions of chapter 363, and in the furtherance of such duties, conduct research and study discriminatory practices based upon race, color, creed, religion, national origin, *sex, disability, marital status or status with regard to public assistance*, or other factors and develop accurate data on the nature and extent of discrimination and other matters as they may affect housing, employment, public accommodations, schools, and other areas of public life:

(20) develop and disseminate technical assistance to persons subject to the provisions of chapter 363, and to agencies and officers of governmental and private agencies;

(21) provide staff services to such advisory committees as may be created in aid of the functions of the department of human rights;

(22) make grants in aid, to the extent that appropriations are made available for such purpose in aid of carrying out his duties and responsibilities, but no grant in aid shall be made without first obtaining the advice and consent of the board;

(23) develop educational programs, community organization programs, leadership development programs, motivational programs, and business development programs for the benefit of those persons theretofore and hereafter subject to prejudice and discrimination; and

(24) provide information for and direction to a program designed to assist Indian citizens to assume all the rights, privileges, and duties of citizenship; and to coordinate and cooperate with local, state and national and private agencies providing services to the Indian people.

Sec. 6. Minnesota Statutes 1971, Section 363.06, Subdivision 2, is amended to read:

Subd. 2. [CHARGE, ISSUANCE BY COMMISSIONER.] Whenever the commissioner has reason to believe that a person is engaging in an unfair discriminatory practice, the commissioner may issue a ~~complaint~~ *charge stating in statutory language an alleged violation of a particular section of Minnesota Statutes, Section 366.03* .

Sec. 7. Minnesota Statutes 1971, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. [INQUIRY INTO CHARGE.] When a charge has been filed, the commissioner shall promptly inquire into the truth of the allegations of the charge and shall make a determination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

(1) If the commissioner shall determine after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of such determination, serve upon the charging party and respondent written notice of such determination. This shall be a final decision of the department unless an appeal is taken as hereinafter provided in subdivision 7.

(2) If the commissioner shall determine after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner or *panel* at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party, the attorney general, and ~~members~~ *the chairman* of the board.

(3) At any time after the commissioner has determined that there is probable cause to believe that a respondent has engaged in an unfair discriminatory practice the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under

this chapter, including an order or decree restraining him from doing or procuring any act tending to render ineffectual any order the commissioner may enter with respect to the complaint. The court shall have power to grant such temporary relief or restraining order as it deems just and proper, but no such relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. The Minnesota rules of civil procedure shall apply to such application, and the district court shall have authority to grant or deny such relief sought on such conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

(4) If any lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), shall lease or rent such dwelling unit to a person who has no knowledge of such practice or of the existence of any charge with respect thereto, such lessor shall be liable for actual damages sustained by such person by reason of any final order hereunder requiring such person to be evicted from such dwelling unit.

Sec. 8. Minnesota Statutes 1971, Section 363.06, Subdivision 7. is amended to read:

Subd. 7. [REVIEW PANEL APPEAL.] The chairman of the state board of human rights shall select three members of said state board, *at least one of whom shall be a lawyer*, to serve on a review board panel. *The chairman shall designate one of the three members selected as the presiding member of the panel.* Within 15 days after service of ~~written notice of an order dismissing a charge~~ following a determination of no probable cause a charging party aggrieved by the commissioner's determination may appeal to the review board panel by serving a written notice of appeal upon the commissioner and the respondent. The hearing on the appeal shall be held no later than 30 days after perfection of the appeal at a time and place specified by the review board panel. The charging party, the commissioner, and the respondent shall receive at least five days' written notice of the time and place of the hearing. The charging party and the commissioner shall be present at the hearing. The respondent may also attend the hearing. The charging party may be represented by counsel. An informal hearing shall be held at which time the commissioner shall make all the information relevant to the case and in his possession available to the review board panel. The charging party *and the respondent* may introduce any evidence relevant to the charge. *The members of the review board panel shall hear testimony, may examine any party or witness and shall review all the evidence, and issue a decision in writing with a statement of reasons therefor. The decision of the review board panel shall be final unless it finds that probable cause exists in which instance it shall may decide to either sustain the determination of no probable cause or remand the case to the commissioner for further proceedings investigation and a determination as to whether there is probable cause to believe that the respondent has engaged in an unfair discriminatory practice. A*

decision to remand the case shall be submitted to the commissioner within 30 days after the date of the hearing .

Sec. 9. Minnesota Statutes 1971, Section 363.071, Subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] If the panel or examiner finds that the respondent has engaged in an unfair discriminatory practice, the panel or examiner shall make findings of fact and conclusions of law, and shall issue a ~~preliminary~~ *an* order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the panel or examiner will effectuate the purposes of this chapter. *Such order shall be a final decision of the department. In all cases the panel or examiner may order the respondent to pay the charging an aggrieved party , who has suffered discrimination, compensatory damages, except damages for mental anguish or suffering, and , in all cases, may also order the respondent to pay the charging an aggrieved party , who has suffered discrimination, punitive damages in an amount not less than \$25 nor more than \$100 \$500 . In addition to the aforesaid remedies, in a case involving discrimination in*

(a) employment, the panel or examiner may order the hiring, reinstatement or upgrading of an ~~employee~~ *aggrieved party, who has suffered discrimination, with or without back pay, admission or restoration to membership in a labor organization, or his admission to or participation in an apprenticeship training program, on-the-job-training program, or other retraining program, or any other relief the panel or examiner deems just and equitable.*

(b) housing, the panel or examiner may order the ~~sale lease, or rental of the housing accommodation or other real property to the~~ *charging an aggrieved party, who has suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the panel or examiner deems just and equitable.*

The panel or examiner shall cause the findings of fact, conclusions of law, and ~~preliminary~~ order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 10. Minnesota Statutes 1971, Section 363.072, Subdivision 1, is amended to read:

363.072 [DISTRICT COURT, REVIEW ORDERS OF PANEL OR EXAMINER.] Subdivision 1. A ~~respondent~~ *Any person aggrieved by a final decision of the board department reached after a hearing held pursuant to section 363.071 may seek judicial review in the district court for the judicial district in which the hearing of the board was held pursuant to section 15.0424.*

Sec. 11. Minnesota Statutes 1971, Section 363.091, is amended to read:

363.091 [ENFORCEMENT.] When ~~the order a respondent fails or refuses to comply with a final decision of the department , has become final~~ the commissioner may file with the clerk of district court in the judicial district in which the hearing was held a petition requesting the court to order the respondent to comply with the order of the department. Thereupon the court shall issue an order to show cause directed to the respondent why an order directing compliance should not be issued. Notwithstanding the provisions of any law or rule of civil procedure to the contrary, the court shall examine at the hearing on the order to show cause all the evidence in the record and may amend the order of the department in any way the court deems just and equitable. If the panel or examiner has ordered an award of damages pursuant to section 363.071 and if the court sustains or modifies the award, it shall enter judgment on the order or modified order in the same manner as in the case of an order of the district court, as provided in section 546.27.

Sec. 12. Minnesota Statutes 1971, Section 363.11, is amended to read:

363.11 [CONSTRUCTION.] The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights law or of any other law of this state relating to discrimination because of race, creed, color, religion , *sex, disability, marital status, status with regard to public assistance* or national origin; but, as to acts declared unfair by ~~section sections~~ *sections 363.03 and 363.123* , the procedure herein provided shall, while pending, be exclusive.

Sec. 13. Minnesota Statutes 1971, Section 363.115, is amended to read:

363.115 [REFERRAL TO LOCAL COMMISSION.] The commissioner whether or not a charge has been filed under chapter 363 may refer a matter involving discrimination because of race, color, religion, sex, *creed, disability, marital status, status with regard to public assistance* or national origin to a local commission for investigation, study and report , ~~and may refer a complaint alleging a violation of chapter 363 to a local commission for investigation, determination whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice, or assistance in eliminating a discriminatory practice by conference, conciliation or persuasion.~~

Upon referral by the commissioner, the local commission shall make a report and make recommendations to the commissioner and take other appropriate action within the scope of its powers.

The term "local commission" as used in this section means an agency of a city, village or borough created pursuant to law, city charter, or municipal ordinance, and conferring upon the agency powers, including but not limited to those which are conferred upon the commissioner by chapter 363.

Sec. 14. Minnesota Statutes 1971, Section 363.12, Subdivision 1, is amended to read:

363.12 [DECLARATION OF POLICY.] Subdivision 1. As a guide to the interpretation and application of this chapter, be it enacted that *It is the public policy of this state is to secure for individuals persons in this state, freedom from discrimination ; because of race, color, creed, religion, or national origin, in connection with employment, housing and real property, public accommodations, public services, and education. It is also the public policy of this state to secure for individuals of this state, freedom from discrimination because of sex in connection with employment.*

(1) *In employment because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance;*

(2) *In housing and real property because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance;*

(3) *In public accommodations because of race, color, creed, religion, national origin, sex and disability;*

(4) *In public services because of race, color, creed, religion, national origin, sex, marital status, disability, and status in regard to public assistance; and*

(5) *In education because of race, color, creed, religion, national origin, sex, marital status, disability and status in regard to public assistance. Such discrimination threatens the rights and privileges of the inhabitants of this state and menaces the institutions and foundations of democracy. It is also the public policy of this state to protect all persons from wholly unfounded charges of discrimination. Nothing in this chapter shall be interpreted as restricting the implementation of positive action programs to combat discrimination.*

Sec. 15. Minnesota Statutes 1971, Section 363.12, Subdivision 2, is amended to read:

Subd. 2. The opportunity to obtain employment, housing, and other real estate, and full and equal utilization of public accommodations, public services, and educational institutions without *such discrimination because of race, color, creed, religion, or national origin as is prohibited by this chapter* is hereby recognized as and declared to be a civil right. *The opportunity to obtain employment without discrimination because of sex is also hereby recognized as and declared to be a civil right.*

Sec. 16. Minnesota Statutes 1971, Chapter 363, is amended by adding a section to read:

[363.123] [VIOLATION OF ACT.] *It shall be a violation of this act for any person furnishing credit service to discriminate against any person who is the recipient of federal, state or local public assistance, including medical assistance, or who is a tenant receiving federal, state or local housing subsidies, including rental*

assistance or rent supplements, solely because the individual is such a recipient.

Sec. 17. Minnesota Statutes 1971, Section 363.13, is amended to read:

363.13 [CITATION.] This chapter shall be known as the *Minnesota state act against discrimination human rights act.*

Sec. 18. Minnesota Statutes 1971, Chapter 363, is amended by adding a section to read:

[363.14] [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION, DISTRICT COURT JURISDICTION, ATTORNEY'S FEES, AND COSTS.] *Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] If, after a charge has been filed with the department, the commissioner finds pursuant to section 363.06, subdivision 4, no probable cause to credit the allegations contained therein or if within 90 days from the filing of a charge, the commissioner has not issued a complaint pursuant to section 363.06 or the department has not entered into a conciliation agreement to which the charging party is a party, he shall so notify the charging party and within 90 days after the giving of such notice a civil action may be brought by the charging party against the respondent named in the charge.*

Upon application by the complaining party to the district court at a special term thereof and in such circumstances as the court may deem just, the court may appoint an attorney for such person and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may, in its discretion, permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Upon request, the court may, in its discretion, stay further proceedings for not more than 60 days pending further efforts of the department to obtain voluntary compliance.

Subd. 2. [DISTRICT COURT JURISDICTION.] *Any action brought pursuant to this section shall be filed in the district court of the county wherein the unlawful discriminatory practice is alleged to have been committed or where the respondent resides or has his principal place of business.*

Any action brought pursuant to this chapter shall be heard and determined by a judge sitting without a jury.

If the court finds that the respondent has engaged in an unfair discriminatory practice, it shall issue an order directing such relief as it deems appropriate and which effectuates the purpose of this chapter. Such relief shall be limited to that permitted by section 363.071, subdivision 2.

Subd. 3. [ATTORNEY'S FEES AND COSTS.] *In any action or proceeding brought pursuant to this section the court, in its dis-*

cretion, may allow the prevailing party, other than the department, a reasonable attorney's fee as part of the costs."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Fred C. Norton, Robert C. Bell and Ray W. Faricy.

Senate Conferees: (Signed) Nicholas D. Coleman, Douglas H. Sillers and Eugene Stokowski.

Mr. Coleman moved that the foregoing recommendations and Conference Committee Report on H. F. No. 377 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gerty	Knutson	Ogdahl	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Borden	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Coleman	Hughes	Lewis	Perpich, A. J.	Tennessee
Conzemius	Humphrey	Lord	Perpich, G.	Thorup
Davies	Jensen	Milton	Pillsbury	Ueland
Doty	Josefson	Moe	Purfeerst	Wegener
Dunn	Keefe, J.	Nelson	Renneke	Willet
Fitzsimons	Kirchner	North	Schaaf	
Frederick	Kleinbaum	Novak	Schrom	

Mr. Bernhagen voted in the negative.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1307: A bill for an act relating to money; maximum interest rates; exempting certain loans therefrom; amending Minnesota Statutes 1971, Section 334.01.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, J.	Nelson	Schrom
Bernhagen	Frederick	Kirchner	North	Sillers
Borden	Gearly	Kleinbaum	Novak	Solon
Brown	Hansen, Baldy	Knutson	Olhoff	Spear
Chmielewski	Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen
Coleman	Hanson, R.	Larson	O'Neill	Stokowski
Conzemius	Hughes	Lewis	Patton	Tennessee
Davies	Humphrey	Lord	Pillsbury	Thorup
Doty	Jensen	Milton	Renneke	Ueland
Dunn	Josefson	Moe	Schaaf	Wegener

Messrs. Berg; Perpich, A. J.; Purfeerst and Willet voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1511: A bill for an act relating to mileage allowances of public officers and employees; amending Minnesota Statutes 1971, Sections 15A.20, Subdivisions 1 and 3; and 387.29, Subdivision 2; and repealing Minnesota Statutes 1971, Section 387.29, Subdivisions 1 and 3.

Mr. Chmielewski moved to amend H. F. No. 1511, the printed bill, as follows:

Page 1, line 6, strike "ten" and insert thereafter "15"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1511 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 47 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Hanson, R.	Kleinbaum	Milton
Berg	Doty	Hughes	Knutson	Moe
Bernhagen	Fitzsimons	Humphrey	Kowalczyk	North
Borden	Gearly	Jensen	Larson	Novak
Chmielewski	Hansen, Baldy	Keefe, S.	Lewis	Olhoff
Coleman	Hansen, Mel	Kirchner	Lord	Olson, H. D.

O'Neill	Purfeerst	Sillers	Stokowski	Willet
Patton	Renneke	Solon	Tennessen	
Perpich, A. J.	Schaaf	Spear	Thorup	
Pillsbury	Schrom	Stassen	Ueland	

Mr. Keefe, J. voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1945, No. 141 on the General Orders Calendar, be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1945: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Renneke
Berg	Friederick	Kirchner	Novak	Schaaf
Bernhagen	Gearty	Kleinbaum	Olhoff	Schrom
Brown	Hansen, Baldy	Knutson	Olson, H. D.	Sillers
Chmielewski	Hanson, R.	Kowalczyk	O'Neill	Solon
Coleman	Hughes	Larson	Patton	Spear
Conzemius	Humphrey	Lewis	Perpich, A. J.	Stassen
Davies	Jensen	Lord	Perpich, G.	Thorup
Doty	Josefson	Milton	Pillsbury	Wegener
Dunn	Keefe, J.	Nelson	Purfeerst	Willet

Mr. Moe voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1906: A bill for an act relating to the Minnesota highway patrolmen's retirement association; amending Minnesota Statutes 1971, Sections 352B.02; 352B.08, Subdivision 2; 352.10; 352B.11, Subdivision 2; and Chapter 352B, by adding sections.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	North	Purfeerst
Berg	Frederick	Kirchner	Novak	Renneke
Bernhagen	Gearty	Kleinbaum	Ogdahl	Schrom
Brown	Hansen, Baldy	Knutson	Olhoff	Sillers
Chenoweth	Hansen, Mel	Kowalczyk	Olson, A. G.	Solon
Chmielewski	Hanson, R.	Larson	Olson, H. D.	Spear
Coleman	Hughes	Lewis	O'Neill	Stassen
Conzemius	Humphrey	Lord	Patton	Tennessee
Davies	Jensen	Milton	Perpich, A. J.	Wegener
Doty	Josefson	Moe	Perpich, G.	Willet
Dunn	Keefe, J.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2442: A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [JOINT COORDINATING COMMITTEE; CREATION AND ORGANIZATION.] *Subdivision 1. A legislative committee is hereby created to be known as the joint coordinating committee, designated herein as the "committee", to coordinate the legislative activities of the senate and the house of representatives.*

Subd. 2. The membership of the committee shall consist of the majority leader of the senate, the president of the senate, two senators appointed by the majority leader, the minority leader of the senate, and one senator appointed by the minority leader; and the majority leader of the house of representatives, the speaker of the house of representatives, two representatives appointed by the speaker, the minority leader of the house of representatives, and one representative appointed by the minority leader. Each member shall serve until a successor is named during a regular session following his appointment. A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

Subd. 3. The president of the senate and the speaker of the house shall alternate annually as chairman of the committee.

Subd. 4. The members of the committee shall serve without

compensation but shall be reimbursed in the same manner as members of standing committees of the senate and the house of representatives.

Sec. 2. [OFFICE OF LEGISLATIVE RESEARCH.] *Subdivision 1. An office of legislative research is established under the jurisdiction and control of the joint coordinating committee. The office shall consist of a director and such additional personnel as are needed and authorized by the committee to perform its assigned duties.*

Subd. 2. Notwithstanding any other law to the contrary, all employees of the office of legislative research, including the revisor of statutes and all employees in the revisor of statutes office, are employees of the legislature, under the direction of the joint coordinating committee.

The committee may designate certain employees as permanent for the purpose of conferring employee benefits. Nothing in this act shall affect any employee benefits heretofore earned or accrued by any of the employees.

Subd. 3. Any appropriation heretofore or hereafter made to the revisor of statutes office is preserved and transferred to the legislature, to be expended for the purposes for which the appropriation was originally made.

Subd. 4. The office of legislative research may call upon any agency of the state or political subdivision thereof for such data as may be available, and such agencies shall cooperate with the office to the fullest possible extent.

Subd. 5. One half the cost of operating the office, as determined by the committee, shall be allocated from the legislative expense fund of each house of the legislature to a legislative research account. The compensation of the personnel of the office, and other expenses of the office as approved by the committee, shall be paid from the legislative research account upon vouchers signed by the director.

Sec. 3. Minnesota Statutes 1971, Section 15A.083, Subdivision 3, is amended to read:

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] *Salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of each position shall fix individual salaries under the provisions of section 15A.081, subdivision 2.*

Public defender	\$18,000-27,500
Deputy public defender	14,000-21,000
Court administrator	18,000-26,500
Revisor of statutes	18,000-27,500
Assistant revisor of statutes	15,600-23,400
Special assistant to the revisor	

of statutes 12,000-22,000

Law librarian 10,500-15,500

Sec. 4. *Minnesota Statutes 1971, Sections 482.02; 482.03; 482.10; and 482.13 are repealed.*

Sec. 5. *This act is in effect the day following its final enactment.*"

And further amend by striking the title and inserting in lieu thereof

"A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3; repealing Minnesota Statutes 1971, Sections 482.02; 482.03; 482.10; and 482.13."

And when so amended the bill do pass. Amendments adopted. Report adopted.

SUSPENSION OF RULES

Mr. Coleman moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2442 and that the rules of the Senate be so far suspended as to give H. F. No. 2442 its second and third reading and placed on final passage. Which motion prevailed.

H. F. No. 2442 was read the second time.

H. F. No. 2442: A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Berg	Fitzsimons	Kirchner	Ogdahl	Sillers
Bernhagen	Frederick	Kleinbaum	Olhoff	Solon
Borden	Garty	Knutson	Olson, H. D.	Spear
Brown	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Chenoweth	Hanson, R.	Lewis	Patton	Stokowski
Chmielewski	Hughes	Lord	Perpich, A. J.	Tennessee
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Wegener
Davies	Josefson	Moe	Purfeerst	Willet
Doty	Keefe, J.	Nelson	Renneke	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No.

991, No. 135 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 991: A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; and 270.47; and Chapter 270 by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olson, A. G.	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Bernhagen	Frederick	Knutson	O'Neill	Spear
Borden	Gearty	Kowalczyk	Patton	Stassen
Brown	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	Lord	Perpich, G.	Tennessee
Chmielewski	Hughes	Milton	Pillsbury	Ueland
Conzanius	Humphrey	Nelson	Purfeerst	Wegener
Davies	Jensen	North	Renneke	Willet
Doty	Josefson	Olhoff	Schaaf	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 1297 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Olson, A. G. moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 1297 and that the Rules of the Senate be so far suspended as to give H. F. No. 1297 its second and third reading and placed on final passage. Which motion prevailed.

H. F. No. 1297 was read the second time.

H. F. No. 1297: A bill for an act relating to taxation; excise tax on gasoline; certain unrefunded taxes; providing for the distribution and use of unrefunded taxes used for snowmobile purposes; appropriating money; amending Minnesota Statutes 1971, Sections 296.16, Subdivision 1; 296.18, Subdivision 1; and 296.421, by adding subdivisions.

Was read the third time, and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, A. G.	Sillers
Bang	Fitzsimons	Knutson	Olson, H. D.	Solon
Berg	Frederick	Kowalczyk	O'Neill	Stassen
Bernhagen	Gearty	Laufenburger	Patton	Stokowski
Borden	Hanson, R.	Lord	Perpich, A. J.	Ueland
Brown	Hughes	Milton	Perpich, G.	Wegener
Chenoweth	Humphrey	Moe	Pillsbury	Willet
Chmielewski	Jensen	Nelson	Purfeerst	
Conzemius	Josefson	North	Renneke	
Doty	Keefe, S.	Olhoft	Schaaf	

Messrs. Davies; Hansen, Mel; Lewis; Spear and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1837: A bill for an act relating to water well contractors; requiring compliance with Minnesota Statutes, Chapter 156A, by certain nonlicensees; providing for limited licenses; establishing procedures for examination and licensing of water well contractors; authorizing the department of health to coordinate a state water information system; prohibiting imposition of fees by political subdivisions; amending Minnesota Statutes 1971, Sections 156A.02, Subdivisions 2 and 3; 156A.03, Subdivision 2; 156A.06, Subdivision 1; 156A.07, Subdivisions 1 and 4; and by adding subdivisions; repealing Minnesota Statutes 1971, Sections 156A.06, Subdivision 2; and 156A.07, Subdivision 3.

Mr. North moved that the amendment made to H. F. No. 1837 by the Committee on Rules and Administration in the report adopted May 17, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1837 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Ogdahl	Schaaf
Bang	Dunn	Keefe, S.	Olhoft	Sillers
Berg	Fitzsimons	Kirchner	Olson, A. G.	Solon
Bernhagen	Frederick	Kleinbaum	O'Neill	Spear
Brown	Gearty	Knutson	Patton	Stassen
Chenoweth	Hansen, Mel	Laufenburger	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Lord	Perpich, G.	Tennessen
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Jensen	Nelson	Purfeerst	Wegener
Davies	Josefson	North	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2093: A bill for an act relating to charitable organizations; solicitations; limitations and prohibitions; licensing and

bonding of professional fund raisers; disclosures required; amending Minnesota Statutes 1971, Sections 309.50, Subdivisions 2, 3, and 5, and by adding subdivisions; 309.52, Subdivision 1; 309.53, Subdivision 1; 309.54, Subdivision 1; 309.55, by adding subdivisions; 309.555; 309.56; 309.58; 309.60, and Chapter 309, by adding sections; repealing Minnesota Statutes 1971, Section 309.51.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill.

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Schaaf
Bang	Doty	Keefe, S.	Olhoft	Solon
Berg	Fitzsimons	Kirchner	Olson, A. G.	Spear
Bernhagen	Gearty	Kleinbaum	Olson, H. D.	Stassen
Borden	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Brown	Hanson, R.	Laufenburger	Patton	Thorup
Chenoweth	Hughes	Lewis	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Coleman	Jensen	Milton	Pillsbury	Willet
Conzernius	Josefson	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 877: A bill for an act relating to education; interscholastic athletics and other extracurricular activities; amending Minnesota Statutes 1971, Chapter 129 by adding a section; repealing Minnesota Statutes 1971, Section 129.12.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoft	Schrom
Berg	Hansen, Mel	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Hanson, R.	Lewis	O'Neill	Stassen
Borden	Hughes	Lord	Patton	Stokowski
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Coleman	Jensen	Moe	Perpich, G.	Thorup
Conzernius	Josefson	Nelson	Purfeerst	Ueland
Davies	Keefe, S.	North	Renneke	Wegener
Dunn	Kirchner	Ogdahl	Schaaf	Willet

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1944: A bill for an act relating to handicapped persons; establishing and prescribing duties of the Minnesota commission for the handicapped; transferring certain powers and duties to the com-

mission; appropriating money; repealing Minnesota Statutes 1971, Sections 4.08 and 121.34.

Mr. Milton moved that the amendment made to H. F. No. 1944 by the Committee on Rules and Administration in the report adopted May 17, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 1944 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Schrom
Berg	Fitzsimons	Kleinbaum	Olhoft	Sillers
Bernhagen	Frederick	Knutson	Olson, H. D.	Solon
Borden	Gearty	Kowalczyk	O'Neill	Spear
Chenoweth	Hansen, Mel	Krieger	Patton	Stassen
Chmielewski	Hanson, R.	Lewis	Perpich, A. J.	Stokowski
Coleman	Hughes	Lord	Pillsbury	Tennessee
Conzemius	Humphrey	Milton	Purfeerst	Ueland
Conzies	Keefe, J.	Moe	Renneke	Willet
Doty	Keefe, S.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 1779, No. 138 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1779: A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

Mr. Hughes moved to amend H. F. No. 1779 as amended by the Senate Finance Committee May 16, 1973, as follows:

Page 1, line 20, of the Senate amendment, after the stricken "board" insert "*teacher standards and certification*" and on lines 20 and 20a strike "*but teacher standards and certification commission*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1779 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who vote in the affirmative were:

Anderson	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoff	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Spear
Borden	Hanson, R.	Laufenburger	O'Neill	Stassen
Chenoweth	Hughes	Lewis	Patton	Stokowski
Chmielewski	Humphrey	Lord	Perpich, A. J.	Tennessen
Coleman	Jensen	McCutcheon	Pillsbury	Thorup
Conzemijs	Keefe, J.	Milton	Purfeerst	Ueland
Davies	Keefe, S.	Moe	Renneke	Willet
Doty	Kirchner	Nelson	Schaaf	
Dunn	Kleinbaum	North	Schnom	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1897: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; authorizing fees to defray costs of the department in giving notice in contested cases; defining terms; prescribing conditions for the granting of permits to certain carriers and prescribing conditions for the transfer thereof; specifying the form of license application for livestock buyers; amending Minnesota Statutes 1971, Sections 216.161; 221.011, Subdivision 12; 221.101; 221.121, Subdivision 1; 221.131; 221.141; 221.151, Subdivision 2; 221.281; 221.291; and 239.18, Subdivision 2. Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	North	Schaaf
Bernhagen	Gearty	Knutson	Olhoff	Sillers
Borden	Hansen, Mel	Kowalczyk	Olson, A. G.	Solon
Chenoweth	Hanson, R.	Krieger	Olson, H. D.	Spear
Chmielewski	Hughes	Laufenburger	O'Neill	Stassen
Coleman	Humphrey	Lewis	Patton	Stokowski
Conzemijs	Jensen	Lord	Perpich, A. J.	Thorup
Davies	Josefson	McCutcheon	Perpich, G.	Ueland
Doty	Keefe, J.	Milton	Pillsbury	Wegener
Dunn	Keefe, S.	Moe	Purfeerst	Willet
Fitzsimons	Kirchner	Nelson	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Dunn moved that S. F. No. 1029 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Dunn moved that the Senate do now concur in the amendments by the House to S. F. No. 1029 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1029: A bill for an act relating to local water and related land resources management; granting counties authority to undertake water and related land resource management programs; granting counties authority to establish lake improvement districts to finance water and related land resource management programs; granting authority to county boards to construct sewage systems in unincorporated areas; requiring municipalities and counties to recover the local share of the cost of constructing, operating and maintaining sewage disposal systems through an equitable system of user charges; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 361.25; 361.26, Subdivision 1, and by adding a subdivision; Chapter 378, by adding sections; 429.011, Subdivision 2a; 444.075; and Chapter 459, by adding a section; repealing Minnesota Statutes 1971, Sections 110.121 to 110.126; 440.33 to 440.36; 443.02; 444.09 to 444.14; 456.24 to 456.28; 457.03 to 457.08; 457.085; and Chapter 445.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Nelson	Renneke
Berg	Frederick	Kleinbaum	North	Schaaf
Bernhagen	Gearty	Knutson	Olhoff	Sillers
Chenoweth	Hansen, Mel	Kowalczyk	Olson, H. D.	Solon
Chmielewski	Hanson, R.	Krieger	O'Neill	Stassen
Coleman	Hughes	Laufenburger	Patton	Stokowski
Conzemius	Humphrey	Lewis	Perpich, A. J.	Ueland
Davies	Jensen	Lord	Perpich, G.	Wegener
Doty	Josefson	McCutcheon	Pillsbury	Willet
Dunn	Keefe, J.	Milton	Purfeerst	

Messrs. Borden and Moe voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

SPECIAL ORDER

H. F. No. 976: A bill for an act relating to pharmacy and drugs; redefining certain terms; increasing the compensation of the members of the state board of pharmacy; revising the qualifications required of applicants for registration; providing for the training of interns; increasing the maximum fee for registration; revising exceptions allowed to registration requirements; regulating the introduction of distressed drugs into the state; amending Minnesota Statutes 1971, Sections 151.01, Subdivisions 5 and 14; 151.10; 151.101; 151.12; 151.211; 151.25; 151.26, Subdivision 1; 151.37, Subdivision 5 and 151.39, by adding a subdivision; repealing Minnesota Statutes 1971, Section 151.26, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoff	Solon
Bernhagen	Hansen, Mel	Kowalczyk	Olson, H. D.	Spear
Borden	Hanson, R.	Krieger	O'Neill	Stassen
Chenoweth	Hughes	Laufenburger	Patton	Stokowski
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Thorup
Coleman	Jensen	Lord	Perpich, G.	Ueland
Conzemius	Josefson	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet
Doty	Keefe, S.	Nelson	Renneke	
Fitzsimons	Kirchner	North	Schaaf	
Frederick	Kleinbaum	Ogdahl	Sillers	

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1807: A bill for an act relating to agriculture, dairy promotion act; promotion of milk and milk products; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Sections 32B.04, Subdivision 4; 32B.06, Subdivision 2; and 32B.09.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoff	Solon
Berg	Dunn	Kleinbaum	O'Neill	Stassen
Bernhagen	Fitzsimons	Knutson	Patton	Stokowski
Borden	Frederick	Krieger	Perpich, A. J.	Thorup
Brown	Gearty	Laufenburger	Perpich, G.	Wegener
Chenoweth	Hanson, R.	Lewis	Pillsbury	Willet
Chmielewski	Hughes	Lord	Purfeerst	
Coleman	Humphrey	Moe	Renneke	
Conzemius	Jensen	North	Schaaf	
Davies	Keefe, S.	Ogdahl	Sillers	

Messrs. Hansen, Mel; Keefe, J., and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 879: A bill for an act relating to education; authorizing school boards to pay insurance premiums for retired officers and employees between the ages of 60 and 65.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Ogdahl	Schrem
Berg	Fitzsimons	Kirchner	Olhft	Sillers
Bernhagen	Frederick	Kleinbaum	Olson, H. D.	Solon
Borden	Gearty	Knutson	O'Neill	Spear
Brown	Hansen, Mel	Kowalczyk	Patton	Stassen
Chenoweth	Hanson, R.	Krieger	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Laufenburger	Perpich, G.	Tennessee
Coleman	Humphrey	Lewis	Pillsbury	Thorup
Conzemius	Jensen	Lord	Purfeerst	Wegener
Davies	Josefson	Moe	Renneke	Willet
Doty	Keefe, J.	North	Schaaf	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 328: A bill for an act relating to motor fuel; requiring display of octane rating; amending Minnesota Statutes 1971, Section 325.77, Subdivisions 1, 3, and 4, and by adding a subdivision.

Senate File No. 328 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate do now concur in the amendments by the House to S. F. No. 328 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 328 was read the third time, as amended by the House and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

Mr. Stassen moved that those not voting be excused from voting. Which motion did not prevail.

And the roll being called, there were yeas 40 and nays 19, as follows:

Those who voted in the affirmative were:

Anderon	Gearty	Laufenburger	Olhoft	Soear
Borden	Hughes	Lewis	Olson, A. G.	Stassen
Chenoweth	Humphrey	Lord	Olson, H. D.	Stokowski
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Tennesen
Coleman	Keefe, J.	Milton	Perpich, G.	Thorup
Conzemius	Keefe, S.	Moe	Purfeerst	Ueland
Davies	Kleinbaum	Nelson	Schaaf	Wegener
Doty	Kowalczyk	North	Solon	Willet

Those who voted in the negative were:

Bang	Dunn	Josefson	Ogdahl	Renneke
Berg	Fitzsimons	Kirchner	O'Neill	Schrom
Bernhagen	Frederick	Knutson	Patton	Sillers
Blatz	Hanson, R.	Krieger	Pillsbury	

So the bill, as amended, was repassed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 972: A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Frederick	Knutson	O'Neill	Spear
Bernhagen	Gearty	Kowalczyk	Patton	Stassen
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Stokowski
Brown	Hanson, R.	Lewis	Perpich, G.	Tennesen
Chmielewski	Hughes	Lord	Pillsbury	Thorup
Coleman	Humphrey	Milton	Purfeerst	Ueland
Conzemius	Jensen	Moe	Renneke	Wegener
Davies	Keefe, J.	Nelson	Schaaf	Willet
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Olhoft	Sillers	
Fitzsimons	Kleinbaum	Olson, A. G.	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1789: A bill for an act relating to workmen's compensation; liability of self-insured employers for benefits to employees and dependents; amending Minnesota Statutes 1971, Section 176.183, Subdivision 2, and by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Bernhagen	Frederick	Kleinbaum	O'Neill	Solon
Brown	Gearty	Krieger	Patton	Spear
Chmielewski	Hansen, Mel	Laufenburger	Perpich, A. J.	Stassen
Coleman	Hanson, R.	Lord	Perpich, G.	Stokowski
Conzemius	Hughes	Moe	Pillsbury	Tennessen
Davies	Humphrey	Nelson	Renneke	Thorup
Doty	Josefson	North	Schaaf	Ueland
Dunn	Keefe, S.	Olhoft	Schrom	Wegener
Fitzsimons	Kirchner	Olson, A. G.	Sillers	Willet

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages from the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1896: A bill for an act relating to courts, Ramsey county; providing for creation and the operation and functioning of the Ramsey county municipal court; abolishing certain courts and merging certain courts with the Ramsey county municipal courts; transferring certain duties, functions, and jurisdictions; amending Minnesota Statutes 1971, Sections 488A.18, Subdivisions 1, 7, 10, and by adding a subdivision; 488A.19, Subdivisions 1, 2, and 3; 488A.20, Subdivisions 1, 2, 4, 5, and 6; 488A.21, Subdivision 2; 488A.22, Subdivisions 1 and 3; 488A.24, Subdivision 6; 488A.25, Subdivisions 1 and 2; 488A.27, Subdivisions 6, 11, 12 and by adding a subdivision; 488A.28, by adding a subdivision; 488A.29, Subdivisions 1 and 2; 488A.30, Subdivisions 1, 2, and 4; and 488A.33, Subdivision 7; repealing Minnesota Statutes 1971, Sections 488A.18, Subdivision 5; 488A.19, Subdivision 4; and 488A.23, Subdivision 2.

Senate File No. 1896 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 19, 1973

CONCURRENCE AND REPASSAGE

Mr. O'Neill moved that the Senate do now concur in the amendments by the House to S. F. No. 1896 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1896 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 42 and nays 2, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Keefe, S.	O'Neill	Stokowski
Bernhagen	Fitzsimons	Kirchner	Patton	Tennessee
Blatz	Frederick	Kleinbaum	Perpich, A. J.	Thorup
Brown	Gearty	Krieger	Pillsbury	Ueland
Chmielewski	Hansen, Mel	Lewis	Schaaf	Wegener
Coleman	Hanson, R.	Lord	Sillers	Willet
Conzemius	Humphrey	Moe	Solon	
Davies	Josefson	Nelson	Spear	
Doty	Keefe, J.	Olhoff	Stassen	

Messrs. Hughes and Perpich, G., voted in the negative.

So the bill, as amended, was re-passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman moved that H. F. No. 2015, on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2015: A bill for an act relating to aeronautics; increasing the number of intermediate system airports permitted; amending Minnesota Statutes 1971, Section 360.305, Subdivisions 2, 3 and 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 3, as follows:

Those who voted in the affirmative were:

Berg	Gearty	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Knutson	O'Neill	Stassen
Blatz	Hanson, R.	Krieger	Patton	Stokowski
Borden	Hughes	Laufenburger	Perpich, A. J.	Ueland
Brown	Humphrey	Lewis	Perpich, G.	Wegener
Chmielewski	Jensen	Lord	Pillsbury	Willet
Conzemius	Josefson	Moe	Schaaf	
Dunn	Keefe, J.	Nelson	Schrom	
Fitzsimons	Keefe, S.	North	Sillers	
Frederick	Kirchner	Olhoff	Solon	

Messrs. Davies, Doty and Tennessee voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to take up the Special Orders Calendar, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SPECIAL ORDER

H. F. No. 458: A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Spear
Berg	Doty	Kirchner	Ogdahl	Stokowski
Bernhagen	Fitzsimons	Kleinbaum	Olhoft	Tennessen
Borden	Gearty	Krieger	Olson, H. D.	Thorup
Brown	Hanson, R.	Laufenburger	Pillsbury	Wegener
Chmielewski	Hughes	Lewis	Schaaf	Willet
Coleman	Humphrey	Lord	Schrom	
Conzemius	Jensen	Moe	Solon	

Those who voted in the negative were:

Hansen, Mel	Knutson	O'Neill	Sillers	Ueland
Keefe, J.	Nelson	Perpich, A. J.		

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to designate the following bills Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

H. F. Nos. 977, 954, 1399, 1702, 1416, 1172, 595, 2111.

SPECIAL ORDER

H. F. No. 977: A bill for an act relating to the state junior college board; increasing membership of the state junior college board from five to seven members; amending Minnesota Statutes 1971, Section 136.61, Subdivisions 1 and 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoft	Stokowski
Bernhagen	Hansen, Mel	Knutson	Olson, H. D.	Tennessen
Chmielewski	Hanson, R.	Kowalczyk	O'Neill	Ueland
Coleman	Hughes	Krieger	Perpich, A. J.	Wegener
Conzemius	Humphrey	Laufenburger	Pillsbury	Willet
Davies	Jensen	Lewis	Schaaf	
Doty	Keefe, J.	Lord	Sillers	
Dunn	Keefe, S.	Moe	Solon	
Fitzsimons	Kirchner	North	Spear	

Messrs. Brown and Stassen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 954: A bill for an act relating to elections; providing for the reception and counting of absentee ballots; amending Minnesota Statutes 1971, Section 207.11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Krieger	O'Neill	Stokowski
Bernhagen	Hughes	Larson	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Laufenburger	Perpich, G.	Thorup
Coleman	Jensen	Lewis	Pillsbury	Ueland
Conzernius	Keefe, J.	Lord	Renneke	Wegener
Davies	Keefe, S.	Moe	Schaaf	Willet
Dunn	Kirchner	Nelson	Sillers	
Fitzsimons	Kleinbaum	North	Solon	
Gearty	Knutson	Olhoff	Spear	
Hansen, Mel	Kowalczyk	Olson, H. D.	Stassen	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1399: A bill for an act relating to occupations and professions; regulating registration renewals of pharmacists by requiring continuing education; prescribing the powers and duties of the Minnesota state board of pharmacy in relation thereto; amending Minnesota Statutes 1971, Sections 151.13 and 151.14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Olhoff	Spear
Bernhagen	Gearty	Knutson	O'Neill	Stassen
Borden	Hanson, R.	Kowalczyk	Patton	Stokowski
Brown	Hughes	Laufenburger	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Lewis	Perpich, G.	Ueland
Coleman	Jensen	Lord	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Renneke	Willet
Dunn	Keefe, S.	Nelson	Sillers	
Fitzsimons	Kirchner	North	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1702: A bill for an act relating to agriculture; providing for the investigation of the complaints of food producers, processors, and handlers licensed by the state.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	North	Spear
Bernhagen	Frederick	Knutson	Olhoff	Stassen
Borden	Gearty	Kowalczyk	Olson, H. D.	Tennessee
Brown	Hanson, R.	Krieger	O'Neill	Ueland
Chmielewski	Hughes	Larson	Patton	Wegener
Coleman	Humphrey	Laufenburger	Perpich, A. J.	Willet
Conzemius	Jensen	Lewis	Perpich, G.	
Davies	Josefson	Lord	Renneke	
Doty	Keefe, J.	Moe	Sillers	
Dunn	Kirchner	Nelson	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1416: A bill for an act relating to mental health; hospitalization and commitment act; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	North	Solon
Borden	Hansen, Mel	Knutson	Olhoff	Spear
Brown	Hanson, R.	Kowalczyk	Olson, H. D.	Stassen
Chmielewski	Hughes	Krieger	O'Neill	Stokowski
Coleman	Humphrey	Laufenburger	Patton	Tennessee
Conzemius	Jensen	Lewis	Perpich, A. J.	Ueland
Davies	Josefson	Lord	Perpich, G.	Wegener
Fitzsimons	Keefe, J.	Moe	Renneke	Willet
Frederick	Kirchner	Nelson	Sillers	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the vote whereby H. F. No. 2442 was passed on May 19, 1973 be now reconsidered. Which motion prevailed. So the vote was reconsidered.

With the unanimous consent of the Senate,

Mr. Coleman moved to amend H. F. No. 2442 as follows:

Strike the amendment of the Senate Committee on Rules and Administration and insert:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [JOINT COORDINATING COMMITTEE; CREATION AND ORGANIZATION.] *Subdivision 1. A legislative committee is hereby created to be known as the joint coordinating committee, designated herein as the “committee”, to coordinate the legislative activities of the senate and the house of representatives.*

Subd. 2. The membership of the committee shall consist of the majority leader of the senate, the president of the senate, two senators

appointed by the majority leader, the minority leader of the senate, and one senator appointed by the minority leader; and the majority leader of the house of representatives, the speaker of the house of representatives, two representatives appointed by the speaker, the minority leader of the house of representatives, and one representative appointed by the minority leader. Each member shall serve until a successor is named during a regular session following his appointment. A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

Subd. 3. The president of the senate and the speaker of the house shall alternate annually as chairman of the committee.

Subd. 4. The members of the committee shall serve without compensation but shall be reimbursed in the same manner as members of standing committees of the senate and the house of representatives.

Sec. 2. [OFFICE OF LEGISLATIVE RESEARCH.] *Subdivision 1. Notwithstanding any other law which may be to the contrary, an office of legislative research, including the office of revisor of statutes and the legislative reference library, is hereby established under the jurisdiction and control of the joint coordinating committee. The office shall consist of a director and such additional personnel as are needed to perform its assigned duties.*

Subd. 2. All employees of the office of legislative research are employees of the legislature. The committee may designate certain employees of the office as permanent for the purpose of conferring employee benefits.

Subd. 3. The office of legislative research may call upon any agency of the state or political subdivision thereof for such data as may be available, and such agencies shall cooperate with the office to the fullest possible extent.

Subd. 4. The director of the office of legislative research shall supervise the activities of the staff of the office and perform such other duties as are prescribed by the committee.

Subd. 5. One-half the cost of operating the office, as determined by the committee, shall be allocated from the legislative expense fund of each house of the legislature to a legislative research account. The compensation of the personnel of the office, and other expenses of the office as approved by the committee, shall be paid from the legislative research account upon vouchers signed by the director.

Subd. 6. Any appropriation heretofore or hereafter made to the office of revisor of statutes is preserved and transferred to the legislative research account, to be expended for the purposes for which the appropriation was originally made.

Sec. 3. Minnesota Statutes 1971, Section 3.302, subdivision 1, is amended to read:

Subdivision 1. *A legislative reference library is established under the jurisdiction and control of the ~~legislative services commission~~ joint coordinating committee.*

Sec. 4. Minnesota Statutes 1971, Section 15A.083, Subdivision 3, is amended to read:

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of each position shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender	\$18,000-27,500
Deputy public defender	14,000-21,000
Court administrator	18,000-26,500
Revisor of statutes	19,000-27,500
Assistant revisor of statutes	15,600-23,400
Special assistant to the revisor of statutes	12,000-22,000
Law librarian	10,500-15,500

Sec. 5. *Minnesota Statutes 1971, Sections 3.301; 482.02; 482.03; 482.10; and 482.13 are repealed.*

Sec. 6. *This act is in effect the day following its final enactment.*"

And further amend by striking the title and inserting in lieu thereof

"A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research; amending Minnesota Statutes 1971, Sections 3.302, Subdivision 1, and 15A.083, Subdivision 3; repealing Minnesota Statutes 1971, Sections 3.301; 482.02; 482.03; 482.10; and 482.13."

Which motion prevailed. So the amendment was adopted.

H. F. No. 2442: A bill for an act relating to the legislature; creating a joint coordinating committee and prescribing its duties; establishing the office of legislative research.

Was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Moe	Solon
Bernhagen	Fitzsimons	Keefe, S.	North	Spear
Blatz	Gearty	Kirchner	Olhoff	Stassen
Borden	Hansen, Mel	Kleinbaum	Olson, H. D.	Stokowski
Brown	Hanson, R.	Knutson	O'Neill	Tennessee
Chmielewski	Hughes	Kowalczyk	Patton	Ueland
Coleman	Humphrey	Laufenburger	Perpich, A. J.	Wegener
Davies	Jensen	Lewis	Perpich, G.	Willet
Doty	Josefson	Lord	Sillers	

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1172: A bill for an act relating to motor vehicles;

unauthorized use of certain vehicles; repealing Minnesota Statutes 1971, Section 168.83.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, J.	Moe	Solon
Bernhagen	Frederick	Keefe, S.	North	Spear
Blatz	Gearty	Kirchner	Olhoff	Stokowski
Brown	Hansen, Mel	Kleinbaum	Olson, H. D.	Tennessen
Chmielewski	Hanson, R.	Kowalczyk	O'Neill	Ueland
Coleman	Hughes	Krieger	Patton	Wegener
Conzemius	Humphrey	Laufenburger	Perpich, A. J.	Willet
Davies	Jensen	Lewis	Perpich, G.	
Doty	Josefson	Lord	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 595: A bill for an act relating to pollution, requiring the pollution control agency to hold public hearings before granting variances; amending Minnesota Statutes 1971, Section 116.07, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Olhoff	Spear
Bernhagen	Doty	Keefe, S.	Olson, A. G.	Tennessen
Blatz	Fitzsimons	Kleinbaum	O'Neill	Ueland
Borden	Gearty	Kowalczyk	Perpich, A. J.	Wegener
Brown	Hanson, R.	Lewis	Perpich, G.	Willet
Chmielewski	Hughes	Lord	Pillsbury	
Coleman	Humphrey	Moe	Purfeerst	
Conzemius	Josefson	North	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2111: A bill for an act relating to elections; permitting voting compartments when electronic voting systems are in use; amending Minnesota Statutes 1971, Sections 203.10, Subdivision 2; and 206.026, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olhoff	Spear
Bernhagen	Fitzsimons	Kleinbaum	O'Neill	Tennessee
Blatz	Frederick	Kowalczyk	Patton	Ueland
Borden	Gearty	Laufenburger	Perpich, A. J.	Willet
Chmielewski	Hanson, R.	Lewis	Perpich, G.	
Coleman	Humphrey	Lord	Pillsbury	
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	North	Sillers	

So the bill passed and its title was agreed to.

RECESS

~~Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.~~

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Fitzsimons moved that Senate Resolution No. 26 be taken from the table. Which motion prevailed.

Senate Resolution No. 26: A Senate resolution requesting the United States Secretary of the Treasury to transfer the territory within the state of Minnesota from customs district No. 34, under the administration of the district office at the customs port of Pembina, North Dakota, to customs district No. 36, under the administration of the district office at the customs port of Duluth, Minnesota.

WHEREAS, Customs District No. 34 includes the territory of all of the states of North Dakota and South Dakota and the Minnesota Counties of Kittson, Roseau, Lake of the Woods, Marshall, Polk, Beltrami, Red Lake and Pennington, including the Minnesota customs ports of Noyes, Lancaster, Pine Creek, Roseau, Warroad and Baudette, all of which is under the administration of the District Office at the customs port of Pembina, North Dakota; and

WHEREAS, the District No. 36 Office at the customs port of Duluth, Minnesota, is better equipped and has the deposition to affect fair and adequate administration over the said Minnesota territory; now, therefore,

BE IT RESOLVED, that the United States Secretary of the Treasury be requested to transfer the territory within the state of Minnesota comprising the counties of Kittson, Roseau, Lake of the Woods, Marshall, Polk, Red Lake and Pennington, and the customs ports of Noyes, Lancaster, Pine Creek, Roseau, Warroad and Baudette, from Customs District No. 34 under the administration of the District Office at the Customs Port of Pembina, North Dakota, into Customs District No. 36 under the administration of the District Office at the Customs Port of Duluth, Minnesota.

BE IT FURTHER RESOLVED, that the Secretary of the Senate transmit copies of this resolution to the United States Secretary of the Treasury, the United States Commissioner of Customs, the Regional Commissioner of the Ninth Region of the

Customs Bureau, the District Directors of Customs at Duluth and Minneapolis and the Minnesota senators and representatives in Congress.

Mr. Fitzsimons moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Nelson and Larson were excused from next Monday's Session.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 224, 996, 813, 2050, 1702, 612, 1643, 968, 1047, 1623, 1654 and 1351.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 19, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2444, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

House File No. 2444 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 19, 1973

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2444

A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

May 19, 1973

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. 2444, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 2444 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [PURPOSE.] *It is determined that there is a critical need to preserve and improve transportation facilities throughout the state which cannot be met by local effort without state financial assistance. The rate of completion of the interstate portion and upgrading of the remainder of the state's highway system has fallen behind the rate of traffic growth, resulting in serious traffic hazards and delays that affect the personal safety, quality of life, and economic welfare of citizens. The highway traffic problem is accentuated by the deficiency in the quality and quantity of public transportation available in urban areas, large and small. This deficiency is itself largely caused by the inability of public transportation to compete economically with private automobiles, without financial support comparable to that given highway construction. Its most serious effect is to limit severely the life and liberty of many persons who because of age, physical or mental characteristics, or economic circumstances are unable to use automobiles. For many more it compels the use of automobiles, often more than one per family, for daily attendance at work and school and for transportation in emergencies, notwithstanding cost that may reduce remaining living resources below poverty levels, and notwithstanding unacceptable safety hazards often resulting from physical handicaps or inexperience. And for many high cost makes it impossible to acquire and maintain vehicles that can operate at acceptable safety and pollution control levels, thus aggravating the*

traffic and pollution hazards created by sheer numbers of vehicles. Capital cost of the principal arterial highways of this state cannot be adequately met from existing sources of funds. Similar costs of adequate public transportation in urban areas cannot be met by user fees without subsidy, or even with subsidy to the extent this is possible from property taxes or other resources available to local units of government. It is determined that state financial assistance in meeting the capital cost of public transportation in urban areas and constructing and reconstructing the state's principal arterial highways is a proper function of state government and is necessary to protect the safety and the personal and economic welfare of the citizens of the state at large.

Sec. 2. [PRINCIPAL ARTERIAL HIGHWAY BOND AUTHORIZATION AND APPROPRIATIONS.] *Subdivision 1. The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota state principal arterial bonds in accordance with the provisions of Section 3 of this act, and Article IX, Section 6, of the Constitution in an aggregate principal amount not to exceed \$80,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of such bonds to the commissioner of highways for grants to counties and municipalities for the acquisition and betterment of public land and other improvements of a capital nature needed to provide adequate principal arterial highways of this state. This appropriation shall not lapse or cancel until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of highways. Grants appropriated pursuant to this section shall not exceed \$20,000,000 in any one fiscal year of the state of Minnesota.*

Subd. 2. The department of highways shall promulgate regulations, standards, and priorities for the administration of grants authorized in accordance with subdivision 1, and these regulations, standards, and priorities are to be developed in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B.

Subd. 3. Applications by counties and municipalities for grants for the funds provided for by subdivision 1 shall be made through regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Section 462.381 to 462.396 and Chapter 473B referred to in this section as regional planning agencies to the department of highways on forms requiring information prescribed by the regulations of the department of highways. The regional planning agency shall certify to the department of highways those applications which appear to meet the standards and criteria set forth by the department of highways and the regulations promulgated hereunder, and the department of highways shall direct grants to be disbursed on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by

resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the counties and municipalities sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the projects have complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 3. [PRINCIPAL ARTERIAL BONDS.] *Subdivision 1.* For the purpose of providing money appropriated to the counties and municipalities of the state from the principal arterial highway funds authorized by section 2 for the acquisition and betterment of public land and other improvement of a capital nature needed to provide adequate principal arterial highways, in accordance with section 2, when authorized by law and requested by the commissioner of highways, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state principal arterial bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution,

and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state principal arterial funds, and the amounts necessary therefor are appropriated from those funds; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the ~~state principal arterial bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state principal arterial bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.~~

Subd. 5. The premium and accrued interest received on each issue of Minnesota state principal arterial bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state principal arterial bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state principal arterial bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state principal arterial bonds, such principal and interest shall be paid out of the general fund in

the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 4. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] *The state auditor is authorized and directed, upon request of the director of the state planning agency, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 6 of this act, and Article IX, Section 6 of the Constitution, in an aggregate principal amount not to exceed \$80,000,000 which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 5, and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to the director of the state planning agency for grants to subdivisions of the state, according to the definition of "subdivision" in section 5, subdivision 1, for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 5. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the state planning agency. Grants appropriated pursuant to this section shall not exceed \$14,000,000 in any one fiscal year of the state of Minnesota.*

Sec. 5. [MINNESOTA STATE TRANSPORTATION FUND.]
Subdivision 1. *A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and grants disbursed from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the state planning agency pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city, village, or borough outside the area of operation of such a public body.*

Subd. 2. *It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all*

urban areas within the state by providing state funding for public transportation capital improvements. The state planning agency and regional planning agencies are directed to prepare and revise annually a program of capital grants to subdivisions for specific projects which will implement this policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The state planning agency shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the state planning agency shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the state planning agency, on forms requiring information prescribed by the regulations of the state planning agency. The regional agency shall certify to the state planning agency those applications which appear to meet the program of capital grants and the standards and criteria set forth by the state planning agency and the regulations promulgated hereunder, and the state planning agency shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the state planning agency ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 6. [MINNESOTA STATE TRANSPORTATION BONDS.] Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 5, when authorized by law and requested by the director of the state planning agency, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this pur-

pose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions of limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside this state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added

to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 7. [TRUNK HIGHWAY BONDS; ISSUANCE AND SALE.] The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota trunk highway bonds under the provisions of Minnesota Statutes, Sections 167.50 to 167.52 and of the Minnesota Constitution, Article IX, Section 6, and Article XVI, Section 12, at such times and in such amounts as may be requested by the commissioner of highways. Bonds issued pursuant to this section are authorized in an aggregate principal amount of \$40,000,000 provided that the total aggregate principal amount of the Minnesota trunk highway bonds issued under the authority of this section or under the authority of any other law, shall not at any time exceed \$150,000,000. The proceeds of such bonds shall be appropriated to the trunk highway fund and shall be used for the purposes specified in the Minnesota Constitution, Article XVI, Section 2.

Sec. 8. Minnesota Statutes 1971, 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 on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the

metropolitan transit taxing district, defined herein, a transit tax shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2-9~~ 1.4 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; plus

(b) 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.

Sec. 9. [SEVERABILITY.] *The invalidity of any provision of this act shall not affect the validity of the remainder of the act.*

Sec. 10. [EFFECTIVE DATE.] *This act is effective on the day following final enactment.*"

Further, amend the title in line 20 after "therewith;" and before "amending" by inserting "and authorizing the issuance of Minnesota trunk highway bonds;"; in line 21 by deleting "Sections" and inserting "Section" and in line 22 by deleting "473A.065; and"

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Irvin N. Anderson, John J. Salchert and Aubrey W. Dirlam.

Senate Conferees: (Signed) Alec G. Olson, John C. Chenoweth and William McCutcheon.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2444 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection there-

with; and authorizing the issuance of Minnesota trunk highway bonds; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

Mr. Berg moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Bang moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 24 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Josefson	Nelson	Renneke
Berg	Fitzsimons	Keefe, J.	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Knutson	O'Neill	Stassen
Blatz	Hanson, R.	Kowalczyk	Patton	Ueland
Chmielewski	Jensen	Krieger	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, H. D.	Stokowski
Arnold	Hughes	Lord	Perpich, A. J.	Tennessee
Borden	Humphrey	McCutcheon	Purfeerst	Thorup
Chenoweth	Keefe, S.	Milton	Schaaf	Wegener
Coleman	Kirchner	Moe	Schrom	Willet
Conzemius	Kleinbaum	Novak	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

Which motion did not prevail.

Mr. Bang moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 25 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Josefson	Larson	Pillsbury
Berg	Frederick	Keefe, J.	Nelson	Renneke
Bernhagen	Hansen, Mel	Knutson	Ogdahl	Sillers
Blatz	Hanson, R.	Kowalczyk	O'Neill	Stassen
Dunn	Jensen	Krieger	Patton	Ueland

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Stokowski
Arnold	Gearty	Lewis	Olson, H. D.	Tennessee
Borden	Hughes	Lord	Purfeerst	Thorup
Chenoweth	Humphrey	McCutcheon	Schaaf	Wegener
Coleman	Keefe, S.	Milton	Schrom	Willet
Conzemius	Kirchner	Moe	Solon	
Davies	Kleinbaum	Olhoff	Spear	

Which motion did not prevail.

Mr. Bang moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Keefe, J.	Nelson	Sillers
Berg	Frederick	Knutson	Ogdahl	Stassen
Bernhagen	Hanson, R.	Kowalczyk	Patton	Ueland
Blatz	Jensen	Krieger	Pillsbury	
Dunn	Josefson	Larson	Renneke	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Olson, H. D.	Tennessee
Borden	Hughes	McCutcheon	Purfeerst	Thorup
Chenoweth	Humphrey	Milton	Schaaf	Wegener
Coleman	Keefe, S.	Moe	Schrom	Willet
Conzemius	Kirchner	Novak	Solon	
Davies	Kleinbaum	Olhoft	Spear	

Which motion did not prevail.

Mr. Olson, A. G., moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 34 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Laufenburger	Olhoft	Solon
Arnold	Gearty	Lewis	Olson, A.G.	Spear
Borden	Hughes	Lord	Olson, H. D.	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Keefe, S.	Moe	Perpich, G.	Thorup
Conzemius	Kirchner	North	Purfeerst	Wegener
Davies	Kleinbaum	Novak	Schaaf	

Those who voted in the negative were:

Bang	Dunn	Josefson	Milton	Renneke
Berg	Frederick	Keefe, J.	Nelson	Schrom
Bernhagen	Hansen, Baldy	Knutson	Ogdahl	Sillers
Blatz	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Brown	Hanson, R.	Krieger	Patton	Ueland
Chmielewski	Jensen	Larson	Pillsbury	Willet

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that the vote whereby H. F. No. 2444 failed to pass the Senate on May 19, 1973 be now reconsidered.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Monday, May 21, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-SIXTH DAY

St. Paul, Minnesota, Monday, May 21, 1973.

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Davies	Knutson	Ogdahl	Sillers
Ashbach	Dunn	Kowalczyk	Olhoft	Solon
Bang	Fitzsimons	Krieger	Olson, A. G.	Spear
Berg	Frederick	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Gearty	Lewis	Olson, J. L.	Stokowski
Blatz	Hughes	Lord	O'Neill	Tennessee
Borden	Humphrey	McCutcheon	Patton	Ueland
Brown	Jensen	Milton	Perpich, G.	Wegener
Chenoweth	Keefe, J.	Moe	Pillsbury	Willet
Chmielewski	Keefe, S.	Nelson	Renneke	
Coleman	Kirchner	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Davies	Knutson	Ogdahl	Sillers
Ashbach	Dunn	Kowalczyk	Olhoft	Solon
Bang	Fitzsimons	Krieger	Olson, A. G.	Spear
Berg	Frederick	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Gearty	Lewis	Olson, J. L.	Stokowski
Blatz	Hughes	Lord	O'Neill	Tennessee
Borden	Humphrey	McCutcheon	Patton	Ueland
Brown	Jensen	Milton	Perpich, G.	Wegener
Chenoweth	Keefe, J.	Moe	Pillsbury	Willet
Chmielewski	Keefe, S.	Nelson	Renneke	
Coleman	Kirchner	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Josefson was excused for the first part of today's Session. Mr. Hanson, R. was excused until 2:30 o'clock p.m. Messrs.

Perpich, A. J.; Thorup; Doty; Larson; Arnold; Hansen, Mel and Hansen, Baldy were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 21, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 34, An act relating to funeral directing; requiring an itemized statement of funeral costs; requiring the retail price of burial caskets to be clearly marked; authorizing cremation or calcination without a casket; providing a penalty; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

S. F. No. 118, An act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

S. F. No. 137, An act relating to intoxicating liquor; minimum resale prices; repealing Minnesota Statutes 1971, Sections 340.97 to 340.982.

S. F. No. 226, An act relating to the city of Brainerd; authorizing a tax levy for recreational purposes; repealing Minnesota Statutes 1971, Section 471.192.

S. F. No. 261, An act relating to taxation; income tax deductions for adoption expenses; amending Minnesota Statutes 1971, Section 290.09, Subdivision 27.

S. F. No. 415, An act relating to intoxicating liquors; fees for licensing the sale of non-intoxicating malt liquor; amending Minnesota Statutes 1971, Section 340.02, Subdivisions 2 and 3.

S. F. No. 476, An act relating to agriculture; commercial feed inspection fees; amending Minnesota Statutes 1971, Section 25.39, Subdivision 2.

S. F. No. 546, An act relating to wild animals; eliminating certain shipping coupon requirements; amending Minnesota Statutes 1971, Section 97.45, Subdivisions 4, 7, 9, 11, and 12.

S. F. No. 746, An act relating to securities; repealing Minnesota Statutes 1971, Chapter 80.

S. F. No. 752, An act relating to taxation; qualification of homesteads under the agricultural property tax law; amending Minnesota Statutes 1971, Section 273.111, Subdivision 3.

S. F. No. 880, An act relating to taxation; sales and use tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

S. F. No. 903, An act relating to courts; jury trials; number of jurors; challenges; amending Minnesota Statutes 1971, Sections 546.10 and 631.27.

S. F. No. 979, An act relating to consumer protection; unlawful practices in general; amending Minnesota Statutes 1971, Section 325.79, Subdivision 1.

S. F. No. 992, An act relating to taxation; providing for an exception to the application of tax in certain cases of cigarettes stored or used in Minnesota; amending Minnesota Statutes 1971, Section 297.22, Subdivision 3.

S. F. No. 1025, An act relating to taxation; real property; providing for taxation of townhouse property; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

S. F. No. 1101, An act relating to taxation; refunds or credits of taxes; amending Minnesota Statutes 1971, Section 270.07, by adding a subdivision.

S. F. No. 1194, An act relating to taxation; tax lists; extension of taxes; amending Minnesota Statutes 1971, Section 275.28, Subdivision 1.

S. F. No. 1296, An act relating to taxes on and measured by net income; exempting public pensions, benefits and allowances from gross income; amending Minnesota Statutes 1971, Section 290.08, Subdivision 6.

S. F. No. 1809, An act relating to commerce; requiring the provision of certain information to consumers; providing remedies; amending Minnesota Statutes 1971, Chapter 325, by adding a section.

S. F. No. 1941, An act relating to sales and use taxes imposed by the city of Duluth; restricting the applicability of certain laws in relation thereto.

Sincerely,
Wendell R. Anderson, Governor.

May 21, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 899, An act relating to Hennepin county municipal court; providing that the assistant court administrator serve at the pleasure of the administrator; amending Minnesota Statutes 1971, Section 488A.025, Subdivision 3.

S. F. No. 962, An act relating to taxation; real estate taxes upon state owned residential property.

S. F. No. 1972, An act relating to public welfare; submission of budget estimates; amending Minnesota Statutes 1971, Section 393.08, Subdivision 1.

Sincerely,

Wendell R. Anderson, Governor.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
34		Chapter 442	May 21, 1973	May 21, 1973
118		Chapter 443	May 21, 1973	May 21, 1973
137		Chapter 444	May 21, 1973	May 21, 1973
226		Chapter 445	May 21, 1973	May 21, 1973
261		Chapter 446	May 21, 1973	May 21, 1973
415		Chapter 447	May 21, 1973	May 21, 1973
476		Chapter 448	May 21, 1973	May 21, 1973
546		Chapter 449	May 21, 1973	May 21, 1973
752		Chapter 450	May 21, 1973	May 21, 1973
746		Chapter 451	May 21, 1973	May 21, 1973
880		Chapter 452	May 21, 1973	May 21, 1973
903		Chapter 453	May 21, 1973	May 21, 1973
979		Chapter 454	May 21, 1973	May 21, 1973
992		Chapter 455	May 21, 1973	May 21, 1973
1025		Chapter 456	May 21, 1973	May 21, 1973
1101		Chapter 457	May 21, 1973	May 21, 1973
1194		Chapter 458	May 21, 1973	May 21, 1973
1296		Chapter 459	May 21, 1973	May 21, 1973
1809		Chapter 460	May 21, 1973	May 21, 1973
1941		Chapter 461	May 21, 1973	May 21, 1973
	66	Chapter 462	May 21, 1973	May 21, 1973
	83	Chapter 463	May 21, 1973	May 21, 1973
	217	Chapter 464	May 21, 1973	May 21, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	231	Chapter 465	May 21, 1973	May 21, 1973
	490	Chapter 466	May 21, 1973	May 21, 1973
	588	Chapter 467	May 21, 1973	May 21, 1973
	622	Chapter 468	May 21, 1973	May 21, 1973
	659	Chapter 469	May 21, 1973	May 21, 1973
	847	Chapter 470	May 21, 1973	May 21, 1973
	889	Chapter 471	May 21, 1973	May 21, 1973
	895	Chapter 472	May 21, 1973	May 21, 1973
	988	Chapter 473	May 21, 1973	May 21, 1973
	1044	Chapter 474	May 21, 1973	May 21, 1973
	1058	Chapter 475	May 21, 1973	May 21, 1973
	1080	Chapter 476	May 21, 1973	May 21, 1973
	1275	Chapter 477	May 21, 1973	May 21, 1973
	1327	Chapter 478	May 21, 1973	May 21, 1973
	1381	Chapter 479	May 21, 1973	May 21, 1973
	1575	Chapter 480	May 21, 1973	May 21, 1973
	1578	Chapter 481	May 21, 1973	May 21, 1973
	1664	Chapter 482	May 21, 1973	May 21, 1973
	1755	Chapter 483	May 21, 1973	May 21, 1973
	1844	Chapter 484	May 21, 1973	May 21, 1973
	1978	Chapter 485	May 21, 1973	May 21, 1973
	2127	Chapter 486	May 21, 1973	May 21, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	2154	Chapter 487	May 21, 1973	May 21, 1973
	2160	Chapter 488	May 21, 1973	May 21, 1973
	2234	Chapter 489	May 21, 1973	May 21, 1973
	2319	Chapter 490	May 21, 1973	May 21, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	70	Chapter 491	May 21, 1973	May 21, 1973
	308	Chapter 492	May 21, 1973	May 21, 1973
	314	Chapter 493	May 21, 1973	May 21, 1973
	548	Chapter 494	May 21, 1973	May 21, 1973
	627	Chapter 495	May 21, 1973	May 21, 1973
	666	Chapter 496	May 21, 1973	May 21, 1973
	685	Chapter 497	May 21, 1973	May 21, 1973
	715	Chapter 498	May 21, 1973	May 21, 1973
	730	Chapter 499	May 21, 1973	May 21, 1973
	793	Chapter 500	May 21, 1973	May 21, 1973
	901	Chapter 501	May 21, 1973	May 21, 1973
	959	Chapter 502	May 21, 1973	May 21, 1973
	1023	Chapter 503	May 21, 1973	May 21, 1973
	1104	Chapter 504	May 21, 1973	May 21, 1973
	1186	Chapter 505	May 21, 1973	May 21, 1973
	1193	Chapter 506	May 21, 1973	May 21, 1973
	1550	Chapter 507	May 21, 1973	May 21, 1973
	899	Chapter 508	May 21, 1973	May 21, 1973
	962	Chapter 509	May 21, 1973	May 21, 1973
	1972	Chapter 510	May 21, 1973	May 21, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

INTRODUCTION OF BILLS

Messrs. Lewis, Conzemius and Milton introduced—

S. F. No. 2525: A bill for an act relating to corrections; inmates; visitation rights of children of inmates.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Kirchner introduced—

S. F. No. 2526: A bill for an act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

Which was read the first time.

Mr. Kirchner moved that S. F. No. 2526 be laid on the table. Which motion prevailed.

Mr. Sillers, by request, introduced—

S. F. No. 2527: A bill for an act relating to the city of Moorhead; firemen's relief funds and pensions therein; amending Laws 1955, Chapter 75, Sections 14, Subdivision 2; 14, Subdivision 6; and 16; as amended, added, and renumbered.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Tennessen, Ogdahl and Milton introduced—

S. F. No. 2528: A bill for an act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

Which was read the first time.

Mr. Tennessen moved that S. F. No. 2528 be laid on the table. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S. F. No. 386:

Edward A. Burdick, Chief Clerk, House of Representatives.

Returned May 21, 1973

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2056 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2056	2290				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2056 be amended as follows:

Page 2, line 2, after "tax" insert "*and the cost to him of the stamps,*"

And when so amended, H. F. No. 2056 will be identical to S. F. No. 2290 and further recommends that H. F. No. 2056 be given its second reading and substituted for S. F. No. 2290 and S. F. No. 2290 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

INTERIM COMMISSION AND COMMITTEE APPOINTMENTS

May 21, 1973

Mr. Davies, Chairman of the Committee on Committees, reports the following appointments by the Senate Committee on Committees:

Pursuant to Minnesota Statutes, 1971—

Section 3.66. State Claims Commission: Messrs. Purfeerst, Renneke and Schrom.

Section 121.82. The Education Commission of the States: Mr. Hughes.

Section 1.22. Great Lakes Commission: Messrs. Doty and Stokowski.

cc: The Honorable Martin O. Sabo,
Speaker of the House of Representatives

The Honorable Patrick E. Flahaven
Secretary of the Senate

The Honorable Edward A. Burdick
Chief Clerk of the House of Representatives

SECOND READING OF HOUSE BILLS

H. F. No. 2056 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Milton moved that the vote whereby H. F. No. 2444 failed to pass on May 19, 1973 be now reconsidered. Which motion prevailed.

Mr. Milton moved that H. F. No. 2444 be returned to the Committee on Transportation and General Legislation. Which motion prevailed.

Mr. Coleman moved that H. F. No. 1308 be designated a Special Order to be heard immediately. Which motion prevailed.

SPECIAL ORDER

H. F. No. 1308: A bill for an act relating to telegraph and telephone companies; regulating corporate bonds issued by telegraph and telephone companies; amending Minnesota Statutes 1971, Chapter 222, by adding a section; repealing Minnesota Statutes 1971, Section 222.14.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Knutson	Ogdahl	Sillers
Ashbach	Dunn	Kowalczyk	Olhoft	Solon
Bang	Fitzsimons	Krieger	Olson, A. G.	Spear
Berg	Frederick	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Gearty	Lewis	Olson, J. L.	Stokowski
Blatz	Hughes	Lord	O'Neill	Tennessee
Borden	Humphrey	McCutcheon	Patton	Ueland
Brown	Jensen	Milton	Perpich, G.	Wegener
Chenoweth	Keefe, J.	Mce	Pillsbury	Willet
Chmielewski	Keefe, S.	Nelson	Renneke	
Coleman	Kirchner	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schnom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Frederick introduced—

Senate Resolution No. 31: A senate resolution expressing support and concern for Americans missing in action in Southeast Asia.

WHEREAS, there remain 27 Minnesotans officially listed as “missing in action” in Southeast Asia; and

WHEREAS, on Sunday, June 3, 1973, there will be a dedication of the “Freedom Tree” at the west end of the State Veteran’s Service Building, which will present all Minnesotans with an opportunity to show their support and concern for those American servicemen listed as “missing in action”;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Minnesota that the Minnesota State Senate express its concern and pledge its support for all American servicemen listed as “missing in action”, and urges all Minnesotans to demonstrate their concern and support by participating in the “Freedom Tree” dedication on June 3, 1973.

Mr. Frederick moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate that for the period between the close of the 1973 regular session and the convening of the 1974 regular session, the Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate, shall be reserved for use by the Senate and its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration except that the Senate Chamber, Senate retiring room and such committee rooms as are available may be released by the Secretary of the Senate and be available to the Hi-Y Model Legislature and to the Girls' State. Provided, however, that the Senate Chamber and Senate Retiring room shall not be let out for any purpose during the months of November and December prior to a session of the legislature except upon approval of the Committee on Rules and Administration.

BE IT FURTHER RESOLVED, that the custodian of the State Capitol shall be instructed to keep the corridors and rotunda, insofar as is possible, clear of all furniture and equipment and that all Senate furniture remain in the committee rooms and offices, except as otherwise directed by the Secretary of the Senate upon approval of the Committee on Rules and Administration.

BE IT FURTHER RESOLVED, that the Commissioner of Administration shall be and is hereby instructed to furnish permits through the Secretary of the Senate to members of the Minnesota State Senate and authorized staff for parking facilities on Aurora Avenue for the period between the close of the 1973 regular session and the convening of the 1974 regular session, and other areas as may be required.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the Secretary of the Senate be and he is hereby authorized to correct and approve the Journal of the Senate for those days which have not been approved by the Senate.

BE IT FURTHER RESOLVED, that the Secretary of the Senate be authorized to include in the Senate Journal proceedings of the last day, appointments by the Committee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and such other matters of record received on or after the 21st day of May, 1973.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, that the Secretary of the Senate, with the approval of the Committee on Rules and Administration, is hereby authorized and directed to draw warrants:

1) In behalf of the several Senate employees for regular, special and overtime services rendered prior to, during and following the 1973 regular session;

2) For postage and other expenses of the Secretary of the Senate's office.

3) For roll call and public address system maintenance, improvement, repair or replacement;

4) For expenses of members in visiting state institutions;

5) For demoting, repairing or replacing the Senate Chamber carpeting;

6) For supplies and office equipment:

7) For maintaining and/or improving the acoustics and ventilation the Senate committee rooms and conference rooms;

8) For furniture and fixtures in committee rooms and conference rooms;

9) For such election and litigation costs as are authorized by the Committee on Rules and Administration;

10) For such other items necessary to the conduct of the Senate, subject to the approval of the Committee on Rules and Administration.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Novak	Schaaf
Ashbach	Dunn	Knutson	Ogdahl	Schrom
Bang	Fitzsimons	Kowalczyk	Olhoff	Sillers
Bernhagen	Frederick	Krieger	Olson, A. G.	Solon
Blatz	Gearty	Laufenburger	Olson, H. D.	Spear
Borden	Hughes	Lewis	Olson, J. L.	Stassen
Brown	Humphrey	Lord	O'Neill	Stokowski
Chenoweth	Jensen	McCutcheon	Patton	Tennessee
Chmielewski	Josefson	Milton	Perpich, G.	Ueland
Coleman	Keefe, J.	Nelson	Pillsbury	Wegener
Conzemius	Keefe, S.	North	Renneke	Willet

Which motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, that in conformity with Joint Rule 23, the following may be undertaken between the adjournment of the 68th legislature, first session and the convening of the 68th legislature, second session:

(1) Bills may be filed in the office of the President of the Senate in such manner as may be directed by the Committee on Rules and Administration.

(2) Bills so filed shall be assigned to the appropriate standing committee for consideration. The Committee on Rules and Administration may also order the printing of such filed bills.

(3) The committee after consideration and study of any measure submitted may report its recommendations in such manner as the Committee on Rules and Administration shall direct for consideration during the 68th legislature, second session.

(4) Bills duly introduced and considered during the 68th legislature, first session, remaining in any standing committee, may receive the same study and consideration and be subject to the same recommendations as previously set forth.

(5) That the items enumerated herein may be supplemented from time to time as the Committee on Rules and Administration may deem appropriate and the committee may issue such instructions as are necessary to the Secretary of the Senate to carry out the implementation of any such items.

BE IT FURTHER RESOLVED, that the Committee on Committees may appoint members of the Senate to assist in the work of any committee. Vacancies in each committee shall be filled by the Committee on Committees.

Each committee shall continue to exercise its powers and jurisdiction as provided in its rules.

BE IT FURTHER RESOLVED, that all employees needed to carry out the functions of the Senate during the period between the adjournment of the 68th legislature, first session and the convening of the 68th legislature, second session, shall be employed by the Committee on Rules and Administration, or a subcommittee thereof and be under its direction and control. Said employees shall be paid upon the abstract of the Secretary of the Senate at the salary rates fixed by the Committee on Rules and Administration.

BE IT FURTHER RESOLVED, that the Committee on Rules and Administration shall allocate the amount of expenses to each of the committees or subcommittees designated for the purpose stated herein; that all monies so allocated shall be paid from the legislative expense fund and the monies appropriated therein for standing committees.

BE IT FURTHER RESOLVED, that the Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse such persons for the costs thereof out of monies appropriated to the Senate for the standing committees.

BE IT FURTHER RESOLVED, that all members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties between the adjournment of the 68th legislature, first session and the convening of the 68th legislature, second session, in the manner provided by law. Such payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees; that the Committee on Rules and Administration shall determine the amount and manner for reimbursement for living and other expenses of each member of the Senate incurred in the performance of his duties when the legislature is not in regular session.

BE IT FURTHER RESOLVED, that the Secretary of the Senate, Senate Director of Research and any and all other personnel employed by the Senate in an executive capacity shall report to the Committee on Rules and Administration monthly regarding matters coming under their jurisdiction.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Olhoff	Solon
Ashbach	Frederick	Krieger	Olson, A. G.	Spear
Bang	Gearty	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Hughes	Lewis	Olson, J. L.	Stokowski
Blatz	Humphrey	Lord	O'Neill	Tennessee
Brown	Jensen	McCutcheon	Patton	Ueland
Chenoweth	Josefson	Milton	Perpich, G.	Wegener
Chmielewski	Keefe, J.	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Conzemius	Kirchner	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	
Dunn	Knutson	Ogdahl	Sillers	

Which motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 32: A senate resolution relating to the office of the Secretary of the Senate, legislative printing and binding contracts, office supplies, equipment, records and expenses.

BE IT RESOLVED, by the Senate, that the Secretary of the Senate shall continue to perform his duties between the adjournment of the 68th legislature, first session, and the convening of the 68th legislature, second session. He is authorized and directed to maintain the offices of the Secretary of the Senate and to employ for the interval between the close of the 68th legislature, first session and the convening of the 68th legislature, second session, an office secretary and any other personnel required for Senate services as directed by the Committee on Rules and Administration.

BE IT FURTHER RESOLVED, that during said interval, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered

the Senate at the rate established for that position for the 68th legislature, first session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending the annual meeting of the Secretaries and Chief Clerks National Legislative Conference sponsored by the Council of State Governments.

BE IT FURTHER RESOLVED, that the Secretary of the Senate, with the approval of the Committee on Rules and Administration, is hereby authorized and directed to secure bids and enter into contracts for the printing of the daily Senate journals, bills, general orders, special orders, calendars, resolutions, printing and binding of the permanent Senate journal, and other printing required by the Senate for the 68th legislature, second session, and/or any special session called prior to the 69th regular sessions of the legislature; that any contracts awarded shall be signed by the chairman of the Committee on Rules and Administration and such other member as the Committee on Rules and Administration shall designate.

BE IT FURTHER RESOLVED, that the Secretary of the Senate, with the approval of the Committee on Rules and Administration, is hereby authorized and directed to purchase office supplies and equipment required during the adjournment of the 68th legislature, first session, and to negotiate for essential office supplies and equipment which must be pre-ordered to insure delivery for the Senate at the next session of the Legislature.

BE IT FURTHER RESOLVED, that all Senate records, including committee books, after the adjournment of the 68th legislature, first session and prior to the convening of the 68th legislature, second session, shall be subject to the direction of the Committee on Rules and Administration.

BE IT FURTHER RESOLVED, that the Secretary of the Senate, as directed by the Committee on Rules and Administration, shall furnish each member of the Senate after the adjournment of the 68th legislature, first session, and prior to the convening of the 68th legislature, second session, with such postage and supplies as it may determine, and further that the Secretary of the Senate, with the approval of the Committee on Rules and Administration, may reimburse members of the Senate, upon proper verification of the expenses incurred, for long distance telephone calls after the adjournment of the 68th legislature, first session, and prior to the convening of the 68th legislature, second session.

BE IT FURTHER RESOLVED, that the Secretary of the Senate is hereby authorized and directed to draw warrants from the legislative expense fund in payment of the accounts herein referred to as they apply to such funds.

BE IT FURTHER RESOLVED, that the Secretary of the Senate is hereby directed to implement Minnesota Statutes, Section 3.095. The term "permanent" shall mean all employees heretofore certified by the Committee on Rules and Administration and

the Secretary of the Senate as permanent employees and those hereinafter certified by the Committee on Rules and Administration and the Secretary of the Senate as permanent.

BE IT FURTHER RESOLVED, that should a vacancy occur in the position of Secretary of the Senate, by resignation or other causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in such capacity during the remainder of the interval between the adjournment of the 68th legislature, first session and the convening of the 68th legislature, second session, under the provisions herein specified.

The question being taken on adoption of the resolution.

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Ogdahl	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olhoft	Solon
Bang	Frederick	Krieger	Olson, A. G.	Spear
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stassen
Blatz	Hughes	Lewis	Olson, J. L.	Stokowski
Borden	Humphrey	Lord	O'Neill	Tennessee
Brown	Jensen	McCutcheon	Patton	Ueland
Chenoweth	Josefson	Milton	Perpich, G.	Wegener
Chmielewski	Keefe, J.	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Czernemius	Kirchner	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	

Which motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate that the Secretary of the Senate be authorized to employ after the close of the session such employees as may be necessary to finish the business of the Legislature at such salaries paid such employees under the rules of the Senate during the 1973 regular session.

The question being taken on adoption of the resolution,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Ogdahl	Sillers
Asbach	Fitzsimons	Kowalczyk	Olhoft	Solon
Bang	Frederick	Krieger	Olson, A. G.	Spear
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stassen
Blatz	Hughes	Lewis	Olson, J. L.	Stokowski
Borden	Humphrey	Lord	O'Neill	Tennessee
Brown	Jensen	McCutcheon	Patton	Ueland
Chenoweth	Josefson	Milton	Perpich, G.	Wegener
Chmielewski	Keefe, J.	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Czernemius	Kirchner	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	

Which motion prevailed. So the resolution was adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:00 o'clock p.m. Which motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Anderson	Coleman	Keefe, J.	Olhoff	Stassen
Ashbach	Davies	Keefe, S.	Olson, A. G.	Stokowski
Bang	Dunn	Kirchner	Olson, J. L.	Tennessen
Berg	Fitzsimons	Kleinbaum	Patton	Ueland
Bernhagen	Frederick	Lewis	Perpich, G.	Wegener
Blatz	Gearty	Lord	Pillsbury	Willet
Borden	Hughes	McCutcheon	Renneke	
Brown	Humphrey	Moe	SchAAF	
Chenoweth	Jensen	Novak	Schrom	
Chmielewski	Josefson	Ogdahl	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 2580

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 21, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2580: A bill for an act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

Which was read the first time.

SUSPENSION OF RULES

Mr. Kirchner moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minne-

sota, with respect to H. F. No. 2580 and that the Rules of the Senate be so far suspended as to give H. F. No. 2580 its second and third reading and placed on final passage. Which motion prevailed.

H. F. No. 2580 was read the second time.

H. F. No. 2580: A bill for an act relating to the metropolitan transit commission; setting tax levy; amending Minnesota Statutes 1971, Section 473A.111, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Renneke
Ashbach	Davies	Kirchner	Novak	Schaaf
Bang	Dunn	Kleinbaum	Ogdahl	Sillers
Berg	Fitzsimons	Kowalczyk	Olhoft	Solon
Bernhagen	Frederick	Krieger	Olson, A. G.	Spear
Blatz	Gearty	Lewis	Olson, H. D.	Stassen
Borden	Hughes	Lord	Olson, J. L.	Stokowski
Brown	Humphrey	McCutcheon	O'Neill	Tennessee
Chenoweth	Jensen	Milton	Patton	Ueland
Chmielewski	Josefson	Moe	Perpich, G.	Wegener
Coleman	Keefe, J.	Nelson	Pillsbury	Willet

So the bill passed and its title was agreed to.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 10: A Concurrent Resolution authorizing membership in the national conference of state legislative leaders, designating Minnesota's representatives therein and providing for the payment of membership fees, dues, and conference expenses.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 21, 1973

Mr. Coleman moved that House Concurrent Resolution No. 10 be now adopted.

The question being taken on adoption of the resolution.

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chenoweth	Davies	Gearty
Ashbach	Blatz	Chmielewski	Dunn	Hughes
Bang	Borden	Coleman	Fitzsimons	Humphrey
Berg	Brown	Conzemius	Frederick	Jensen

Josefson	Lewis	Ogdahl	Pillsbury	Stokowski
Keefe, J.	Lord	Olhoff	Renneke	Tennessee
Keefe, S.	McCutcheon	Olson, A. G.	Schaaf	Ueland
Kirchner	Milton	Olson, H. D.	Schrom	Wegener
Kleinbaum	Moe	Olson, J. L.	Sillers	Willet
Knutson	Nelson	O'Neill	Solon	
Kowalczyk	North	Patton	Spear	
Krieger	Novak	Perpich, G.	Stassen	

Which motion prevailed. So the resolution was adopted.

MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 11: A Concurrent Resolution providing for adjournment of the legislature on May 21, 1973.

BE IT RESOLVED, by the House of Representatives of the State of Minnesota, the Senate concurring, that upon their adjournment May 21, 1973 the House of Representatives and Senate may each set its next day of meeting as January 15, 1974, at the hour of 12 noon.

BE IT FURTHER RESOLVED, by the House of Representatives of the State of Minnesota, the Senate concurring, that this resolution is the consent of each house for the other to adjourn for more than three days following May 21, 1973.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted May 21, 1973

Mr. Coleman moved that House Concurrent Resolution No. 11 be now adopted. Which motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Tuesday, January 15, 1974. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT

May 22, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 405, An act relating to banks; installment loans; interest; amending Minnesota Statutes 1971, Section 48.153.

Sincerely,
Wendell R. Anderson, Governor.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
405		Chapter 511	May 22, 1973	May 22, 1973
	1486	Chapter 512	May 22, 1973	May 22, 1973
	1558	Chapter 513	May 22, 1973	May 22, 1973
	1567	Chapter 514	May 22, 1973	May 22, 1973
	1581	Chapter 515	May 22, 1973	May 22, 1973
	1639	Chapter 516	May 22, 1973	May 22, 1973
	1693	Chapter 517	May 22, 1973	May 22, 1973
	1714	Chapter 518	May 22, 1973	May 22, 1973
	1749	Chapter 519	May 22, 1973	May 22, 1973
	1776	Chapter 520	May 22, 1973	May 22, 1973
	1825	Chapter 521	May 22, 1973	May 22, 1973
	1871	Chapter 522	May 22, 1973	May 22, 1973
	1965	Chapter 523	May 22, 1973	May 22, 1973
	2002	Chapter 524	May 22, 1973	May 22, 1973
	2004	Chapter 525	May 22, 1973	May 22, 1973
	2029	Chapter 526	May 22, 1973	May 22, 1973
	2052	Chapter 527	May 22, 1973	May 22, 1973
	2096	Chapter 528	May 22, 1973	May 22, 1973
	2097	Chapter 529	May 22, 1973	May 22, 1973
	2164	Chapter 530	May 22, 1973	May 22, 1973
	2179	Chapter 531	May 22, 1973	May 22, 1973
	2207	Chapter 532	May 22, 1973	May 22, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	2238	Chapter 533	May 22, 1973	May 22, 1973
	2239	Chapter 534	May 22, 1973	May 22, 1973
	2244	Chapter 535	May 22, 1973	May 22, 1973
	2270	Chapter 536	May 22, 1973	May 22, 1973
	2294	Chapter 537	May 22, 1973	May 22, 1973
	2308	Chapter 538	May 22, 1973	May 22, 1973
	2397	Chapter 539	May 22, 1973	May 22, 1973

Sincerely,

Arlen Erdahl, Secretary of State.

May 23, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. No. 56, An act relating to welfare; establishing and empowering a Gillette hospital authority for the purpose of operating a children's hospital in conjunction with Ramsey county hospital; appropriating funds; amending Minnesota Statutes 1971, Sections 246.01; 256.01, Subdivision 2; repealing Minnesota Statutes 1971, Section 246.02, Subdivision 3; and Chapter 250.

S. F. No. 82, An act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

S. F. No. 211, An act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

S. F. No. 256, An act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof; amending Minnesota Statutes 1971, Sections 117.135; and 272.68, Subdivision 1.

S. F. No. 257, An act relating to highways; authorizing the commissioner of highways to lease certain real estate acquired for trunk highway purposes, and providing for the distribution of rents therefor; amending Minnesota Statutes 1971, Section 161.23, Subdivision 3.

S. F. No. 325, An act relating to the claim of Carlton county; arising from agreement of highway department to participate in costs of improvement of county road 6; appropriating money for the payment thereof.

S. F. No. 342, An act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota

Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, Subdivision 3; and Chapter 169, by adding a section.

S. F. No. 471, An act relating to health; prohibiting the performance of abortions by persons who are not licensed medical doctors; providing a penalty.

S. F. No. 488, An act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

S. F. No. 501, An act relating to mobile homes; the taxation thereof; prohibiting the issuance of special permits to move oversize mobile homes on the highways in certain cases without certification by the county assessor that all taxes have been paid; amending Minnesota Statutes 1971, Sections 168.012, Subdivision 9; 168A.02, by adding a subdivision; and 169.86, Subdivision 1.

S. F. No. 537, An act relating to agriculture; nurserymen's and dealer's certificates; providing penalties; amending Minnesota Statutes 1971, Sections 18.46, Subdivision 9; 18.51, Subdivision 2; and 18.52, Subdivision 5.

S. F. No. 557, An act relating to taxation; wheelage taxes in the seven county metropolitan area; exempting certain vehicles from the wheelage tax; providing that the levy of property taxes shall be reduced by a stated amount; amending Minnesota Statutes 1971, Section 163.051, Subdivisions 1 and 5.

S. F. No. 568, An act relating to public welfare; providing for an extension of review board responsibilities and the right of a patient to treatment under the hospitalization and commitment act; amending Minnesota Statutes 1971, Sections 253A.16, Subdivision 4; and 253A.17, by adding a subdivision.

S. F. No. 672, An act relating to corrections; establishing an office of ombudsman; definitions; granting the ombudsman certain enforcement powers of investigation, action on complaints, publication of opinions and recommendations; amending Minnesota Statutes 1971, Chapter 241, by adding Sections.

S. F. No. 678, An act relating to insurance, motor vehicles; prohibiting certain family policy premium increases for families with a handicapped member.

S. F. No. 690, An act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

S. F. No. 721, An act relating to public welfare; clarifying the responsibility of relatives for poor relief expended; amending Minnesota Statutes 1971, Section 261.01, and repealing Minnesota Statutes 1971, Section 261.02.

S. F. No. 765, An act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of water-

craft on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

S. F. No. 926, An act establishing the Minnesota environmental education council; and describing the powers and duties thereof.

S. F. No. 938, An act relating to zoning; providing notice and procedures for amending ordinances in cities of the first class; amending Minnesota Statutes 1971, Section 462.357, Subdivisions 3 and 5.

S. F. No. 943, An act relating to education; interest on installment purchase of buses; amending Minnesota Statutes 1971, Section 123.39, Subdivision 3.

S. F. No. 965, An act relating to real estate; landlord and tenant; deposit of money; amending Minnesota Statutes 1971, Chapter 504, by adding a section; and repealing Minnesota Statutes 1971, Section 504.19.

S. F. No. 1004, An act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

S. F. No. 1028, An act relating to employees of the fire department of the city of Cloquet; transferring the active employees to the public employees police and fire fund and establishing trust for retired employees.

S. F. No. 1059, An act relating to county attorneys; creating a county attorneys council and the office of executive director; prescribing powers and duties; and appropriating money; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

S. F. No. 1125, An act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1971, Section 626.851.

S. F. No. 1164, An act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties.

S. F. No. 1252, An act relating to state parks; establishing the St. Croix Wild River state park in Chisago county; appropriating money; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; and 85.012, by adding a subdivision.

S. F. No. 1283, An act relating to cable communications; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 161.45, Subdivision 1; and 222.37, Subdivision 1.

S. F. No. 1374, An act relating to elections; nomination, affidavits and election of county court judges; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 202.04, Subdivisions 1 and 3; 203.41; 487.03, Subdivision 2; and repealing Minnesota Statutes 1971, Section 487.03, Subdivision 3.

S. F. No. 1404, An act relating to veterans; the enforcement of veterans' preference rights by the commissioner of veterans

affairs; authorizing the attorney general to represent veterans in certain cases; appropriating money; amending Minnesota Statutes 1971, Chapter 197, by adding a section.

S. F. No. 1436, An act relating to elections; providing for the payment of the expenses of special county elections; amending Minnesota Statutes 1971, Section 203.43.

S. F. No. 1455, An act relating to health; regulating alcohol and other drug abuse; establishing a state authority providing for treatment of persons dependent on alcohol or other drugs; amending Minnesota Statutes 1971, Sections 245.694, Subdivision 1; 197.603; 197.64, Subdivision 3; 198.01; 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

S. F. No. 1505, An act relating to pollution; livestock, poultry and other animal lots; permitting counties to exercise certain permit processing powers; amending Minnesota Statutes 1971, Section 116.07, by adding a subdivision.

S. F. No. 1526, An act relating to welfare; assistance, claim against a blind person's estate; releasing claims of the state; repealing Minnesota Statutes 1971, Section 256.65.

S. F. No. 1582, An act relating to agriculture, beef industry promotion board; appropriating money.

S. F. No. 1592, An act relating to elections; defining "county auditor" for the purpose of the election laws; amending Minnesota Statutes 1971, Section 200.02, by adding a subdivision.

S. F. No. 1602, An act relating to compensation insurance; providing for a change in administration from the department of commerce to the commissioner of insurance; amending Minnesota Statutes 1971, Section 79.01, Subdivision 5.

S. F. No. 1653, An act relating to education; the establishment of a pilot educational service area in southwest and west central Minnesota to provide educational services and programs on a regional basis; appropriating money therefor.

S. F. No. 1667, An act relating to trade regulations; recorded material; unauthorized reproductions; providing a penalty.

S. F. No. 1699, An act relating to education; veteran farmer cooperative training program; appropriating money.

S. F. No. 1797, An act relating to Ramsey county; establishing a commission for the study of local government; prescribing duties and obligations; providing for report by the commission to the legislature; appropriating money.

S. F. No. 1847, An act changing the name of the department of taxation to the department of revenue; amending Minnesota Statutes 1971, Section 270.02.

S. F. No. 1872, An act relating to counties; removing numerous limitations on tax levies; amending Minnesota Statutes 1971, Sections 12.26, Subdivisions 2 and 4; 18.022, Subdivision 2; 38.27, Subdivision 1; 38.36; 40.07, Subdivision 15; 121.712, Subdivision 2; 134.12, Subdivision 3; 145.51, Subdivisions 1 and 2; 163.05, Subdivision 1; 163.06, Subdivision 1; 193.145, Subdivision 2; 245.62; 245.65, Subdivision 1; 252.22; 252.24, Subdivisions 4; 275.09, Subdivision 2; 282.38, Subdivision 2; 373.25, Subdivision 1; 373.27, Subdivisions 1 and 2; 375.33, Subdivisions 1 and 2; 376.19; 376.20; 376.28; 381.12, Subdivision 2; 398.33, Subdivisions 1 and 6; 399.07, Subdivision 2; 400.11; 471.16, Subdivision 2; 471.63, Subdivision 2; and Laws 1951, Chapter 289, Section 3; repealing Minnesota Statutes 1971, Sections 38.27, Subdivision 2; 163.05, Subdivisions 2, 3, 4 and 5; 400.12; and Laws 1969, Chapter 905, Section 2.

S. F. No. 1893, An act relating to public welfare; authorizing the commissioner of public welfare, and certain counties and municipalities to make grants for child care service and for certain programs for child care; amending Minnesota Statutes 1971, Sections 245.83, Subdivisions 2 and 3, and by adding a subdivision; 245.84; 245.85; 245.86; and 245.87.

S. F. No. 1895, An act relating to health benefits provided through nonprofit health service plans and insurance; requiring the provision of certain health benefits for the treatment of alcoholism and drug and chemical dependencies.

S. F. No. 1948, An act relating to towns in the county of Anoka; conferring certain village powers; amending Laws 1963, Chapter 157, Section 1.

S. F. No. 1949, An act relating to the Anoka police relief association; membership in the public employees police and fire fund.

S. F. No. 1950, An act relating to St. Louis county; tax levy for the county road and bridge fund; repealing Minnesota Statutes 1971, Section 163.05, Subdivision 3.

S. F. No. 2016, An act relating to regional development commissions; authorizing the issuance of certificates of indebtedness; clarifying sales tax exemptions; amending Minnesota Statutes 1971, Sections 462.39, Subdivision 1; and 462.396, Subdivision 1; and Chapter 462, by adding a section.

S. F. No. 2113, An act relating to taxation; providing for a reduction in assessed value of apartment housing of type I or II construction; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

S. F. No. 2115, An act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality council; appropriating money; providing penalties.

S. F. No. 2167, An act relating to the organization and operation of state government; appropriating money for the conserva-

tion and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry associations and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

S. F. No. 2250, An act relating to public welfare; placing a limit on assets for old age assistance applicants in order to restore conformity with federal regulations; amending Minnesota Statutes 1971, Section 256.18.

S. F. No. 2275, An act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Subdivision 3.

S. F. No. 1364, An act relating to the Dover, Eyota and St. Charles sanitary district; permitting the advance of moneys in the general fund of the state treasury to the sanitary sewer board for said district; providing for repayment thereof; and appropriating money therefor.

S. F. No. 2047, An act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.031, Subdivision 2; 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

Sincerely,
Wendell R. Anderson, Governor.

May 24, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. Nos. 224, 612, 681, 968, 985, 996, 1047, 1091, 1120, 1182, 1246, 1247, 1302, 1445, 1480, 1540, 1557, 1626 and 1702.

Sincerely,
Wendell R. Anderson, Governor.

May 24, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed and deposited in the office of the Secretary of State the following Senate Files:

S. F. Nos. 47, 160, 328, 384, 386, 430, 452, 462, 464, 485, 581, 582, 615, 733, 813, 877, 910, 1029, 1351, 1623, 1633, 1643, 1654, 1742, 1824, 1896, 1961, 1964, 2014, 2021, 2050, 2118, 2119, 2166, 2338 and 2417.

Sincerely,
Wendell R. Anderson, Governor.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
56		Chapter 540	May 23, 1973	May 23, 1973
82		Chapter 541	May 23, 1973	May 23, 1973
211		Chapter 542	May 23, 1973	May 23, 1973
256		Chapter 543	May 23, 1973	May 23, 1973
257		Chapter 544	May 23, 1973	May 23, 1973
325		Chapter 545	May 23, 1973	May 23, 1973
342		Chapter 546	May 23, 1973	May 23, 1973
471		Chapter 547	May 23, 1973	May 23, 1973
488		Chapter 548	May 23, 1973	May 23, 1973
501		Chapter 549	May 23, 1973	May 23, 1973
537		Chapter 550	May 23, 1973	May 23, 1973
557		Chapter 551	May 23, 1973	May 23, 1973
568		Chapter 552	May 23, 1973	May 23, 1973
672		Chapter 553	May 23, 1973	May 23, 1973
678		Chapter 554	May 23, 1973	May 23, 1973
690		Chapter 555	May 23, 1973	May 23, 1973
721		Chapter 556	May 23, 1973	May 23, 1973
765		Chapter 557	May 23, 1973	May 23, 1973
926		Chapter 558	May 23, 1973	May 23, 1973
938		Chapter 559	May 23, 1973	May 23, 1973
943		Chapter 560	May 23, 1973	May 23, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
965		Chapter 561	May 23, 1973	May 23, 1973
1004		Chapter 562	May 23, 1973	May 23, 1973
1028		Chapter 563	May 23, 1973	May 23, 1973
1059		Chapter 564	May 23, 1973	May 23, 1973
1125		Chapter 565	May 23, 1973	May 23, 1973
1164		Chapter 566	May 23, 1973	May 23, 1973
1252		Chapter 567	May 23, 1973	May 23, 1973
1283		Chapter 568	May 23, 1973	May 23, 1973
1374		Chapter 569	May 23, 1973	May 23, 1973
1404		Chapter 570	May 23, 1973	May 23, 1973
1436		Chapter 571	May 23, 1973	May 23, 1973
1455		Chapter 572	May 23, 1973	May 23, 1973
1505		Chapter 573	May 23, 1973	May 23, 1973
1526		Chapter 574	May 23, 1973	May 23, 1973
1582		Chapter 575	May 23, 1973	May 23, 1973
1592		Chapter 576	May 23, 1973	May 23, 1973
1602		Chapter 577	May 23, 1973	May 23, 1973
1653		Chapter 578	May 23, 1973	May 23, 1973
1667		Chapter 579	May 23, 1973	May 23, 1973
1699		Chapter 580	May 23, 1973	May 23, 1973
1797		Chapter 581	May 23, 1973	May 23, 1973
1847		Chapter 582	May 23, 1973	May 23, 1973
1872		Chapter 583	May 23, 1973	May 23, 1973
1893		Chapter 584	May 23, 1973	May 23, 1973
1895		Chapter 585	May 23, 1973	May 23, 1973
1948		Chapter 586	May 23, 1973	May 23, 1973
1949		Chapter 587	May 23, 1973	May 23, 1973
1950		Chapter 588	May 23, 1973	May 23, 1973
2016		Chapter 589	May 23, 1973	May 23, 1973
2113		Chapter 590	May 23, 1973	May 23, 1973
2115		Chapter 591	May 23, 1973	May 23, 1973
2167		Chapter 592	May 23, 1973	May 23, 1973
2250		Chapter 593	May 23, 1973	May 23, 1973
2275		Chapter 594	May 23, 1973	May 23, 1973
1364		Chapter 595	May 23, 1973	May 23, 1973
2047		Chapter 596	May 23, 1973	May 23, 1973
	255	Chapter 597	May 23, 1973	May 23, 1973
	2442	Chapter 598	May 23, 1973	May 23, 1973
	309	Chapter 599	May 23, 1973	May 23, 1973
	534	Chapter 600	May 23, 1973	May 23, 1973
	565	Chapter 601	May 23, 1973	May 23, 1973
	294	Chapter 602	May 23, 1973	May 23, 1973
	586	Chapter 603	May 23, 1973	May 23, 1973
	606	Chapter 604	May 23, 1973	May 23, 1973
	701	Chapter 605	May 23, 1973	May 23, 1973
	702	Chapter 606	May 23, 1973	May 23, 1973
	735	Chapter 607	May 23, 1973	May 23, 1973
	1038	Chapter 608	May 23, 1973	May 23, 1973
	1042	Chapter 609	May 23, 1973	May 23, 1973
	1045	Chapter 610	May 23, 1973	May 23, 1973
	1059	Chapter 611	May 23, 1973	May 23, 1973
	1110	Chapter 612	May 23, 1973	May 23, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	1134	Chapter 613	May 23, 1973	May 23, 1973
	1146	Chapter 614	May 23, 1973	May 23, 1973
	1219	Chapter 615	May 23, 1973	May 23, 1973
	1230	Chapter 616	May 23, 1973	May 23, 1973
	1255	Chapter 617	May 23, 1973	May 23, 1973
	1282	Chapter 618	May 23, 1973	May 23, 1973
	1333	Chapter 619	May 23, 1973	May 23, 1973
	1478	Chapter 620	May 23, 1973	May 23, 1973
	1508	Chapter 621	May 23, 1973	May 23, 1973
	1536	Chapter 622	May 23, 1973	May 23, 1973
	1625	Chapter 623	May 23, 1973	May 23, 1973
	1626	Chapter 624	May 23, 1973	May 23, 1973
	1635	Chapter 625	May 23, 1973	May 23, 1973
	1638	Chapter 626	May 23, 1973	May 23, 1973
	1697	Chapter 627	May 23, 1973	May 23, 1973
	1720	Chapter 628	May 23, 1973	May 23, 1973
	1870	Chapter 629	May 23, 1973	May 23, 1973
	2050	Chapter 630	May 23, 1973	May 23, 1973
	2100	Chapter 631	May 23, 1973	May 23, 1973
	2145	Chapter 632	May 23, 1973	May 23, 1973
	2174	Chapter 633	May 23, 1973	May 23, 1973
	2225	Chapter 634	May 23, 1973	May 23, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	295	Chapter 635	May 24, 1973	May 24, 1973
	633	Chapter 636	May 24, 1973	May 24, 1973
	954	Chapter 637	May 24, 1973	May 24, 1973
	961	Chapter 638	May 24, 1973	May 24, 1973
	976	Chapter 639	May 24, 1973	May 24, 1973
	977	Chapter 640	May 24, 1973	May 24, 1973
	991	Chapter 641	May 24, 1973	May 24, 1973
	1036	Chapter 642	May 24, 1973	May 24, 1973
	1053	Chapter 643	May 24, 1973	May 24, 1973
	1065	Chapter 644	May 24, 1973	May 24, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	1172	Chapter 645	May 24, 1973	May 24, 1973
	1203	Chapter 646	May 24, 1973	May 24, 1973
	1271	Chapter 647	May 24, 1973	May 24, 1973
	1297	Chapter 648	May 24, 1973	May 24, 1973
	1302	Chapter 649	May 24, 1973	May 24, 1973
	2121	Chapter 650	May 24, 1973	May 24, 1973
	1306	Chapter 651	May 24, 1973	May 24, 1973
	1308	Chapter 652	May 24, 1973	May 24, 1973
	1355	Chapter 653	May 24, 1973	May 24, 1973
	1372	Chapter 654	May 24, 1973	May 24, 1973
	1399	Chapter 655	May 24, 1973	May 24, 1973
	1404	Chapter 656	May 24, 1973	May 24, 1973
	1410	Chapter 657	May 24, 1973	May 24, 1973
	1416	Chapter 658	May 24, 1973	May 24, 1973
	1436	Chapter 659	May 24, 1973	May 24, 1973
	1473	Chapter 660	May 24, 1973	May 24, 1973
	1511	Chapter 661	May 24, 1973	May 24, 1973
	1854	Chapter 662	May 24, 1973	May 24, 1973
	2098	Chapter 663	May 24, 1973	May 24, 1973
	2107	Chapter 664	May 24, 1973	May 24, 1973
	2353	Chapter 665	May 24, 1973	May 24, 1973
224		Chapter 666	May 24, 1973	May 24, 1973
612		Chapter 667	May 24, 1973	May 24, 1973
681		Chapter 668	May 24, 1973	May 24, 1973
968		Chapter 669	May 24, 1973	May 24, 1973
985		Chapter 670	May 24, 1973	May 24, 1973
996		Chapter 671	May 24, 1973	May 24, 1973
1047		Chapter 672	May 24, 1973	May 24, 1973
1091		Chapter 673	May 24, 1973	May 24, 1973
1120		Chapter 674	May 24, 1973	May 24, 1973
1182		Chapter 675	May 24, 1973	May 24, 1973
1246		Chapter 676	May 24, 1973	May 24, 1973
1247		Chapter 677	May 24, 1973	May 24, 1973
1302		Chapter 678	May 24, 1973	May 24, 1973
1445		Chapter 679	May 24, 1973	May 24, 1973
1480		Chapter 680	May 24, 1973	May 24, 1973
1540		Chapter 681	May 24, 1973	May 24, 1973
1557		Chapter 682	May 24, 1973	May 24, 1973
1626		Chapter 683	May 24, 1973	May 24, 1973
1702		Chapter 684	May 24, 1973	May 24, 1973
47		Chapter 685	May 24, 1973	May 24, 1973
160		Chapter 686	May 24, 1973	May 24, 1973
328		Chapter 687	May 24, 1973	May 24, 1973
384		Chapter 688	May 24, 1973	May 24, 1973
386		Chapter 689	May 24, 1973	May 24, 1973
430		Chapter 690	May 24, 1973	May 24, 1973
452		Chapter 691	May 24, 1973	May 24, 1973
462		Chapter 692	May 24, 1973	May 24, 1973
464		Chapter 693	May 24, 1973	May 24, 1973
485		Chapter 694	May 24, 1973	May 24, 1973
581		Chapter 695	May 24, 1973	May 24, 1973
582		Chapter 696	May 24, 1973	May 24, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
615		Chapter 697	May 24, 1973	May 24, 1973
733		Chapter 698	May 24, 1973	May 24, 1973
813		Chapter 699	May 24, 1973	May 24, 1973
877		Chapter 700	May 24, 1973	May 24, 1973
910		Chapter 701	May 24, 1973	May 24, 1973
1029		Chapter 702	May 24, 1973	May 24, 1973
1351		Chapter 703	May 24, 1973	May 24, 1973
1623		Chapter 704	May 24, 1973	May 24, 1973
1633		Chapter 705	May 24, 1973	May 24, 1973
1643		Chapter 706	May 24, 1973	May 24, 1973
1654		Chapter 707	May 24, 1973	May 24, 1973
1896		Chapter 708	May 24, 1973	May 24, 1973
1742		Chapter 709	May 24, 1973	May 24, 1973
1824		Chapter 710	May 24, 1973	May 24, 1973
1961		Chapter 711	May 24, 1973	May 24, 1973
1964		Chapter 712	May 24, 1973	May 24, 1973
2014		Chapter 713	May 24, 1973	May 24, 1973
2021		Chapter 714	May 24, 1973	May 24, 1973
2050		Chapter 715	May 24, 1973	May 24, 1973
2118		Chapter 716	May 24, 1973	May 24, 1973
2119		Chapter 717	May 24, 1973	May 24, 1973
2166		Chapter 718	May 24, 1973	May 24, 1973
2338		Chapter 719	May 24, 1973	May 24, 1973
2417		Chapter 720	May 24, 1973	May 24, 1973
	9	Chapter 721	May 24, 1973	May 24, 1973
	23	Chapter 722	May 24, 1973	May 24, 1973
	133	Chapter 723	May 24, 1973	May 24, 1973
	134	Chapter 724	May 24, 1973	May 24, 1973
	221	Chapter 725	May 24, 1973	May 24, 1973
	223	Chapter 726	May 24, 1973	May 24, 1973
	266	Chapter 727	May 24, 1973	May 24, 1973
	358	Chapter 728	May 24, 1973	May 24, 1973
	377	Chapter 729	May 24, 1973	May 24, 1973
	437	Chapter 730	May 24, 1973	May 24, 1973
	458	Chapter 731	May 24, 1973	May 24, 1973
	491	Chapter 732	May 24, 1973	May 24, 1973
	595	Chapter 733	May 24, 1973	May 24, 1973
	611	Chapter 734	May 24, 1973	May 24, 1973
	624	Chapter 735	May 24, 1973	May 24, 1973
	647	Chapter 736	May 24, 1973	May 24, 1973
	805	Chapter 737	May 24, 1973	May 24, 1973
	877	Chapter 738	May 24, 1973	May 24, 1973
	879	Chapter 739	May 24, 1973	May 24, 1973
	924	Chapter 740	May 24, 1973	May 24, 1973
	1000	Chapter 741	May 24, 1973	May 24, 1973
	1585	Chapter 742	May 24, 1973	May 24, 1973
	1612	Chapter 743	May 24, 1973	May 24, 1973
	1675	Chapter 744	May 24, 1973	May 24, 1973
	1702	Chapter 745	May 24, 1973	May 24, 1973
	1712	Chapter 746	May 24, 1973	May 24, 1973
	1837	Chapter 747	May 24, 1973	May 24, 1973
	1821	Chapter 748	May 24, 1973	May 24, 1973

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	1779	Chapter 749	May 24, 1973	May 24, 1973
	1789	Chapter 750	May 24, 1973	May 24, 1973
	1807	Chapter 751	May 24, 1973	May 24, 1973
	1659	Chapter 752	May 24, 1973	May 24, 1973
	1673	Chapter 753	May 24, 1973	May 24, 1973
	1897	Chapter 754	May 24, 1973	May 24, 1973
	1906	Chapter 755	May 24, 1973	May 24, 1973
	1940	Chapter 756	May 24, 1973	May 24, 1973
	1944	Chapter 757	May 24, 1973	May 24, 1973
	1945	Chapter 758	May 24, 1973	May 24, 1973
	1996	Chapter 759	May 24, 1973	May 24, 1973
	2015	Chapter 760	May 24, 1973	May 24, 1973
	2087	Chapter 761	May 24, 1973	May 24, 1973
	2093	Chapter 762	May 24, 1973	May 24, 1973
	2111	Chapter 763	May 24, 1973	May 24, 1973
	2247	Chapter 764	May 24, 1973	May 24, 1973
	2275	Chapter 765	May 24, 1973	May 24, 1973
	2303	Chapter 766	May 24, 1973	May 24, 1973
	2381	Chapter 767	May 24, 1973	May 24, 1973
	2437	Chapter 768	May 24, 1973	May 24, 1973
	2438	Chapter 769	May 24, 1973	May 24, 1973
	2447	Chapter 770	May 24, 1973	May 24, 1973
	2449	Chapter 771	May 24, 1973	May 24, 1973
	2473	Chapter 772	May 24, 1973	May 24, 1973
	2482	Chapter 773	May 24, 1973	May 24, 1973
	2484	Chapter 774	May 24, 1973	May 24, 1973
	2485	Chapter 775	May 24, 1973	May 24, 1973
	2491	Chapter 776	May 24, 1973	May 24, 1973
	2530	Chapter 777	May 24, 1973	May 24, 1973
	2531	Chapter 778	May 24, 1973	May 24, 1973
	2580	Chapter 779	May 24, 1973	May 24, 1973
	938	Chapter 780	May 24, 1973	May 24, 1973
	972	Chapter 781	May 24, 1973	May 24, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

May 25, 1973

TO : The Honorable Arlen I. Erdahl
Secretary of State

FROM : Curtis D. Forslund
Chief Deputy
Attorney General

SUBJECT: Senate File No. 1726

The Governor's Office will be filing this Act with you, without his signature. We believe this Act is nevertheless valid under Article IV, Section 11 of the Minnesota Constitution, providing that "If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been pre-

sented to him, the same shall be a law in like manner as if he had signed it, unless the legislature, by adjournment within that time, prevents its return." The purpose of filing the bill without the governor's signature is to set up a test case on the meaning of the word "adjournment" within this section.

C.D.F.

May 29, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have today deposited in the office of the Secretary of State without my signature the following Senate File:

S. F. No. 1726, An act authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Goodhue county.

Sincerely,
Wendell R. Anderson, Governor.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
1726		Chapter 782		May 29, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 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 1973	Date Filed 1973
	1772	Chapter 783	June 7, 1973	June 7, 1973

Sincerely,
Arlen Erdahl, Secretary of State.

The Honorable Alec G. Olson
President of the Senate
State Capitol

June 26, 1973

Dear Sir:

On June 22, 1973 the Committee on Committees of the Senate met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes, 1971:

Sec. 3.922. Indian Affairs Commission:

Messrs. Spear and McCutcheon

Sec. 1.34. Legislative Advisory Committee to Minnesota-Wisconsin Boundary Area Commission:

Messrs. Lewis, Anderson, Purfeerst, Stassen and Kowalczyk

Respectfully,
Jack Davies, Chairman
Committee on Committees.

cc:

The Honorable Martin Sabo
The Honorable Patrick Flahaven
The Honorable Edward A. Burdick

June 28, 1973

The Honorable Alec G. Olson
President of the Senate
State Capitol

Dear Sir:

Pursuant to the provisions of the 1973 Minnesota Laws, 68th Legislature, First Regular Session, the following appointments have been made:

Chapter 598: Joint Coordinating Committee

Messrs. Conzemius and Davies

Chapter 741: Joint Legislative Review Committee (Commission on Minnesota's Future)

Messrs. Keefe, S.; Moe and Tennessen

Chapter 492, Sec. 3.97: Legislative Audit Commission: Mr. Borden has been designated to serve in my place.

Sincerely,
Nicholas D. Coleman, Majority Leader.

cc:

The Honorable Winston W. Borden
The Honorable Martin Sabo
The Honorable Patrick Flahaven
The Honorable Edward A. Burdick

June 28, 1973

The Honorable Alec G. Olson
President of the Senate
State Capitol

Dear Sir:

Pursuant to the provisions of the 1973 Minnesota Laws, 68th Legislature, First Regular Session, the following appointments have been made.

Chapter 598: Joint Coordinating Committee

Mr. Ogdahl

Chapter 741: Joint Legislative Review Committee (Commission on Minnesota's Future)

Messrs: Josefson, Pillsbury and Stassen

Chapter 492, Sec. 3.97: Legislative Audit Commission

Messrs. Ashbach, Fitzsimons and Ogdahl

Respectfully submitted,
Harold G. Krieger, Minority Leader.

cc:

The Honorable Martin Sabo
The Honorable Patrick Flahaven
The Honorable Edward A. Burdick

The Honorable Alec G. Olson
President of the Senate
State Capitol

August 17, 1973

Dear Sir:

Pursuant to House Concurrent Resolution No. 10 adopted during the First Regular Session of the 68th Legislature, the following appointment has been made.

National Conference of State Legislative Leaders

Mr. O'Neill

Sincerely,
Jack Davies, Chairman
Committee on Committees.

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Teachers' Retirement Fund Association, Sixty-third Annual Report of the Board of Trustees; Final Joint Report of the House Committee on Natural Resources, Subcommittee on Snowmobiles and All-Terrain Vehicles and the Senate Committee on Natural Resources and Environment Subcommittee on Snowmobile Industry and Snowmobiling, Interim Activities and Recommendations, October, 1971-December, 1972; Iron Range Resources and Rehabilitation Commission, Biennial Report 1970-72; Ninth Annual Report 1972, Minnesota Courts, The Supreme Court of Minnesota, Office of the State Court Administrator; Metropolitan Council, Metropolitan Development Guide; Legislative Retirement Study Commission; Progress Report, Biennial Program and Long Range Plan of the Minnesota Pollution Control Agency Presented to the Minnesota Legislature; Professional Staff Contract between Minnesota State Junior College Faculty Association and Minnesota State College Board; Minneapolis Teachers Retirement Fund Association, December 31, 1972; Minnesota State Retirement System, January 1, 1969-June 30, 1972; Public Employees Retirement Association, June 30, 1970, 1971 and 1972; St. Paul Teachers Retirement Fund Association, December 31, 1972.

REPORT PURSUANT TO JOINT RULES 20 AND 22c

Pursuant to Joint Rules 20 and 22c, bills are being returned to Senate Standing Committees to which they were last previously referred, as follows:

S. F. No. 540 to the Committee on Transportation and General Legislation.

S. F. No. 1064 and its companion bill, H. F. No. 1630, to the Committee on Governmental Operations.

S. F. No. 2418 to the Committee on Transportation and General Legislation.

S. F. No. 2430 to the Committee on Governmental Operations.