

JOURNAL
OF THE
SENATE
SIXTY-EIGHTH LEGISLATURE

STATE OF MINNESOTA

1974

The Webb Company
St. Paul



INTRODUCTION

The 1972 flexible session amendment to Article IV, Section 1 of the Constitution authorized the legislature to meet in regular session in both years of the biennium.

Article IV, Section 11 subjects bills to a pocket veto after the adjournment of a legislative session. However, the temporary adjournment between the session of the first year and the second year of the biennium is not a final adjournment, as the biennial session is considered as one continuous session.

"Pocket veto" occurs in two distinct situations: (1) When a bill is passed during the last 3 days of a biennial session and is not signed and filed by the Governor within 14 days after final adjournment, and (2) when a bill is passed prior to the last 3 days of a biennial session and is not signed or returned by the Governor by the end of the 3 day period after presentment, and the legislature has prevented such bill's return by *final* adjournment within 3 days of presentment.

Three test cases were brought in District Court, 4th Judicial District for declaratory judgments to determine whether Senate File No. 386 (L. 1973, C. 689); Senate File No. 1726 (L. 1973, C. 782); and House File No. 1772 (L. 1973, C. 783) were valid enactments of law by the legislature.

District Court Judge Harold Kalina ruled that S. F. No. 386 was not passed on a day prescribed for the adjournment of the two houses of the legislature within the meaning of Article IV, Section 22. Further, it was signed within the three day period allowed for the signature of bills. Hence it became law with the Governor's signature.

In the case of S. F. No. 1726, the Court ruled that this bill became law without the Governor's signature, since he failed to return the bill to the house of origin within three days, Sundays excepted, after its presentment to him.

H. F. No. 1772 was presented during interim adjournment and was signed within three days of presentment. So it became a valid law upon completion of the Governor's function, Judge Kalina ruled.

The three cases were appealed to the Supreme Court. In each case the Supreme Court affirmed the summary judgment of the trial court that each law was validly enacted. Each case involved a slightly different combination of circumstances, but all three hinged on the question of final adjournment.

So, as the District Court ruled and the Supreme Court affirmed, the 1973 Minnesota legislative session and the 1974 session are technically one session separated by a temporary adjournment.

Members of the Senate

Anderson, Jerald C.	Laufenburger, Roger
Arnold, Norbert	Lewis, B. Robert
Ashbach, Robert O.	Lord, James F.
Bang, Otto T., Jr.	McCutcheon, Bill
Berg, Charles	Milton, John
Bernhagen, John J.	Moe, Roger D.
Blatz, Jerome V.	Nelson, Rolf
Borden, Winston W.	North, Robert D.
Brown, Robert J.	Novak, Edward G.
Chenoweth, John C.	Ogdahl, Harmon T.
Chmielewski, Florian	Olhoft, Wayne
Coleman, Nicholas D.	Olson, Alec G.
Conzemius, George R.	Olson, Howard D.
Davies, Jack	Olson, John L.
Doty, Ralph R.	O'Neill, Joseph T.
Dunn, Robert	Patton, John M.
Fitzsimons, Richard W.	Perpich, A. J.
Frederick, Mel	Perpich, George F.
Gearty, Edward J.	Pillsbury, George S.
Hansen, C. R. Baldy	Purfeerst, Clarence M.
Hansen, Mel	Renneke, Earl W.
Hanson, Roger	Schaaf, David D.
Hughes, Jerome M.	Schrom, Ed
Humphrey, Hubert H. III	Sillers, Douglas H.
Jensen, Carl A.	Solon, Sam G.
Josefson, J. A.	Spear, Allan H.
Keefe, John	Stassen, J. Robert
Keefe, Stephen	Stokowski, Eugene
Kirchner, William G.	Tennessee, Robert J.
Kleinbaum, Jack I.	Thorup, Stanley N.
Knutson, Howard A.	Ueland, Arnulf, Jr.
Kowalczyk, Al	Wegener, Myrton O.
Krieger, Harold G.	Willet, Gerald L.
Larson, Lew W.	

Officers of the Senate

Olson, Alec G.	President
Flahaven, Patrick E.	Secretary
Vavrosky, Joseph C.	First Assistant Secretary
Mattson, Janine	Second Assistant Secretary
Johnson, Paul	Fourth Assistant Secretary
Goodwin, George G.	Minority Secretary
Daly, Eugene	Sergeant-at-Arms
Filipovich, John	Assistant Sergeant-at-Arms
La Roque, Alvin C.	Assistant Sergeant-at-Arms
Greenwalt, James E.	Engrossing Clerk
Bible, K. Reed	Enrolling Clerk
Finn, Father Nicholas J.	Chaplain
Waterkotte, Rev. Silvin	Chaplain
Rieder, Father Ronald	Chaplain
Groehler, Rev. Reuben	Chaplain
Eimer, Father Robert	Chaplain
Kamens, Rabbi Sylvan D.	Chaplain
Porthan, Father George	Chaplain
Murphy, Father Terrence	Chaplain
Andrews, Rev. Barbara	Chaplain

SIXTY-SEVENTH DAY

St. Paul, Minnesota, Tuesday, January 15, 1974.

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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willet

Quorum present.

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

MEMBERS EXCUSED

Messrs. Ashbach and Bang were excused from the Session of today. Mr. Krieger was excused from today's Session, beginning at 2:10 p.m.

**REPORTS AND RESOLUTIONS FILED DURING THE INTERIM
WITH THE SECRETARY OF THE SENATE**

Various reports were filed during the 1973-74 interim by Retirement and Relief Associations and are on file in the office of the Secretary of the Senate; also reports made by the Legislative Audit Commission on various state institutions and boards; Department of Education, Guidelines for Community Schools (Supplement)-1973; 43rd Biennial Report of the Board of Trustees of the Minnesota Veterans Home, July 1, 1970 through June 30, 1972; Great Lakes Commission Semi-Annual Meeting, Avon Lake, Ohio-Minutes, June 19, 1973; Minnesota Pollution Control Agency Progress Report, Biennial Program and Long Range Plan, November 15, 1972; Minnesota State Advisory Council for Vocational Education, April 12, 1973; Minnesota State Arts Council Annual

Report, 1972; Department of Natural Resources Biennial Report, July 1970 through June 30, 1972; Department of Natural Resources, Inter-Agency Task Force Report on Base Metal Mining Impacts, January 1973; Department of Natural Resources, Possible Environmental Impact of Base Metal Mining in Minnesota, June 1972.

ELECTION OF OFFICERS

Mr. Coleman moved that the election of officers be made on one roll call unless there should be more than one nomination for any office. The motion prevailed.

The following nominations were made:

Mr. Laufenburger nominated Eugene Daly for Sergeant-at-Arms.

Mr. Hughes nominated K. Reed Bible for Enrolling Clerk.

The question being taken on the above named officers of the Senate, and the roll being called, there were yeas 65 and nays none.

The above named officers having received the majority vote of all members voting, the nominees were duly elected to their respective offices.

OATH OF OFFICE

The Sergeant-at-Arms and the Enrolling Clerk advanced to the Bar of the Senate and subscribed to the oath of office as administered by the President.

INTRODUCTION OF BILLS

Mr. Borden introduced—

S. F. No. 2529: A bill for an act relating to state government departments; providing for the civil service status of certain principal subordinate officers; amending Minnesota Statutes 1971, Sections 16.24; and 43.09, by adding a subdivision.

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

Mr. Borden introduced—

S. F. No. 2530: A bill for an act relating to civil actions; regulating proceedings to recover personal property before judgment; amending Minnesota Statutes 1971, Sections 565.02 and 565.04.

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

Mr. Coleman introduced—

S. F. No. 2531: A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects.

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

Mr. Gearty introduced—

S. F. No. 2532: A bill for an act relating to gambling; creating a gambling commission; defining its powers and duties; legalizing certain forms of gambling and providing for complete operation and regulation thereof by the state; appropriating money.

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

Mr. McCutcheon introduced—

S. F. No. 2533: A bill for an act relating to intoxicating liquor; Sunday sales; amending Minnesota Statutes 1971, Section 340.14, Subdivision 5.

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

Mr. Renneke introduced—

S. F. No. 2534: A bill for an act relating to the claim of Arthur R. Sanden; arising from the loss of personal property at the state prison; appropriating money for the payment thereof.

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

Messrs. Hansen, Baldy; Larson and Olson, J. L. introduced—

S. F. No. 2535: A bill for an act relating to liquor; prohibiting certain advertising.

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

Mr. Borden introduced—

S. F. No. 2536: A bill for an act relating to animals; prohibiting tail docking of certain animals; amending Minnesota Statutes 1971, Section 346.23.

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

Messrs. Novak, Laufenburger and Hansen, Baldy introduced—

S. F. No. 2537: A bill for an act relating to highways; adding an additional highway route to the highway routes designated as the Blue Star memorial highway; amending Minnesota Statutes 1971, Section 161.14, Subdivision 13.

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

Mr. Sillers introduced—

S. F. No. 2538: A bill for an act relating to the claim of Horvick Electric Motor Company; arising from the payment to Minnesota of sales taxes due to North Dakota; appropriating money for the payment thereof.

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

Mr. Novak introduced—

S. F. No. 2539: A bill for an act relating to the claim of Mrs. Lois E. Galpin; arising from a broken leg suffered in a fall on a University of Minnesota campus; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2540: A bill for an act relating to the claim of Arnold Wayne Neukom; arising from the destruction of personal property by fire at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Borden introduced—

S. F. No. 2541: A bill for an act relating to cable communications; defining terms; conditions for certificate of confirmation; amending Laws 1973, Chapter 568, Sections 2, by adding a subdivision; and 9, Subdivision 4.

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

Mr. Brown introduced—

S. F. No. 2542: A bill for an act relating to the claim of Douglas Richard Hayes; arising from the loss of personal property by the Minnesota state reformatory; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2543: A bill for an act relating to the claim of Leon L.

Cobb; arising from the loss of property because of improperly delayed action by state corrections employees; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2544: A bill for an act relating to the claim of Tom Dahir; arising from the destruction of personal property at the state prison; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2545: A bill for an act relating to the claim of Eugene Henry Madison; arising from the theft or destruction of personal property at the state prison; appropriating money for the payment thereof.

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

Messrs. Olson, A. G.; Willet and Moe introduced—

S. F. No. 2546: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; declaring the legislative intent in the financing of certain areas thereof; eliminating the user fee levied on solid waste disposal at certain disposal facilities; amending Laws 1973, Chapter 748, by adding a section, and repealing Laws 1973, Chapter 748, Section 7.

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

Mr. Keefe, S. introduced—

S. F. No. 2547: A bill for an act relating to public assistance; providing for minimum allowances for clothing and personal needs for persons receiving categorical aids while confined in nursing homes; prescribing methods of payment and restriction on payments.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Kleinbaum introduced—

S. F. No. 2548: A bill for an act relating to the claim of William Hollenkamp; arising from failure of state to prevent Lino Lakes juvenile escapees from stealing automobile and other personal property; appropriating money for the payment thereof.

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

Mr. Perpich, G. introduced—

S. F. No. 2549: A bill for an act relating to the university of Minnesota; prohibiting employees from performing services as consultants or expert witnesses; providing a penalty.

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

Mr. Hughes questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Perpich, G. introduced—

S. F. No. 2550: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

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

Mr. Thorup introduced—

S. F. No. 2551: A bill for an act relating to the claim of Gopher Electric Contractors; arising from a lawsuit to recover improperly collected sales taxes; appropriating money for the payment thereof.

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

Mr. Krieger introduced—

S. F. No. 2552: A bill for an act relating to the claim of Ella J. Crosby; arising from injury caused by mental patient who was not kept under sufficiently close supervision by the state; appropriating money for the payment thereof.

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

Mr. Patton introduced—

S. F. No. 2553: A bill for an act relating to the claim of Orville Hoeg; arising from failure to repair broken tiles alongside highway I-90 in Alden Township; appropriating money for the payment thereof.

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

Mr. Kleinbaum introduced—

S. F. No. 2554: A bill for an act relating to the claim of Central Outdoor Advertising, Inc.; arising from the removal of signs by the highway department; appropriating money for the payment thereof.

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

Mr. Keefe, J. introduced—

S. F. No. 2555: A bill for an act relating to the claim of Dean Keith Severson; arising from failure of the state to take adequate precautions in construction of a bridge at highway 35W and East 35th Street; appropriating money for the payment thereof.

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

Mr. Lewis introduced—

S. F. No. 2556: A bill for an act relating to the claim of Mrs. Sim Greenberg; arising from improperly barricaded construction on a state highway; appropriating money for the payment thereof.

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

Mr. Stassen introduced—

S. F. No. 2557: A bill for an act relating to the claim of Leo J. Riemers; arising from damages caused by an employee at the Hastings state hospital while parking an automobile; appropriating money for the payment thereof.

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

Mr. Borden introduced—

S. F. No. 2558: A bill for an act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

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

Mr. Arnold introduced—

S. F. No. 2559: A bill for an act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

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

Mr. Borden introduced—

S. F. No. 2560: A bill for an act relating to corporations; providing that amendments to the corporate articles of banks need not be recorded with the register of deeds; amending Minnesota Statutes 1971, Section 301.07.

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

Messrs. Schaaf and North introduced—

S. F. No. 2561: A bill for an act relating to state agencies; providing for payment of child care costs by the state for certain members of state boards and commissions.

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

Messrs. Nelson, Patton and Sillers introduced—

S. F. No. 2562: A bill for an act relating to game and fish; small game license exemption for senior citizens; amending Minnesota Statutes 1971, Section 98.47, Subdivision 1, as amended.

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

Mr. Tennessen introduced—

S. F. No. 2563: A bill for an act relating to real property; implied warranties in the sale of new dwellings.

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

Messrs. Patton, Chmielewski and Bernhagen introduced—

S. F. No. 2564: A bill for an act relating to highway traffic regulations; prohibiting the use of certain devices while operating a motor vehicle; amending Minnesota Statutes 1971, Section 169.471.

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

Messrs. Hansen, Mel; Keefe, S. and Brown introduced—

S. F. No. 2565: A bill for an act relating to elections; providing for the nomination of persons without party affiliation for certain offices; amending Minnesota Statutes 1971, Chapter 202, by adding a section.

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

Mr. Tennessen introduced—

S. F. No. 2566: A bill for an act relating to transportation in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington; establishing a transportation board in the metropolitan council; providing means to limit the use of automobiles in the aforementioned counties.

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

Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Arnold introduced—

S. F. No. 2567: A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

Mr. Arnold introduced—

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

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

Mr. Dunn introduced—

S. F. No. 2569: A bill for an act relating to the claim of Marjorie Rosen; arising from the breakage of eye glasses by a patient at the Cambridge state hospital; appropriating money for the payment thereof.

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

Mr. Ashbach introduced—

S. F. No. 2570: A bill for an act relating to the claim of Earl J. Buerkle; arising from a collision between his automobile and a wild animal; appropriating money for the payment thereof.

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

Mr. Perpich, G. introduced—

S. F. No. 2571: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles;

statements required for issuance of such permits to move over-size mobile homes; amending Minnesota Statutes 1971, Section 169.86, Subdivision 1, as amended.

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

Mr. Perpich, G. introduced—

S. F. No. 2572: A bill for an act relating to the legislature; setting the size of the legislature for the next and subsequent apportionments; amending Minnesota Statutes 1971, Section 2.021.

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

Mr. Perpich, G. introduced—

S. F. No. 2573: A bill for an act relating to commerce; providing for prevention of fraudulent transportation charges; providing a penalty; amending Minnesota Statutes 1971, Chapter 325, by adding a section.

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

Mr. Perpich, G. introduced—

S. F. No. 2574: A bill for an act relating to agriculture; non-commercial seed labeling; providing penalties; amending Minnesota Statutes 1971, Chapter 21, by adding sections.

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

Mr. Kleinbaum introduced—

S. F. No. 2575: A bill for an act proposing an amendment repealing Article IV, Section 31, of the Minnesota Constitution; permitting lotteries.

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

Messrs. Anderson, Dunn and Olson, A. G. introduced—

S. F. No. 2576: A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.21, Subdivision 1; 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 5, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdi-

visions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

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

Messrs. Stassen; Keefe, S. and Conzemius introduced—

S. F. No. 2577: A bill for an act relating to taxation; providing for an income tax credit for political contributions; amending Minnesota Statutes 1971, Section 290.06, by adding a subdivision.

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

Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Hansen, Mel; Keefe, S. and Brown introduced—

S. F. No. 2578: A bill for an act relating to taxation; providing for an income tax credit for political contributions; amending Minnesota Statutes 1971, Section 290.06, by adding a subdivision.

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

Mr. Laufenburger questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Lewis introduced—

S. F. No. 2579: A bill for an act relating to education; providing for appointments to vacancies on school boards; amending Minnesota Statutes 1971, Sections 123.12, Subdivision 5; and 123.33, Subdivision 4.

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

Mr. Lewis introduced—

S. F. No. 2580: A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

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

Mr. Schrom introduced—

S. F. No. 2581: A bill for an act relating to the claim of Ricky L. Ross; arising from failure of state to prevent ward of state from damaging automobile; appropriating money for the payment thereof.

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

Messrs. Olson, A. G.; Ogdahl and Borden introduced—

S. F. No. 2582: A bill for an act relating to energy; establishing a division of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; imposing an energy surcharge tax; prescribing penalties; and appropriating money.

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

Messrs. Borden and Doty introduced—

S. F. No. 2583: A bill for an act relating to labor; alleviating conditions of unemployment caused by the enforcement of environmental standards; investigating unemployment to determine if it is caused by enforcement of an environmental standard; certifying unemployment caused by enforcement of an environmental standard; providing dislocation allowances, health insurance coverage, reemployment assistance, retraining, and relocation allowances to dislocated workers; providing a means for employees to report violations of environmental standards; and preventing employers from discriminating against employees involved in environmental protection actions; providing penalties.

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

Messrs. Sillers, Moe and Fitzsimons introduced—

S. F. No. 2584: A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes 1971, Section 169.72, by adding a subdivision.

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

Mr. Frederick introduced—

S. F. No. 2585: A bill for an act relating to the claim of Stewart Ayshford; arising from loss of livestock on farm in Jordan Township, Fillmore county because of killing by deer hunters; appropriating money for the payment thereof.

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

Messrs. Sillers and Fitzsimons introduced—

S. F. No. 2586: A bill for an act relating to Clay county; authorizing expenditures of federal revenue sharing funds for certain purposes.

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

Mr. Tennesen introduced—

S. F. No. 2587: A bill for an act relating to privacy; regulating automated personal data systems; requiring safeguards; providing rights for individuals whose data are contained in automated personal data systems; providing a civil cause of action; providing penalties.

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

Mr. Tennesen introduced—

S. F. No. 2588: A bill for an act relating to individual privacy; prohibiting the integration of state records and files on individuals.

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

Mr. Tennesen introduced—

S. F. No. 2589: A bill for an act relating to the protection of individual privacy; prohibiting the use of social security numbers in certain situations; creating a civil cause of action; providing penalties.

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

Messrs. Schaaf and Milton introduced—

S. F. No. 2590: A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

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

Mr. Olson, A. G. introduced—

S. F. No. 2591: A bill for an act relating to the claim of Verner E. Sonquist; arising from damage to automobile by patient of Willmar state hospital; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2592: A bill for an act relating to the claim of Lyle W. Lasley Jr.; arising from the loss of cash and personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Tennesen, by request, introduced—

S. F. No. 2593: A bill for an act relating to the claim of Ben Lee; arising from state unlawfully confining patient at state institution; appropriating money for the payment thereof.

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

Mr. Chmielewski introduced—

S. F. No. 2594: A bill for an act relating to highway traffic regulations; prohibiting the use of lights or reflectors other than those colored blue for the purpose of marking driveways; prescribing penalties; amending Minnesota Statutes 1971, Chapter 169, by adding a section.

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

Mr. Hughes introduced—

S. F. No. 2595: A bill for an act relating to education; requiring a good faith attempt to make up time lost by school districts on account of calamity; amending Minnesota Statutes 1971, Section 124.16.

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

Mr. Lewis introduced—

S. F. No. 2596: A bill for an act relating to security guards; requiring the licensing and qualification thereof; providing a penalty.

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

Mr. North questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Borden and Gearty introduced—

S. F. No. 2597: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

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

Mr. Arnold introduced—

S. F. No. 2598: A bill for an act relating to the village of Island View; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

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

Messrs. Sillers and Fitzsimons introduced—

S. F. No. 2599: A bill for an act relating to solid waste disposal; exemptions from user fees; amending Laws 1973, Chapter 748, Section 7.

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

Messrs. Milton and Hughes introduced—

S. F. No. 2600: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

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

Mr. Tennessen introduced—

S. F. No. 2601: A bill for an act relating to controlled sub-

stances; providing penalties for the use of small amounts of marijuana; amending Minnesota Statutes 1971, Section 152.15, Subdivision 2, as amended.

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

Messrs. Milton, Ashbach and Schaaf introduced—

S. F. No. 2602: A bill for an act relating to watershed districts; providing penalties; amending Minnesota Statutes 1971, Section 112.43, Subdivision 1.

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

Mr. Milton introduced—

S. F. No. 2603: A bill for an act relating to the claim of John P. Zdechlik; arising from failure of state to remove a dead tree; appropriating money for the payment thereof.

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

Messrs. Olson, A. G.; Blatz and Conzemius introduced—

S. F. No. 2604: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law relating to the dependent care deduction, inheritance tax, and gift tax; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 26; 291.03, as amended; 291.05, as amended; 292.05, Subdivision 1, as amended; 292.07, Subdivision 3, as amended, and Subdivision 5, as amended.

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

Mr. Schrom introduced—

S. F. No. 2605: A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns county.

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

Mr. Krieger introduced—

S. F. No. 2606: A bill for an act relating to the claim of Irvin O. Hauglum; arising from failure of highway department to properly maintain highway 14; appropriating money for the payment thereof.

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

Mr. Chmielewski introduced—

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

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

Mr. Chmielewski introduced—

S. F. No. 2608: A bill for an act relating to public assistance; work incentive programs; providing for minimum wages; amending Laws 1973, Chapter 650, Article XXI, Section 11, Subdivision 3.

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

Mr. Chmielewski introduced—

S. F. No. 2609: A bill for an act relating to the claim of Charles J. Peterson; arising from negligence of state highway department in not cutting grass on trunk highway right of way; appropriating money for the payment thereof.

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

Mr. Chmielewski introduced—

S. F. No. 2610: A resolution urging Congress to establish a commission to study energy resources and civil defense capabilities.

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

Mr. Chmielewski introduced—

S. F. No. 2611: A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands.

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

Mr. Conzemius introduced—

S. F. No. 2612: A bill for an act relating to the claim of J. M. Rockvam; arising from the theft of an automobile by escapees from the Red Wing state training school; appropriating money for the payment thereof.

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

Mr. Conzemius introduced—

S. F. No. 2613: A bill for an act relating to the claim of Harold Schmotter; arising from the destruction of an automobile by a ward of the state; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2614: A bill for an act relating to the claim of Raydall Lasley; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2615: A bill for an act relating to the claim of Gale A. Rachuy; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Messrs. Lewis; Keefe, S. and Milton introduced—

S. F. No. 2616: A bill for an act relating to security guards; requiring standard and distinctive uniforms.

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

Mr. Brown introduced—

S. F. No. 2617: A bill for an act relating to the claim of John T. Siegfried; arising from an injury caused by a prison inmate during a broomball game inadequately supervised by state prison authorities; appropriating money for the payment thereof.

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

Mr. Hansen, Mel introduced—

S. F. No. 2618: A bill for an act relating to the claim of Gregory M. Toliver; arising from failure of highway department to keep highway I-94 in St. Paul free from debris; appropriating money for the payment thereof.

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

Mr. Kleinbaum introduced—

S. F. No. 2619: A bill for an act relating to education; policy declaration that parents have a prior right to choose the kind of education that shall be given to their child; amending Minnesota Statutes 1971, Chapter 120, by adding a section.

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

Mr. Schrom introduced—

S. F. No. 2620: A bill for an act relating to game and fish; seasons on beaver and removal of beaver doing damage; appropriating money.

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

Mr. Olhoft introduced—

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

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

Mr. North questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Olhoft introduced—

S. F. No. 2622: A bill for an act relating to divorce; welfare of minor children; requiring service of summons and complaint in divorce actions to be served on county welfare and social service agencies in cases where the parties to the action have minor children; prescribing the powers and duties of the agencies; amending Minnesota Statutes 1971, Sections 518.10; 518.11; 518.12; 518.17; and Chapter 518, by adding a section.

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

Mr. Borden introduced—

S. F. No. 2623: A bill for an act relating to the city of Brainerd; exemption from water fluoridation requirements.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Borden questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Humphrey, Hughes and Ashbach introduced—

S. F. No. 2624: A bill for an act relating to education; providing an early childhood and family development program; creating an office of early childhood development; authorizing early childhood development councils; establishing an early childhood training program; and appropriating money.

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

Mr. Brown introduced—

S. F. No. 2625: A bill for an act relating to the claim of Ernest Randle; arising from loss and abuse of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Messrs. Thorup, Gearty and Hansen, Mel introduced—

S. F. No. 2626: A bill for an act relating to children; requiring the reporting of injuries and sexual abuse to children; requiring post-mortem investigation of deaths of children by the medical examiner or coroner; amending Minnesota Statutes 1971, Section 626.554, Subdivisions 1, 2, and by adding a subdivision.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Hughes introduced—

S. F. No. 2627: A bill for an act relating to education; authorizing school districts to adopt a year-round school program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 125.12, by adding a subdivision; 126.12; Chapter 120, by adding sections; and Laws 1973, Chapter 683, Section 11, Subdivision 3.

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

Mr. Olson, J. L. introduced—

S. F. No. 2628: A bill for an act relating to the claim of John Bousema; arising from failure of department of natural resources to take adequate precautions in herbicide spraying of wetlands; appropriating money for the payment thereof.

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

Messrs. Conzemius, Sillers and Laufenburger introduced—

S. F. No. 2629: A bill for an act relating to motor vehicles; use

of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes 1971, Section 169.72, by adding a subdivision.

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

Mr. Borden introduced—

S. F. No. 2630: A bill for an act relating to the operation of state government; changing the salary setting authority of certain unclassified positions in the executive branch of government; amending Minnesota Statutes 1971, Sections 43.01, by adding subdivisions; 43.06, as amended; Chapter 15A, by adding a section; Chapter 43, by adding sections; repealing Minnesota Statutes 1971, Sections 15A.021; 15A.031; 15A.041; 15A.081 and 43.02, as amended.

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

Messrs. Hansen, Baldy; Schrom and Olson, A. G. introduced—

S. F. No. 2631: A bill for an act relating to game and fish; opening of migratory waterfowl seasons; amending Minnesota Statutes 1971, Section 97.48, Subdivision 23.

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

Mr. Nelson introduced—

S. F. No. 2632: A bill for an act relating to crimes and criminals; establishing a crime victim's system in the department of public safety; providing public access to parole records and proceedings; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Sections 243.05; 609.11; 609.525, Subdivision 1; 609.58; Minnesota Statutes, 1973 Supplement, Section 609.53; and Chapter 243, by adding a section.

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

Mr. Keefe, S. introduced—

S. F. No. 2633: A bill for an act relating to elections; prohibiting the scheduling of athletic events on a precinct caucus day; providing for time off for employees to vote on a precinct caucus day; amending Minnesota Statutes 1971, Chapter 202, by adding a section.

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

Mr. Krieger introduced—

S. F. No. 2634: A bill for an act relating to courts; allowing clerks of county, municipal and probate courts to accept advance deposits to discharge fees.

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

Mr. Krieger introduced—

S. F. No. 2635: A bill for an act relating to courts; allowing clerks of the district court to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Section 357.021, by adding a subdivision.

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

Mr. Krieger introduced—

S. F. No. 2636: A bill for an act relating to state government; printing requirements for state officers or departmental reports; amending Minnesota Statutes 1971, Section 16.81, by adding a subdivision.

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

Mr. Renneke introduced—

S. F. No. 2637: A bill for an act relating to the claim of Edwin E. Telthoester; arising from improper confinement by court order based upon a wrongful revocation of a stay of execution on an original sentence; appropriating money for the payment thereof.

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

Mr. Arnold introduced—

S. F. No. 2638: A bill for an act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, Section 1.

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

Messrs. Borden, Krieger and North introduced—

S. F. No. 2639: A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

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

Messrs. Borden, Krieger and North introduced—

S. F. No. 2640: A bill for an act relating to courts; allowance of costs and disbursements in the supreme court; amending Minnesota Statutes 1971, Section 607.01, Subdivision 1.

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

Mr. Chmielewski introduced—

S. F. No. 2641: A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes 1971, Section 169.72, by adding a subdivision.

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

Messrs. Borden and Wegener introduced—

S. F. No. 2642: A bill for an act relating to mental health; appropriating money to the state crime commission for assistance in the area of problem children.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. North, O'Neill and Coleman introduced—

S. F. No. 2643: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes 1973 Supplement, Section 202.09, Subdivision 1.

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

Messrs. Laufenburger, Borden and Ogdahl introduced—

S. F. No. 2644: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; providing penalties.

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

RECESS

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

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention at 11:40 a. m., Wednesday, January 16, 1974, to receive the message of the Honorable Wendell R. Anderson, Governor of the State of Minnesota, which will be delivered at 12:00 noon.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 15, 1974

Mr. Coleman moved that the Senate accede to the request of the House of Representatives to meet in Joint Convention in the House Chamber at 11:40 a.m., Wednesday, January 16, 1974, to receive the message of His Excellency, Governor Wendell R. Anderson, Governor of the State of Minnesota. The motion prevailed.

Mr. President:

I have the honor to announce that the House has appointed a committee of five members of the House to act with a similar committee on the part of the Senate to escort the Governor to the Joint Convention to be held in the House Chamber Wednesday, January 16, 1974, at 12:00 noon.

McMillan, Knoll, Kostohryz, Peterson and Weaver have been appointed as members of such committees on the part of the House.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 15, 1974

Mr. Coleman moved that the Senate appoint a Committee of 5 members on the part of the Senate to act with a like Committee appointed on the part of the House of Representatives to escort His Excellency, the Honorable Wendell R. Anderson, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Wednesday, January 16, 1974 at 12:00 o'clock noon. The motion prevailed.

APPOINTMENTS

Pursuant to the foregoing motion, the President made the following appointments:

Messrs. Anderson, Moe, Solon, Bernhagen and Keefe, J.

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, makes the following report: Amend the Permanent Rules of the Senate as follows:

Strike all of Rule 69 and insert:

“69. The Senate shall employ for the session the following:

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
1	Administrative Assistant I	\$43.25
1	Administrative Assistant II	48.75
1	Assistant Executive Secretary	30.25
2	Assistant Sergeant-at-Arms	26.50
1	Captain of Pages	23.75
1	Chaplain (Several to serve during session)	25.00
1	Chief Committee Secretary	37.25
1	Chief Indexer	32.00
1	Chief Legislative Fiscal Analyst	67.25
10	Clerk I	21.75
7	Clerk-Typist I	21.75
8	Clerk-Typist II	23.75
12	Committee Administrative Assistant	35.50
11	Committee Clerk I	23.00
2	Committee Clerk II	25.00
1	Committee Clerk III	27.00
13	Committee Secretary	29.75
1	Engrossing Clerk	30.00
1	Engrossing Secretary	32.00
1	Enrolling Clerk	25.00
2	Executive Secretary	37.25
1	Fiscal Services Aide	28.50
1	Fiscal Services Supervisor	32.00
1	First Assistant Secretary of the Senate	67.00
1	Fourth Assistant Secretary of the Senate	32.50
2	Indexer	28.00
3	Law Clerk	26.50
1	Legislative Fiscal Analyst I	44.25
2	Legislative Fiscal Analyst II	59.00
3	Legislative Assistant I	30.00
3	Legislative Assistant II	35.50
4	Legislative Clerk I	23.25
3	Legislative Clerk II	25.00
3	Legislative Clerk III	25.50
1	Machine Operator	23.75
1	Minority Secretary of the Senate	59.50
21	Page	21.75
10	Researcher I	29.75
6	Researcher II	35.75
2	Researcher III	44.25
1	Second Assistant Secretary of the Senate	40.00
18	Secretary	28.00
1	Secretary to Majority Leader	37.25
1	Secretary of the Senate	74.00
8	Senate Research I	1 @ 31.00
		4 @ 38.50
		2 @ 41.50
6	Senate Research II	2 @ 48.00
		3 @ 54.00
4	Senate Research III	2 @ 60.50
		1 @ 66.00
30	Sergeant	21.75

NUMBER OF POSITIONS	POSITION	SALARY PER DAY
1	Sergeant-at-Arms	28.75
20	Stenographer I	24.25
15	Stenographer II	26.00
1	Third Assistant Secretary of the Senate	35.75

The Secretary of the Senate shall receive the sum of \$3,000 for compensation of clerical help for post session work.

The appointment to the foregoing positions shall be made by resolution specifying the names of such appointments and the positions to which the same are appointed, adopted by a majority of all members of the Senate.

Reports the same back with the recommendation that the permanent rules be so amended.

Mr. Coleman moved the adoption of the committee report. The motion prevailed. Report adopted.

Mr. Coleman moved that Rule 69 of the Permanent Rules of the Senate be amended in accordance with the foregoing report of the Committee on Rules and Administration.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 61 and nays 2 as follows:

Those who voted in the affirmative were:

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

Messrs. Berg and Brown voted in the negative.

The motion prevailed. So the rule was amended.

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

S. F. No. 2474: A bill for an act relating to health; providing for regulation on abortion; providing definitions therefor; providing penalties.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections.

Mr. Coleman moved the adoption of the committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Coleman introduced—

SENATE RESOLUTION NO. 33

BE IT RESOLVED, by the Senate, that the following named persons be and they are hereby appointed for the Session to the respective positions hereinafter stated and at the salaries of the respective positions heretofore fixed:

POSITION	NAME
Administrative Assistant I	Jonathan Thomson
Administrative Assistant II	W. Morgan Fleming
Assistant Executive Secretary	Natalie Kray
Assistant Sergeant-at-Arms	Al Laroque
Captain of Pages	Billie Ball
Chief Committee Secretary	Josephine Dario
Chief Indexer	Ardis Schulz
Chief Legislative Fiscal Analyst	Earl Evenson
Clerk I	Frank Andert Linda Carnel Allen Finnegan Steven Goff Bruce Obermeier
Clerk-Typist I	Helen Donahue Susan Forseth Susan Hartfiel Eileen Tysk Holly Walters Carol Wold
Clerk-Typist II	Catherine Morrison
Committee Administrative Assistant	Michael Ahern Joyce Clague Rosemary Goff Gary Grefenberg William Haddeland Peter J. Kiedrowski Janet Lund Linda Schutz Dale Ulrich Mark Winkler
Committee Clerk I	Denise Anderson John Farmer Susan Kiscaden Colleen Marrin Roberta Munnich John T. Nevin Scott Richardson Cheryl Thiel

Committee Clerk II	Donald Banks Susan Haigh
Committee Secretary	Bettye Bates Connie Dabelow Romaine Houle Paula Korhonen Margaret Kormendy Helen Lyons Phyllis Meryhew Mary Mogush Dagny Swanson LaVerne Swanson Ardella Tischler Mary Turk
Engrossing Secretary	Cathrine Ganje
Executive Secretary	Dorothy Abell Sandra Read
Fiscal Services Aide	Deborah Getter
Fiscal Services Supervisor	Joyce Kleinschmidt
Fourth Assistant Secretary of the Senate	Paul Johnson
Indexer	Margie Bauer Marcia Greenfield
Law Clerks	Dennis W. Happel Robert B. Varco Jeanne M. Weyhrich
Legislative Fiscal Analyst II	David Buelow David Johnson
Legislative Assistant I	Richard Forschler
Legislative Assistant II	Diane Hendrickson M. Lucy Johnson
Legislative Clerk I	Lee Bergerud Mary Ann Hecht Mary Lee Manuel Romero
Legislative Clerk II	Patrice Dworak Jeanne Skog
Machine Operator	Mary Beth Carlson
Minority Secretary of the Senate	George G. Goodwin
Page	Mary Aldrich William Clausen Jerome Earley Cindy Erickson Charles Fastner Cheryl Huelskamp Marshall Hoegfeldt Julie LaPore Dale Looney

Page (continued)

Deborah Mangan
Kay Motteberg
Trudy Neid
Claudia Nielsen
Pam Selbitschka
Thomas Skinaway
Michele Spear
Jean Sullivan
Wendy Swanson
Mary Lyn Uhl
Debi Unger
David Wright

Researcher I

Kathleen Gagne
Patrick Ellis
Scott Holdahl
Isabel Levinson
Steve Lindgren
Nancy Pfeiler
Robert Renner
Paul Richter
William Welden

Researcher II

Gary Bastian
Joseph Beaton
Ronnie Brooks
Ellen Fitzgerald
Stephen Jackson
David Karpinski

Researcher III

John Kaul
John Meusey

Secretary

Gloria Bridgwater
Lois DeLong
Eleanor Dierckins
Barbara Glick
Martha Gordon
Lorraine Hartman
Stella Hough
Dorothy Newcomb
Garlyn O'Leary
Laura Lindorfer
Mabel Loomis
Ruth Peterson
Susan Schreifels
Betty Self
Norma Thompson

Secretary to Majority Leader

Shirley Cardwell

Senate Research I

Thomas Deans
James E. Dinerstein
Dennis Ferche
Diane Heins
John St. Marie
Rick Sevrá
Marcy Wallace

Senate Research II

Roger Bergerson
John Ellefson
Robert Lacy
John Lennes
Stephen Rathke

Senate Research III

Louis Claeson
William Riemerman
Peter Wattson

Sergeant

Barry Alverman
Jerome Coughlin
James Darrell
Paul Destasio
Dennis Dwyer
Ralph Graham
Otto Haase
William A. Larson
Alois Mareck
Daniel Orsello
Lee Preston
Mary Russell
Darlene Sayers
C. Thomas Stieger
Charles Wallace

Stenographer I

Sue Berg
Mary Brauer
Sandra Brown
Carol Brennan
Doris Bronkar
Joyce Bukosky
Mary Catlin
Geraldine Dalbey
Lorene Helmberger
Linda Huebener
Jane Krueger
Sandra Lash
Dorothy Queener
Patti Ryan
Marlene Robertson
Cara Torseth
Jean Strilich
Joyce Van Guilder
Ardith Vos

Stenographer II

Bernice Ashley
Genevieve Donch
Wilma Edhlund
Marjorie Harrison
Rhoda Parker
Marit Sandbo
Joanne Stassen
Anna Steffel

Stenographer II (continued)

Jean Stinebaugh
Shirley Traxler
Marion Vogel

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Concurrent Resolution No. 11: A Concurrent Resolution relating to Parking Space on the Capitol Grounds, Capitol Approach and Aurora Avenue for members of the Minnesota State Legislature.

BE IT RESOLVED, by the Senate of the state of Minnesota, the House of Representatives concurring therein, that the custodian of the Capitol be and he is hereby directed to reserve all parking space necessary on the Capitol grounds, Capitol Approach and Aurora Avenue for the use of the members of the Legislature during the Legislative Session of 1974 and allowing reasonable space for parking to the general public having business at the Capitol, and for the purpose of assisting the custodian of the Capitol in this matter, the Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives are authorized to designate such personnel for the purpose of carrying out this resolution.

BE IT FURTHER RESOLVED, that the Secretary of the Senate and the Chief Clerk of the House of Representatives are hereby authorized to deduct from the check of any legislator or legislative employee for the second pay period of the legislative session a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of administration.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Resolution No. 34: A Senate Resolution Providing for Payment of Postage for members of the Senate, 1974 Session of the 68th Legislature.

There being no provision for payment of postage used by members of the Senate in the transaction of their official duties during the 1974 session of the 68th Legislature,

BE IT RESOLVED, that the Secretary of the Senate be authorized to purchase postage to furnish each member of the Senate \$200 in postage, and that each member named as chairman of a standing committee in the Senate resolution designating committee assignments, be furnished with an additional \$50 in postage for the necessary business of such committee; and

BE IT FURTHER RESOLVED, that an additional postage allowance of \$50 be authorized for the Minority Leader of the

Minnesota State Senate, 1974 Session, Mr. Krieger and for the Assistant Majority Whip, 1974 Session, Mr. Borden.

BE IT FURTHER RESOLVED, that each member of the Senate shall receipt to the Secretary of the Senate for postage so received.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

Mr. Lewis introduced—

Senate Resolution No. 35: A senate resolution eulogizing Dr. Martin Luther King on the forty-fifth anniversary of his birth.

WHEREAS, Dr. Martin Luther King, minister and servant of humanity, devoted his life to the cause of peace and justice for all women and men; and

WHEREAS, Dr. King challenged the practices of discrimination at the cost of great personal hardship while remaining devoted to the principles and practice of total nonviolence; and

WHEREAS, the life and words of Dr. King do now and will continue to inspire all those who seek to promote human rights; and

WHEREAS, Tuesday, January 15, 1974, marks the forty-fifth anniversary of the birth of Dr. Martin Luther King; now, therefore,

BE IT RESOLVED, by the Senate of the State of Minnesota, that recognition and tribute be given to Dr. Martin Luther King on this forty-fifth anniversary of his birth.

BE IT FURTHER RESOLVED, that the Secretary of the Senate of the State of Minnesota, transmit a formal copy of this resolution to his wife, Mrs. Coretta King.

Mr. Lewis moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Keefe, S. introduced—

Senate Concurrent Resolution No. 10: A senate concurrent resolution encouraging, during the scheduled hours of precinct caucus day, educational institutions not to schedule athletic and other competing events, government and community offices to be closed, and employers to allow their employees time off to participate.

Which was referred to the Committee on Rules and Administration.

Mr. Larson moved that S. F. No. 952 be stricken from General Orders and re-referred to the Committee on Education. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Willet in the chair.

After some time spent therein, the committee arose and, the President having resumed the chair, Mr. Willet reported that the committee had considered H. F. No. 662 which the committee recommends to pass.

H. F. No. 818 which the committee reports progress, after the following motion:

Mr. Hansen, Mel moved to amend H. F. No. 818, the printed bill, as follows:

Page 1, strike all of section 2 and insert in lieu thereof:

“Sec. 2. Any person may on request by another person transport such person to the polls; provided that (1) for the purposes of this Section person means natural person; (2) transportation authorized by this Section is limited to a privately owned passenger type automobile, except in the case of handicapped persons who may be transported in an appropriate type vehicle; (3) no person transporting another person to the polls shall promote any particular candidate or political party; and (4) no candidate, political party or person working on behalf of any candidate or political party shall on election day offer a ride to the polls to another person.”

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:

Berg	Frederick	Keefe, J.	Nelson	Stassen
Bernhagen	Hansen, Baldy	Kirchner	Olson, J. L.	Ueland
Blatz	Hansen, Mel	Knutson	Patton	
Brown	Hanson, R.	Kowalczyk	Pillsbury	
Dunn	Jensen	Krieger	Renneke	
Fitzsimons	Josefson	Larson	Sillers	

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Tennessee
Arnold	Gearty	Milton	Perpich, G.	Thorup
Borden	Humphrey	Moe	Purfeerst	Wegener
Chenoweth	Keefe, S.	North	Schaaf	Willet
Chmielewski	Kleinbaum	Olhoft	Schrom	
Coleman	Laufenburger	Olson, A. G.	Solon	
Conzemius	Lewis	Olson, H. D.	Spear	
Davies	Lord	O'Neill	Stokowski	

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

The committee then progressed H. F. No. 818.

H. F. No. 679, which the committee recommends to pass with the following amendment offered by Mr. North:

Amend the printed bill, as follows:

Page 2, line 25, strike "1974" and insert in lieu thereof "1975"

H. F. No. 1041, which the committee recommends to pass with the following amendment offered by Mr. Arnold:

Amend the printed bill, as follows:

Page 2, line 7, strike "1973" and insert "1974"

Page 2, line 21, strike "1973" and insert "1974"

And then, on motion of Mr. Willet, 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 10:00 o'clock a. m., Wednesday, January 16, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

SIXTY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, January 16, 1974.

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:

Anderson	Dunn	Kirchner	Olson, H. D.	Spear
Arnold	Fitzsimons	Krieger	Olson, J. L.	Stokowski
Ashbach	Frederick	Lewis	Perpich, A. J.	Tennessee
Berg	Gearty	Lord	Perpich, G.	Thorup
Bernhagen	Hansen, Baldy	Milton	Pillsbury	Wegener
Borden	Hansen, Mel	Moe	Purfeerst	Willet
Chenoweth	Hanson, R.	North	Renneke	
Coleman	Hughes	Novak	Schrom	
Conzemius	Humphrey	Olhoff	Sillers	
Davies	Keefe, S.	Olson, A. G.	Solon	

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.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoff	Sillers
Bernhagen	Gearty	Krieger	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	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
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet

Quorum present.

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

MEMBERS EXCUSED

Messrs. Kowalczyk and Bang were excused from the Session of today.

INTRODUCTION OF BILLS

Messrs. Borden and Laufenburger introduced—

S. F. No. 2645: A bill for an act relating to energy conservation; regulating the setting of thermostats in certain commercial and industrial buildings; and providing penalties.

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

Messrs. Borden and Laufenburger introduced—

S. F. No. 2646: A bill for an act relating to the state; conservation of energy; regulating the setting of thermostats in buildings owned or controlled by the state.

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

Messrs. Borden and Milton introduced—

S. F. No. 2647: A bill for an act relating to state government; regulating the purchase or lease of certain motor vehicles for use by state departments and agencies; amending Minnesota Statutes 1971, Section 16.75, by adding a subdivision.

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

Messrs. Krieger and Olson, A. G. introduced—

S. F. No. 2648: A bill for an act relating to motor vehicles; providing for the issuance of a single number plate for certain vehicles; amending Minnesota Statutes 1971, Sections 168.12, by adding a subdivision; and 169.79.

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

Mr. Conzemius introduced—

S. F. No. 2649: A bill for an act relating to taxation; providing a reduction in the property tax on homesteads; amending Minnesota Statutes 1971, Section 273.13, Subdivisions 6, as amended, and 7, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Conzemius introduced—

S. F. No. 2650: A bill for an act relating to public health; appropriating money to Lake City for a sewer and water improvement.

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

Mr. Krieger introduced—

S. F. No. 2651: A bill for an act relating to the legislature; payment of legislative election contest expenses; amending Minnesota Statutes 1971, Section 209.10, by adding a subdivision.

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

Mr. Krieger introduced—

S. F. No. 2652: A bill for an act relating to consumer services; establishing an office of ombudsman of state forms; prescribing powers and duties.

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

Mr. Krieger introduced—

S. F. No. 2653: A bill for an act relating to state government; providing that all state agencies and departments file simplified financial reports with the state auditor as required by regulations of the state auditor; authorizing distribution of such reports to the public.

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

Mr. Krieger introduced—

S. F. No. 2654: A bill for an act relating to public records; authorizing actions to compel access thereto; amending Minnesota Statutes 1971, Section 15.17, by adding a subdivision.

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

Mr. Krieger introduced—

S. F. No. 2655: A bill for an act relating to state officials; expense records and reports of certain officials and employees.

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

Mr. Perpich, G. introduced—

S. F. No. 2656: A bill for an act relating to taxation; the sale and use tax; exempting flags of the United States of America and Minnesota; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, G. introduced—

S. F. No. 2657: A bill for an act relating to holidays; date for observance of veterans day; amending Minnesota Statutes 1971, Section 645.44, Subdivision 5.

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

Mr. Perpich, G. introduced—

S. F. No. 2658: A bill for an act relating to elections; application of election laws to school districts; amending Minnesota Statutes 1971, Sections 123.015 and 200.02, Subdivision 1.

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

Mr. Perpich, G. introduced—

S. F. No. 2659: A bill for an act relating to St. Louis county; issuance of on-sale liquor licenses to certain clubs.

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

Mr. Perpich, G. introduced—

S. F. No. 2660: A bill for an act relating to intoxicating liquor; on-sale licenses for veterans' organizations; amending Minnesota Statutes 1971, Section 340.11, Subdivision 11.

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

Messrs. Kirchner, Milton and McCutcheon introduced—

S. F. No. 2661: A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

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

Mr. Coleman introduced—

S. F. No. 2662: A bill for an act relating to the claim of Angelo D. Ciccone; arising from legal fees and the cost of a psychology

test incurred in order to obtain a special permit from board of education; appropriating money for the payment thereof.

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

Mr. Ogdahl introduced—

S. F. No. 2663: A bill for an act relating to the claim of Louis and Norma Lepp; arising from the death of their daughter while in the care of the University of Minnesota; appropriating money for the payment thereof.

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

Messrs. Laufenburger, Chmielewski and Purfeerst introduced—

S. F. No. 2664: A bill for an act relating to state government; regulating the purchase or lease of certain motor vehicles for use by the state, its departments and agencies; amending Minnesota Statutes 1971, Section 16.75, by adding a subdivision.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2665: 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. Perpich, A. J. introduced—

S. F. No. 2666: A bill for an act relating to highways; providing that a certain portion of a trunk highway route shall continue as a part of the trunk highway system; and prohibiting its abandonment, vacation, or reversion.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2667: A bill for an act relating to attorneys at law; prohibiting attorneys formerly employed in or representing a state regulatory agency from appearing before the agency for a certain period of time after termination of employment or representative capacity.

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

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

S. F. No. 2668: A bill for an act relating to tax forfeited land sales; place of conducting sales; amending Minnesota Statutes 1971, Sections 282.01, Subdivision 4; 282.02; 282.16, Subdivision 1; and 282.222, Subdivision 1.

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

Messrs. Coleman, Krieger and Conzemius introduced—

S. F. No. 2669: A bill for an act relating to the legislature; establishing the office of state demographer; appropriating money.

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

Messrs. Coleman, Davies and Krieger introduced—

S. F. No. 2670: A bill for an act relating to economic development; restrictions upon public relations expenditures by the department of economic development; amending Laws 1973, Chapter 720, Section 31, Subdivision 2.

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

Messrs. Chenoweth, Ogdahl and Coleman introduced—

S. F. No. 2671: A bill for an act relating to private pensions; imposing a tax upon certain employers who terminate pension plans; appropriating and providing for the disposition of revenues derived therefrom.

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

Mr. Brown introduced—

S. F. No. 2672: A bill for an act relating to the claim of Ronald L. Lloyd; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2673: A bill for an act relating to the claim of John D. Malzac; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2674: A bill for an act relating to the claim of William B. Newgard; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2675: A bill for an act relating to the claim of William Upton; arising from personal property destroyed in a fire bombing at the Minnesota state prison; appropriating money for the payment thereof.

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

Messrs. Olson, A. G.; Purfeerst and Krieger introduced—

S. F. No. 2676: A bill for an act relating to agriculture; abolishing certain agricultural statistical and informational returns; repealing Minnesota Statutes 1971, Section 17.03, Subdivision 2.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Borden introduced—

S. F. No. 2677: A bill for an act relating to eminent domain proceedings; court appointed commissioners; amending Minnesota Statutes 1971, Section 117.075.

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

Messrs. Kleinbaum, Stokowski and Sillers introduced—

S. F. No. 2678: A bill for an act relating to redevelopment projects; regulating their tax status; providing for financing redevelopment costs with tax increments and bonds; amending Minnesota Statutes 1971, Section 462.585, by adding subdivisions; repealing Minnesota Statutes 1971, Section 462.585, Subdivisions 1, 2 and 3.

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

Messrs. Gearty, Stassen and Perpich, A. J. introduced—

S. F. No. 2679: A bill for an act relating to the operation of state government; providing for the salaries of workmen's compensation commissioners; amending Minnesota Statutes, 1973

Supplement, Sections 15A.081, Subdivision 1; and 15A.083, by adding a subdivision.

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

Messrs. Lord; Keefe, S. and Keefe, J. introduced—

S. F. No. 2680: A bill for an act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

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

Messrs. Moe, Fitzsimons and Sillers introduced—

S. F. No. 2681: A bill for an act relating to cooperative associations; officers and directors thereof; amending Minnesota Statutes 1971, Section 308.11.

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

Mr. Wegener introduced—

S. F. No. 2682: A bill for an act relating to the city of Upsala; validating certain proceedings of the city preliminary to and in the issuance and sale of certain general obligation bonds.

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

Messrs. Schaaf, Kirchner and Gearty introduced—

S. F. No. 2683: A bill for an act relating to the metropolitan airports commission; membership; selection, qualification and compensation of the chairman; amending Minnesota Statutes 1971, Sections 360.104, Subdivision 1; and 360.105, Subdivision 2.

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

Messrs. Olson, H. D. and Patton introduced—

S. F. No. 2684: A bill for an act authorizing the city of Fairmont to designate, regulate, maintain, and improve streets in the central business district as a mall and to levy special assessments and taxes and issue bonds for this purpose; repealing Laws 1965, Chapter 70.

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

Messrs. McCutcheon, Lewis and Ogdahl introduced—

S. F. No. 2685: A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; and appropriating money.

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

Messrs. Lord; Keefe, J. and North introduced—

S. F. No. 2686: A bill for an act relating to environmental rights; civil actions; authorizing any person to bring action in his own name for protection of environment; authorizing the court to award certain costs, fees, disbursements and attorneys fees to plaintiffs under certain circumstances; amending Minnesota Statutes 1971, Section 116B.03, Subdivision 1; and Chapter 116B, by adding a section.

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

Messrs. Josefson, Milton and Kowalczyk introduced—

S. F. No. 2687: A bill for an act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 146.05; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Novak, O'Neill and Davies introduced—

S. F. No. 2688: A bill for an act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

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

Messrs. Tennessen, Blatz and Humphrey introduced—

S. F. No. 2689: A bill for an act relating to privacy of communications; defining wire communications; amending Minnesota Statutes 1971, Section 626A.01, Subdivision 3.

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

Messrs. Tennessen, O'Neill and Thorup introduced—

S. F. No. 2690: A bill for an act relating to the supreme court;

authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

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

Messrs. Tennesen, Ogdahl and McCutcheon introduced—

S. F. No. 2691: A bill for an act relating to elections; abolishing the use of social security numbers in voter registration; amending Laws 1973, Chapter 676, Section 5, Subdivision 1.

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

Messrs. Tennesen, O'Neill and Thorup introduced—

S. F. No. 2692: A bill for an act relating to courts; appointment of interpreters for handicapped parties to civil proceedings.

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

Messrs. Hughes; Keefe, J. and Chenoweth introduced—

S. F. No. 2693: A bill for an act relating to the observance of motorists' days of rest; requiring the governor to encourage the public to use alternative forms of transportation on certain designated days.

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

Messrs. Josefson and Berg introduced—

S. F. No. 2694: A bill for an act relating to the department of natural resources; appropriating money for the improvement of a certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

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

Messrs. Milton, Conzemius and Josefson introduced—

S. F. No. 2695: A bill for an act relating to appropriations; reducing appropriations for construction at the university of Minnesota; reducing the amount of bonds which may be sold for construction of state buildings accordingly; amending Laws 1973, Chapter 778, Sections 7, Subdivision 3; and 16.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Olson, J. L. introduced—

S. F. No. 2696: A bill for an act relating to the claim of Karl Haebrich; arising from failure of department of natural resources to take adequate precautions in herbicide spraying of wetlands; appropriating money for the payment thereof.

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

Mr. Lord introduced—

S. F. No. 2697: A bill for an act relating to the claim of the city of Shakopee; arising from benefits accruing to state owned property due to road improvements made by city; appropriating money for the payment thereof.

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

Mr. Lord introduced—

S. F. No. 2698: A bill for an act relating to the Minnesota valley trail; authorizing additional lands to be included within the boundaries of Carver Rapids state wayside.

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

Messrs. Kleinbaum, Ueland and Doty introduced—

S. F. No. 2699: A bill for an act relating to state colleges; exempting certain students from payment of certain fees; amending Minnesota Statutes 1971, Section 136.11, by adding a subdivision.

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

Mr. Kleinbaum, by request, introduced—

S. F. No. 2700: A bill for an act relating to the claim of Merle Glauwitz; arising from loss of personal property while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Mr. Purfeerst introduced—

S. F. No. 2701: A bill for an act relating to trade regulations; posting of motor fuel prices; amending Minnesota Statutes 1971, Section 325.77, by adding a subdivision.

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

Messrs. Pillsbury, Larson and Lord introduced—

S. F. No. 2702: A bill for an act relating to the village of Excelsior; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

Messrs. Chenoweth, Kirchner and North introduced—

S. F. No. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review committee; authorizing a tax levy upon property within the metropolitan transit taxing district.

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

Messrs. Chenoweth, O'Neill and Coleman introduced—

S. F. No. 2704: A bill for an act relating to bureau of health personnel of the city of St. Paul; amending Laws 1973, Chapter 767, Section 3, Subdivision 3.

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

Mr. Kleinbaum, by request, introduced—

S. F. No. 2705: A bill for an act relating to the claim of Robert Lewis; arising from loss of money while an inmate at the Minnesota state prison; appropriating money for the payment thereof.

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

Messrs. Jensen, Dunn and Frederick introduced—

S. F. No. 2706: A bill for an act relating to elections; forbidding labor organizations to make campaign contributions; providing penalties; amending Minnesota Statutes 1971, Section 210.21.

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

Messrs. Hansen, Baldy; Humphrey and Spear introduced—

S. F. No. 2707: A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

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

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Lewis be added as co-author to S. F. No. 2547. The motion prevailed.

Mr. Hughes moved that the name of Mr. Lewis be added as co-author to S. F. No. 2627. The motion prevailed.

Mr. Tennesen moved that the names of Messrs. Kirchner and Pillsbury be added as co-authors to S. F. No. 2601. The motion prevailed.

Mr. Lewis moved that the name of Mr. Doty be added as co-author to S. F. No. 2579. The motion prevailed.

Mr. Perpich, G. moved that the name of Mr. Lewis be added as co-author to S. F. No. 2549. The motion prevailed.

Mr. Borden moved that the name of Mr. Lewis be added as co-author to S. F. No. 2536. The motion prevailed.

Mr. Hughes moved that H. F. No. 1295 be withdrawn from the Committee on Education and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Solon moved that S. F. No. 1477, No. 59 on General Orders, be stricken and re-referred to the Committee on Education. The motion prevailed.

Mr. Hansen, Mel moved that S. F. No. 1765, No. 53 on General Orders, be stricken and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Hansen, Mel moved that S. F. No. 1370, No. 56 on General Orders, be stricken and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Spear moved that H. F. No. 1506, No. 100 on General Orders, be stricken and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Olson, J. L. moved that S. F. No. 844, No. 5 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Gearty moved that S. F. No. 389, No. 28 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Keefe, J. moved that S. F. No. 707, No. 47 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Kleinbaum moved that S. F. No. 1539, No. 30 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Keefe, S. moved that H. F. No. 2056, No. 106 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Olhofft moved that S. F. No. 1723, No. 60 on General Orders, be stricken and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

Mr. Lewis moved that S. F. No. 1986, No. 37 on General Orders, be stricken and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Chenoweth moved that S. F. No. 2002, No. 85 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Wegener in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Wegener reported that the committee had considered S. F. Nos. 825, 1074, 1805, 2353, 1887, 1434, 735, and 2203, also H. F. Nos. 1383, 2016, 1620, 1691, 365, 2205 and 1320, which the committee recommends to pass.

H. F. No. 28, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Amend the printed bill, as amended by the Senate Committee on Labor and Commerce, as reported in the Senate Journal for the forty-fifth day, page 1571, by striking the words "amount of contribution in the fund to" and inserting in lieu thereof the words "rate of contribution to the fund in"

S. F. No. 1225, which the committee reports progress, subject to the following motions:

Mr. Spear moved to amend S. F. No. 1225 as follows:

Page 1, line 10, insert a comma after "4"

Page 1, line 18, after "media" strike the comma

Page 1, line 19, insert a comma after "4"

Page 1, line 29, strike "and" and insert "or"

The motion prevailed. So the amendment was adopted.

Mr. Spear moved to amend S. F. No. 1225 as follows:

Page 1, at the end of line 15, insert:

"Correctional authorities may limit the exercise of privileges conferred by this act by any individual inmate to one telephone call or interview per week."

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 1225.

S. F. No. 283, which the committee recommends to pass with the following amendment offered by Mr. Doty:

Page 1, line 26, strike everything after "*than*"

Page 1, strike all of line 27

Page 1, line 28, strike "*than*"

Page 1, line 28, after "*year*" strike "*thereafter*"

Page 2, line 14, strike everything after "*than*"

Page 2, line 15, strike "*the association in 1973, and no later than*"

Page 2, line 16, strike "*thereafter*"

Page 2, line 17, strike "*1973*" and insert "*1974*"

S. F. No. 1591, which the committee recommends to pass with the following amendment offered by Mr. Bernhagen:

Page 1, line 16, before "*a mink*" strike "*of*" and insert "*or*"

Page 1, line 21, after "*food*" and before "*purposes*" insert "*or mink food*"

Page 1, line 26, after "*the*" and before "*application*" insert "*permit*"

Page 2, after line 4, insert:

"(e) Provided however that the livestock sanitary board shall require such pet food processing establishment and owners and operators of mink ranches and suppliers of such establishments to conform to such rules and regulations of the Board applicable to rendering plants within the state of Minnesota."

Page 2, line 7, strike "*subdivision 1a and*"

Page 2, line 8, after "*section 1*" and before "*,*" insert "*of this act*"

Page 3, line 1, after "*food*" and before "*purposes*" insert "*or mink food*"

Page 3, line 6, after "*food*" and before "*purposes*" insert "*or mink food*"

Page 3, line 9, after "*food*" and before "*purposes*" insert "*or mink food*"

Page 3, line 10, after "*food*" and before "*purposes*" insert "*or mink food*"

Page 4, after line 20, insert:

"Sec. 4. [EFFECTIVE DATE.] This act shall take effect July 1, 1974 or as soon thereafter as the livestock sanitary board shall have promulgated all rules and regulations required by this act."

S. F. No. 1900, which the committee recommends to pass with the following amendment offered by Mr. Willet:

Page 3, line 6, strike "*1973*" and insert "*1974*"

S. F. No. 2206, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 3, after line 16, insert:

"Sec. 3. This act is effective April 1, 1974."

S. F. No. 1815, which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 1815 as follows:

Page 6, line 4, strike "1973" and insert in lieu thereof "1974"

The motion prevailed. So the amendment was adopted.

RECESS

Mr. Coleman moved that the committee do now recess until 2:00 o'clock p.m. The motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the Chairman called the committee to order.

The question recurred on S. F. No. 1815.

The committee then progressed S. F. No. 1815.

H. F. No. 1577, which the committee reports progress, subject to the following motion:

Mr. Kleinbaum moved to amend H. F. No. 1577, the printed bill, as follows:

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

"Section 1. Minnesota Statutes, 1973 Supplement, 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 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~~ thirty 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 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."

Further, amend the title as follows:

In the second line, strike "1971" and insert, "1973 Supplement"

The motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 1577.

S. F. No. 1104, which the committee reports progress, subject to the following motion:

Mr. North moved to amend S. F. No. 1104, as follows:

Page 8, line 6, strike "*obligations*" and insert in lieu thereof "*gross debt*"

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 1104.

S. F. No. 1865, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, line 26, strike "1973" and insert "1974"

S. F. No. 2045, which the committee recommends be returned to its author.

S. F. No. 428, which the committee recommends be re-referred to the Committee on Taxes and Tax Laws.

And then, on motion of Mr. Wegener, 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 10:00 o'clock a.m., Friday, January 18, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SIXTY-NINTH DAY

St. Paul, Minnesota, Thursday, January 17, 1974.

The House of Representatives met on Thursday, January 17, 1974, which was the Sixty-Ninth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTIETH DAY

St. Paul, Minnesota, Friday, January 18, 1974.

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:

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

Messrs. Doty, Jensen and Ogdahl were excused from the Session of today. Messrs. Bernhagen; Frederick; Josefson; Kirchner; Krieger; Laufenburger; Olson, J. L. and Pillsbury were excused from the Session of today, beginning at 12:00 o'clock noon.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

June 15, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Mrs. Joan Campbell, 947 17th Avenue Southeast, Minneapolis, Hennepin County, has been appointed by me to the Metropolitan Council, effective June 15, 1973, for a term expiring the first Monday of January, 1979.

John Costello, 2177 Stanford Avenue, St. Paul, Ramsey County, has been appointed by me to the Metropolitan Council, effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Kingsley Murphy, Jr., 2265 North Shore Drive, Wayzata, Hennepin County, has been appointed by me to the Metropolitan Council, effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Mrs. Alice Kreber, 4719 Yates Avenue North, Crystal, Hennepin County, has been appointed by me to the Metropolitan Council, effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Sincerely,
Wendell R. Anderson, Governor

July 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:

Thomas G. Reichert, 918 St. Germain, St. Cloud, Stearns County, has been appointed by me to the Capitol Area Architectural and Planning Commission, effective July 2, 1973, for a term expiring July 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

July 2, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Hugh V. Plunkett, III, 304 22nd Street Southwest, Austin, Mower County, has been appointed by me to the State Board of Community Colleges, effective July 1, 1973, for a term expiring July 1, 1976.

Margaret Smith, 1706 Ryan Avenue West, St. Paul, Ramsey County, has been appointed by me to the State Board of Community Colleges, effective July 1, 1973, for a term expiring July 1, 1980.

Douglas Alan Bruce, 2108 Laurel Avenue West, Minneapolis, Hennepin County, has been appointed by me to the State Board of Community Colleges, effective July 1, 1973, for a term expiring July 1, 1980.

Sincerely,
Wendell R. Anderson, Governor

July 10, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Henry Tweten, East Grand Forks, Polk County, has been appointed by me to the State Board of Education, effective July 1, 1973, for a term expiring July 1, 1979.

Dorothea Chelgren, 89 West Hawthorne Avenue, St. Paul, Ramsey County, has been appointed by me to the State Board of Education, effective July 1, 1973, for a term expiring July 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

July 20, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Gerald Dillon, 16 Park Lane, Minneapolis, Hennepin County, has been appointed by me to the Commission on Judicial Standards, effective July 19, 1973, for a term expiring July 19, 1977.

Katherine Murphy, 2265 North Shore Drive, Wayzata, Hennepin County, has been appointed by me to the Commission on Judicial Standards, effective July 19, 1973, for a term expiring July 19, 1977.

Sincerely,
Wendell R. Anderson, Governor

July 31, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Raymond Bieter, 2015 Dayton Avenue, St. Paul, Ramsey County, has been appointed by me to the State Board of Examiners in Basic Sciences, effective April 1, 1973, for a term expiring April 1, 1979.

Dr. Paul Winchell, 4100 Morrill Lane, Minneapolis, Hennepin County, has been appointed by me to the State Board of Examiners in Basic Sciences, effective April 1, 1973, for a term expiring April 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

August 1, 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:

Ray S. Jambor, 635 South Cleveland Avenue, St. Paul, Ramsey County, has been appointed by me to the Real Estate Advisory Commission, effective June 30, 1973, for a term expiring June 30, 1978.

Sincerely,
Wendell R. Anderson, Governor

August 3, 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:

Mrs. Sandra Hale, 1833 Girard Avenue South, Minneapolis, Hennepin County, has been appointed by me to the State Arts Council, effective August 3, 1973, for a term expiring April 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

August 3, 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:

Lawrence J. Anderson, 4905 Elliot Avenue, Minneapolis, Hennepin County, has been appointed by me as Director of the Public Service Commission, effective August 1, 1973, for a term expiring the first Monday of January, 1975.

Sincerely,
Wendell R. Anderson, Governor

August 3, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Robert Burns, 10677 Cedar Heights Trail, Hastings, Washington County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective July 1, 1973, for a term expiring July 1, 1977.

James W. Johnson, Marine-on-St. Croix, Washington County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective July 1, 1973, for a term expiring July 1, 1977.

C. Raymond Humphries, Lakeland, Washington County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective July 1, 1973, for a term expiring July 1, 1977.

Mrs. Stanley Hubbard, St. Croix Beach, Washington County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective July 1, 1973, for a term expiring July 1, 1977.

Robert Nybo, Jr., Red Wing, Goodhue County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective July 1, 1973, for a term expiring July 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

August 3, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Richard H. Magnuson, 2141 Doswell Avenue, St. Paul, Ramsey County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Peter Benzoni, 1510 Morningside Avenue, Duluth, St. Louis County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Kenneth RockVam, 315 South Pearl Street, Mankato, Blue Earth County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Fred Ewing, 4436 4th Avenue South, Minneapolis, Hennepin County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Charles Reinert, Garvin, Lyon County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Wesley C. Ohman, 1506 Hamline Avenue North, St. Paul, Ramsey County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

David L. Clark, 829 25th Avenue S.E., Minneapolis, Hennepin County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Alice Keller, 358 Collegeview, Winona, Winona County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Shirley K. Hunt, 5600 Hillside Court, Edina, Hennepin County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

James Ted Shields, Longville, Cass County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Charles Dayton, 11947 Hilloway Road, Minnetonka, Hennepin County, has been appointed by me to the Environmental Quality Council Citizens Advisory Committee, effective August 1, 1973, for a term expiring December 31, 1974.

Sincerely,
Wendell R. Anderson, Governor

August 7, 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:

John Boland, 2454 Ripley Avenue, North St. Paul, Ramsey County, has been appointed by me as Chairman of the Metropolitan Council, effective August 6, 1973, for an indeterminate term.

Sincerely,
Wendell R. Anderson, Governor

August 14, 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:

Edward G. Ziegler, 510 South Owens, Stillwater, Washington County, has been appointed by me as Commissioner of Finance, effective August 14, 1973, for a term that is coterminus with the Governor.

Sincerely,
Wendell R. Anderson, Governor

August 15, 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:

William R. Tysseling, 2632 Bittersweet Lane, North St. Paul, Ramsey County, has been appointed by me to the Levy Limitation Review Board, effective August 15, 1973, for a term expiring February 15, 1975.

Sincerely,
Wendell R. Anderson, Governor

August 16, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Thomas R. Garrett, 1842 N.W. 16th Street, Rochester, Olmsted County, has been appointed by me to the State Examining Committee for Physical Therapists, effective August 16, 1973, for a term expiring June 30, 1976.

Dr. Elmer Salovich, 5249 Lochloy Drive, Minneapolis, Hennepin County, has been appointed by me to the State Examining Committee for Physical Therapists, effective June 30, 1972, for a term expiring June 30, 1975.

Sincerely,
Wendell R. Anderson, Governor

August 20, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Virginia Greenman, 148 Prospect Boulevard, St. Paul, Ramsey County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1976.

Mrs. Janet Yonehiro, 6020 Fairwood Drive, Minnetonka, Hennepin County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1976.

Harry Munger, 2921 North 22nd Avenue West, Duluth, St. Louis County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1976.

Theodore Melby, Montgomery, LeSueur County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1978.

Richard Hunegs, 8907 Minnehaha Circle, Minneapolis, Hennepin County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1978.

Tom Tipton, 3921 Sunset Boulevard, Minneapolis, Hennepin County, has been appointed by me to the State Commission on

Cable Communications, effective August 17, 1973, for a term expiring January 1, 1978.

Richard Zeigler, 4031 N.W. 6th Street, Rochester, Olmsted County, has been appointed by me to the State Commission on Cable Communications, effective August 17, 1973, for a term expiring January 1, 1978.

Sincerely,
Wendell R. Anderson, Governor

August 20, 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:

Joel Egertson, 5337 3rd Avenue South, Minneapolis, Hennepin County, has been appointed by me as Executive Director for the Commission on Alcohol Problems and as Director of the Drug Abuse Section, effective August 20, 1973, for a term expiring the first Monday of January, 1975.

Sincerely,
Wendell R. Anderson, Governor

September 4, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Paul Larimore, Interstate Power Company, Albert Lea, Freeborn County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1974.

Alfred Erickson, Ellerbe Architects, 333 Sibley, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1974.

Jack West, S. J. Grove and Sons, 1972 Malvern Street, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1974.

James Miley, 60 East Fourth Street, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1975.

Leonard LaShomb, Minnesota AFL-CIO, 414 Auditorium Street, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1975.

John Hauenstein, Peerliss Chain Company, Winona, Winona County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1975.

William Westerberg, Continental Safety Equipment, 690 Snelling Avenue, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1976.

Harvey Paulson, State Building and Trades, 404 East Main, Albert Lea, Freeborn County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1976.

Hugh Gallagher, Communications Workers of America, Meadowbrook Building, W-315, 6490 Excelsior Boulevard, Minneapolis, Hennepin County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1976.

Helen Bender, G-25A, Highway Building, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1977.

Victor Lowe, Minnesota Compensation Rating Bureau, 523 Marquette Avenue, Minneapolis, Hennepin County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1977.

Robert McElroy, Minnesota Mining, 900 Bush, St. Paul, Ramsey County, has been appointed by me to the Occupational Safety and Health Advisory Board, effective August 29, 1973, for a term expiring August 29, 1977.

Sincerely,
Wendell R. Anderson, Governor

September 4, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

J. Martell Rud, Manager, Northtown Shopping Center, 398 N.E. Northtown Drive, Edina, Hennepin County, has been appointed by me to the Occupational Safety and Health Review Board, effective August 29, 1973, for a term expiring August 29, 1975.

Earl Gustafson, 700 First American National Bank Building, Duluth, St. Louis County, has been appointed by me to the Occupational Safety and Health Review Board, effective August 29, 1973, for a term expiring August 29, 1977.

Dan Gustafson, Minneapolis Building Trades and Construction Trades Council, Room 400, 117 4th Street S.E., Minneapolis, Hennepin County, has been appointed by me to the Occupational Safety and Health Review Board, effective August 29, 1973, for a term expiring August 29, 1979.

Sincerely,
Wendell R. Anderson, Governor

September 5, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Mrs. Marilyn Berg, 1865 Bayard Avenue, St. Paul, Ramsey County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1978.

Dr. Betty Green, 4377 Wooddale Avenue, St. Louis Park, Hennepin County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1974.

Dr. Ellen Fifer, Department of Health, University of Minnesota Campus, Minneapolis, Hennepin County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1978.

Judge Harold Schultz, 1176 Hawthorne Avenue East, St. Paul, Ramsey County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1976.

Dr. Robert Winter, 1648 Dodd Road, Mendota Heights, Dakota County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1974.

Clifford Retherford, 7007 West Shore Drive, Edina, Hennepin County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for a term expiring December 31, 1976.

John Buzzell, Department of Public Welfare, 4th Floor, Centennial Office Building, St. Paul, Ramsey County, has been appointed by me to the Gillette Hospital Authority, effective September 4, 1973, for an indeterminate term.

Sincerely,
Wendell R. Anderson, Governor

September 6, 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:

Robert A. Mampel, 5650 Westbrook Road, Golden Valley, Hennepin County, has been appointed by me as Commissioner of the Banking Division, Department of Commerce, effective September 4, 1973, for a term expiring September 4, 1979.

Sincerely,
Wendell R. Anderson, Governor

October 1, 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:

Bruce Fleming, 3680 Centerwood Road, Lexington Village, Anoka, Anoka County, has been appointed by me to the Minnesota Water Resources Board, effective October 1, 1973, for a term expiring October 5, 1977.

Sincerely,
Wendell R. Anderson, Governor

October 3, 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:

John W. Jackson, 2114 Juliet Avenue, St. Paul, Ramsey County, has been appointed by me as Commissioner of Personnel, effective September 28, 1973, for a term coterminus with the Governor.

Sincerely,
Wendell R. Anderson, Governor

October 15, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Marlys Wolf, Fingerhut Manufacturing, St. Cloud, Stearns County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1975.

Roberto Trevino, 1610 3rd Avenue South, Moorhead, Clay County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1975.

Elizabeth Kalisch, 5371 Hugo Road, White Bear Lake, Ramsey County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1975.

Robert Willmarth, 203 9th Avenue S.E., Rochester, Olmsted County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1977.

Bridget Coleman, 700 Linwood, St. Paul, Ramsey County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1977.

Patrick M. Daugherty, 3914 Bryant Avenue North, Minneapolis, Hennepin County, has been appointed by me to the State Board of Health, effective October 12, 1973, for a term expiring January 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

November 5, 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:

Gerald Isaacs, 1835 Mechanic Avenue, St. Paul, Ramsey County, has been appointed by me to the Municipal Commission, effective November 5, 1973, for a term expiring June 30, 1979.

Sincerely,
Wendell R. Anderson, Governor

November 8, 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:

Charles C. Reischel, 1711 Fremont Avenue, St. Paul, Ramsey County, has been appointed by me as Workmen's Compensation Commissioner, effective November 8, 1973, for a term expiring September 14, 1979.

Sincerely,
Wendell R. Anderson, Governor

November 16, 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:

John Sontorovich, 519 4th Avenue, International Falls, Koochiching County, has been appointed by me to the Community College Board, effective November 16, 1973, for a term expiring July 1, 1978.

Sincerely,
Wendell R. Anderson, Governor

November 26, 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:

Mrs. Kathryn Vander Kooi, Luverne, Rock County, has been appointed by me to the University of Minnesota Board of Regents, effective November 23, 1973, for a term expiring at the close of the 1974 legislative session.

Sincerely,
Wendell R. Anderson, Governor

November 26, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Edward LaFave, Jr., Morris, Stevens County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1975.

Edna Schwartz, 896 Cleveland South, St. Paul, Ramsey County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1975.

Cornell Moore, 2727 Dean Boulevard, Minneapolis, Hennepin County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1975.

Marie Larson, Kahler Hotel, 20 S.W. 2nd Avenue, Rochester, Olmsted County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1975.

Marcella Page, 1847 Woodcrest Drive, St. Paul, Ramsey County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1976.

William Flaherty, 3208 Rankin Road, Minneapolis, Hennepin County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1976.

William Watters, 330 East Faribault, Duluth, St. Louis County, has been appointed by me to the Personnel Board, effective November 26, 1973, for a term expiring January 1, 1976.

Sincerely,
Wendell R. Anderson, Governor

December 17, 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:

David R. Von Holtum, 607 - 10th Street, Worthington, Nobles County, has been appointed by me to the Minnesota Water Resources Board, effective October 5, 1973, for a term expiring October 5, 1979.

Sincerely,
Wendell R. Anderson, Governor

January 3, 1974

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:

John Borchert, Scandia, Washington County, has been appointed by me to the Minnesota-Wisconsin Boundary Area Commission, effective January 2, 1974, for a term expiring July 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

January 14, 1974

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:

Clyde Pemble, 10904 Ridgewood Court, Burnsville, Dakota County, has been appointed by me to the Housing Finance Agency, effective January 1, 1974, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

January 2, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Jane Belau, 433 - 9th Avenue S.W., Rochester, Olmsted County, has been appointed by me to the Minnesota Corrections Authority, effective January 1, 1974, for a term expiring January 1, 1976.

Lester Melchert, Rural Route 2, Chaska, Carver County, has been appointed by me to the Minnesota Corrections Authority, effective January 1, 1974, for a term expiring January 1, 1978.

Leslie R. Green, 727 - 13th Avenue South, St. Cloud, Stearns County, has been appointed by me to the Minnesota Corrections Authority, effective January 1, 1974, for a term expiring January 1, 1980.

P. K. Peterson, 3332 Edmund Boulevard, Minneapolis, Hennepin County, has been appointed by me to the Minnesota Corrections Authority, effective January 1, 1974, for a term expiring January 1, 1980.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Health, Welfare and Corrections.

INTRODUCTION OF BILLS

Messrs. Conzemius and Sillers introduced—

S. F. No. 2708: A bill for an act relating to taxation; authorizing family farm corporations to homestead agricultural land.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Milton; Keefe, S. and Spear introduced—

S. F. No. 2709: A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income recipients after December 31, 1973; appropriating money.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Spear and Kleinbaum introduced—

S. F. No. 2710: A bill for an act relating to intoxicating liquor; places of sale, licensing and possession; amending Minnesota Statutes 1971, Sections 340.14, Subdivision 3; and 340.58; and 624.701.

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

Messrs. Spear and Laufenburger introduced—

S. F. No. 2711: A bill for an act relating to the conservation of energy; prohibiting decorative gas lighting; prescribing penalties.

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

Mr. Laufenburger introduced—

S. F. No. 2712: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

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

Messrs. Stokowski; Hansen, Mel and Spear introduced—

S. F. No. 2713: A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

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

Messrs. Ashbach, Novak and Milton introduced—

S. F. No. 2714: A bill for an act relating to the city of Roseville; firemen's relief association service pensions; amending Laws 1973, Chapter 464, Section 2.

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

Messrs. Josefson; Olson, A. G. and Jensen introduced—

S. F. No. 2715: A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into a

single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Moe, Fitzsimons and Perpich, A. J. introduced—

S. F. No. 2716: A bill for an act relating to game and fish; seasons for taking of moose; amending Minnesota Statutes, 1973 Supplement, Section 100.27, Subdivision 2.

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

Messrs. Anderson, Arnold and Borden introduced—

S. F. No. 2717: A bill for an act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement, Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and Laws 1973, Chapter 650, Article XXIV, Section 6.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Fitzsimons introduced—

S. F. No. 2718: A bill for an act directing the commissioner of natural resources to convey certain lands to Lake of the Woods county.

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

Messrs. Spear; Hansen, Mel and Stokowski introduced—

S. F. No. 2719: A bill for an act relating to special school district No. 1 of the city of Minneapolis; providing for compensation and certain expenses of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

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

Messrs. Spear and Schaaf introduced—

S. F. No. 2720: A bill for an act relating to distinctions based on sex; abolishing these distinctions in laws, ordinances, rules, and regulations of political subdivisions of the state.

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

Messrs. Spear and Tennessen introduced—

S. F. No. 2721: A bill for an act relating to discrimination; pro-

hibiting discrimination in employment and education because of age; amending Minnesota Statutes 1971, Sections 363.02, by adding a subdivision; 363.03, Subdivisions 1 and 5, as amended; 363.05, Subdivision 1, as amended; 363.11, as amended; 363.115, as amended; and 363.12, Subdivision 1, as amended.

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

Messrs. Spear and Keefe, S. introduced—

S. F. No. 2722: A bill for an act relating to rental agencies; requiring licensing of rental agencies; providing reimbursement to customers dissatisfied with service; prohibiting listing of substandard properties; providing penalties.

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

Messrs. Spear and Lord introduced—

S. F. No. 2723: A bill for an act relating to public utilities; regulation of gas and electric companies; providing penalties; appropriating money.

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

Mr. Olson, J. L. introduced—

S. F. No. 2724: A bill for an act relating to the claim of Howard W. Crawford; arising from failure of highway department to take adequate precautions in spraying right-of-way; appropriating money for the payment thereof.

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

Messrs. Olson, J. L.; Larson and Laufenburger introduced—

S. F. No. 2725: A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes 1971, Section 169.72, by adding a subdivision.

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

Mr. Keefe, S. introduced—

S. F. No. 2726: 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, as amended.

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

Mr. Borden introduced—

S. F. No. 2727: A bill for an act relating to state government and its personnel department; providing for temporary rules.

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

Mr. Laufenburger introduced—

S. F. No. 2728: A bill for an act relating to the city of Goodview; payment of service pensions to volunteer firemen.

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

Mr. Ashbach introduced—

S. F. No. 2729: A bill for an act authorizing the village of Roseville to regulate and control truck traffic on certain streets and highways within its corporate limits.

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

Mr. Ueland introduced—

S. F. No. 2730: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

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

Mr. Ashbach introduced—

S. F. No. 2731: A bill for an act relating to employment services; unemployment compensation; benefits; excluding from the term "employment" services performed by certain employees and appointees of political subdivisions; amending Minnesota Statutes, 1973 Supplement, Section 268.04, Subdivision 12.

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

Messrs. Borden and Moe introduced—

S. F. No. 2732: A bill for an act relating to taxation; net income measured by and on net income; providing a deduction; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Fitzsimons introduced—

S. F. No. 2733: A bill for an act authorizing the county of Marshall to assume liability for payment of contract for construction of county ditch; authorizing the issuance of bonds and validating contract.

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

Messrs. Purfeerst, Arnold and Renneke introduced—

S. F. No. 2734: A bill for an act relating to game and fish; posting of lands; amending Minnesota Statutes 1971, Section 100.29, Subdivision 21.

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

Messrs. Purfeerst and Patton introduced—

S. F. No. 2735: A bill for an act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

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

Messrs. Olson, H. D.; Patton and Chmielewski introduced—

S. F. No. 2736: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; 147.31; and 147.32; and Laws 1973, Chapter 727, Section 4.

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

Messrs. Perpich, A. J.; Hansen, Baldy and Bernhagen introduced—

S. F. No. 2737: A bill for an act relating to solid waste disposal; user fee; providing that the user fee is applicable only to counties within the seven county metropolitan area; amending Minnesota Statutes, 1973 Supplement, Section 116F.07.

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

Mr. Laufenburger introduced—

S. F. No. 2738: A bill for an act relating to counties; preparation and publication of annual financial statements; amending Minnesota Statutes 1971, Section 375.17.

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

Mr. Laufenburger introduced—

S. F. No. 2739: A bill for an act relating to hazardous and sub-standard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

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

Messrs. Laufenburger, Krieger and Olhoft introduced—

S. F. No. 2740: A bill for an act relating to county courts; terms of judges in certain counties.

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

Messrs. Laufenburger and Larson introduced—

S. F. No. 2741: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

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

Mr. Laufenburger introduced—

S. F. No. 2742: A bill for an act relating to education; authorizing the conduct of community service programs by certain educational institutions; appropriating money.

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

Mr. Laufenburger introduced—

S. F. No. 2743: A bill for an act relating to the legislature; establishing a committee to review administrative rules; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

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

Messrs. Conzemius, Kleinbaum and Pillsbury introduced—

S. F. No. 2744: A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use; appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

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

Messrs. Olson, H. D.; Patton and Chmielewski introduced—

S. F. No. 2745: A bill for an act relating to waters, drainage; increasing per diem compensation for members of county boards engaged in drainage proceedings and inspections; amending Minnesota Statutes 1971, Section 106.431, Subdivision 1.

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

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

S. F. No. 2746: A bill for an act relating to education; requiring institutions of higher education to provide students in professional programs with a mandatory course in ethics.

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

Messrs. Knutson, Moe and O'Neill introduced—

S. F. No. 2747: A bill for an act relating to children; requiring the court to consider the best interests of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S. F. No. 2748: A bill for an act relating to public health in the towns of Moose Lake in Carlton county and Windemere in Pine county; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area.

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

Mr. Chmielewski introduced—

S. F. No. 2749: A bill for an act relating to Carlton county; providing for a full time county attorney whose salary shall be set by the county board.

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

Mr. Willet introduced—

S. F. No. 2750: A bill for an act authorizing the sale of certain lands in Cass county by the commissioner of natural resources.

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

Messrs. Josefson and McCutcheon introduced—

S. F. No. 2751: A bill for an act relating to professional corporations; including podiatrists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

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

REPORTS OF COMMITTEES

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

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

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.

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

Page 2, strike lines 8 to 10, and insert in lieu thereof:

“Subd. 6. [PRESENT LAWS EFFECTIVE UNTIL MODIFIED; RIGHTS RESERVED.] Present statutes relating to evidence shall be effective until modified or superseded by court rule. If a rule of evidence is promulgated which is in conflict with a statute, the statute shall thereafter be of no force and effect. The supreme court, however, shall not have the power to promulgate rules of evidence which conflict, modify; or supersede the following statutes:

(a) Statutes which relate to the competency of witnesses to testify, found in Minnesota Statutes, Sections 595.02 to 595.025;

(b) Statutes which establish the prima facie evidence as proof of a fact;

(c) Statutes which establish a presumption or a burden of proof;

(d) Statutes which relate to the privacy of communications; and

(e) Statutes which relate to the admissibility of certain documents.

The legislature may enact, modify, or repeal any statute or modify or repeal any rule of evidence promulgated under this section.”

Page 2, strike line 11

Further amend the title as follows:

Strike “; repealing Minnesota Statutes 1971, Section 480.059, Subdivision 7”

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. 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 the following:

“Section 1. [PUBLIC POLICY.] It is hereby declared to be the public policy of the state of Minnesota that:

(1) Public confidence in the integrity of government and the impartiality of its members is a prerequisite of representative democracy. To maintain responsible state government, the legislature must foster a moral climate in which public officials reach judgments based solely on consideration of the public good. To that end, the public interest is best served when full disclosure is made of the identity and expenditures of persons who engage in substantial efforts to persuade governmental officials to take specific actions;

(2) Public officials shall not use their official positions to obtain financial gain for themselves, their households, or any organizations with which they are associated in a manner which violates the public trust;

(3) Major political campaign contributions and expenditures should be fully disclosed to the public;

(4) Disclosure of major political campaign contributions and expenditures serves the public interest by (a) preventing corruption and undue influence and (b) revealing the sources of campaign financing to the public as well as thereby facilitating future informed decisions regarding alternative methods of public and private financing;

(5) Although small individual contributions to a candidate are unlikely to have a corrupting influence, a number of small contributions from an individual or small contributions from a number of associated individuals may when cumulated have a corrupting influence. Thus there is a compelling state interest in requiring the disclosure of all contributions of \$50 or more in the case of

legislative campaigns and \$100 in the case of campaigns for statewide office;

(6) Limitations upon campaign expenditures are necessary to control the spiraling amount of money required to campaign for public office and to ensure that no individual is denied the opportunity to run for public office for financial reasons;

(7) Candidates for public office and elected officials should not be under the influence of those persons who make large contributions to political campaigns.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 45, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Association" means business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons acting in concert.

Subd. 3. "Business with which he is associated" means any business, proprietorship, labor union, or association in connection with which the individual is compensated in excess of \$50 in any month as a director, officer, owner, member, partner, employer, employee, or is a holder of securities worth \$5,000 or more at fair market value.

Subd. 4. "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. An individual shall be deemed to seek nomination for election, or election, if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election, or election to an office, 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. 5. "Commission" means the state ethics commission.

Subd. 6. "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 candidate to office;

(b) A transfer of funds between political committees or political funds; or

(c) The payment, by any person other than a candidate, political committee or political fund, of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election, or election, of a candidate to office.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, committee or political fund.

Subd. 7. "Depository" means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 8. "Election" means a general, special, primary or special primary election, or a convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 9. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any candidate to office; or

(b) A transfer of funds between committees or political funds.

"Expenditure" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate or a committee.

Subd. 10. "Lobbyist" means:

(a) Any individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated representatives of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individuals who spend more than \$1,000 in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials.

"Lobbyist" shall not include:

(a) A public official or employee of the state or any of its political subdivisions acting in his official capacity;

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is acting in a quasi-legislative capacity;

(c) Individuals in the course of selling goods or services to be paid for by public funds; or

(d) News media or their employees or agents, but only while acting in the ordinary course of business of publishing or broadcasting, news items, editorials or other comments or paid advertisements which directly or indirectly urge official action.

For purposes of this subdivision "public official" means any officer, member, or employee of the legislative or executive branch.

For purposes of this subdivision "administrative action" means an action of a quasi-legislative policy-making nature by any board, commission, or agency of the executive branch, and a non-ministerial action by an official of the executive branch.

Subd. 11. "Major political party" means those political parties defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 12. "Minor political party" means any party other than a major political party which ran a candidate on the statewide or legislative ballot in the last general election or files a petition with the secretary of state which contains the names of 2,000 persons registered to vote in Minnesota and which provides that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as the major political parties. For the purposes of this act prior to the general election in 1974, all persons who are eligible to vote in areas where there is no registration shall be considered registered voters.

Subd. 13. "Political committee" means any political party, organization, or person other than an individual which has as its major purpose to support or oppose any candidate or to influence the result of an election of a candidate.

Subd. 14. "Political fund" means any accumulation of voluntary donations by an association other than a political committee collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 15. "Political party" means both major political party and minor political party.

Sec. 3. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of eight members. Four members shall be appointed by the governor with the advice and consent of the senate; the majority and minority leaders of the senate and the speaker and minority leader of the house of representatives shall each appoint one member. No more than half of the governor's appointees shall support the same political party.

Subd. 2. The appointments shall be for a term of four years, provided, however, that of the eight original appointees, two shall serve a one-year term, two shall serve a two-year term, two shall serve a three-year term, and two shall serve a four-year term, as determined by lot. Each of the original terms shall begin on the effective date of this act. All appointments to terms subsequent to the original term, except one made to fill a vacancy, shall be for terms of four years. Any appointment to fill a vacancy in an original or subsequent term shall be made in the manner of the original appointment but shall only be for the unexpired term of a member who is being replaced. All appointments shall be made within 60 days of the date on which a vacancy occurs.

Subd. 3. Five members of the commission shall constitute a quorum and a vacancy in the membership of the commission shall not impair the right of the remaining members to exercise all of the powers of the commission.

Subd. 4. The commission shall hold an organizational meeting within 45 days after the effective date of this act at which time the members of the commission shall elect from among their members

a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the commission. Meetings of the commission shall be at the call of the chairman or at the call of any five members of the commission acting together.

Subd. 5. The commission shall appoint an executive director, who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer this act, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. All administrative services, such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state.

Subd. 6. Members of the commission shall receive \$35 for each day spent in the performance of their duties, and necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 7. All members and employees of the commission shall be subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the commission shall be a candidate for, or holder of, (a) a national, state, congressional district, legislative district or county office in a political party, or (b) an elected public office for which party designation is required by statute.

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year and may offer legislative recommendations;

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 45 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual, setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding, and cross-indexing system consistent with the purposes of sections 1 to 45;

(e) Make the reports and statements filed with it available for public inspection and copying, by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose or for soliciting donations;

(f) Preserve reports and statements for a period of six years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate;

(h) Prepare and publish reports as it may deem appropriate; and

(i) Prescribe as necessary, pursuant to Minnesota Statutes, Chapter 15, rules and regulations to carry out the purposes of sections 1 to 45.

Subd. 9. The executive director of the commission or his staff shall inspect all material filed with the commission as promptly as is necessary to comply with the provisions of sections 1 to 45. The executive director shall immediately notify the person required to file a document with the commission under sections 1 to 45 if a written complaint is filed with the commission by any registered voter alleging, or it otherwise appears, that a document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 45 or that a person has failed to file a document required by sections 1 to 45.

Subd. 10. The commission may make audits and investigations with respect to statements and reports which are filed or which should have been filed under the provisions of sections 1 to 45. In all matters relating to its official duties, the commission shall have the power to issue subpoenas and cause them to be served.

Subd. 11. The commission shall report suspected violations of the law to the appropriate law enforcement authorities.

Subd. 12. The commission may, upon request, issue and publish advisory opinions on the requirements of sections 1 to 45 based upon real or hypothetical situations.

Subd. 13. The commission shall, upon the application of any association, committee, organization or other group, other than political committee, determine whether a proposed expenditure has as its major purpose the influencing of the nomination for election or election of a candidate within the meaning of section 2, subdivision 9. If the applicant demonstrates by clear and convincing evidence that the proposed expenditure has as its major purpose the influencing a policy decision of public concern, the commission shall determine that it is not an expenditure within the meaning of that subdivision. Such a determination shall be *res judicata* in all judicial proceedings in which the nature of the expenditure is an issue. The commission shall issue written opinions on all such questions submitted to it within seven days after taking the matter under consideration.

Subd. 14. The commission may form committees to discharge the duties established by sections 1 to 45.

Subd. 15. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission.

Sec. 4. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within 14 days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the full name and complete address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the full name and complete address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears, and (d) a general description of the subject or subjects on which the lobbyist expects to lobby. If the lobbyist lobbies on behalf of an association the registration form shall include the name and address of the officers of the association, the approximate number of members and an outline of the procedure by which the association adopts policy positions.

Sec. 5. [LOBBYING REPORTS.] Subdivision 1. Each lobbyist shall file reports of his activities with the commission as long as he lobbies.

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the commission by the following dates:

- (a) January 15
- (b) February 15
- (c) March 15
- (d) April 15
- (e) May 15
- (f) June 15
- (g) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 4 to 7 to the lobbyist no later than five days before the prescribed filing date.

Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into the following categories: The cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) Each honorarium, gift or loan, excluding contributions to a candidate, equal in value to \$50 or more, paid to any officer, member or employee of the executive or legislative branch, by the lobbyist or any employer or any employee of the lobbyist; and

(c) A list of all payments by any person totaling \$1,000 or more in a year paid to any person on whose behalf the lobbyist lobbies when that payment is made for the purpose of lobbying. The list shall include the name, address and occupation and principal place of business of each payer.

Subd. 5. [PENALTIES.] The commission shall notify by registered mail any lobbyist who fails after 14 days after a filing date imposed by section 4 or 5 to file a report or statement required by section 4 or 5. A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 6. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 5, the executive director of the commission shall report to the governor, the secretary of the senate and the chief clerk of the house of representatives, the names of the lobbyists registered who were not previously reported, the names of the persons or associations whom they represent as lobbyists and the subject or subjects on which they are lobbying. This report shall be incorporated into the journal of each body of the legislature.

Sec. 7. [CONTINGENT FEES PROHIBITED.] No person shall employ a lobbyist for compensation which is dependent upon the result or outcome of any legislative or administrative action. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

Sec. 8. [PUBLIC OFFICIAL.] Subdivision 1. For purposes of sections 9 to 11, "public official" means:

- (a) Members of the legislature;
- (b) Persons other than local schoolboard members holding elective office in the executive branch;
- (c) Members of state boards and commissions;
- (d) Persons, other than notaries public whose appointment is subject to confirmation by the senate;
- (e) Persons employed by the legislature at a salary of more than \$10,000 per year;
- (f) Persons who are employed by the executive branch at a salary of more than \$20,000 per year or whose position is specified in Minnesota Statutes, Section 15A.081;
- (g) Judges of the supreme court and district courts of this state; and
- (h) Persons employed by the supreme court or district courts at a salary of more than \$15,000 per year.

Subd. 2. Public official does not include officials or employees of state supported universities and colleges.

Sec. 9. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who, in the discharge of his official duties, would be required to take an action or make a decision which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, he shall deliver a copy of the statement to the secretary of the senate or the chief clerk of the house; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a legislator, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible, in a manner prescribed by the commission, from influence over the action or decision in question. If the public official is a legislator, the body of which he is a member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 10. [IMPROPER CONDUCT.] Subdivision 1. No public official shall represent a client before any board, commission, or agency of the executive branch of this state in a controversy for a fee. This section shall not be construed to prohibit a public official from:

(a) Engaging in the practice of law;

(b) Making an inquiry on behalf of a constituent before a state board, commission, or agency, if no fee or reward is given or promised in consequence thereof.

The prohibition contained in this subdivision shall not apply to a partnership or professional corporation with which the public official is associated; nor in connection with any matter pending before any state board, commission, or agency on the effective date of this act if the affected public official is the attorney of record or representative in the matter prior to the effective date of this act.

Subd. 2. No former member or employee of a state board, commission, or agency shall serve as a lobbyist before it or represent a client before it for a period of one year after he leaves it.

Subd. 3. Any attorney who is a public official and represents a client before any state agency shall disclose his participation in the action to the commission.

Sec. 11. [STATEMENTS OF ECONOMIC INTEREST.] Subdivision 1. An individual shall file a statement of economic interest with the commission:

(a) Within 14 days of accepting employment as a public official;
or

(b) Within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or

(c) In the case of a public official requiring senate confirmation, prior to the submission of his name to the senate for confirmation, and in any event, within 14 days after he undertakes the duties of his office.

Subd. 2. The secretary of state or the appropriate county auditor upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public official required by this section to file a statement of economic interest, shall notify the commission of the name of the individual required to file a statement and the date of the affidavit, petition or nomination.

Subd. 3. The commission shall notify the secretary of state or the appropriate county auditor and, when necessary in the case of appointive office, the secretary or chief clerk of the body that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interest with the commission and the date on which the statement was filed.

Subd. 4. The commission shall notify by registered mail any candidate for elective office who fails within 14 days after filing for office to submit a statement of economic interest required by this section. A candidate who knowingly fails to submit a statement of economic interest within seven days after receiving notice from the commission is guilty of a misdemeanor.

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature and category of the amount of his interest;

(c) The list of any offices or directorships held by him in any business;

(d) The description of all real property in which he has any interest, direct or indirect, valued in excess of \$1,000, including an option to buy, excluding homestead property; and

(e) A list of all debts or obligations valued in excess of \$5,000, the name of the creditor and the category of the amount owed. The list need not include indebtedness on homestead, household goods, personal automobiles, or student loans.

Subd. 6. Where an amount is required to be reported by category, the individual shall report whether the amount is between \$1,000 and \$10,000, between \$10,000 and \$25,000 or over \$25,000.

Stock may be reported by number of shares or by category of dollar value.

Subd. 7. Each individual who is required to file a statement of economic interest shall file a supplementary statement each year in which there is any change in his reported financial status. If the individual has filed the description by name, amount and schedule of payments of a continuing arrangement, the details of which have been previously reported, an amended statement need not be filed for each payment under the continuing arrangement, but only if the arrangement is altered or terminated.

Subd. 8. All public officials in office on the effective date of this act shall file with the commission a statement of economic interest within 90 days after the date the commission issues statement of economic interest forms. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so by the prescribed deadline shall be suspended without pay by the commission and the personnel board in the manner prescribed by Minnesota Statutes, Section 43.06 in the case of a public official in the classified service of the state and by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15, in the case of any other public official.

Sec. 12. A report or statement to be filed by sections 2 to 13 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains inaccurate information is guilty of a felony.

Sec. 13. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer.

Subd. 2. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer.

Subd. 3. The treasurer of a political committee may appoint as many deputy treasurers as necessary and shall be responsible for their accounts.

Subd. 4. The treasurer of a political committee may designate not more than two depositories in each county in which a campaign is conducted.

Subd. 5. No funds of a political committee shall be commingled with any personal funds of officers, members, or associates of the committee.

Subd. 6. Except for transfers of funds between political committees, a political committee shall be financed solely through voluntary donations by natural persons or political funds.

Subd. 7. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 14. [POLITICAL FUNDS.] Subdivision 1. No association shall make a transfer of funds to a candidate or political committee

or make an expenditure, which has as its purpose the influencing of the nomination for election or election of a candidate unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund. The political fund shall have the following characteristics:

(a) The political fund shall be financed solely through voluntary donations by natural persons. There shall be no transfer of funds from any other fund of the association to the political fund; however, such a transfer may be made within 90 days after the effective date of this act, if an account is kept for those transferred funds in the manner provided in section 15, subdivision 1, clauses (a), (b) and (c).

(b) The contents of the political fund shall not be commingled with any other funds.

(c) Each association which has a political fund shall elect or appoint a treasurer of the political fund.

(d) No donations to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Subd. 2. Any person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 15. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep a detailed and exact account of:

(a) All contributions made to or for the political committee or political fund;

(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) The source of all contributions made to a candidate;

(d) All expenditures made by or on behalf of the committee or fund; and

(e) The name, mailing address, occupation and the principal place of business 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 is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee or political fund of over \$100, and for any expenditure in a lesser amount, if the aggregate amount of lesser expenditures to the same person during a year exceeds \$100. A cancelled check showing payment of a bill, together with the bill or invoice stating the purpose of the expenditure, is acceptable as a receipted bill. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 16. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the commission by filing a statement of organization within 14 days of the date upon which the committee or fund has received contributions or made expenditures or anticipates receiving contributions or making expenditures in excess of \$100. However, in the first year of this act, treasurers shall file within 14 days after the commission issues political committee or political fund registration forms.

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or the association which maintains a political fund;

(b) The names, and addresses, of the supporting associations of a political fund;

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name, address, and position of the custodian of books and accounts;

(e) The name and address of the chairman and the treasurer, who shall be separate individuals, and the name and address of any other principal officers including deputy treasurers, if any;

(f) The name, address, office sought, and party affiliation, if any, of (i) each candidate whom the committee or political fund is supporting, and (ii) any other individual, if any, whom the committee or political fund is supporting for nomination for election, or election, to any public office whatever; or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

(h) A listing of all depositories or safety deposit boxes used;

(i) A statement as to whether the committee is a principal campaign committee.

Subd. 3. Any change in information required in subdivision 2 shall be forwarded to the commission by the chairman or treasurer of the political committee or political fund within five days of the change.

Sec. 17. [CONTRIBUTIONS.] Subdivision 1. Anonymous contributions in excess of \$10 shall not be retained by any political committee or political fund, but shall be forwarded to the commission and deposited to the general account of state elections campaign fund.

Subd. 2. Every person who receives a contribution in excess of \$10 for a political committee or political fund shall, on demand of the treasurer, and in any event within five days after receipt of the contribution, inform the treasurer of the amount, the name and

the address of the person making the contribution, and the date it was received.

Subd. 3. No funds of a political committee or political fund shall be commingled with any personal funds of officers or members of the committee or association.

Subd. 4. All monetary contributions received by or on behalf of any candidate or political committee or political fund shall within five days after the receipt thereof, Sundays and holidays excepted, be deposited in a designated depository in an account designated "Campaign Fund of (name of committee or fund)".

Subd. 5. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 18. [EARMARKING.] Any person, political committee, or political fund which receives contributions or transfers of funds from any person or association with the condition, express or implied, that those funds or any part of them be directed to a particular candidate shall disclose to the ultimate recipient of such funds and in the reports required by section 23, the original source of the funds, the fact that the funds were earmarked and the candidate to whom they are directed. The ultimate recipient of any funds so earmarked shall also disclose by report to the commission the original source of the funds, and the person, political committee, or political fund through which they were directed. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 19. [EXPENDITURES.] Subdivision 1. All expenditures, other than the transfer of funds, between political committees or political funds shall be authorized by the treasurer or deputy treasurer of the committee or fund making that expenditure.

Subd. 2. The transfer of funds between political committees or political funds shall be authorized by the treasurer of the political committee or political fund making the transfer.

Subd. 3. No person or persons acting in concert other than the treasurer of the candidate's principal campaign committee may make expenditures with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 28 and 30. All such expenditures shall be counted against the spending limitations of the principal campaign committee of that candidate.

Subd. 4. The treasurer or deputy treasurer of a principal campaign committee may make an authorization for petty cash in any reporting period of not more than \$100 per week for statewide elections and \$20 per week in legislative elections to be used for miscellaneous expenditures. Records of such petty cash accounts shall be kept pursuant to section 15.

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 and by the individual making the expenditure.

Subd. 6. Any political committee, political fund, or person which solicits or accepts contributions on behalf of any candidate without the written authorization of the candidate shall publically disclose its lack of authorization. In all written communications with those from whom it solicits or accepts contributions or to whom it makes expenditures, such committee, fund, or person shall state in writing and in conspicuous type that it is not authorized by the candidate and that the candidate is not responsible for its activities. A similar oral statement shall be included in all such oral communications. A similar written statement shall be included in conspicuous type on the front page of all literature and advertisements published or posted and a similar oral statement included at the end of all broadcast advertisements by such committee or political fund or person in connection with the candidate's campaign.

Subd. 7. Any violation of the provisions of subdivisions 1, 2, 3, 4, and 6 of this section is a misdemeanor.

Sec. 20. [BILLS WHEN RENDERED AND PAID.] Subdivision 1. Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or political fund the bill, charge or claim within 60 days after the material or service is provided. Failure to so present the bill, charge or claim shall be a misdemeanor.

Subd. 2. The candidate and the treasurer of a political committee or political fund shall be jointly and severally liable for all obligations authorized by the treasurer or deputy treasurers. Deputy treasurers shall be liable only for obligations which they have personally authorized.

Sec. 21. [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. A candidate may at any time, without cause, remove and replace the chairman, treasurer, deputy treasurer or any other officer of the candidate's principal campaign committee.

Sec. 22. [PAST RECORDS.] Each candidate and the treasurer of each political committee or political fund shall file with the commission all records, insofar as they exist, of the source and the amount of each contribution received by the candidate or by the political committee or political fund prior to the effective date of this act. It shall be a misdemeanor to destroy or withhold records after the effective date of this act with the intent to evade the purposes of this section.

The provisions of this section shall apply only to contributions received by a candidate or political committee or political fund to promote a candidate for election subsequent to the last general election held for the office he seeks.

The records required by this section shall be filed in accordance with the provisions of section 23.

Sec. 23. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section if it receives contributions or makes expenditures in excess of \$100 in that year.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7; and
- (2) June 7;

(b) In years in which any candidate being supported does stand for election:

- (1) January 7;
- (2) June 7;
- (3) August 7;
- (4) Five days before any primary election in which the candidate stands for election;
- (5) October 7;
- (6) Five days before any general election in which the candidate stands for election; and
- (7) 30 days after the last election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

- (1) 30 days before the election; and
- (2) Five days before the election.

Subd. 3. Each report under this section shall disclose:

(a) The amount of cash on hand at the beginning of the reporting period;

(b) The full name, mailing address, occupation and the principal place of business, if any, of each person who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year of each contributor so disclosed. The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

(d) The name and address of each political committee, political fund, or candidate from which the reporting committee or fund received, or to which that committee made, any transfer of funds, together with the amounts and dates of all transfers. The lists shall be in alphabetical order;

(e) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the full names and mailing address, occupations and the principal places of business, if any, of the lender or endorsers, if any, and the date and amount of the loans;

(f) Each contribution, rebate, refund, or other receipt in excess of \$100 not otherwise listed under clauses (b) to (e);

(g) The total sum of all receipts by or for the political committee or political fund during the reporting period;

(h) The full name, mailing address, occupation and the principal place of business, if any, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made;

(i) The sum of individual expenditures which is not otherwise reported under clause (h);

(j) The 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 reimbursable expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date, and purpose of the expenditure;

(k) The sum of individual expenditures for personal services, salaries and reimbursable expense which is not otherwise reported under (j);

(l) The total expenditures made by the political committee or political fund during the reporting period;

(m) The amount and nature of debts and obligations owed by or to the political committee or political fund, and a continuous reporting of their debts and obligations after the election until the debts and obligations are extinguished.

(n) The amount and nature of any contract, promise or agreement, in writing, whether or not legally enforceable, to make a contribution or expenditure;

(o) The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Subd. 4. The reports shall cover the time from the last day of the period covered by the last report to seven days prior to the filing date.

Subd. 5. In any statewide election any contribution or contributions from a single person totaling \$3,000 or more or, in any legislative election, any contribution of \$300 or more, received after the period covered in the last report prior to an election, and prior to the election, shall be reported to the commission by telegram within 48 hours after its receipt and in the next required report.

Subd. 6. Every person, other than a political committee or association with a political fund, who makes expenditures, other than by contribution to a committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the commission a statement containing the information required of a committee, political fund, or candidate. Statements required by this section shall be filed on the dates on which reports by committees are filed.

Subd. 7. If no contribution is received or expenditure made by or on behalf of a candidate, political fund or political committee during a reporting period, the treasurer of the committee or political fund shall file with the commission, at the time required by this act for the period, a statement to that effect.

Subd. 8. The commission shall exempt any person, association, or any or all of its members or contributors from the provisions of this section if disclosure would expose any or all of its contributors to:

- (a) Economic reprisals;
- (b) Loss of employment; or
- (c) Threat of physical coercion.

An association may seek an exemption for all of its members only if it proves by clear and convincing evidence that a substantial number of its members or contributors would suffer a restrictive effect on their freedom of association if members were required to seek exemptions individually.

Subd. 9. A political committee or an association with a political fund or any or all of its members or contributors shall have standing to seek an exemption. All applications for exemption shall be treated as contested cases within the meaning of Minnesota Statutes, Chapter 15. The commission by rule shall establish a procedure so that any individual seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 8 were he to reveal his identity for the purposes of the hearing.

Subd. 10. No person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contributions or political activity. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 24. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the committees of legislative candidates shall also be filed

with the county auditor of each county in which the legislative district lies.

Subd. 2. The copies of reports filed with the county auditor need not be certified copies.

Subd. 3. Statements and reports filed with county auditor shall be available to the public in the manner prescribed by section 3, subdivision 8, clause (e) and retained until four years after the election to which they pertain.

Sec. 25. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 16 to 45 to be filed by a treasurer of a political committee or political fund, or by any other person, shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains inaccurate information is guilty of a felony.

Subd. 2. A copy of a report or statement required to be filed shall be preserved by the person filing it for two years after the election to which it pertains.

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, but shall be reported according to section 23, subdivision 3, clause (n).

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". A candidate may refuse to accept any 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 \$50 in the case of a legislative candidate within the year, the name, address, occupation, and principal place of business, if any, of that contributor shall then be listed on the prescribed reporting forms.

Subd. 6. A political committee or political fund making an expenditure other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allo-

cate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 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 from which the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness, and he shall keep the records available for audit, inspection, or examination by the commission, or its authorized representatives for 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 is guilty of a misdemeanor.

Subd. 8. The treasurer of a political committee or political fund shall not accept a contribution of more than \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement, stating the name and address of each person who contributed (a) in excess of \$50, if the contribution or contributions are made directly to the principal campaign committee of a candidate for legislative office, or (b) in excess of \$100 if the contribution or contributions are made to any other political committee or political fund. These statements shall be certified as true and correct by an officer of the contributing committee or political fund. The provisions of this subdivision shall not apply when the national affiliate of any political party in this state transfers money to its state affiliate and that money is expended by the state political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates.

Subd. 9. The secretary of state shall cause one certified copy of each report or statement filed with him under Section 309 of the Federal Election Campaign Act of 1971 to be delivered to this commission within 24 hours of the time he receives such report or statement.

Sec. 26. [CHANGES AND CORRECTIONS.] Any changes in information previously submitted, and any corrections to a report shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected.

Sec. 27. [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts and filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Sec. 28. [LIMITS ON CAMPAIGN EXPENDITURES.] Sub-

division 1. For the purposes of sections 28 to 38 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred, by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts:

(a) For governor and lieutenant governor, running jointly, 15 cents per capita or \$600,000, whichever is greater;

(b) For attorney general, 2½ cents per capita or \$100,000, whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or \$50,000, whichever is greater;

(d) For state senator, 25 cents per capita or \$15,000, whichever is greater;

(e) 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. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to the effective date of this act shall be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a primary election receives less than 70 percent of the vote cast in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one sixth of the applicable amount as set forth in subdivision 2 of this section, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. In a year in which a candidate does not stand for election, no expenditures shall be made and no obligations to make expenditures shall be incurred, by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate in that

year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Subd. 7. On or before January 31 of each election year, the commission shall determine and cause to be published generally the per capita amounts specified in subdivision 2. In determining the per capita amounts, the commission shall use:

(a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total population of the state;

(b) In the case of the elections for state senator, 1/67 of the total population of the state;

(c) In the case of elections for state representative, 1/134 of the total population of the state.

Subd. 8. On or before January 15 of each election year, the secretary of state shall certify to the commission the estimated total population of the state as of January 1 of that year.

Subd. 9. An expenditure is made in the year in which the goods or services for which it was made are used or consumed.

Sec. 29. [TRANSFERS OF FUNDS EXCEPTED.] A transfer of funds from any political committee or political fund other than a political party, to the principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee.

Sec. 30. [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 28.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate, in an amount in excess of 40 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 28.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 28, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, and precincts.

Sec. 31. [PRICE ADJUSTMENT.] At the beginning of each year, the commission shall obtain from the secretary of labor of the United States information as to the percent difference between the national price index for the 12 months preceding the beginning of the year and the price index for the base period which shall be 1973. Each amount determined under section 28 shall be increased by the percent difference. Each amount so increased shall be the amount in effect for the year. For the purpose of this section, the term "price index" means the average over a 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 section 28 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 for the preceding general election.

Sec. 32. [STATE ELECTIONS CAMPAIGN FUND.] Subdivision 1. There is hereby established an account, within the general fund of the state, to be known as the "state elections campaign fund".

Subd. 2. Within the state elections campaign fund account, there shall be maintained separate accounts for the candidates of each political party and a general account.

Sec. 33. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual whose income tax liability after personal credit for 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 into the account of a political 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. If you are filing a joint return you may allocate \$1 each." The form shall state that each \$1 on a joint return may be allocated independently.

(b) The form shall then contain a line stating: "I hereby direct \$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) the name of any minor party which has submitted a petition which contains the names of 2,000 persons registered to vote in Minnesota to the sec-

retary of state by June 1 of that taxable year; 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 shall be annually appropriated for distribution as set forth in subdivisions 5, 6, 7 and 8.

Subd. 5. 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. The remaining 90 percent of the money in each party account, and all of the moneys in the general fund shall be distributed in accordance with subdivisions 6, 7 and 8.

Subd. 6. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast for the office for which he was a candidate.

Subd. 7. (a) In each fiscal year, 20 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of 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 the available funds in the general account in an equal amount to each candidate who received at least five

percent of the votes cast for the office for which he was a candidate.

Subd. 8. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for state representative.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account other than the general account to the appropriate candidates as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least five percent of the votes cast for the office for which he was a candidate.

Sec. 34. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate or political party shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 28 and 30.

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 receives from the state elections campaign fund.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for statewide office, state representative or state senator, the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Sec. 35. [APPLICATION.] The provisions of sections 28 and 30 shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions, and caucuses of a political party.

Sec. 36. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 13 to 38 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 37. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 1 to 45 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. Any person who believes that a violation of sections 1 to 45 has occurred shall report his belief to the commission.

Subd. 3. The commission, the attorney general or the county attorney may seek an injunction in the district court to enforce the provisions of sections 1 to 45.

Subd. 4. The district courts of this state shall have jurisdiction to issue injunctions to enforce the provisions of sections 1 to 45 upon application by any citizen of this state.

Subd. 5. Unless otherwise provided, a violation of sections 1 to 45 is not a crime.

Sec. 38. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 28 and 30 shall be subject to a fine equal to three times the amount by which its expenditure exceeded the limit. If the attorney general has reason to believe that a person or association has made such excess expenditures, he shall bring an action in the district court of Ramsey county to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of state elections campaign fund.

Sec. 39. [APPROPRIATION.] There is hereby appropriated to the commission from the general fund \$..... for the purposes of this act.

Sec. 40. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 11. Effective for taxable years commencing after December 31, 1973, in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under chapter 290 of 50 percent but not more than \$12.50 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$25.

Sec. 41. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read as follows:

Subd. 3. "Candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. *In sections 211.16, 211.17, 211.19, 211.21, 211.22, 211.25 and 211.32, "candidate" shall not refer to a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, for governor, state officer, state senator, or membership in the house of representatives.*

Sec. 42. Minnesota Statutes 1971, Section 211.06, is amended to read as follows:

211.06 [EXPENDITURES, LIMIT.] No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by any candidate or his personal campaign committee for any office under the constitution or laws of this state, or under the ordinance of any municipality of this state in his campaign for nomination and election, which shall be in the aggregate in excess of the amounts herein specified:

(a) For governor, \$7,000, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;

(b) For other state officers, \$3,500, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;

(c) For state senator, \$900, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;

(d) For member of house of representatives, \$600, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;

(e) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

(f)(b) The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.

Sec. 43. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read as follows:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election, as follows:

(a) When the committee is organized to support a candidate for a federal or state wide office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a legislative, judicial district, or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 44. [EFFECTIVE DATE.] This act shall take effect the day following final enactment. The commission shall be appointed within 30 days of the effective date of this act and shall promulgate the rules within 30 days of its appointment. No statement or report required to be filed by this act need be filed until 30 days after the commission adopts and makes available the forms for the statements or reports.

Sec. 45. Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92 are repealed."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

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

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

S. F. No. 1486: A bill for an act relating to the state civil service; veterans preference; amending Minnesota Statutes 1971, Sections 43.18, Subdivision 1; and 43.30.

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

Page 1, strike lines 7 to 21

Page 1, renumber Sec. 2 as Section 1

Page 2, line 10, strike "or"

Page 2, line 11, strike "unclassified"

Page 3, strike the new language

Page 4, strike lines 1 to 21

Further amend the title as follows:

Page 1, line 4, strike "Sections 43.18" and insert "Section 43.30."

Strike line 5

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

SECOND READING OF SENATE BILLS

S. F. No. 1486 was read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 1425 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Doty moved that the name of Mr. Humphrey be added as co-author to S. F. No. 283. The motion prevailed.

Mr. Borden moved that the name of Mr. Humphrey be added as co-author to S. F. No. 2623. The motion prevailed.

Mr. Renneke moved that S. F. No. 1984 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Kirchner moved that S. F. No. 2661 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 2671 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Moe moved that S. F. No. 2681 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

Mr. Perpich, G. moved that the Mileage Report in the Journal of the Senate for the 12th day, page 204, be corrected as follows:

After "Perpich, George F." strike "403" and insert "443."

Strike "60.45" and insert "66.45". The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 825: A bill for an act relating to motor vehicles; safety responsibility of owners and operators of motor vehicles; security requirements; amending Minnesota Statutes 1971, Sections 170.21, Subdivision 3; 170.26; 170.27; 170.32; and 170.34, Subdivision 1.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1074: A bill for an act relating to highways; approaches to certain highways; furnishing of culverts; amending Minnesota Statutes 1971, Section 160.18, 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 17, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	Olson, A. G.	Schrom
Arnold	Hansen, Mel	Larson	Olson, H. D.	Solon
Bernhagen	Hanson, R.	Lewis	O'Neill	Spear
Borden	Hughes	Lord	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Tennessee
Chmielewski	Josefson	Milton	Pillsbury	Thorup
Conzemius	Keefe, J.	Moe	Purfeerst	Wegener
Davies	Keefe, S.	Novak	Renneke	Willet
Frederick	Kleinbaum	Olhoff	Schaaf	

Those who voted in the negative were:

Ashbach	Brown	Hansen, Baldy	North	Ueland
Bang	Coleman	Kirchner	Olson, J. L.	
Berg	Dunn	Krieger	Patton	
Blatz	Fitzsimons	Nelson	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 1591: A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a.

With the unanimous consent of the Senate, Mr. Bernhagen moved to amend S. F. No. 1591 as follows:

Page 5, strike lines 1 and 2

Renumber the remaining sections accordingly.

Further, amend the title as follows:

Page 1, line 7, strike “; repealing Minnesota” and insert a period
Strike lines 8 and 9

The motion prevailed. So the amendment was adopted.

S. F. No. 1591: A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivision 2, and by adding a subdivision.

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

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

And the roll being called, there were yeas 51 and nays 12, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Nelson	Sillers
Ashbach	Frederick	Knutson	North	Solon
Bang	Gearty	Kowalczyk	Novak	Spear
Bernhagen	Hansen, Mel	Krieger	Olhoft	Stassen
Blatz	Hanson, R.	Larson	Olson, H. D.	Stokowski
Borden	Hughes	Laufenburger	Olson, J. L.	Tennessee
Brown	Humphrey	Lewis	O'Neill	Ueland
Chmielewski	Josefson	Lord	Patton	
Conzemius	Keefe, J.	McCutcheon	Pillsbury	
Davies	Keefe, S.	Milton	Purfeerst	
Dunn	Kirchner	Moe	Renneke	

Those who voted in the negative were:

Berg	Hansen, Baldy	Perpich, G.	Schrom	Wegener
Chenoweth	Olson, A. G.	Schaaf	Thorup	Willet
Coleman	Perpich, A. J.			

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

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

Was read the third time 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:

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

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

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2206: A bill for an act relating to taxation; uniform federal tax lien registration act; amending Minnesota Statutes 1971, Sections 272.483 and 272.484.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Olhoff	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1865: A bill for an act relating to plumbers; fees for examination and licensing; amending Minnesota Statutes 1971, Section 326.42.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Olhoff	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1805: A bill for an act relating to the state parks working capital fund; amending Minnesota Statutes 1971, Section 85.22, Subdivision 2a.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

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

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

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

Was read the third time 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 4, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Schrom
Ashbach	Fitzsimons	Kleinbaum	Novak	Sillers
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	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	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Renneke	Willet
Davies	Keefe, S.	Nelson	Schaaf	

Messrs. Anderson; McCutcheon; Perpich, G. and Purfeerst voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1434: A bill for an act relating to holidays; regulating the date for celebration of Veterans Day; amending Minnesota Statutes 1971, Section 645.44, 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 60 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. North and Spear voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 735: A bill for an act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Section 209.02, by adding a subdivision.

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

Mr. Olson, A. G. voted in the negative.

So the bill passed and its title was agreed to.

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.

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

Messrs. Frederick, Josefson and Krieger voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 679: A bill for an act relating to wild animals; regulating the public exhibition of wildlife; providing penalties; amending Minnesota Statutes 1971, Chapter 97, by adding a section, and Section 346.21, 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 61 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Solon
Arnold	Fitzsimons	Knutson	Olhoft	Spear
Ashbach	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bang	Gearty	Krieger	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Larson	Olson, J. L.	Tennesen
Bernhagen	Hansen, Mel	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	Renneke	
Coleman	Keefe, S.	Nelson	Schaaf	
Conzemius	Kirchner	North	Sillers	

Messrs. Purfeerst and Schrom voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 662: A bill for an 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.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennesen
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1041: A bill for an act relating to the organization and administration of state government; providing changes in the distribution of receipts credited to the state forest suspense account; amending Minnesota Statutes 1971, Section 16.20, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 28: A bill for an act relating to labor and employment; requiring transfer of benefit fund contributions on behalf of certain temporary employees.

Was read the third time 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	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Olhoft	Sillers
Bang	Frederick	Kowalczyk	Olson, A. G.	Solon
Berg	Gearly	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Willet
Coleman	Keefe, J.	Moe	Purfeerst	
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Kleinbaum moved to amend H. F. No. 2205, the printed bill, as follows:

Page 1, line 4, after "the" and before "ditch" insert "surplus remaining in the"

The motion prevailed. So the amendment was adopted.

H. F. No. 2205 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	Fitzsimons	Knutson	Olhoff	Sillers
Arnold	Frederick	Kowalczyk	Olson, A. G.	Solon
Bang	Gearty	Krieger	Olson, H. D.	Spear
Berg	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Blatz	Hanson, R.	Lewis	Patton	Tennessee
Borden	Hughes	Lord	Perpich, A. J.	Thorup
Brown	Humphrey	McCutcheon	Perpich, G.	Ueland
Chenoweth	Josefson	Milton	Pillsbury	Wegener
Chmielewski	Keefe, J.	Moe	Purfeerst	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Conzemius	Kirchner	North	Schaaf	
Dunn	Kleinbaum	Novak	Schrom	

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

H. F. No. 1383: A bill for an act relating to insurance; regulating fees for certain licenses; amending Minnesota Statutes 1971, Sections 68.14, Subdivision 1; 70A.14, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	North	Schaaf
Arnold	Davies	Kleinbaum	Novak	Schrom
Ashbach	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	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Patton	Tennessee
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Schrom
Arnold	Dunn	Kleinbaum	Novak	Sillers
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
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	Josefson	Milton	Purfeerst	Willet
Coleman	Keefe, J.	Moe	Renneke	
Conzemius	Keefe, S.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Schrom
Arnold	Dunn	Kleinbaum	Novak	Sillers
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
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	Josefson	Milton	Purfeerst	Willet
Coleman	Keefe, J.	Moe	Renneke	
Conzemius	Keefe, S.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 1320: A bill for an act relating to the state board of investment; regulating authorized investments; amending Minnesota Statutes 1971, Section 11.16, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Fitzsimons	Hanson, R.
Arnold	Blatz	Coleman	Frederick	Hughes
Ashbach	Borden	Conzemius	Gearty	Humphrey
Bang	Brown	Davies	Hansen, Baldy	Josefson
Berg	Chenoweth	Dunn	Hansen, Mel	Keefe, J.

Keefe, S.	Lewis	Olhoft	Pillsbury	Stassen
Kirchner	Lord	Olson, A. G.	Purfeerst	Stokowski
Kleinbaum	McCutcheon	Olson, H. D.	Renneke	Tennessee
Knutson	Milton	Olson, J. L.	Schaaf	Thorup
Kowalczyk	Moe	O'Neill	Schrom	Ueland
Krieger	Nelson	Patton	Sillers	Wegener
Larson	North	Perpich, A. J.	Solon	Willet
Laufenburger	Novak	Perpich, G.	Spear	

So the bill passed and its title was agreed to.

H. F. No. 1691: A bill for an act relating to steamfitters, licensing thereof; fees; amending Minnesota Statutes 1971, Section 326.50.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	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	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Ueland in the chair.

After some time spent therein, the committee arose and, the President having resumed the chair, Mr. Ueland reported that the committee had considered

H. F. No. 818, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Page 1, strike lines 2 and 3 and insert in lieu thereof the following:

"Sec. 2. Subdivision 1. It shall be unlawful for any person transporting any voter to or from the polls to ask, solicit, or in any manner try to induce or persuade any voter on primary or election day to vote or refrain from voting for any candidate or the candidates of any political party or organization, or any measure submitted to the people.

Subd. 2. It shall be unlawful for any person transporting any voter to or from the polls to display any campaign cards, candidates' cards, placards or campaign literature of any kind.

Subd. 3. It shall be unlawful for any candidate to transport any voter other than a member of his household to or from the polls on primary or election day.

Subd. 4. Any person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 3. This act shall take effect upon the day following final enactment."

Further, amend the title as follows:

First line, after "polls;" insert "providing a penalty;"

Mr. Hansen, Mel moved to amend the Keefe, S. amendment to H. F. No. 818, as follows:

Insert a new Subdivision 4, to read:

"Subd. 4. It shall be unlawful for any candidate or any person working on behalf of a candidate to make phone calls on election day to offer a ride to the polls."

Re-number the subdivisions in sequence.

The question being taken on adoption of the Hansen, Mel amendment to the Keefe, S. amendment,

And the roll being called, there were yeas 30 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Olson, J. L.	Ueland
Bang	Frederick	Knutson	O'Neill	Willet
Berg	Gearty	Kowalczyk	Patton	
Bernhagen	Hansen, Baldy	Krieger	Pillsbury	
Blatz	Hansen, Mel	Larson	Renneke	
Brown	Hanson, R.	Nelson	Sillers	
Dunn	Josefson	Olson, A. G.	Stassen	

Those who voted in the negative were:

Anderson	Hughes	Lord	Perpich, A. J.	Stokowski
Arnold	Humphrey	McCutcheon	Perpich, G.	Tennessee
Borden	Keefe, S.	Milton	Purfeerst	Thorup
Chenoweth	Kirchner	Moe	Schaaf	Wegener
Coleman	Kleinbaum	North	Schrom	
Conzemius	Laufenburger	Novak	Solon	
Davies	Lewis	Olhoft	Spear	

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

Mr. Frederick moved to amend the Keefe, S. amendment to H. F. No. 818 as follows:

Sec. 2, Subdivision 1. of the amendment, line 2,

After the word "polls" insert "or for any person riding in the transporting vehicle"

Subd. 2, Line 2, after the word "polls" insert "or for any person riding in the transporting vehicle"

The question being taken on adoption of the Frederick amendment to the Keefe, S. amendment,

And the roll being called, there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Stokowski
Arnold	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Borden	Humphrey	Milton	Perpich, G.	Thorup
Chenoweth	Keefe, S.	Moe	Purfeerst	Wegener
Coleman	Kleinbaum	North	Schaaf	Willet
Conzemius	Laufenburger	Novak	Solon	
Davies	Lewis	Olhoft	Spear	

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

Mr. Stassen moved to amend H. F. No. 818, the printed bill, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 211.14, Subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION OF VOTERS PROHIBITED.] No person or committee, or organization shall convey or furnish any vehicle for conveying or bear any portion of any expense of conveying any voter to or from the polls, but this provision shall not apply to persons in the same household, nor shall it prohibit two or more voters from providing transportation for themselves by mutual agreement at their own expense, *nor shall it prohibit*

a person from providing transportation to the polls for a physically handicapped person or a person over 65 years of age without access to any transportation, upon an individual request from such person.

It shall be unlawful for any person transporting any voter to or from the polls to ask, solicit, or in any manner try to induce or persuade any voter on primary or election day to vote or refrain from voting for any candidate or the candidates of any political party or organization or any measure submitted to the people. It shall be unlawful for any person transporting any voter to or from the polls to display any campaign cards, candidates' cards, placards or campaign literature of any kind. It shall be unlawful for any candidate to transport any voter other than a member of his household to or from the polls on primary or election day.

Sec. 2. Any person who violates the provisions of this act is guilty of a misdemeanor.

Sec. 3. This act shall take effect upon the day following final enactment."

Further, amend the title as follows:

First line, strike "removing limitations on" and insert "permitting"

First line, after "transportation of" insert "certain"

First line, after "polls;" insert "providing a penalty"

Second line, strike "repealing" and insert "amending"

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:

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

Those who voted in the negative were:

Arnold	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Borden	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Milton	Purfeerst	Thorup
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Conzemius	Kleinbaum	Novak	Schrom	Willet
Davies	Laufenburger	Olhoff	Solon	
Gearty	Lewis	Olson, A. G.	Spear	

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

Mr. Nelson moved to amend H. F. No. 818, the printed bill, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 211.14, Subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION OF VOTERS PROHIBITED.] No person or committee, or organization shall convey or furnish any vehicle for conveying or bear any portion of any expense of conveying any voter to or from the polls, but this provision shall not apply to persons in the same household, nor shall it prohibit two or more voters from providing transportation for themselves by mutual agreement at their own expense, *nor shall it prohibit a person from providing transportation to the polls for a physically handicapped person or a person over 65 years of age without access to any transportation, upon an individual request from such person.*"

Further, amend the title as follows:

First line, strike "removing limitations on" and insert "permitting"

First line, after "transportation of" insert "certain"

Second line, strike "repealing" and insert "amending"

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

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olhoft	Solon
Arnold	Hansen, Baldy	Lord	Olson, A. G.	Spear
Borden	Hughes	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Coleman	Keefe, S.	Moe	Purfeerst	Thorup
Conzemius	Kleinbaum	North	Schaaf	Wegener
Davies	Laufenburger	Novak	Schrom	Willet

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

The question being taken on the committee recommendation to pass as amended,

And the roll being called, there were yeas 35 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olhoft	Solon
Arnold	Hansen, Baldy	Lord	Olson, A. G.	Spear
Borden	Hughes	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Coleman	Keefe, S.	Moe	Purfeerst	Thorup
Conzemius	Kleinbaum	North	Schaaf	Wegener
Davies	Laufenburger	Novak	Schrom	Willet

Those who voted in the negative were:

Ashbach	Brown	Hanson, R.	Nelson	Sillers
Bang	Dunn	Keefe, J.	Olson, J. L.	Ueland
Berg	Fitzsimons	Knutson	O'Neill	
Bernhagen	Frederick	Kowalczyk	Patton	
Blatz	Hansen, Mel	Larson	Renneke	

So the committee recommended H. F. No. 818 to pass as amended.

And then, on motion of Mr. Ueland, 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 9:00 o'clock a. m., Wednesday, January 23, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SEVENTY-FIRST DAY

St. Paul, Minnesota, Monday, January 21, 1974.

The House of Representatives met on Monday, January 21, 1974, which was the Seventy-First Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTY-SECOND DAY

St. Paul, Minnesota, Tuesday, January 22, 1974.

The House of Representatives met on Tuesday, January 22, 1974, which was the Seventy-Second Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTY-THIRD DAY

St. Paul, Minnesota, Wednesday, January 23, 1974.

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	Gearty	Kowalczyk	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Lewis	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Lord	Patton	Tennessee
Coleman	Hughes	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Humphrey	Milton	Perpich, G.	Ueland
Doty	Keefe, S.	Novak	Pillsbury	Wegener
Dunn	Kirchner	Ogdahl	Purfeerst	Willet
Fitzsimons	Kleinbaum	Olson, A. G.	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:

Arnold	Doty	Kleinbaum	Novak	Schaaf
Ashbach	Dunn	Knutson	Ogdahl	Schrom
Bang	Fitzsimons	Kowalczyk	Olhoft	Sillers
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	O'Neill	Stokowski
Brown	Hughes	Lord	Patton	Tennessee
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Jensen	Milton	Perpich, G.	Ueland
Coleman	Josefson	Moe	Pillsbury	Wegener
Conzemius	Keefe, S.	Nelson	Purfeerst	Willet
Davies	Kirchner	North	Renneke	

Quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson and Bang were excused from the Session of today. Mr. Frederick was excused from the early part of today's Session. Mr. Keefe, J. was excused from today's Session until 11:30 o'clock a.m. Mr. Laufenburger was excused from today's Session

until 1:30 o'clock p.m. Mr. Bernhagen was excused from today's Session beginning at 1:00 o'clock p.m. Mr. Lewis was excused from today's Session, beginning at 3:30 o'clock p.m. Mr. Kirchner was excused from today's Session, beginning at 4:30 o'clock p.m. Mr. Frederick was excused from Friday's Session.

INTRODUCTION OF BILLS

Messrs. Novak and Ashbach introduced—

S. F. No. 2752: A bill for an act relating to eminent domain; relocation assistance; defining certain terms; amending Minnesota Statutes, 1973 Supplement, Sections 117.50, Subdivisions 3 and 4; and 117.52.

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

Messrs. Perpich, A. J.; Fitzsimons and Moe introduced—

S. F. No. 2753: A bill for an act relating to taxation; assessment of property; classifying vacant, unimproved wild lands; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Laufenburger introduced—

S. F. No. 2754: A bill for an act relating to the claim of Gust Wehinger; arising from erosion damage to property caused by alteration of Zumbro river channel; appropriating money for the payment thereof.

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

Messrs. Davies, O'Neill and Gearty introduced—

S. F. No. 2755: A bill for an act relating to courts; providing for the borrowing and tolling of statutes of limitation in certain cases; amending Minnesota Statutes 1971, Section 508.79; repealing Minnesota Statutes 1971, Sections 541.13; 541.14; and 541.15, as amended.

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

Messrs. Davies, Anderson and O'Neill introduced—

S. F. No. 2756: A bill for an act relating to civil process; providing for personal jurisdiction over nonresidents; amending Minnesota Statutes 1971, Sections 303.13, Subdivision 1; and 543.19.

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

Messrs. Ashbach, Novak and Hughes introduced—

S. F. No. 2757: A bill for an act relating to taxation; wheelage taxes in the seven county metropolitan area; providing that no county in the metropolitan area shall levy a wheelage tax after a certain date unless a majority of counties in the seven county metropolitan area impose a wheelage tax before that date; amending Minnesota Statutes 1971, Section 163.051, by adding a subdivision.

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

Messrs. Davies, O'Neill and Schaaf introduced—

S. F. No. 2758: A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

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

Messrs. Chenoweth, Gearty and Kleinbaum introduced—

S. F. No. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, by adding a subdivision.

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

Messrs. Solon, Spear and Keefe, S. introduced—

S. F. No. 2760: A bill for an act relating to education; grounds for discharge of certain employees in school districts in cities of the first class; amending Minnesota Statutes 1971, Section 125.17, Subdivision 4.

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

Messrs. Brown, McCutcheon and Berg introduced—

S. F. No. 2761: A bill for an act relating to elections; regulating the position of names on ballots; amending Minnesota Statutes 1971, Section 203.34, Subdivision 1; and repealing Minnesota Statutes 1971, Section 203.33, Subdivision 3.

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

Messrs. Doty, Kleinbaum and Borden introduced—

S. F. No. 2762: A bill for an act relating to retirement; adjustment of annuities of certain retired members of the public employees retirement association.

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

Messrs. Doty, Stokowski and Solon introduced—

S. F. No. 2763: A resolution memorializing Congress to indemnify for damages caused by variations in the level of Lake Superior resulting from public policies.

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

Mr. Chmielewski introduced—

S. F. No. 2764: A bill for an act relating to the claim of Edward J. Mettner; arising from damage to water supply and equipment due to construction of interstate highway No. 35; appropriating money for the payment thereof.

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

Mr. Patton introduced—

S. F. No. 2765: A bill for an act relating to the claim of Mrs. Ardene Drake; arising from an injury to her on the Blakesly stadium steps at Mankato state college; appropriating money for the payment thereof.

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

Messrs. Hansen, Mel; Gearty and Knutson introduced—

S. F. No. 2766: A bill for an act relating to highway traffic regulations; accidents; prescribing penalties; amending Minnesota Statutes 1971, Section 169.09, Subdivision 14, and by adding a subdivision.

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

Messrs. Hansen, Mel; Kleinbaum and Ashbach introduced—

S. F. No. 2767: A bill for an act relating to the housing finance agency; authorizing loans to purchasers of multiple dwellings; au-

thorizing loans for the purpose of remodeling and improvements; amending Minnesota Statutes, 1973 Supplement, Section 462A.05, Subdivision 3; and Minnesota Statutes 1971, Section 462A.05, by adding a subdivision.

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

Mr. Coleman introduced—

S. F. No. 2768: A bill for an act relating to the claim of the city of St. Paul; arising from damage to a sidewalk of the city due to the construction of a highway overpass; appropriating money for the payment thereof.

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

Mr. Schaaf introduced—

S. F. No. 2769: A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

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

Mr. Schaaf introduced—

S. F. No. 2770: A bill for an act imposing a moratorium upon certain residential construction in the metropolitan area; providing a penalty and providing for injunctive relief.

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

Mr. North introduced—

S. F. No. 2771: A bill for an act relating to motor vehicles; providing that certain new vehicles sold or offered for sale after a certain date have affixed to the vehicle a label containing certain fuel consumption information.

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

Mr. North introduced—

S. F. No. 2772: A bill for an act relating to the claim of Thomas R. Loomis; arising from loss of a package of seeds left in the Minnesota state prison lobby and never properly delivered; appropriating money for the payment thereof.

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

Mr. North introduced—

S. F. No. 2773: A bill for an act relating to the claim of Vince Hencier for his daughter Jody Hencier; arising from failure of Winona state college to safely maintain a stairway at Shepard Hall; appropriating money for the payment thereof.

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

Mr. Chmielewski introduced—

S. F. No. 2774: A bill for an act relating to the claim of Edward J. Mettner; arising from damage to water supply and equipment due to construction of interstate highway No. 35; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2775: A bill for an act relating to the claim of Elmer C. Pederson; arising from loss of cash and personal property and impairment of vision while at the Minnesota state security hospital; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2776: A bill for an act relating to the claim of Gary Meyers; arising from failure of state to prevent stabbing of Minnesota state prison employee by providing adequate safety precautions; appropriating money for the payment thereof.

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

Messrs. Doty; Keefe, J. and Schaaf introduced—

S. F. No. 2777: A bill for an act relating to municipalities; ramp installations at crosswalks; amending Laws 1973, Chapter 50, Section 1, Subdivision 2.

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

Messrs. Purfeerst; Hansen, Baldy and Wegener introduced—

S. F. No. 2778: 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 Judiciary.

Messrs. Ueland, Humphrey and O'Neill introduced—

S. F. No. 2779: A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

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

Messrs. Gearty, Kirchner and Davies introduced—

S. F. No. 2780: A bill for an act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

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

Messrs. Gearty, Kirchner and Davies introduced—

S. F. No. 2781: A bill for an act relating to the office of the district court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

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

Messrs. Perpich, G.; Spear and Solon introduced—

S. F. No. 2782: A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Perpich, G.; Spear and Solon introduced—

S. F. No. 2783: A bill for an act relating to migrant labor; requiring the employer to furnish a written statement of hire; prescribing penalties.

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

Messrs. Davies, Krieger and Humphrey introduced—

S. F. No. 2784: A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing secured transactions and related provisions; amending Minnesota Statutes 1971, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116:

336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; and repealing Minnesota Statutes 1971, Section 336.9-408.

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

Messrs. Doty, Ogdahl and Coleman introduced—

S. F. No. 2785: A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in awarding contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

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

Mr. Gearty introduced—

S. F. No. 2786: A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

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

Mr. Perpich, G. introduced—

S. F. No. 2787: A bill for an act relating to the city of Hibbing; firemen's relief association dependency pensions; amending Laws 1935, Chapter 192, Section 1, as amended.

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

Mr. Doty introduced—

S. F. No. 2788: A bill for an act relating to courts; providing that conciliation courts of county courts may conduct personal receiverships; amending Minnesota Statutes, 1973 Supplement, Section 487.30.

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

Messrs. Doty, Laufenburger and Ogdahl introduced—

S. F. No. 2789: A bill for an act relating to the compensation of members of the tax court; amending Minnesota Statutes 1971, Section 271.01, Subdivision 4a.

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

Mr. North introduced—

S. F. No. 2790: 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, Subdivision 2; repealing Minnesota Statutes 1971, Section 116.28, Subdivision 1.

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

Mr. Lord introduced—

S. F. No. 2791: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide reasonable public access to the north shore of Lake Superior; directing the commissioner of natural resources to make a determination of the location and number of access points; appropriating money therefor.

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

Messrs. Lord and Keefe, S. introduced—

S. F. No. 2792: A bill for an act relating to the use of flame resistant fabric in camping tentage and sleeping bags; providing standards.

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

Mr. Laufenberger introduced—

S. F. No. 2793: A resolution memorializing Congress and the President to take certain actions in respect to the energy crisis.

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

Messrs. Purfeerst, Dunn and Laufenberger introduced—

S. F. No. 2794: A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

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

Messrs. Chmielewski, Anderson and Laufenberger introduced—

S. F. No. 2795: A bill for an act relating to courts; witnesses; in-

creasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

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

Mr. Wegener introduced—

S. F. No. 2796: A bill for an act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

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

Mr. Kleinbaum introduced—

S. F. No. 2797: A bill for an act relating to the claim of J. B. Surma and Sons Excavating; arising from expenses incurred by performance of extra work to comply with plans and specifications of general contract; appropriating money for the payment thereof.

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

Mr. Schaaf introduced—

S. F. No. 2798: A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds; repealing Minnesota Statutes 1971, Section 617.251.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Gearty, Fitzsimons and Borden introduced—

S. F. No. 2799: A bill for an act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

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

Mr. Borden introduced—

S. F. No. 2800: A bill for an act relating to the claim of M. D. McVay; arising from the loss of a heifer because of brucellosis testing; appropriating money for the payment thereof.

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

Messrs. Doty, Chenoweth and Stokowski introduced—

S. F. No. 2801: A resolution memorializing the President and Congress to enact a national health insurance program.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Doty, Knutson and Laufenburger introduced—

S. F. No. 2802: A bill for an act relating to veterans; Vietnam adjusted compensation payments for disabled veterans; amending Laws 1973, Chapter 204, Section 2.

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

Messrs. Krieger, Larson and Hansen, Baldy introduced—

S. F. No. 2803: A bill for an act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

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

Messrs. Brown, Blatz and Frederick introduced—

S. F. No. 2804: A bill for an act relating to taxation; providing for adjustments to income tax credits based upon changes in monetary inflation; amending Minnesota Statutes 1971, Section 290.06, Subdivision 3c.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, A. J. introduced—

S. F. No. 2805: A bill for an act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, Section 1.

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

Mr. Josefson introduced—

S. F. No. 2806: A bill for an act relating to the claim of James A. Van Nevel; arising from denial of access to property due to construction on highway No. 23; appropriating money for the payment thereof.

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

Mr. Josefson introduced—

S. F. No. 2807: A bill for an act relating to the claim of Loyd

Wooge; arising from damages occasioned by milk dumping due to construction on highway 23; appropriating money for the payment thereof.

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

Messrs. Bang, Kirchner and Blatz introduced—

S. F. No. 2808: A bill for an act relating to public transportation; establishing a subregional public transit system; appropriating money therefor.

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

Messrs. Moe, Kirchner and Gearty introduced—

S. F. No. 2809: A bill for an act relating to the creation of a state economic opportunity commission and community action agencies; appropriating money to the economic opportunity commission for the purposes of this act.

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 the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 516, 993, 1191, 1523, 1802, 1960, 2011, 2206 and 2272.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 11: A Concurrent Resolution relating to parking space on the Capitol grounds, Capitol approach and Aurora Avenue for members of the Minnesota State Legislature.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 18, 1974

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. 1138: A bill for an act relating to taxation; providing that county auditors shall furnish abstract of tax list to certain state officials; amending Minnesota Statutes 1971, Section 275.29.

Senate File No. 1138 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. Borden moved that S. F. No. 1138 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 481: A bill for an act relating to highway traffic regulations; accidents; reporting of accidents; driver's license suspension under certain circumstance by reason of accident; amending Minnesota Statutes 1971, Sections 169.09, Subdivisions 3, 7, 8, and 13; and 170.25, Subdivision 1; repealing Minnesota Statutes 1971, Section 170.33, Subdivision 5.

Senate File No. 481 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. Hughes moved that S. F. No. 481 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 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.

Senate File No. 871 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

CONCURRENCE AND REPASSAGE

Mr. Hansen, Mel moved that the Senate do now concur in the amendments by the House to S. F. No. 871 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 871 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:

Arnold	Gearly	Krieger	Olson, H. D.	Spear
Ashbach	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Berg	Hansen, Mel	Lewis	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lord	Patton	Tennessee
Borden	Hughes	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Josefson	Moe	Pillsbury	Wegener
Conzemius	Keefe, S.	North	Purfeerst	Willet
Davies	Kirchner	Novak	Renneke	
Doty	Kleinbaum	Ogdahl	Schrom	
Dunn	Knutson	Olhoff	Sillers	
Fitzsimons	Kowalczyk	Olson, A. G.	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 that the House has appointed a conference committee, consisting of three members, on the following House File:

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.

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

Kahn, Bell and Weaver.

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 January 21, 1974

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. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 47, 210, 568, 1973, 2185, 2191, 2332, 2338, 2387, 2405, 2410, 2502, 2517 and 2605.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 22, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 438, 1426, 1524, 2789, and 577.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 21, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 577: A bill for an act relating to agriculture; dairy products; creating a dairy products stabilization board within the department of agriculture to establish wholesale prices for selected dairy products; amending Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03, by adding a subdivision; 32A.04, Subdivisions 1 and 2; 32A.05, Subdivision 4; Chapter 32A, by adding sections; repealing Minnesota Statutes 1971, Sections 32A.07; 32A.08; and 32A.09, Subdivision 4.

H. F. No. 438: A bill for an act relating to highway traffic regulations; authorizing the use of tires with metal studs by authorized emergency vehicles and U. S. route mail carriers; amending Minnesota Statutes 1971, Section 169.72, Subdivision 1.

H. F. No. 1426: A bill for an act relating to labor; providing that employers provide certain information with all pay checks; amending Minnesota Statutes 1971, Section 181.12.

H. F. No. 1524: A bill for an act relating to the metropolitan council; requirements to be met by the council in reviewing applications of governmental units, independent commissions, boards or agencies for federal programs; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 8.

H. F. No. 2789: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes 1973 Supplement, Section 202.09, Subdivision 1.

H. F. No. 47: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

H. F. No. 210: A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

H. F. No. 568: A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a); providing that changes from gross earnings taxation of railroads may be made without referendum.

H. F. No. 1973: A bill for an act relating to education, teacher certification; providing for the refund of renewal fees paid by mistake; amending Minnesota Statutes 1971, Section 125.08, as amended.

H. F. No. 2185: A bill for an act relating to wild animals; prescribing the wearing of fluorescent orange outer garments by hunters or trappers; reducing certain penalties for failing to wear such garments; amending Minnesota Statutes 1971, Sections 98.52, Subdivision 2; and 100.29, Subdivision 8; and repealing Minnesota Statutes 1971, Section 98.52, Subdivision 5.

H. F. No. 2191: A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

H. F. No. 2332: A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2, and by adding a subdivision; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

H. F. No. 2338: A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

H. F. No. 2387: A bill for an act relating to Faribault and Martin counties; authorizing retention of per diems in drainage proceedings to county commissioners.

H. F. No. 2405: A bill for an act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

H. F. No. 2410: A bill for an act relating to waters, drainage; increasing per diem compensation for members of county boards engaged in drainage proceedings and inspections; amending Minnesota Statutes 1971, Section 106.431, Subdivision 1.

H. F. No. 2502: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to create a revolving tort liability fund.

H. F. No. 2517: A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

H. F. No. 2605: A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2136: A bill for an act relating to counties; commissioner districts; amending Minnesota Statutes 1971, Section 375.02.

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, Chapter 375, is amended by adding a section to read:

[375.025] [COMMISSIONER DISTRICTS.] *Subdivision 1. [STANDARDS.] The redistricting plan in use in a county shall be effective and continue to be used until a redistricting plan is adopted in accordance with the provisions of this act. Each county shall be divided into as many districts numbered consecutively as it has members of the county board. Unless necessary to meet the standards set forth in this section, commissioner districts shall be bounded by town, municipal, ward, or precinct lines. Each district shall be composed of contiguous territory as regular and compact in form as practicable, depending upon the geography of the county involved and shall be as nearly equal in population as possible, provided that no district shall vary in population more than 10 per cent from the average for all districts in the county, unless the result forces a voting precinct to be split. In addition, a majority of the least populous districts shall contain not less than a majority of the population of the county. A county may be redistricted by the county board after each state or federal census. When it appears after a federal census that the districts of the county are not in accord with the standards set forth in this subdivision, the county shall be redistricted by the county board within 180 days of the date on which certified copies of the latest federal census are filed with the secretary of state in accordance with Minnesota Statutes, Section 600.18. Before acting to redistrict a county, the county board or a redistricting commission, if one be appointed, shall cause at least 3 weeks published notice of its purpose to do so, stating the time and place of the meeting where the matter will be considered, to be published in the newspaper having the contract for publishing the commissioners' proceedings for the county for the current year.*

Subd. 2. [VOTERS RIGHTS.] Any qualified voter may apply to the district court of the county for a writ of mandamus (a) requiring the county to be redistricted if the county board has not redistricted the county within the time specified in subdivision 1, or (b) to revise any arbitrary action or abuse of discretion by the county board in redistricting the county; provided, any application for revision of a redistricting plan shall be filed with the district court within 30 days after the filing of the redistricting plan with

the county auditor. The district court may direct the county board to show cause why it has not redistricted the county or why the redistricting plan prepared by it should not be revised, and on a hearing thereon may allow the county board additional time in which to redistrict the county or to correct errors in the redistricting plan. If it shall appear to the district court that the county board has not been sufficiently diligent in performing its redistricting duties, the court may appoint a redistricting commission to redistrict the county in accordance with the standards set forth in subdivision 1 and any other conditions the court shall deem advisable and appropriate. If a redistricting commission is appointed, the county board shall be without authority to redistrict the county.

Subd. 3. [REDISTRICTING COMMISSION.] The redistricting commission shall be composed of not less than 5 nor more than 9 residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until 2 years after the redistricting in which they participated becomes effective. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission.

Subd. 4. [REDISTRICTING PLAN; ELECTION FOLLOWING REDISTRICTING.] A redistricting plan whether prepared by the county board or the redistricting commission shall be filed in the office of the county auditor. Notice that the plan is on file shall be published in the newspaper having the contract for publishing the commissioners' proceedings for the current year. A redistricting plan shall be effective on the 31st day after publication of the notice unless a later effective date is specified; provided, no redistricting plan shall be effective as to the next election of county commissioners unless the plan shall have been filed with the county auditor not less than 30 days before the first date candidates may file for the office of county commissioner. One commissioner shall be elected in each district who, at the time of the election, shall be a resident thereof and the person so elected shall be entitled to hold the office only while he remains a resident of the commissioner district. The county board or the redistricting commission as appropriate shall determine the number of members of the county board who shall be elected for two year terms and for four year terms in order to provide for staggered terms on the county board. Thereafter, all commissioners shall be elected for four years. When a county is redistricted, there shall be a new election of commissioners in all the districts of the county at the next general election except that where no change is made in the boundaries of a district, the commissioner in office at the time of the redistricting shall serve for the full period for which he was elected.

Sec. 2. Minnesota Statutes 1971, Section 375.02 is repealed.

Sec. 3. Section 1, subdivisions 1, 3 and 4 are effective the day after final enactment and subdivision 2 is effective January 1, 1975."

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

“A bill for an act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.-02.”

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

S. F. No. 1800: A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

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

Page 1, line 14, strike “six” and insert “seven”

Page 1, line 15, strike “five” and insert “six”

Page 1, line 29, strike “four” and insert “three”

Page 1, line 30, strike “five” and insert “four”

Page 2, line 10, strike “1974” and insert “1975”

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

S. F. No. 2248: A bill for an act relating to foods; regulating the packaging, labelling, and advertising of imitation honey; providing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding a section.

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

Page 1, line 13, after “bees” insert “, which is levorotatory, contains not more than 25 percent of water, not more than 25 hundredths percent of ash, and not more than eight percent sucrose”

Page 1, line 14, after [PROHIBITED SALE.] strike “It is a misdemeanor for”

Page 1, strike lines 15 to 18 and insert “Notwithstanding any law or regulation to the contrary, it is unlawful for any person to sell or offer for sale any product which is in semblance of honey and which is labeled, advertised, or otherwise represented to be honey, if it is not honey. The word “imitation” shall not be used in the name of a product which is in semblance of honey whether or not it contains any honey. The label for a product which is not in sem-

blance of honey and which contains honey may include the word "honey" in the name of the product and the relative position of the word "honey" in the product name, and in the list of ingredients, when required, shall be determined by its prominence as an ingredient in the product."

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

S. F. No. 1656: A bill for an act relating to animals; regulation of pet shops; licensing; amending Minnesota Statutes 1971, Sections 347.31; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; 347.39; and 347.40.

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

Page 1, line 19, strike everything after the period

Page 1, strike lines 20 and 21

Page 1, line 24, before the period insert "*except a place where such animals are raised and produced by the owner for sale on his home premises*"

Page 2, line 27, strike "\$10" and insert "\$25"

Page 2, line 27, after the period insert "*No license fee shall be required for a dog pound owned and operated by, or pursuant to contract with, any political subdivision of the state.*"

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

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.

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

Page 6, strike lines 8 to 28

Further amend the title as follows:

Page 1, line 5, after "12;" insert "and"

Page 1, line 6, strike everything after "4" and insert a period

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. 420: A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80; Subdivision 3; 169.85; and Chapter 169, by adding a section.

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 169.67, Subdivision 4, is amended to read:

Subd. 4. [SERVICE BRAKES ON ALL WHEELS; EXCEPTIONS.] Every new motor vehicle, trailer, or semi-trailer, sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except that ~~any motorcycle~~, any trailer or semi-trailer of less than 1,500 pounds gross weight, *provided that the gross weight of the trailer or semi-trailer does not exceed 40 percent of the towing vehicle's manufacturer's maximum gross vehicle weight, and provided further, that the gross weight of the towing vehicle and the trailer or semi-trailer does not exceed 140 percent of the towing vehicle's manufacturer's maximum gross vehicle weight, and except that a third wheel, of a swivel type, on a house trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front steering wheels of vehicles having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5.*

Sec. 2. Minnesota Statutes 1971, Section 169.73, Subdivision 2, is amended to read:

Subd. 2. All motor vehicles shall be equipped with front and rear bumpers or with front bumpers and with rear reflectors, as herein provided, and all trailers and semi-trailers weighing more than 1,500 pounds shall be equipped with rear bumpers or with rear reflectors, as herein provided. Such bumpers shall be securely attached to the frame thereof, and shall extend beyond the extreme front and rear points, respectively, of such vehicles. The center point of such bumpers shall be not more than 29 30 , nor less than 14, inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground; provided further, however, that bumpers on all private passenger automobiles manufactured and sold after August 1, 1973 July 1, 1974 , shall be of substantial construction, and that the center point of such bumpers shall be 14 to 29 30 inches from the

ground when the vehicle is unloaded and the vertical measurement of such bumpers shall not be less than six inches. All trucks and trailers manufactured and sold after July 1, 1955 1974 , having a rear platform or tailboard more than 20 30 inches above the ground, except public utility trailers used for hauling reels of cable or wire, pole trucks, dump trucks, and farm trucks as defined in Minnesota Statutes, Section 168.011, Subdivision 17, and trucks and semi-trailers transporting logs, pulpwood and other raw and unfinished forest products from the place of production to an assembly yard or rail head when such transportation constitutes the first haul thereof, are required when operating upon the highways of this state, to have rigid rear safeguards, so constructed as to prevent any part of another motor vehicle from penetrating the area immediately below such rear platform or tailboard, when such tailboard is in a ~~vertical~~ horizontal position.

Every new truck, trailer or semi-trailer manufactured and sold after July 1, 1974 and operated upon the highways of this state shall be equipped with rigid rear safeguards if the vertical distance from the ground to the rearmost portion of the bed, platform or other load-supporting part of the vehicle is 30 inches or more, provided that rigid safeguards are not required on vehicles having a horizontal distance of 30 inches or less between the rearmost axle and the rearmost point of the vehicle. When the installation of rear rigid safeguards at the rear of a vehicle would interfere with the operation of a ramp hoist or other necessary mechanism, such rear rigid safeguards may be mounted forward of the rearmost point of the vehicle a distance of not to exceed 30 inches or may be permanently affixed to such mechanism. Motor vehicles constructed and maintained so that the body, chassis, or other parts of the vehicle afford the rear end protection contemplated shall be deemed to be in compliance with this section.

Sec. 3. Minnesota Statutes 1971, Chapter 169, is amended by adding a section to read:

[169.734] [WHEEL DEVICES ON AUTOMOBILES.] *Every passenger automobile shall have fenders, or other devices, that at least extend over each wheel of the automobile from the midpoint of the axle rearward to prevent, as far as practicable, water, dirt, or other material being thrown up and to the rear by the wheels of the vehicle.*

Sec. 4. Minnesota Statutes 1971, Section 169.80, Subdivision 3, is amended to read:

Subd. 3. [LOAD ON VEHICLES.] ~~No passenger type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the extreme left side of such vehicle nor extending more than six inches beyond the line of the fenders on the extreme right side thereof. This section shall not apply to vehicles operated in compliance with permits issued pursuant to section 169.86 or to trucks with gate, loading rack or partition carried in any manner on any part of the exterior of the truck where the top and bottom of the gate, loading rack or partition is securely attached to the truck so as to prevent swinging~~

or becoming loose, or to trucks with a tail gate or tail-board hanging down or projecting from the vehicle while the vehicle is being loaded or unloaded when the load on the tail-board renders impossible the closing of the tail-board.

Sec. 5. Minnesota Statutes 1971, Section 169.85, is amended to read:

169.85 [WEIGHING.] Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest public scales in the event such scales are within five miles. *Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When any weigh station upon a trunk highway or interstate highway is open and signs giving notice of that fact are posted in accordance with section 169.06, the driver of every vehicle registered for or weighing in excess of 11,000 pounds shall comply with the direction of the signs and submit the vehicle to weighing and inspection at the weigh station, provided; such signs shall not be posted more than one mile from the weigh station.*

When an officer, upon weighing a vehicle and load, as above provided, determines that the weight on any axle exceeds the lawful gross weight as prescribed by section 169.83, by 2,000 pounds or more, or when the weight on any group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight as prescribed by section 169.83, by 4,000 pounds or more and in all cases when the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with section 169.87, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing *as required herein*, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

Sec. 6. *This act is effective the day following final enactment.*"

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. 1944: A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and

maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18 .

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

Page 4, line 22, strike the period and add the following: "unless they are at the time of employment by the authority a member of another public retirement system in which case they may elect to remain a member of such system."

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

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

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

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

Page 1, lines 14 and 15, strike the new language and insert "*or a part of a parcel of real estate situated in a mobile home park upon which one or more mobile homes may be erected,*"

Lines 26 and 27, strike the new language and insert "*, and includes a parcel of real estate in a mobile home park upon which one or more mobile homes may be erected*"

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. 2643: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes, 1973 Supplement, Section 202.09, Subdivision 1.

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

Page 1, line 16, strike "entire vote of" and insert "*total number of persons voting in*"

Page 1, line 16, after "state" strike "cast"

Page 1, line 20, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 24, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 28, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 29, after "*the*" and before "*ward*" insert "*municipality,*"

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 was referred

S. F. No. 2644: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; providing penalties.

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

Page 2, after line 20, add a new section to read:

"Sec. 3. This act and all actions taken pursuant to this act shall cease to be in effect on and after June 30, 1975."

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. 1692: A bill for an act relating to labor and industry; boiler and pressure vessel fees to be paid to the state of Minnesota; amending Minnesota Statutes 1971, Sections 183.545, Subdivisions 3 and 4; and 183.57, Subdivision 2.

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

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.

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 were referred

H. F. Nos. 577, 438, 1426, 1524, 210, 1973, 2338, 2387, 2410, 2502, 2517 and 2605 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. 210 and 1973 to the Committee on Education.

H. F. No. 577 to the Committee on Governmental Operations.

H. F. Nos. 1426 and 2605 to the Committee on Labor and Commerce.

H. F. Nos. 2387 and 2410 to the Committee on Local Government.

H. F. Nos. 1524 and 2502 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 2517 to the Committee on Taxes and Tax Laws.

H. F. Nos. 438 and 2338 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.

January 21, 1974

The Honorable Alec G. Olson
President of the Senate
State Capitol

Dear Sir:

On January 18, 1974 the Committee on Committees of the Senate met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes:

Sec. 3.89 Ethics Committee

Mr. Knutson to replace Mr. Novak

Pursuant to the Permanent Rules of the Senate:

Rule 78. Special Ethics Committee

Mr. Knutson to replace Mr. Novak

Rule 79. Lobby Registration Committee

Mr. Knutson to replace Mr. Novak

Respectfully submitted,

Jack Davies, Chairman
Committee on Committees

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were referred the following appointments:

MINNESOTA CORRECTIONS AUTHORITY

Jane Belau, 433-9th Avenue S.W., Rochester, Olmsted County, appointed effective January 1, 1974, for a term expiring January 1, 1976.

Leslie R. Green, 727-13th Avenue South, St. Cloud, Stearns County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

P. K. Peterson, 3332 Edmund Boulevard, Minneapolis, Hennepin County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

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. The motion prevailed.

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

MINNESOTA CORRECTIONS AUTHORITY

Lester Melchert, Rural Route 2, Chaska, Carver County, appointed effective January 1, 1974, for a term expiring January 1, 1978.

Reports the same back with the recommendation that the appointment be reported without committee recommendation.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2136, 1800, 2248, 1656, 2447, 420, 1977, 2643, 2644 and 2446 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 1692 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. Milton be added as co-author to S. F. No. 2727. The motion prevailed.

Mr. Keefe, S. moved that S. F. No. 2726 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Spear moved that S. F. No. 2719 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Education. The motion prevailed.

Mr. Perpich, A. J. moved that the name of Mr. Arnold be shown as chief author and the name of Mr. Perpich, G. be added as co-author to S. F. No. 2668. The motion prevailed.

Mr. Ashbach moved that the names of Messrs. North and Milton be added as co-authors to S. F. No. 2729. The motion prevailed.

Mr. Ashbach moved that S. F. No. 2344, No. 37 on General Orders, be stricken and re-referred to the Committee on Metropolitan and Urban Affairs. The motion prevailed.

Mr. Borden moved that H. F. No. 1168, No. 6 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Conzemius moved that S. F. No. 2687 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Hughes moved that S. F. No. 2122, No. 41 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. North moved that S. F. No. 1983, No. 72 on General Orders, be stricken and returned to its author. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 283: A bill for an act relating to education; school board membership in certain associations; requiring filing of financial statements; amending Minnesota Statutes 1971, Section 123.33, Subdivisions 10 and 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 42 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lord	Olson, H. D.	Stassen
Arnold	Hansen, Mel	McCutcheon	O'Neill	Stokowski
Borden	Hughes	Milton	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Moe	Perpich, G.	Thorup
Coleman	Jensen	Nelson	Purfeerst	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet
Davies	Kirchner	Novak	Sillers	
Doty	Kleinbaum	Olhoft	Solon	
Dunn	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Knutson	Larson	Renneke
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Schrom
Brown	Josefson	Krieger	Pillsbury	Ueland
Fitzsimons				

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Thorup in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Thorup reported that the committee had considered

S. F. No. 1541, also H. F. Nos. 1211, 1577, 1939, 484, 285, 487, 149, 1005, 1184, 1196, 140, 2197, 284, 1895, 371 and 854 which the committee recommends to pass.

H. F. No. 246, which the committee recommends be re-referred to the Committee on Health, Welfare and Corrections.

S. F. No. 1225, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 20, after "Subd. 3." insert the following: "Subject to the provisions of section 243.55 and the duty of the warden or superintendent to take reasonable precautions to prevent the introduction of contraband into a correctional institution,"

Page 1, line 24, after the period add:

"Any representative of the public news media who is denied access to a correctional institution must be given the reasons therefor in writing and he may appeal such denial to the commissioner of corrections."

H. F. No. 1504, which the committee recommends to pass with the following amendment offered by Mr. Stassen:

Amend H. F. No. 1504, the printed bill, as follows:

Strike everything after the enacting clause, and insert the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 201.091, Subdivision 6, is amended to read:

Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transit the cards to the appropriate county auditor. *All such locations shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day, and shall also remain open from 10:00 A.M. to 4:00 P.M. on the Saturday immediately preceding the last registration day.* An adequate supply of registration cards shall be maintained at the locations determined."

Further, amend the title as follows:

First and second lines, strike "office of the commissioner of registration" and insert "registration locations"

Second line, strike "1971" and insert " , 1973 Supplement" and strike "201.05" and insert "201.091, Subdivision 6"

S. F. No. 1104, which the committee recommends to pass with the following amendment offered by Mr. North:

Page 10, line 17, restore the stricken language

Page 10, line 18, restore the stricken "agencies" and strike "*any agency or instrumentality*"

Page 10, line 19, restore the stricken language

Page 10, line 20, restore the stricken language

Page 10, line 21, restore the stricken language

S. F. No. 917, which the committee recommends be re-referred to the Committee on Health, Welfare and Corrections, subject to the following motion:

Mr. Hansen, Mel moved to amend S. F. No. 917 as follows:

Page 1, line 5, strike "places" and insert in lieu thereof "structures"

Page 1, line 6, after "transportation" insert ", whether publicly or privately owned and"

Page 1, line 7, after "people" insert ", and otherwise permitting smoking,"

Page 1, line 8, strike "except that a separately designated no" and insert ". This act shall not apply to lobbies, hallways, skyways or any other public structure used mainly as a thoroughfare."

Page 1, strike lines 9 and 10

The motion prevailed. So the amendment was adopted.

The committee then re-referred S. F. No. 917 to the Committee on Health, Welfare and Corrections.

S. F. No. 1375, which the committee recommends progress.

The question being taken on the committee recommendation to pass S. F. No. 1375,

And the roll being called, there were yeas 28 and nays 30, as follows:

Those who voted in the affirmative were:

Bernhagen	Humphrey	Larson	O'Neill	Solon
Doty	Josefson	Lord	Patton	Spear
Fitzsimons	Keefe, S.	Milton	Pillsbury	Stassen
Frederick	Knutson	Moe	Renneke	Ueland
Gearty	Kowalczyk	Nelson	Schaaf	
Hanson, R.	Krieger	Olson, J. L.	Sillers	

Those who voted in the negative were:

Anderson	Conzemius	Jensen	Olhoff	Schrom
Arnold	Davies	Kirchner	Olson, A. G.	Stokowski
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Tennessee
Berg	Hansen, Baldy	Lewis	Perpich, A. J.	Thorup
Blatz	Hansen, Mel	McCutcheon	Perpich, G.	Wegener
Coleman	Hughes	Ogdahl	Purfeerst	Willet

The motion did not prevail. The committee then progressed S. F. No. 1375.

H. F. No. 1617, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Amend H. F. No. 1617, the printed bill, as follows:

Page 3, line 5, strike "January 1, 1974" and insert "*the day following its final enactment*"

H. F. No. 1288, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Amend H. F. No. 1288, the printed bill, as follows:

Page 2, line 2, strike "July 1, 1973" and insert "*the day following its final enactment*"

H. F. No. 1566, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Amend H. F. No. 1566, the printed bill, as follows:

Page 1, line 16, strike "*January*" and insert "*July*"

And then, on motion of Mr. Thorup, 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 12:30 o'clock p.m., Friday, January 25, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SEVENTY-FOURTH DAY

St. Paul, Minnesota, Thursday, January 24, 1974.

The House of Representatives met on Thursday, January 24, 1974, which was the Seventy-Fourth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTY-FIFTH DAY

St. Paul, Minnesota, Friday, January 25, 1974

The Senate met at 12:30 o'clock p.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	Gearty	Kleinbaum	Ogdahl	Sillers
Bang	Hansen, Baldy	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Stassen
Blatz	Hanson, R.	Larson	Olson, H. D.	Stokowski
Borden	Hughes	Laufenburger	Olson, J. L.	Thorup
Brown	Humphrey	Lewis	Patton	Willet
Doty	Josefson	Lord	Perpich, A. J.	
Dunn	Keefe, S.	Moe	Perpich, G.	
Fitzsimons	Kirchner	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	Kleinbaum	Novak	Schrom
Arnold	Dunn	Knutson	Ogdahl	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olhoft	Solon
Bang	Gearty	Krieger	Olson, A. G.	Spear
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Josefson	Milton	Perpich, G.	Wegener
Chmielewski	Keefe, J.	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Renneke	
Conzemius	Kirchner	North	Schaaf	

Quorum present.

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

MEMBERS EXCUSED

Messrs. Frederick and Jensen were excused from the Session of today.

INTRODUCTION OF BILLS

Messrs. Milton, Kleinbaum and Schaaf introduced—

S. F. No. 2810: A bill for an act relating to crime and criminals; providing for training in investigation and prosecution of the crime of rape.

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

Messrs. Thorup, Ogdahl and Laufenburger introduced—

S. F. No. 2811: A bill for an act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; and 83.30, Subdivision 1.

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

Messrs. Kirchner, Purfeerst and Bernhagen introduced—

S. F. No. 2812: A bill for an act relating to state parks; authorizing the commissioner of natural resources to transfer administration and control of the Fort Snelling chapel to another state agency or to lease it to a nonprofit organization.

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

Messrs. Hughes, Stassen and Humphrey introduced—

S. F. No. 2813: A bill for an act relating to education; smoking by students; requiring parental permission and a smoking education course for permission to smoke on premises.

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

Messrs. Tennesen, Kirchner and Gearty introduced—

S. F. No. 2814: A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

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

Messrs. Olhoft, Kowalczyk and Novak introduced—

S. F. No. 2815: A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene.

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

Messrs. Olhoft; Hanson, R. and Stokowski introduced—

S. F. No. 2816: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivision 1.

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

Messrs. Olhoft; Hanson, R. and Stokowski introduced—

S. F. No. 2817: A bill for an act relating to elections; providing for the filing of nominating petitions; amending Minnesota Statutes 1971, Section 202.13.

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

Messrs. Olhoft; Hanson, R. and Stokowski introduced—

S. F. No. 2818: A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

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

Messrs. McCutcheon, Gearty and Ashbach introduced—

S. F. No. 2819: A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article VI; providing that the practice of law may be regulated by law.

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

Mr. Renneke introduced—

S. F. No. 2820: A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

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

Messrs. Perpich, A. J.; Arnold and Perpich, G. introduced—

S. F. No. 2821: A bill for an act relating to transportation; appropriating money to the public service commission for the purpose of contracting for railroad passenger service.

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

Messrs. Hughes, Pillsbury and Milton introduced—

S. F. No. 2822: A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Laws 1973, Chapter 702, Sections 4, Subdivision 2; and 5, Subdivision 1.

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

Messrs. Ogdahl, Gearty and Stokowski introduced—

S. F. No. 2823: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; providing for adjustments in cost, benefits and contributions; amending Laws 1973, Chapter 133, Sections 8, Subdivision 2, as amended; 10, Subdivision 1; and 15, Subdivision 1, as amended.

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

Messrs. Hughes, Ashbach and McCutcheon introduced—

S. F. No. 2824: A bill for an act relating to the metropolitan council; providing the number and method by which the members are chosen; amending Minnesota Statutes 1971, Section 473B.02, Subdivisions 1, 2, 3 and 4.

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

Messrs. Chenoweth, Stokowski and Stassen introduced—

S. F. No. 2825: A bill for act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; and 11.19, Subdivision 2; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

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

Messrs. Renneke, Purfeerst and Willet introduced—

S. F. No. 2826: A bill for an act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

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

Messrs. Kleinbaum and Ueland introduced—

S. F. No. 2827: A bill for an act relating to student associations; authorizing the student associations at all state colleges and the Minnesota student association to expend money assigned to them to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

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

Mr. Laufenburger introduced—

S. F. No. 2828: A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

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

Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kowalczyk and Larson introduced—

S. F. No. 2829: A bill for an act relating to highway traffic regulations; motorcycle driving rules; requiring certain equipment after a certain date; amending Minnesota Statutes 1971, Section 169.974, Subdivision 5, and by adding a subdivision.

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

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

S. F. No. 2830: A bill for an act relating to St. Louis county; authorizing the issuance of additional on-sale liquor licenses.

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

Messrs. O'Neill, Ueland and Brown introduced—

S. F. No. 2831: A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Sections 1 and 7; conforming the age and residency requirements of voters to the federal constitution and setting the general age to hold office at 18 years.

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

Mr. Tennessen questioned the reference thereon and, under Rule

35, the bill was referred to the Committee on Rules and Administration.

Messrs. O'Neill, Thorup and Knutson introduced—

S. F. No. 2832: A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 17.

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

Mr. Krieger introduced—

S. F. No. 2833: A bill for an act relating to the claim of Judith Anne Streiff; arising from malfunctioning of an exercise machine in gym at Rochester state community college; appropriating money for the payment thereof.

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

Mr. Patton introduced—

S. F. No. 2834: A bill for an act relating to the claim of Harry N. Steckelberg; arising from failure of highway department to properly inform claimant of possible use of his corn acreage topsoil; appropriating money for the payment thereof.

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

Mr. Ueland introduced—

S. F. No. 2835: A bill for an act relating to the claim of Mark W. Oachs; arising from failure of Mankato state college to clear sidewalk in front of physical education building; appropriating money for the payment thereof.

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

Messrs. Brown, Hansen, Mel and Bang introduced—

S. F. No. 2836: A bill for an act relating to elections; providing for the order of candidates for offices on the white ballot; amending Minnesota Statutes 1971, Section 203.28, Subdivision 1, as amended.

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

Messrs. Brown, Berg and Bernhagen introduced—

S. F. No. 2837: A bill for an act relating to public buildings; re-

quiring installation of coal burning heating plants in new construction or replacements.

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

Mr. Berg introduced—

S. F. No. 2838: A bill for an act relating to the city of Benson; authorizing the issuance of on-sale liquor licenses.

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

Mr. Doty introduced—

S. F. No. 2839: A bill for an act relating to real property; enacting the uniform residential landlord and tenant act; repealing Minnesota Statutes 1971, Sections 504.18; and 566.03, Subdivisions 2, 3 and 4; and Laws 1973, Chapters 561, 603 and 611, Sections 13 to 28.

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

Mr. Borden introduced—

S. F. No. 2840: A bill for an act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

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

Messrs. Lewis, Kirchner and Konzemius introduced—

S. F. No. 2841: A bill for an act relating to corrections; establishing a procedure and safeguards for the discipline of inmates at certain penal and correctional institutions.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kowalczyk; Hansen, Baldy and Knutson introduced—

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

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kowalczyk, Willet and Hanson, R. introduced—

S. F. No. 2843: A bill for an act relating to charitable organiza-

tions; exempting volunteer firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on the behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

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

Messrs. Borden, Schrom and Wegener introduced—

S. F. No. 2844: A bill for an act relating to commerce; prohibiting sale of petroleum products in excess of the ceiling price established by the federal cost of living council; providing penalties.

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

Mr. Doty introduced—

S. F. No. 2845: A bill for an act relating to the claim of Valaree B. Hammond; arising from the death of her father on an improperly maintained highway; appropriating money for the payment thereof.

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

Messrs. Berg, Purfeerst and Bernhagen introduced—

S. F. No. 2846: A bill for an act relating to pollution control; exemption of certain livestock feedlots from permit requirements.

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

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

S. F. No. 2847: A bill for an act relating to taxation; providing for the imposition of penalty for delinquent ad valorem taxes; amending Minnesota Statutes 1971, Section 279.01.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

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

S. F. No. 2848: A bill for an act relating to taxation; tax-forfeited lands; repurchase after forfeiture for taxes; amending Minnesota Statutes 1971, Section 282.241.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Schrom and Wegener introduced—

S. F. No. 2849: A bill for an act relating to time; providing for a

return to standard time; amending Minnesota Statutes 1971, Section 645.071, Subdivision 1; repealing Minnesota Statutes 1971, Section 645.071, Subdivision 2.

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

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

S. F. No. 2850: A bill for an act relating to St. Louis county; authorizing issuance of additional seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

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

Messrs. Kowalczyk, Gearty and O'Neill introduced—

S. F. No. 2851: A bill for an act relating to liquor; temporary licensing of clubs, charitable and religious associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

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

Messrs. Jensen; Olson, H. D. and Bernhagen introduced—

S. F. No. 2852: A bill for an act relating to taxation and assessment of property; providing for disbursement of funds derived from tax assessments on agricultural and certain recreational lands to school districts on or before certain dates each year; amending Minnesota Statutes, 1973 Supplement, Section 124.03, Subdivision 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum, Larson and Perpich, A. J. introduced—

S. F. No. 2853: A bill for an act relating to taxation; sales tax exemption for residential fuel oil; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Borden, McCutcheon and Humphrey introduced—

S. F. No. 2854: A bill for an act relating to the protection of individual privacy; regulating the collection, storage, dissemination and usage of criminal offender record information; providing a civil cause of action; providing penalties; appropriating money; amending Minnesota Statutes 1971, Section 16.91.

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

Messrs. Borden, Humphrey and Tennessen introduced—

S. F. No. 2855: A bill for an act relating to distinction on the basis of sex; abolishing these distinctions in the area of labor and industry; amending Minnesota Statutes 1971, Sections 175.16, as amended; 175.18; 175.20; 181.07; 181.40, as amended; repealing Minnesota Statutes 1971, Sections 181.18; 181.19; 181.20; 181.21; 181.22; 181.23; 181.43; 181.44; 181.45; 181.46; 181.47; 181.48; and 182.09, as amended.

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

Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Stassen introduced—

S. F. No. 2856: A bill for an act relating to the claim of Armour Food Company; arising from losses sustained under a contract for meat products with the state when federal cost of living council lifted ceiling prices on pork; appropriating money for the payment thereof.

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

Messrs. Wegener; Hanson, R. and Willet introduced—

S. F. No. 2857: A bill for an act relating to wild animals; clarifying certain provisions concerning fishing license exemptions and free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivisions 1 and 8.

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

Messrs. Humphrey, Kleinbaum and Sillers introduced—

S. F. No. 2858: A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

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

Messrs. Perpich, A. J.; Conzemius and O'Neill introduced—

S. F. No. 2859: A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota

Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Dunn introduced—

S. F. No. 2860: A bill for an act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

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

Mr. Dunn, by request, introduced—

S. F. No. 2861: A bill for an act relating to the claim of Virgil K. Clemons; arising from failure of driver of state snowplow to take adequate precautions in making a left turn; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2862: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

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

Messrs. Doty and Schaaf introduced—

S. F. No. 2863: A bill for an act relating to taxation; establishing an income tax credit for public transportation users.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Doty and Solon introduced—

S. F. No. 2864: A bill for an act relating to St. Louis county; tax levy for health purposes; repealing Laws 1967, Chapter 501.

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

Mr. Doty questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Doty, Chmielewski and Solon introduced—

S. F. No. 2865: A bill for an act relating to courts; providing for

the salary of county court judges of St. Louis county; amending Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2.

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

Mr. Arnold introduced—

S. F. No. 2866: A bill for an act relating to mining; requiring stockpiling of overburden from open pit or strip mining in certain instances.

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

Mr. Arnold introduced—

S. F. No. 2867: A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

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

Messrs. Arnold, Ashbach and Laufenburger introduced—

S. F. No. 2868: A bill for an act relating to highway traffic regulations; equipment on certain vehicles; requiring tires on certain vehicles to meet requirements of the commissioner of public safety; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; and prescribing penalties.

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

Mr. Arnold introduced—

S. F. No. 2869: A bill for an act relating to Koochiching county; authorizing the issuance of additional on-sale intoxicating liquor licenses.

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

Messrs. Keefe, J.; Lewis and Ogdahl introduced—

S. F. No. 2870: A bill for an act relating to the Minnehaha creek watershed district; providing for tax levies.

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

Mr. Anderson introduced—

S. F. No. 2871: A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

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

Mr. Lord introduced—

S. F. No. 2872: A bill for an act relating to environment; solid waste disposal; user fee; authorizing certain counties to exempt landfills and incinerators from the user fee under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 116F.07.

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

Mr. O'Neill, by request, introduced —

S. F. No. 2873: A bill for an act relating to the claim of Libby W. Swanson; arising from an injury sustained in a fall on snow and ice of Minnesota department of highways parking lot; appropriating money for the payment thereof.

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

Mr. Ueland introduced—

S. F. No. 2874: A bill for an act relating to human rights; authorizing banks and other financial institutions to refuse to hire spouses of persons employed by them for purposes of security; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 1; and by adding a subdivision.

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

Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Josefson introduced—

S. F. No. 2875: A bill for an act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

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

Mr. Ueland introduced—

S. F. No. 2876: A bill for an act relating to the city of Mankato; veterans preference in employment in the police and fire departments.

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

Messrs. Conzemius and Hansen, Baldy introduced—

S. F. No. 2877: A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

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

Messrs. Conzemius and Hansen, Baldy introduced—

S. F. No. 2878: A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

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

Messrs. Wegener, Blatz and Hughes introduced—

S. F. No. 2879: A bill for an act relating to reimbursement of nonpublic school pupil expenditures in certain cases; amending Minnesota Statutes 1971, Section 290.086, by adding subdivisions.

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

Mr. Solon introduced—

S. F. No. 2880: A bill for an act relating to education; creation of an independent school district in the county of St. Louis.

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

Mr. Purfeerst introduced—

S. F. No. 2881: A bill for an act relating to taxation; increases in valuation for property tax purposes; amending Minnesota Statutes 1971, Section 273.11, Subdivision 2, as added.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Berg introduced—

S. F. No. 2882: A bill for an act relating to the claim of Gerald L. Kleene, as claimant for petitioners of Chippewa county ditch

No. 58; arising from expenses incurred in connection with Chippewa county ditch No. 58 as a result of action taken by the department of natural resources; appropriating money for the payment thereof.

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

Messrs. Ueland, Blatz and Patton introduced—

S. F. No. 2883: A bill for an act relating to taxation; repealing the inspection fee and excise tax imposed on oleomargarine; appropriating money from the general fund to the dairy and related products research and marketing account; amending Minnesota Statutes 1971, Sections 33.17, Subdivision 2; and 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12; 33.13; 33.14; 33.15; and 33.17, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Thorup introduced—

S. F. No. 2884: A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

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 House File, herewith transmitted:

H. F. No. 862.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted January 23, 1974

Mr. President:

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

H. F. Nos. 2587, 2554, 2667 and 2051.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted January 24, 1974

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. 296: A bill for an act relating to taxation; excise tax on motor vehicles; defining purchase price; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 8.

Senate File No. 296 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 23, 1974

Mr. Doty moved that S. F. No. 296 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 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.

Senate File No. 2244 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 24, 1974

CONCURRENCE AND REPASSAGE

Mr. Thorup moved that the Senate do now concur in the amendments by the House to S. F. No. 2244 and that the bill be placed on its repassage as amended. The motion prevailed.

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.

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 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach Hansen, Baldy Knutson Schrom Willet

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 944: A bill for an act relating to education; permitting certain teachers to apply for and receive life or permanent certificates.

Senate File No. 944 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 24, 1974

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 944 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 944 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:

Arnold	Dunn	Knutson	Olson, A. G.	Solon
Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Spear
Bang	Gearty	Krieger	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Patton	Thorup
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Borden	Hughes	Lord	Perpich, G.	Wegener
Brown	Humphrey	McCutcheon	Pillsbury	Willet
Chenoweth	Josefson	Milton	Renneke	
Coleman	Keefe, S.	Nelson	Schaaf	
Conzemius	Kirchner	North	Schrom	
Doty	Kleinbaum	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 the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 152, 781, 2012, 2243 and 2246.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 24, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 862: A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

H. F. No. 2587: A bill for an act relating to polygraph tests of police officers; prohibiting the use thereof; repealing Laws 1973, Chapter 667, Section 3.

H. F. No. 2554: A bill for an act relating to counties; establishment and use of imprest cash funds in counties.

H. F. No. 2667: A bill for an act relating to taxation; reassessment of improperly valued property; amending Minnesota Statutes 1971, Section 270.18, Subdivision 2.

H. F. No. 2051: A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

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. The motion prevailed.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

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

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

Page 1, line 10, strike "public" and insert "abandoned or neglected"

Further, amend the title in line 2 by striking "public" and in line 4 by striking "public" and inserting "abandoned or neglected"

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2684: A bill for an act authorizing the city of Fairmont to designate, regulate, maintain, and improve streets in the central business district as a mall and to levy special assessments and taxes and issue bonds for this purpose; repealing Laws 1965, Chapter 70.

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. Laws 1965, Chapter 70, Section 1, Subdivision 1, is amended to read:

Section 1. [FAIRMONT, CITY OF; PEDESTRIAN MALL.] Subdivision 1. The city of Fairmont in Martin county may, by ordinance adopted by its council in accordance with the city charter and this section, designate one or more streets within its central business district as a mall for primarily pedestrian use and may thereafter establish, regulate, maintain, and improve the mall for such use and may levy special assessments and taxes and issue bonds for those purposes. *Nothing in this act shall be construed to restrict the use of any such mall to pedestrian traffic only, and wherever in this act there is reference to a pedestrian mall, the reference shall be construed to apply to and permit the establishment of a mall for general use.*

Sec. 2. Laws 1965, Chapter 70, Section 1, is amended by adding a subdivision to read:

Subd. 2a. The mall ordinance may be adopted if the council determines upon hearing as provided in this section, and recites in the ordinance, that the proposed mall will enhance the freedom of movement, safety, convenience, or enjoyment of individuals. The ordinance shall specify the street or streets to be included within the mall and shall state that the council intends to begin proceedings to finance the cost of establishing the mall by special assessments as provided in subdivision 3 of this section.

Sec. 3. Laws 1965, Chapter 70, Section 1, Subdivision 2, and Section 2, Subdivision 2, are repealed.

Sec. 4. This act is effective upon its approval by the members of the council of the city of Fairmont, and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title in line 7 before the semicolon by inserting "; amending Laws 1965, Chapter 70, Section 1, Subdivision 1, and by adding a subdivision" and in line 8 before the period by inserting ", Section 1, Subdivision 2, and Section 2, Subdivision 2"

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2376: A bill for an act relating to Otter Tail county; providing for the appointment of the county attorney by the board of county commissioners.

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. 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.

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 I

Section 1. [LEGISLATIVE PURPOSE.] In order to achieve the goal of orderly growth and economic development in the metropolitan area, it is essential to establish a framework to coordinate effectively those proposals, projects, improvements, programs, expenditures, and plans which directly and substantially affect the development of the metropolitan area. It is the purpose of this act to establish such a framework: by clarifying the role and authority of the metropolitan council, by requiring a consistent review process to be performed by the metropolitan council, by providing technical assistance for planning by local government units, and by reorganizing the other metropolitan agencies.

Sec. 2. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.011] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 11, the terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.*

Subd. 2. “Metropolitan area or area” means the area over which the metropolitan council has jurisdiction, including the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. “Metropolitan commission or commission” means the metropolitan environmental service commission, the metropolitan transportation commission, and other such commissions as the legislature may hereafter designate.

Subd. 4. “Independent commission, board or agency” means governmental entities with jurisdictions lying in whole or in part within the metropolitan area but not including the metropolitan commissions or commission referred to herein.

Subd. 5. "Local governmental unit" means any county, city, 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. 6. "Metropolitan significance" means a status determined by the metropolitan council pursuant to the regulations and procedures established by section 8, subdivisions 1 and 2 of this article.

Subd. 7. "State agency" means the state of Minnesota or any agency, board, commission, department or educational institution thereof.

Subd. 8. "Policy plan" means the long range comprehensive plans for each commission adopted pursuant to section 6 of this article.

Subd. 9. "Development program" means the detailed technical program of each commission adopted pursuant to section 9 of this article.

Sec. 3. 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 voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) [DUTIES.] The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary shall be fixed by law and his expense allowances shall be fixed by the metropolitan council.

Sec. 4. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.021] [MEMBERSHIP, PROCEDURES, OFFICERS AND EMPLOYEES OF METROPOLITAN COMMISSIONS.]
Subdivision 1. [GENERAL.] *Metropolitan commissions shall be organized, structured and administered as prescribed in this section.*

Subd. 2. [MEMBERSHIP.] *Each commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the 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 and shall be the ninth member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the 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. Each commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability. All chairmen presently serving on commissions shall continue to serve at the pleasure of the governor.*

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 metropolitan council member, or be a member of another metropolitan commission or hold any judicial office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 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 1975 the terms of members of each commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1977, members representing precincts E, F, G, and H for terms ending the first Monday in January 1979. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified. Members, 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 1975 shall continue to serve the precinct described in subdivision 2 in which they reside for the term herein prescribed for that precinct, provided that if more than one such member resides in the same precinct the 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 1975 shall be their residence as of July 1, 1974.

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 receive a salary in an amount fixed by law and shall be reimbursed for reasonable expenses to the same extent as a member.

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] Each commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

Subd. 9. [PERSONNEL CODE; MERIT SYSTEM.] (a) The council shall by resolution adopt guidelines for a personnel code relating to the employees of the commissions, except that nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10. After adoption of the guidelines, each commission shall by resolution adopt a personnel code in general conformance therewith. The code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension or discharge of employees, procedures for hearing grievances, procedures for salary administration, and such other provisions as the council deems appropriate. In addition, the code shall provide for the development by each commission of affirmative action plans, which shall be submitted for approval to the appropriate agency or office of the state. The plans shall include a yearly progress report to the agency or office. The chief administrator of each commission shall administer the code, and no commission shall take any action inconsistent with the personnel code.

(b) All employees of the commission except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the

commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission or the council; and any employee of the commission expressly exempted from the classified service by law. Each code shall also include procedures for open competitive examinations to test the relative skill or ability of all applicants for positions in the classified service. Such examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or his personal fitness for the position. Where there is more than one applicant for a position, each code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended or dismissed by the chief administrator, he may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing 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 appoint a secretary and a treasurer or, in the alternative, a secretary-treasurer. The secretary and treasurer, or secretary-treasurer, may, but need not be, members of the commission, and shall hold office at the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except such as the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the commission except such as the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Subd. 11. [CHIEF ADMINISTRATOR.] The chairman of each commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator

shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.

(b) He shall appoint and remove, subject to the provisions of the personnel code adopted pursuant to subdivision 9 of this section, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.

(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.

(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.

(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.

(f) He shall perform such other duties as may be prescribed by the commission.

Subd. 12. [PUBLIC EMPLOYEES.] *All persons employed by the chief administrator shall be public employees, and shall have all rights and duties conferred on public employees under sections 179.61 to 179.76. The compensation and other conditions of employment of such employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of chapter 15A, unless the council so provides. All employees of the commission shall be members of the Minnesota state retirement system, except that employees, who by reason of their prior employment belonged to another public retirement association in the state of Minnesota, may at their option continue membership in that public retirement association, and all other rights to which they are entitled by contract or law. The commission shall make the employer's contributions to pension funds of its employees. Employees shall perform such duties as may be prescribed by the commission. Nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10.*

Subd. 13. [COMMISSION OPERATING PROCEDURES.]

(a) The commission shall adopt resolutions and bylaws, an administrative code establishing procedures for commission action, keeping records, approving claims, authorizing and making disbursements, authorizing contracts, safekeeping funds and audit of all financial operations of the commission.

(b) The commission and the council may enter into contracts with each other and with other commissions and governmental units for the joint exercise of powers in the manner provided by

Minnesota Statutes, Section 471.59; provided that no commission shall enter into any contract with the council which would assign any operations authority, responsibility or function, other than planning or making studies, from the commission to the council.

Subd. 14. [RELOCATION PAYMENT STANDARDS.] In all acquisitions the commissions shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1971), 42 United States Code, Section 4601, et seq.

Sec. 5. Minnesota Statutes 1971, Section 473B.04, is amended to read:

473B.04 [REPORTS.] On or before January 15th, of each ~~odd~~ numbered year the metropolitan council shall report to the legislature. The report shall include:

(1) A statement of the metropolitan council's receipts and expenditures by category since the preceding report;

(2) A detailed budget for the year in which the report is filed and the following year including an outline of its program for such period;

(3) An explanation of any ~~comprehensive~~ *comprehensive policy plan and other comprehensive plan* adopted in whole or in part for the metropolitan area *and the review comments of the affected commission* ;

(4) Summaries of any studies and the recommendations resulting therefrom made by the metropolitan council, and a listing of all applications for federal moneys made by governmental units within the metropolitan area submitted to the metropolitan council;

(5) A listing of plans of local governmental units *and proposed matters of metropolitan significance* submitted to the metropolitan council; and

(6) Recommendations of the metropolitan council for metropolitan area legislation, including the organization and functions of the metropolitan council *and the commissions* .

Sec. 6. Minnesota Statutes 1971, Section 473B.06, is amended by adding a subdivision to read:

Subd. 5a. [POLICY PLANS FOR METROPOLITAN COMMISSIONS.] (1) Within 12 months after the effective date of this section, the council shall adopt after appropriate study and such public hearings as may be necessary, as a part of its development guide, long-range comprehensive policy plans for each commission and when adopted, the policy plans shall be followed by the council and the affected commissions. The plans shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council and the commissions. In preparing or amending a policy plan the council shall consult with and make maximum use of the expertise of the af-

jected commission, and each such commission shall cooperate with and make its employees, records, studies, plans and other information available to the council. Each such policy plan shall include, to the extent appropriate to the functions covered thereby, the following:

(a) A statement of the needs of the metropolitan area with respect to the functions covered and the objective of and the policies to be forwarded by the policy plan;

(b) A general description of the physical facilities and services to be developed by the commission in performing its 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 the level of public expenditure both capital and operating appropriate to the facilities and a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(f) A statement of the relationships to any current local comprehensive plans and any related development programs on file with the council;

(g) Such additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the commission and function covered by the policy plan; and

(h) A general statement relating to future population, employment levels, and land use in the metropolitan area and in the individual local governmental units located therein, including population densities and anticipated rates of change in such densities.

(2) Before adopting a policy plan, the council shall submit the proposed plan to the affected commission for its review, and the commission shall report its comments to the council within 90 days and may, within that period request the council to hold a special public hearing for the purpose of receiving the commission's report and comments. Within a reasonable time, not to exceed 60 days, after receiving a request for a hearing, the council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 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 interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and such hearing, if any, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to a policy plan may be initiated by the council or by an affected commission. At least every four years

the council shall engage in a comprehensive review of the policy plan. Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of clause (1) which have been adopted by the council pursuant to Minnesota Statutes, Chapters 473A, 473B and 473C, shall continue in force and effect until expressly superseded by a policy plan adopted pursuant to this subdivision. The council shall not amend a policy plan except in accordance with the procedures herein established.

Sec. 7. Minnesota Statutes 1971, Section 473B.06, is amended by adding a subdivision to read:

Subd. 14. [LOCAL PLANNING ASSISTANCE.] The metropolitan council may, at the request of local governmental units, enter into contracts or make other arrangements with local governmental units and others for the provision of services for and assistance with comprehensive community planning.

This may include:

(a) Assistance in the preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities together with long-range fiscal plans for such development;

(b) Programming of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program;

(c) Coordination of all related plans of the departments or subdivision of the government concerned;

(d) Intergovernmental coordination of all related planned activities among the state and local governmental agencies concerned; and

(e) Preparation of regulatory and administrative measures in support of the foregoing.

Sec. 8. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.061] [REVIEW BY COUNCIL.] Subdivision 1. [METROPOLITAN SIGNIFICANCE.] Within 12 months following the enactment of this section, the council shall adopt regulations pursuant to the administrative procedures act, Minnesota Statutes, Chapter 15, establishing standards and guidelines for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of all proposed matters required to be considered and reviewed by the council. The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. The metropolitan council shall submit the regulations adopted pursuant to this section to the session of the legislature in 1975 for review. The council shall establish an advisory committee, consisting of elected officials of local governmental units and

representing all council districts equally, to provide advice and make recommendations in the preparation of these regulations and may thereafter review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council.

Subd. 2. [REGULATIONS.] (a) In developing the above regulations establishing standards and guidelines for determining metropolitan significance the council and the committee shall give consideration to all factors deemed relevant to that determination including the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by the commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act;

(5) Such other factors as are deemed relevant.

(b) The regulations establishing a procedure for the review of proposed matters shall include, among other provisions, the following:

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(2) The council shall be empowered to suspend action on a proposed matter for a period not to exceed 12 months following the issuance of its recommendation or determination.

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of an adequately supported and documented proposal.

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission.

(5) The council shall be obligated to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the comprehensive development guide and, if appropriate, an applicable policy plan.

(7) Any major alteration or amendment to the regulations adopted by the council shall be developed and promulgated by the council in the same manner as the original regulations.

(8) *Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in paragraphs (b) and (c) of subdivision 3.*

(c) *Once the development of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing, containing the developed regulations and such other comments as are deemed appropriate, shall be published in a newspaper or newspapers circulated throughout the metropolitan area and mailed to all state agencies and all local governmental units which may be affected by these regulations no later than 30 days prior to the hearing. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.*

Subd. 3. [COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE; APPLICATIONS FOR FEDERAL AND STATE AID.] *The council shall review the following matters, applications, and plans proposed for or with respect to the metropolitan area in accordance with the regulations to be adopted and the provisions of any other relevant statute.*

(a) *All proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency.*

(b) *All applications of a metropolitan commission, independent commission, board or agency, and local governmental units for funds, grants, loans or loan guarantees from the United States of America or agencies thereof submitted in connection with proposed matters of metropolitan significance, all other applications by commissions and local governmental units for grants, loans, or loan guarantees from the United States of America or any agency thereof if review by a regional agency is required by federal law or the federal agency, and all applications of the commissions for grants, loans, or allocations from funds made available by the United States of America to the metropolitan area for regional facilities pursuant to a federal revenue sharing or similar program requiring that the funds be received and granted or allocated or that the grants and allocations be approved by a regional agency.*

(c) *All applications or requests of a metropolitan commission, independent commission, board or agency, and local governmental units for state funds allocated or granted for proposed matters of metropolitan significance, and all other applications by metropolitan commissions, independent commissions, boards, agencies, and local governmental units for state funds if review by a regional agency is required by state law or the granting state agency.*

Subd. 4. [COUNCIL REVIEW; COMPREHENSIVE PLANS, LAND USE PLANS.] *Each city, village, borough, town, and coun-*

ty all or part of which lies within the metropolitan area, shall submit to the metropolitan council for written comment and recommendation thereon its proposed long-term comprehensive plans, including but not limited to plans for land use. The proposed plans shall be submitted to the council after their approval by the planning commission of the local government unit and before final approval by the governing body of the city, village, borough, town or county. The council shall maintain such plans in its files available for inspection by members of the public. No local government action shall be taken to place any such plan or part thereof into effect until 90 days have elapsed after its submission to the council. Promptly after submission, the council shall notify each city, 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 the 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. If within 90 days the council fails to complete its written comments and recommendations the plans shall be deemed approved and may be placed into effect. Any major alteration to a plan subsequent to the council's review shall be submitted to and acted upon by the council in the same manner as the original plan. The written comments and recommendations of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.

Sec. 9. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.062] [DEVELOPMENT PROGRAMS OF COMMISSIONS.] *Subdivision 1. [PREPARATION OF DEVELOPMENT PROGRAMS.] Each metropolitan commission shall prepare a development program covering the detailed technical planning, engineering, financing, scheduling and other information necessary to the development of the program elements to be performed by the commission in implementing the policy plan adopted by the council pursuant to section 6 of this article. The program may include such other technical information as the commission deems necessary. The program shall prescribe and delineate the functions to be performed and activities to be undertaken by the commission and shall cover at least the five year period commencing with the first calendar year beginning after its approval or such longer period as the council may prescribe. The program shall describe all capital improvements to be undertaken in such period and with respect to each improvement shall include the following:*

(a) A description of the improvement, its location, function and estimated cost;

(b) The proposed manner of financing the capital costs of the improvement, and the sources of revenue available for payment of such costs;

(c) A schedule showing on a yearly basis the timing of land acquisition, construction and capital expenditures for the improvements;

(d) A review and description of the public need for the improvement, alternatives to the improvement, (including alternatives not involving capital expenditures), the environmental and social effects of the improvement and all actions and steps theretofore taken by the commission with respect to the improvement;

(e) An estimate of the probable impact of the improvement on the responsibilities of the other metropolitan commissions;

(f) An estimate of the annual operating costs of the improvement and the sources of revenue available for payment of such costs;

(g) An evaluation of the relative priority of the improvement 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. The council shall complete its review within 90 days after receipt of the proposed development program. If the council determines that the program is consistent with the policy plan it shall approve the program as submitted. If it determines that the program is inconsistent with the policy plan, it shall disapprove it and return it to the submitting commission with comments and the commission shall make appropriate revisions in the program and resubmit it to the council for review and approval or disapproval. Before approving a program or returning it to the submitting commission, the council shall hold a public hearing for the purpose of considering the program and the council's comments thereon, if requested to do so by the affected commission. Within two years of the approval of its first development program by the council and at least biennially thereafter each commission shall review the program, make such revisions as are necessary, including an updating of the five year capital improvement program, and submit the program to the council for its review and approval or disapproval as herein provided.

Subd. 3. [EFFECT OF DEVELOPMENT PROGRAM.] After approval by the council of a development program plan the commission shall implement the program. No capital improvements shall be undertaken by the commission unless authorized by the program or specifically approved by the council. The council shall not approve any improvement not in substantial conformance with the appropriate policy plan.

Sec. 10. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.063] [METROPOLITAN COMMISSION BUDGET PREPARATION; REVIEW AND APPROVAL.] *Subdivision 1.*

Each metropolitan commission shall prepare a proposed budget for calendar year 1976 and each calendar year thereafter. The proposed budget shall be prepared on or before August 1, 1975 and each year thereafter. The budget shall show for each such year:

(a) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service; and

(b) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; all in such detail and form as the council may prescribe. Between August 1 and September 1 of each year, the commission shall hold a public hearing on the proposed budget. Not less than 14 days before the hearing, the commission shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed budget may be examined by any interested person. Those parts of the budget relating to revenues and expenditures for capital improvements shall be submitted to the council on or before August 1 of each year and shall be subject to approval by the council. The council shall act to approve or disapprove by October 1 of each year. Before December 15 of each year the 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 the proceeds of bonds issued for a specific purpose. The council shall file the budgets of all commissions with the secretary of the senate and the clerk of the house of representatives not later than January 15 of each year.

Subd. 2. [PROGRAM BUDGETING.] The council may in consultation with the commissions adopt regulations providing for program budgeting, as defined in section 16.141, subdivision 1, by each of the commissions. Upon adoption of such regulations, each commission shall submit program budgets to the council in the form established by the regulations. Within three years after the effective date of this article, the council and all commissions shall adopt budgets in program budget form.

Subd. 3. [REVIEW OF USER CHARGES.] Thirty days prior to the establishment of or change in any user charges or fees or schedule of user charges or fees the commission shall forthwith submit proposed charges or fees or schedule to the council. The council shall review and comment upon the charges, fees, or schedule with particular reference to (1) their consistency with the development guide and policy plan, and (2) their fiscal impact on the metropolitan area, especially their impact on future debt service requirements, the financing of future capital improvements, and on the various local governmental units and classes of users. 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. 11. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[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, on 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 amounts borrowed against 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. 12. [REPEALER.] Minnesota Statutes 1971, Section 473B.06, Subdivisions 7 and 8, are repealed.

ARTICLE II

METROPOLITAN ENVIRONMENTAL SERVICE COMMISSION

Section 1. Minnesota Statutes 1971, Section 473C.03, Subdivision 1, is amended to read:

473C.03 [METROPOLITAN ENVIRONMENTAL SERVICE COMMISSION.] Subdivision 1. [ESTABLISHMENT; APPOINTMENTS.] A metropolitan sewer environmental 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 chapter 473B, sections 1 to 11 of article 1.

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 1, section 6, 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 environmental service board commission* for review and shall be subject to the approval of the *board commission* as to those features affecting the *board's commission's* responsibilities as determined by the *board commission*. Any such features disapproved by the *board commission* shall be modified in accordance with the *board's commission's* recommendations. No construction of new sewers or other disposal facilities, and no substantial alteration or improvement of any existing sewers or other disposal facilities involving such features, shall be undertaken by any local government unit unless its governing body shall first find the same to be in accordance with its *comprehensive plan and program* as approved by the *board commission*. At the time each local government unit makes application to the agency for a permit to alter or improve its disposal system it shall file with the *commission* a copy of the application together with design data and a location map of the project.

Sec. 3. Minnesota Statutes 1971, Section 473C.10, is amended to read:

473C.10 [SERVICE COMMISSION BUDGET.] The *sewer environmental service board commission* shall prepare and, submit to the council for approval on or before September 1 in 1969 and each year thereafter, a budget showing, for the following calendar year or other fiscal year determined by the council, estimated receipts of money from all sources including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for costs of (a) operation, administration, and maintenance of the metropolitan disposal system, including credits to each local government unit under section 473C.06;

subdivision 4, and deferments under section 473C.03, subdivision 7, (b) acquisition and betterment of treatment works and interceptors, and (c) debt service, including principal and interest on general obligation bonds and certificates issued pursuant to section 473C.12, obligations assumed under section 473C.05, subdivisions 2 and 3, and any money judgment entered by a court of competent jurisdiction. Appropriations for purposes within these general categories shall be itemized in such detail as the council shall prescribe. The board and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget. The council may, at the board's request, amend the budget at any time by transferring from one purpose to another any appropriation except appropriations of bond proceeds and of money for debt service and adopt a budget at the time and in the manner provided in and otherwise comply with article I, section 10.

Sec. 4. Minnesota Statutes 1971, Section 473C.16, Subdivision 3, is amended to read:

Subd. 3. The ~~board~~ *board commission* shall prepare and submit to the council for *approval review and comment*, plans and specifications for the acquisition or betterment of interceptors or treatment works authorized by the council's comprehensive plan, and after *approval review and comment* by the council, and approval by the agency if required, may advertise for bids for all work and materials called for by such plans and specifications, and award a contract to the lowest responsible bidder.

Sec. 5. Minnesota Statutes 1971, Section 473C.18, is amended to read:

473C.18 [RELATION TO EXISTING LAWS.] The provisions of sections 473C.01 to 473C.17 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. 6. [REVISOR DUTIES.] In the next edition of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be necessary to reflect the change of name made by this article.

Sec. 7. [REPEALER.] Minnesota Statutes 1971, Sections 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04; 473C.06, Subdivisions 1 and 2, are repealed.

ARTICLE III
THE METROPOLITAN 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 a 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; CREATION 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

~~173B.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 10 of this act .*

Sec. 8. Minnesota Statutes 1971, Chapter 473A, is amended by adding a section to read:

[473A.051] [TRANSPORTATION POLICY PLANS; FEDERAL PROGRAMS.] *Subdivision 1. [TRANSPORTATION POLICY PLAN.] The council shall adopt a transportation policy plan as a part of its comprehensive development guide as in article I, section 6 hereof, which shall include policies both capital and noncapital relating to all transportation forms. The plan shall be designed to promote the legislative determinations, policies and purposes set forth in section 4 of this article to the end of providing the area an integrated and efficient transportation system. In addition to the requirements of Article I, Section 6 of this act regarding the use of the expertise of the commission, the state highway department and affected counties and municipalities may provide such technical assistance as may be requested by the council.*

Subd. 2. The metropolitan council shall be the designated planning agency for any long-range comprehensive transportation planning required by Section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation Act of 1964 and Section 112 of Federal Aid Highway Act of 1973. The council shall assure administration and coordination of transportation planning with appropriate state, regional and other agencies, counties, and municipalities, and together with the commission shall establish such an advisory body consisting of citizen representatives, commission, municipality, county and appropriate state agency representatives in fulfillment of the planning responsibilities of the council and the commission.

Subd. 3. [FEDERAL AID.] For the purposes of this subdivision the term "governmental subdivision" includes municipalities, counties and other political subdivisions generally. If federal aid for transportation programs and projects is otherwise unavailable to an existing agency or governmental subdivision, the metropolitan council may cooperate with the government of the United States and any agency or department thereof and the affected agency or other governmental subdivision in establishing metropolitan area eligibility to receive federal aid, and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such projects as are proposed for federal assistance. If necessary to meet federal requirements, the council and the commission may be considered a single eligible unit to carry out their respective responsibilities. The metropolitan council may accept federal aid and other aid, either public or private, for and in behalf of the metropolitan area or any governmental subdivision of the state, for transportation programs and projects within the metropolitan area upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as agent of any governmental sub-

division of the state with jurisdiction in the metropolitan area upon request of such subdivision in accepting the aid in its behalf for such programs or projects financed either in whole or in part by federal aid. The governing body of any such subdivision is authorized to designate the metropolitan council as its agent for such purposes and to enter into an agreement with the council prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations. The metropolitan council is authorized to designate an appropriate state agency as its agent for such purposes and to enter into an agreement with such agency prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations.

Nothing contained herein shall limit any separate authority of agencies or governmental subdivisions of the state to contract for and receive federal aid.

Sec. 9. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subd. 1a. [DEVELOPMENT PROGRAM.] The commission shall prepare and submit in the manner provided in and satisfying the requirements of article 1, section 9 of this act, a transportation development program, including both capital and noncapital elements, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state highway department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

Such program shall provide for 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. The program may include such other information as the commission deems necessary.

Sec. 10. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subd. 1b. [APPROVAL OF HIGHWAY PROJECTS.] Before acquiring land for or constructing a highway or road of metropolitan significance in the area which is not included in an existing development program (hereinafter a project) the state highway department or local government unit proposing such acquisition or construction shall submit to the council a statement describing the proposed project. The statement shall be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the commission which shall review and evaluate the project in relation to the development program 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.16, is amended to read:

473A.16 [ACT EXCLUSIVE.] The exercise by the commission of the powers provided in sections 473A.01 to 473A.18 shall not be subject to regulation by or the jurisdiction or control of any other public body or agency, either state, county, or municipal, except as specifically provided in sections 473A.01 to 473A.18, and further except that in the event a public body or agency shall be created to exercise the powers of the commission as provided in sections 473A.01 to 473A.18, such powers shall be exercised by such other public body or agency and article I of this act.

Sec. 12. Minnesota Statutes 1971, Section 473A.18, is amended to read:

473A.18 [CITATION.] Sections 473A.01 to 473A.18 may be cited as the Twin Cities area metropolitan transit commission act of 1967 metropolitan transportation commission act of 1974.

Sec. 13. [REVISOR DUTIES.] 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. 14. [REPEALER.] Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; and 473A.065 are repealed.

ARTICLE IV

Section 1. [METROPOLITAN REORGANIZATION ACT OF 1974; CITATION.] This act shall be known and may be cited as the Metropolitan Reorganization Act of 1974.

Sec. 2. [EFFECTIVE DATE.] Except for article I, sections 6, 7 and 8 which are effective on the day following final enactment, this act is effective January 1, 1975."

Further amend by striking the title and inserting in lieu thereof:

"A bill for an act relating to metropolitan government; requiring the metropolitan council to review and to provide technical assistance for local government planning; establishing the metropolitan environmental services commission and the metropolitan transportation commission; amending Minnesota Statutes 1971, Chapters 473A, by adding a section; and 473B, by adding sections; Sections 473A.01, Subdivisions 2 and 3, and by adding a subdivision; 473A.02; 473A.03; 473A.04, Subdivision 1; 473A.05, Subdivision 10; 473A.06, by adding subdivisions; 473A.16; 473A.18; 473B.02, Subdivision 4; 473B.04; 473B.06, by adding subdivisions; 473C.03, Subdivision 1; 473C.06, Subdivision 3; 473C.10; 473C.16, Subdivision 3; 473C.18; repealing 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; 473A.065; 473B.06, Subdivisions 7 and 8; 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04; and 473C.06, Subdivisions 1 and 2."

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. 2736: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; 147.31; and 147.32; and Laws 1973, Chapter 727, Section 4.

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

Page 2, line 12, strike "\$6,000" and insert "\$8,000"

Page 3, strike all of line 10

Page 3, line 11, strike "adopted prior to January 1, 1974" and insert "under the provisions of Minnesota Statutes, 1973 Supplement, Sections 147.30 to 147.33"

Page 3, line 23, after "147.33" and before the comma, insert "as such principal and interest become due"

Page 3, lines 25 and 26, strike "as the same become due"

Page 4, line 25, after "act" insert "*as the same become due*"

Page 4, line 27, strike "*, as the same become due*"

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. 2595: A bill for an act relating to education; requiring a good faith attempt to make up time lost by school districts on account of calamity; amending Minnesota Statutes 1971, Section 124.16.

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. 2405 for comparison to companion Senate File, 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.
2405	2323				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2405 be amended as follows:

Page 1, line 22, strike "*Within*" and insert in lieu thereof "*At least*"

Page 1, line 22, strike "*after*" and insert in lieu thereof "*before*"

Page 1, line 23, after "*boundaries*" and before the comma insert "*become effective*"

And when so amended, H. F. No. 2405 will be identical to S. F. No. 2323 and further recommends that H. F. No. 2405 be given its second reading and substituted for S. F. No. 2323 and S. F. No. 2323 be indefinitely postponed.

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

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

H. F. No. 2185 for comparison to companion Senate File, 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.
2185	2129				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2185 be amended as follows:

Page 1, strike lines 19 through 26 and insert in lieu thereof the following:

“Sec. 2, Minnesota Statutes 1971, Section 100.29, Subdivision 8, is amended to read:

Subd. 8. *Except for a duck hunter, it shall be unlawful to hunt or trap, or assist therein, in any territory open for the taking of deer with the use of firearms, during such open season any firearm deer hunting season, unless the visible portion of the hunter's or trapper's cap and outer coat shall be bright red or blaze*”

Page 2, line 13, strike “1975” and insert in lieu thereof “1974”

And when so amended, H. F. No. 2185 will be identical to S. F. No. 2129 and further recommends that H. F. No. 2185 be given its second reading and substituted for S. F. No. 2129 and S. F. No. 2129 be indefinitely postponed.

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

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

H. F. No. 2332 for comparison to companion Senate File, 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.
2332	2266				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2332 be amended as follows:

Page 1, line 17, strike “90” and insert in lieu thereof “120”

Page 3, delete all of lines 18 to 23

Renumber the sections in order

Page 8, line 18, strike “1974” and insert in lieu thereof “1973”

Further, amend the title in line 4 by deleting “, and by adding a” and in line 5 by deleting “subdivision”

And when so amended, H. F. No. 2332 will be identical to S. F.

No. 2266 and further recommends that H. F. No. 2332 be given its second reading and substituted for S. F. No. 2266 and S. F. No. 2266 be indefinitely postponed.

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

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

H. F. No. 2789 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:

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.
		2789	2643		

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. 2191, 2587, 2554, 2667 and 2051 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. 2191 and 2587 to the Committee on Judiciary.

H. F. No. 2554 to the Committee on Local Government.

H. F. No. 2667 to the Committee on Taxes and Tax Laws.

H. F. No. 2051 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. 2607, 2684, 2376, 2736 and 2595 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 636, 2405, 2185, 2332 and 2789 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. North moved that the names of Messrs. Bernhagen and Purfeerst be added as co-authors to S. F. No. 2790. The motion prevailed.

Mr. North moved that the name of Mr. O'Neill be added as chief author and the name of Mr. Novak be added as co-author to S. F. No. 2492. The motion prevailed.

Mr. North moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2771. The motion prevailed.

Mr. Gearty moved that the name of Mr. Kowalczyk be added as co-author to S. F. Nos. 2506 and 2532. The motion prevailed.

Mr. Borden moved that the names of Messrs. Doty and Solon be added as co-authors to S. F. No. 2228. The motion prevailed.

Mr. Hughes moved that S. F. No. 481 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Hughes moved that the Senate do now concur in the amendments by the House to S. F. No. 481 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 481: A bill for an act relating to highway traffic regulations; accidents; reporting of accidents; driver's license suspension under certain circumstance by reason of accident; amending Minnesota Statutes 1971, Sections 169.09, Subdivisions 3, 7, 8, and 13; and 170.25, Subdivision 1; repealing Minnesota Statutes 1971, Section 170.33, Subdivision 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that H. F. No. 2065, No. 44 on General Orders, be stricken and re-referred to the Committee on Local Government. The motion prevailed.

Mr. Kleinbaum moved that H. F. No. 484, No. 9 on the Calendar, be stricken and returned to the top of General Orders. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 1104: A bill for an act relating to public indebtedness; amending the school district debt limit, authorizing the issuance of temporary obligations in anticipation of state or federal grants, and revising and clarifying other provisions; amending Minnesota Statutes 1971, Sections 475.51, Subdivision 9; 475.53, Subdivisions 1, 2, 3, 4, and 5; 475.56; 475.58, Subdivisions 1 and 2; 475.61, by adding a subdivision; 475.66; and 475.71.

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

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Tennessen in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Tennessen reported that the committee had considered

S. F. No. 634 which the committee reports progress, subject to the following motions:

Mr. Borden moved to amend S. F. No. 634 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:

[116.42] [DEFINITIONS.] *Subdivision 1. For purposes of this act, the terms defined in this section shall have the meanings given them.*

Subd. 2. “Beverage container” means an individual, hermetically sealed glass, metal or plastic bottle, can, jar or carton used for the purpose of containing beer, ale, or other malt drink containing one-half of one percentum or more of alcohol by volume; or mineral waters, soda waters or any other carbonated soft drink in liquid form and intended for human consumption.

Subd. 3. “Bottler” means every person bottling, canning or otherwise filling beverage containers for sale to distributors or dealers.

Subd. 4. “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. 5. “Dealer” means every person in this state who engages in the sale of beverages in beverage containers at a retail.

Sec. 2. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.43] [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:*

(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 5 of this act sold or offered for sale in this state, shall have a refund value of not less than three cents as determined by the agency.

Subd. 2. [REFUND PAYMENT REQUIRED.] Except as provided in subdivision 3:

(a) A dealer shall accept from any person any empty beverage containers of the brand sold by the dealer, and shall pay to the person 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 any person, and a distributor, bottler or designee may refuse to accept from a dealer, any empty beverage container that does not state thereon a refund value as required by section 4 of this act.

Sec. 3. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.44] [TRUTH IN PRICING.] Dealers shall display an itemized listing on each beverage container or group of beverage containers sold at retail as a packaged unit showing both the refund value and the total price of the beverage and container less the refund value.

Sec. 4. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.45] [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 2, subdivision 1.

Subd. 2. Subdivision 1 of this section shall not apply to beverage containers having a brand name permanently marked thereon that, on the effective date of this act, had a refund value of not less than five cents.

Sec. 5. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.46] [CONTAINER CERTIFICATION.] Subdivision 1. [PROMOTION OF UNIFORM CONTAINERS.] To promote the use in the state of reusable beverage containers of uniform design, and to facilitate the return of beverage containers to bottlers for reuse as beverage containers, the pollution control agency may certify beverage containers that satisfy the requirements of this section.

Subd. 2. [REQUIREMENTS FOR CERTIFICATION AS UNIFORM CONTAINER.] A beverage container may be certified if:

(a) It is reusable as a beverage container by bottlers who bottle more than one company'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. [LIQUID CAPACITIES.] The agency may by rule establish appropriate liquid capacities and shapes for beverage containers to be certified or decertified in accordance with the purposes set forth in subdivision 1.

Subd. 4. [NON-UNIFORM CONTAINERS.] A beverage container shall not be certified under this section if:

(a) 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) 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. 5. [AUTOMATIC CERTIFICATION.] If a person applies for certification under this section, and his application for certification is not denied by the agency within 60 days after the filing of the application for certification, the beverage container shall be deemed certified.

Subd. 6. [CERTIFICATION REVIEW.] The agency may at any time review the certification of any beverage container. If the agency determines that certification was improperly withheld and that the container is qualified for certification, the agency shall grant certification.

Sec. 6. Minnesota Statutes 1971, Chapter 116, is amended by adding a section to read:

[116.47] [STANDARDS AND REGULATIONS.] Pursuant to the provisions of chapter 15 and to the rules of procedure of the Minnesota pollution control agency, the agency may adopt, amend and rescind regulations and standards having the force of law to carry out the provisions of this act. 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.

Sec. 7. [EFFECTIVE DATE.] *This act takes effect January 1, 1978, except that the agency shall adopt rules and regulations pursuant to this act before April 1, 1976, to take effect on January 1, 1978. Applications and certifications may be made prior to January 1, 1978, to take effect on January 1, 1978."*

Strike the title and insert in lieu thereof:

"A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values; providing for certification of uniform containers; amending Minnesota Statutes 1971, Chapter 116, by adding sections."

The motion prevailed. So the amendment was adopted.

Mr. Arnold moved that S. F. No. 634 be re-referred to the Committee on Natural Resources and Agriculture.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 26 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Larson	Renneke	Wegener
Arnold	Hansen, Baldy	Laufenburger	Schrom	Willet
Ashbach	Hughes	McCutcheon	Solon	
Chenoweth	Kleinbaum	Novak	Stokowski	
Chmielewski	Knutson	Olson, H. D.	Thorup	
Fitzsimons	Kowalczyk	Perpich, A. J.	Ueland	

Those who voted in the negative were:

Bang	Doty	Kirchner	Olhoft	Schaaf
Berg	Dunn	Lewis	Olson, A. G.	Sillers
Bernhagen	Hansen, Mel	Milton	Olson, J. L.	Spear
Blatz	Hanson, R.	Moe	O'Neill	Stassen
Borden	Humphrey	Nelson	Patton	
Brown	Josefson	North	Perpich, G.	
Coleman	Keefe, S.	Ogdahl	Pillsbury	

The motion did not prevail.

The committee then progressed S. F. No. 634.

And then, on motion of Mr. Tennesen, 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 9:00 o'clock a.m., Wednesday, January 30, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SEVENTY-SIXTH DAY

St. Paul, Minnesota, Tuesday, January 29, 1974.

The House of Representatives met on Tuesday, January 29, 1974, which was the Seventy-Sixth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, January 30, 1974.

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	Frederick	Keefe, J.	Novak	Spear
Bernhagen	Gearty	Keefe, S.	Olhoft	Stassen
Blatz	Hansen, Baldy	Kirchner	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Kleinbaum	Patton	Tennessee
Chenoweth	Hanson, R.	Kowalczyk	Perpich, A. J.	Thorup
Coleman	Hughes	Larson	Perpich, G.	Ueland
Conzernius	Humphrey	Lewis	Renneke	Willet
Doty	Jensen	Milton	Schrom	
Fitzsimons	Josefson	Moe	Sillers	

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.	Moe	Renneke
Arnold	Doty	Keefe, S.	Nelson	Schaaf
Ashbach	Dunn	Kirchner	North	Schrom
Bang	Fitzsimons	Kleinbaum	Novak	Sillers
Berg	Frederick	Knutson	Ogdahl	Solon
Bernhagen	Gearty	Kowalczyk	Olhoft	Spear
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	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
Conzernius	Josefson	Milton	Pillsbury	Willet

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 the Session of today. Mr. O'Neill was excused from the Session of today until 10:00 o'clock a.m.

Messrs. Anderson and Chmielewski were excused from this morning's Session. Mr. Olson, H. D. was excused from this morning's Session until 11:00 o'clock a.m. Messrs. Moe, Fitzsimons and Sillers were excused from the Session of today, beginning at 11:00 o'clock a.m. Mr. Laufenburger was excused from today's Session until 11:30 o'clock a.m. Mr. Knutson was excused from the Session of today from 12:30 o'clock p.m. until 3:00 o'clock p.m. Mr. Kirchner was excused from the Session of today, beginning at 4:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 25, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

On August 3, 1973, a letter was submitted to the Senate regarding the confirmation of the members of the Minnesota-Wisconsin Boundary Area Commission.

In December, we were regretfully informed of the death of one of the appointees, Mr. C. Raymond Humphries of Lakeland, Minnesota.

At that time a replacement appointment was submitted to the Senate for confirmation, but unfortunately, this office failed to inform you of this change.

I, therefore, respectfully request that the name of Mr. Humphries be removed from Senate consideration.

Sincerely,
Wendell R. Anderson, Governor

Which communication was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Mr. North introduced—

S. F. No. 2885: A bill for an act relating to metropolitan transportation; directing the metropolitan council to promote the use of car pools and employer vans; authorizing grants and loans to cover the acquisition cost of employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing a tax levy.

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

Mr. Patton introduced—

S. F. No. 2886: A bill for an act relating to place of filing bonds of county officials; amending Minnesota Statutes 1971, Section 574.21.

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

Messrs. Brown, Conzemius and Stassen introduced—

S. F. No. 2887: A bill for an act relating to the state board of investment; prohibiting the voting of stock controlled by the board.

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

Messrs. Brown, Chmielewski and Nelson introduced—

S. F. No. 2888: A bill for an act relating to education; merging the administration of the state colleges and the state junior colleges; amending Minnesota Statutes 1971, Sections 136.02; 136.60, Subdivision 1; 136.601; 136.602; 136.62; 136.621, Subdivisions 1 and 2; 136.63, Subdivisions 1a and 3; 136.65; 136.66; and 136.70; repealing Minnesota Statutes 1971, Section 136.61.

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

Mr. Schaaf introduced—

S. F. No. 2889: A bill for an act relating to public places; smoking; regulating smoking at public places and in public meetings; providing a penalty.

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

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Moe, O'Neill and Hughes introduced—

S. F. No. 2890: A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide educational services for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, Subdivision 1.

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

Messrs. Ogdahl, Gearty and Stokowski introduced—

S. F. No. 2891: A bill for an act relating to the city of Minneapolis; retirement; disability benefits for city employees; amending Laws 1973, Chapter 133, Section 18, Subdivisions 2, and 3 as amended.

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

Messrs. Ogdahl, Gearty and Stokowski introduced—

S. F. No. 2892: A bill for an act relating to the city of Minneapolis; retirement; survivors benefits for dependents of city employees; amending Laws 1973, Chapter 133, Section 23, Subdivisions 2, 3, and 9.

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

Messrs. Bernhagen, Solon and Hansen, Mel introduced—

S. F. No. 2893: A bill for an act relating to retirement; repayment of refunds to the teachers retirement fund; amending Minnesota Statutes 1971, Section 354.50, Subdivision 3.

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

Mr. Bernhagen introduced—

S. F. No. 2894: A bill for an act relating to the claim of Anthony R. Kos; arising from injuries sustained in an automobile when under custody of Minnesota home school; appropriating money for the payment thereof.

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

Messrs. Bernhagen; Olson, A. G. and Hanson, R. introduced—

S. F. No. 2895: A bill for an act relating to taxation; excise tax on gasoline and gasoline substitutes used to generate power for propelling motor vehicles; authorizing a bulk purchaser of diesel fuel used exclusively for his private automobile to pay the special fuel tax at the time of purchase; providing penalties; amending Minnesota Statutes 1971, Chapter 296, by adding a section.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Hanson, R.; Olhoft and Olson, J. L. introduced—

S. F. No. 2896: A bill for an act relating to game and fish; contracts for removal of rough fish; amending Laws 1973, Chapter 720, Section 61, Subdivision 2.

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

Mr. Hanson, R. introduced—

S. F. No. 2897: A bill for an act relating to game and fish; restricting applications for moose licenses in successive years; pro-

viding a penalty; amending Minnesota Statutes 1971, Section 100.271, Subdivision 4.

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

Messrs. Hanson, R.; Wegener and Willet introduced—

S. F. No. 2898: A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

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

Mr. Wegener introduced—

S. F. No. 2899: A bill for an act relating to taxation; increases in assessments of undervalued property; amending Minnesota Statutes 1971, Section 273.02, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Josefson and Novak introduced—

S. F. No. 2900: A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

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

Messrs. Perpich, A. J.; Olhoft and Solon introduced—

S. F. No. 2901: A resolution memorializing the President and Congress to abolish daylight savings time in Minnesota during the winter months.

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

Messrs. Kleinbaum, Sillers and Laufenburger introduced—

S. F. No. 2902: A bill for an act relating to education; appropriating money to the state college board maintenance and equipment account.

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

Messrs. Hughes, Pillsbury and Coleman introduced—

S. F. No. 2903: A bill for an act relating to the environmental quality council; approval of state building construction plans as to efficiency of energy use and consumption.

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

Messrs. Novak, Gearty and McCutcheon introduced—

S. F. No. 2904: A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

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

Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Hanson, R.; Larson and Renneke introduced —

S. F. No. 2905: A bill for an act relating to environment; reduction, reuse, recycling and disposal of solid waste; eliminating the user fee for solid waste disposal; amending Laws 1973, Chapter 748, Section 10; repealing Laws 1973, Chapter 748, Section 7.

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

Messrs. Hanson, R.; Larson and Kowalczyk introduced—

S. F. No. 2906: A bill for an act relating to game and fish; fishing license exemption for senior citizens; amending Minnesota Statutes 1971, Section 98.47, Subdivision 1, as amended.

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

Messrs. Gearty, Ogdahl and Keefe, S. introduced—

S. F. No. 2907: A bill for an act relating to the city of Minneapolis; authorizing the city to appoint a public officer or employee as commissioner on the city housing and redevelopment authority.

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

Messrs. Berg, Conzemius and Laufenburger introduced—

S. F. No. 2908: A bill for an act relating to highway traffic regulations; weight limitations; authorizing temporary weight increases on tandem axles and total gross vehicle weight increases on vehicles equipped with tandem axles on certain highways; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 2.

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

Messrs. Hughes, Chenoweth and Ashbach introduced—

S. F. No. 2909: A bill for an act relating to taxes; county wheelage taxes; repealing Minnesota Statutes 1971, Section 163.051, as amended.

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

Messrs. Keefe, S.; Bang and Chmielewski introduced—

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

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

Messrs. Keefe, S.; Bang and Chmielewski introduced—

S. F. No. 2911: A bill for an act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

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

Messrs. Keefe, S. and Moe introduced—

S. F. No. 2912: A bill for an act relating to education; establishing a center for consumer education services and prescribing its duties; appropriating money.

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

Mr. Hughes questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Coleman, Sillers and Anderson introduced—

S. F. No. 2913: A bill for an act relating to education; creating an advisory commission to study school district cooperation and efficiency and giving certain powers to the state board of education to implement its recommendations; appropriating money.

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

Messrs. Laufenburger, Larson and Chmielewski introduced—

S. F. No. 2914: A bill for an act relating to time; providing that the state of Minnesota shall observe standard time during the

months of December, January and February; amending Minnesota Statutes 1971, Section 645.071, Subdivision 1; repealing Minnesota Statutes 1971, Section 645.071, Subdivision 2.

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

Messrs. Hansen, Mel; Gearty and Jensen introduced—

S. F. No. 2915: A bill for an act relating to taxation; providing for the discharge of certain property tax credits; appropriating money; amending Laws 1973, Chapter 650, Article XV, Sections 2 and 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Hansen, Mel; Keefe, S. and Stassen introduced—

S. F. No. 2916: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivisions 1 and 3.

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

Messrs. O'Neill, Conzemius and Sillers introduced—

S. F. No. 2917: A bill for an act relating to taxation; reduction of rates of employers excise tax in certain instances; amending Laws 1973, Chapter 650, Article XXVI, Section 1, Subdivision 6.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey, O'Neill and Tennesen introduced—

S. F. No. 2918: A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; 546.27; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

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

Mr. Olson, J. L., by request, introduced—

S. F. No. 2919: A bill for an act relating to the claim of Thomas

Earl Crowe; arising from injuries sustained during a booking by officers of the Minnesota highway patrol; appropriating money for the payment thereof.

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

Mr. Perpich, G. introduced—

S. F. No. 2920: A bill for an act relating to the claim of James Krause; arising from the breakage of glass from highway vibrations; appropriating money for the payment thereof.

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

Messrs. Gearty; Hansen, Mel and Tennesen introduced—

S. F. No. 2921: A bill for an act relating to the city of Minneapolis; retirement; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivisions 1, 3, 5 as amended, 6, and by adding a subdivision; 9, Subdivision 2 as amended, and 3; 11, Subdivision 1; 12, Subdivision 2; 16, Subdivisions 1, and 8; 18, Subdivision 1; and 23, Subdivision 1; repealing Laws 1973, Chapter 133, Section 25.

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

Mr. Olhoft introduced—

S. F. No. 2922: A bill for an act relating to the claim of Marcella Englund; arising from the removal of an advertising sign on private property by the highway department; appropriating money for the payment thereof.

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

Messrs. Humphrey, Ogdahl and Tennesen introduced—

S. F. No. 2923: A bill for an act relating to the control of shade tree disease in the metropolitan area; appropriating money therefor.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2924: A bill for an act relating to municipalities; requiring the Minnesota municipal commission to deny a petition for annexation if the major reason for the petition is to allow a municipality to acquire open iron ore pits for revenue purposes; amending Minnesota Statutes 1971, Section 414.031, Subdivision 4.

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

Mr. Hanson, R., by request, introduced—

S. F. No. 2925: A bill for an act relating to the city of Detroit Lakes; authorizing the issuance of an on-sale liquor license.

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

Mr. Ashbach introduced—

S. F. No. 2926: A bill for an act relating to the city of New Brighton; firemen's relief pensions; amending Laws 1967, Chapter 742, Section 1, Subdivision 1.

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

Messrs. Kleinbaum and Gearty introduced—

S. F. No. 2927: A bill for an act relating to attorney general; compensation for part time special attorneys; repealing Minnesota Statutes, 1973 Supplement, Section 8.025.

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

Mr. Keefe, S. introduced—

S. F. No. 2928: A bill for an act relating to fair campaign practices; prohibiting false statements of residence by delegates to a party endorsement convention; prohibiting the advance of money to delegates; prohibiting landlord from unduly influencing tenants; prescribing penalties; amending Minnesota Statutes 1971, Chapter 211, by adding sections.

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

Messrs. Tennesen and Milton introduced—

S. F. No. 2929: A bill for an act relating to highway traffic regulations; speed restrictions; amending Minnesota Statutes 1971, Section 169.14, Subdivisions 2, 4, 5 and 8.

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

Messrs. Tennesen and Knutson introduced—

S. F. No. 2930: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the laws concerning unemployment compensation by pregnancy; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1, as amended.

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

Mr. Tennesen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius and Krieger introduced—

S. F. No. 2931: A bill for an act relating to natural resources; appropriating money for land acquisition within the Whitewater Wildlife Management Area; control of roads therein; declaring a moratorium upon development therein.

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

Mr. Frederick introduced—

S. F. No. 2932: A bill for an act relating to the claim of Annette Whiting; arising from services on the adult corrections commission in excess of the 15 working days a month for which a member is compensable; appropriating money for the payment thereof.

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

Messrs. Kleinbaum and Milton introduced—

S. F. No. 2933: A bill for an act relating to nonprofit health service plans; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Section 62C.14, by adding a subdivision.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Doty introduced—

S. F. No. 2934: A bill for an act relating to commerce; requiring advertisements that include special or sale items to specify the number of items on hand during the time of the sale.

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

Messrs. Doty, O'Neill and Moe introduced—

S. F. No. 2935: A bill for an act relating to hospitals; allowing interest to be charged on hospital service charges only after a treated person's insurance carrier completes its payment obligation.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, S. introduced—

S. F. No. 2936: A bill for an act relating to elections; requiring employers to post notice of statutory right to have time off to vote; amending Minnesota Statutes 1971, Section 204.15, by adding a subdivision.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2937: A bill for an act relating to the city of Beaver Bay; authorizing the issuance of on-sale liquor licenses.

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

Messrs. Brown and Borden introduced—

S. F. No. 2938: A bill for an act relating to polygraph tests of police officers; prohibiting the use thereof; repealing Laws 1973, Chapter 667, Section 3.

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

Messrs. Coleman, O'Neill and Perpich, A. J. introduced—

S. F. No. 2939: A bill for an act relating to taxation; providing an income tax credit for persons with small incomes; amending Minnesota Statutes 1971, Section 290.06, Subdivision 2c, and by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 2940: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law concerning the department of corrections, youth conservation, adult conservation, custody of mentally deficient or epileptic persons, county home schools, detention homes, county jails, lockups, and work-farms; amending Minnesota Statutes 1971, Sections 241.02, Subdivision 1; 241.07; 241.22; 241.23; 241.27, Subdivision 2; 242.19, Subdivision 1, as amended; 242.22; 242.47; 242.48; 242.51; 243.05; 243.17, Subdivision 1; 243.18; 243.20; 243.21; 243.211; 243.25; 243.26; 243.51, Subdivision 2; 243.54; 243.55; 243.57; 243.58; 243.59; 243.62; 243.66, as amended; 243.68; 243.84; 243.85; 243.90; 243.91; 243.92; 252.07; 260.094; 260.101; 641.07; 641.38; 642.08; 643.08; 643.15; 643.19; repealing Minnesota Statutes 1971, Sections 242.52; and 643.14.

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 File, herewith returned:

S. F. No. 2426.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 29, 1974

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. 1310: A bill for an act relating to taxation; assessment of personal property of electric light and power companies; amending Minnesota Statutes 1971, Section 273.38.

Senate File No. 1310 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 29, 1974

Mr. Conzemius moved that S. F. No. 1310 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 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.

Senate File No. 1858 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned January 29, 1974

Mr. Coleman moved that S. F. No. 1858 be laid on the table. The motion prevailed.

Mr. President:

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

H. F. Nos. 2324, 2588, 2603, 2670, 2813 and 2715.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 29, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2324: A bill for an act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, Subdivision 1.

H. F. No. 2588: A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

H. F. No. 2603: A bill for an act relating to workmen's compensation; reports of death or injury; prescribing penalties for failure to file required reports; amending Minnesota Statutes 1971, Section 176.231, Subdivisions 3 and 10, as amended.

H. F. No. 2670: A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

H. F. No. 2813: A bill for an act relating to student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

H. F. No. 2715: A bill for an act relating to elections; prohibiting the scheduling of athletic events on a precinct caucus day; amending Minnesota Statutes 1971, Chapter 202, by adding a section.

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, with the exception of the report from the Committee on Rules and Administration pertaining to amendment of the Permanent Rules of the Senate. The motion prevailed.

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

S. F. No. 2704: A bill for an act relating to bureau of health personnel of the city of St Paul; amending Laws 1973, Chapter 767, Section 3, subdivision 3.

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

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

S. F. No. 2727: A bill for an act relating to state government and its personnel department; providing for temporary rules.

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

Page 1, strike lines 18 to 22

Renumber Sec. 3 as Sec. 2.

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

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

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.

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. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review committee; authorizing a tax levy upon property within the metropolitan transit taxing district.

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. [METROPOLITAN TRANSIT COMMISSION; AUTOMATED SMALL VEHICLE FIXED GUIDEWAY SYSTEM; PLANNING.] Subdivision 1. The metropolitan transit commission shall develop plans for an automated small vehicle fixed guideway system. In preparing its plans, the metropolitan transit commission shall include recent studies and developments in transit technology. The metropolitan council shall cooperate with the metropolitan transit commission and provide general policy guidance in developing the plans. The plans shall be subject to review by the legislative transit review commission in accordance with the provisions of section 3 of this act. The plans shall provide for demand activated origin to destination service, at least during non-peak or non-rush hour periods. “Demand activated” means, for the purpose of this section, that the vehicle travels to any other station in the system without stops or transfers.

Subd. 2. The plans shall provide for a safe and reliable system which is compatible with local circulation routes and which is adaptable to carry freight as well as passengers. The plans shall have a positive impact on efforts to minimize urban sprawl.

Subd. 3. The system shall be flexible to allow for expansion and improvement in order to accommodate changes made possible by

changes in technology. The system shall be designed so as to maximize compatibility with the environment, including, but not limited to, such techniques as tunneling, to the extent practically and economically feasible; and above-ground guideways, designed to be as small as possible and aesthetically coordinated with the surrounding community.

Subd. 4. The plans shall specify routes, route mileage, vehicle size, vehicle type and other technical matters.

Subd. 5. The plans shall be in such form that direct, valid comparison can be made with the other mass transit options reported in metropolitan transit commission consultant report III-A-2 on the following factors: capital cost, cooperating cost, 30-year net present cost, number of riders, completion date, route miles, safety, reliability, environmental impact, reduction of energy requirements, capacity to meet future passenger levels higher than estimated, and technological feasibility.

Sec. 2. [TAX LEVY; SMALL VEHICLE FIXED GUIDEWAY SYSTEM PLANNING.] Subdivision 1. The metropolitan transit commission shall levy for the planning program authorized by this act upon all taxable property within the metropolitan transit taxing district a tax in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area. The levy made for the purposes of sections 1 to 3 of this act shall not exceed one-tenth of a mill on each dollar of assessed valuation of all taxable property in the metropolitan transit taxing district. The certification and collection of the tax levied pursuant to this section shall be accomplished in accordance with Minnesota Statutes, Section 473A.111, Subdivision 3.

Subd. 2. This section shall be effective for taxes assessed in 1974 and payable in 1975.

Sec. 3. [LEGISLATIVE TRANSIT REVIEW; MEMBERSHIP; DUTIES.] Subdivision 1. The legislative transit review commission is created.

Subd. 2. The commission shall consist of three members of the senate appointed by the senate majority leader, two members appointed by the senate minority leader, three members of the house appointed by the speaker of the house, and two members appointed by the house minority leader. The commission shall elect a chairman from its membership. The terms of the commissioners shall expire on July 1, 1975. 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.

Subd. 3. The commission shall review the metropolitan transit commission planning program at periodic intervals to be determined by the commission. The legislative transit review commission may require the metropolitan transit commission to alter or revise the plans and the program for the development of the plans in accordance with its recommendations. In addition, any consultant hired for the purposes of this act shall have the prior approval of the legislative transit review commission. Based upon the plans

developed according to section 1 of this act, the legislative transit review commission shall prepare a final report on its findings and recommendations on or before July 1, 1975.

Subd. 4. The members of the commission shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties. Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees.

Subd. 5. The commission may employ a professional staff or contract for the services of a consultant in order to perform the duties herein prescribed.

Sec. 4. Following the adoption by the legislative transit review commission of the final report required under section 3 of this act, the metropolitan transit commission shall prepare socio-economic and environmental impact studies, and preliminary engineering studies for a transit development program based on the recommendations contained in the final report.

Sec. 5. [TAX LEVY: ENVIRONMENTAL IMPACT STUDIES.] Subdivision 1. The metropolitan transit commission shall levy for the purposes of section 4 of this act upon all taxable property within the metropolitan transit taxing district a tax in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area. The levy made for the purpose of section 4 of this act shall not exceed one-twentieth of a mill on each dollar of assessed valuation of all taxable property in the metropolitan transit taxing district. The certification and collection of the tax levied pursuant to this section shall be accomplished in accordance with Minnesota Statutes, Section 473A.111, Subdivision 3.

Subd. 2. This section shall be effective for taxes assessed in 1975 and payable in 1976.

Sec. 6. This act is effective on the date following its final enactment."

Further, amend the title as follows:

Page 1, line 8, strike "committee" and insert in lieu thereof "commission"

Page 1, line 8, strike "a" and strike "levy" and insert in lieu of "levy" the word "levies"

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

S. F. No. 2668: A bill for an act relating to tax forfeited land sales; place of conducting sales; amending Minnesota Statutes 1971, Sections 282.01, Subdivision 4; 282.02; 282.16, Subdivision 1; and 282.222, 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

S. F. No. 2681: A bill for an act relating to cooperative associations; officers and directors thereof; amending Minnesota Statutes 1971, Section 308.11.

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

S. F. No. 2718: A bill for an act directing the commissioner of natural resources to convey certain lands to Lake of the Woods County.

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

S. F. No. 2716: A bill for an act relating to game and fish; seasons for taking of moose; amending Minnesota Statutes, 1973 Supplement, Section 100.27, Subdivision 2.

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

Page 2, line 5, after “;” insert “no moose season shall be held in this state after January 1, 1980, unless further provided for by law;”

Page 2, after line 12, insert:

“Sec. 2. Minnesota Statutes 1971, Section 100.271, is amended by adding a subdivision to read:

Subd. 3a. No person shall be eligible to be issued a license to take moose who has been issued a license to take moose within either of the last two moose seasons.”

Further, amend the title as follows:

Page 1, line 4, after “Statutes” and before the comma insert: “1971, Section 100.271, by adding a subdivision; and Minnesota Statutes”

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. 2799: A bill for an act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

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

Page 1, line 10, strike "of state departments, agencies, boards and"

Page 1, line 11, strike "commissions"

Page 1, line 13, strike "state"

Page 2, after line 3, add a new section to read:

"Sec. 2. This act is in effect the day following its enactment."

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

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

S. F. No. 439: A bill for an act proposing an amendment to the Minnesota Constitution, Article VIII, Section 4; permitting the income from the permanent school fund to be apportioned by law for all scholars under 21 years of age.

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

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

S. F. No. 1735, together with the committee report thereon: 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 returned to the Committee on Metropolitan and Urban Affairs. 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. 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.

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

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

S. F. No. 2549: A bill for an act relating to the university of Minnesota; prohibiting employees from performing services as consultants or expert witnesses; providing a penalty.

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

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

S. F. No. 2566: A bill for an act relating to transportation in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington; establishing a transportation board in the metropolitan council; providing means to limit the use of automobiles in the aforementioned counties.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Metropolitan and Urban Affairs. Report adopted.

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

S. F. No. 2577: A bill for an act relating to taxation; providing for an income tax credit for political contributions; amending Minnesota Statutes 1971, Section 290.06, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Transportation and General Legislation. Report adopted.

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

S. F. No. 2578: A bill for an act relating to taxation; providing for an income tax credit for political contributions; amending Minnesota Statutes 1971, Section 290.06, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Transportation and General Legislation. Report adopted.

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

S. F. No. 2828: A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

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

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

S. F. No. 2831: A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Sections 1 and 7; conforming the age and residency requirements of voters to the federal constitution and setting the general age to hold office at 18 years.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Transportation and General Legislation. Report adopted.

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

S. F. No. 2874: A bill for an act relating to human rights; authorizing banks and other financial institutions to refuse to hire spouses of persons employed by them for purposes of security; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 1; and by adding a subdivision.

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

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

H. F. No. 2667: A bill for an act relating to taxation; reassessment of improperly valued property; amending Minnesota Statutes 1971, Section 270.18, Subdivision 2.

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. 2055: A bill for an act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of taxation; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

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

Page 1, line 16, strike "taxation" and insert "revenue"

Page 1, line 17, strike "taxation" and insert "revenue"

Page 1, line 22, strike "taxation" and insert "revenue"

Page 2, line 6, strike "taxation" and insert "revenue"

Page 2, line 13, strike "1973" and insert "1974"

Further, amend the title as follows:

Line 4, strike "taxation" and insert "revenue"

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

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

S. F. No. 2661: A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; amending Minnesota Statutes, 1973 Supplement, Section

250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

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 referred

H. F. No. 543; A bill for an act relating to health; amending Minnesota Statutes 1971, Section 617.251.

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 referred

S. F. No. 2798; A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds; repealing Minnesota Statutes 1971, Section 617.251.

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

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

Page 1, line 23, after the semicolon, insert "provision of, or"

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

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

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

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

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

Page 2, line 28, strike "and the application"

Page 3, strike line 1

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

Page 3, line 2, strike "enable" and insert "prohibit any agency, corporation, individual or other entity from making application for or receiving"

Page 3, strike line 3

Page 3, line 4, strike "to any applicant"

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

Page 4, line 21, strike "\$" and insert "\$125,000"

Page 4, line 27, strike "July" and insert "on the day following enactment."

Page 4, strike line 28

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred appointment submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 47th day, reports the same back with the recommendation that said appointment be re-referred to the Committee on Transportation and General Legislation.

STATE ARTS COUNCIL

Mrs. Alvina O'Brien, 480 Grand Hill, St. Paul, Ramsey County, appointed effective April 25, 1973, for a term expiring April 1, 1977. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred appointment submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 53rd day, reports the same back with the recommendation that said appointment be re-referred to the Committee on Governmental Operations.

STATE BOARD OF HUMAN RIGHTS

Branch C. Miller, 2801 43rd Avenue South, Minneapolis, Hennepin County, appointed effective January 2, 1973, for a term expiring the first Monday of January, 1976. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 70th day, reports the same back with the recommendation that said appointments be re-referred to the standing committees of the Senate as follows:

CHAIRMAN OF THE METROPOLITAN COUNCIL

John Boland, 2454 Ripley Avenue, North St. Paul, Ramsey County, appointed effective August 6, 1973, for an indeterminate term; to the Committee on Metropolitan and Urban Affairs.

METROPOLITAN COUNCIL

Mrs. Joan Campbell, 947 17th Avenue Southeast, Minneapolis, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

John Costello, 2177 Stanford Avenue, St. Paul, Ramsey County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Kingsley Murphy, Jr., 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Mrs. Alice Kreber, 4719 Yates Avenue North, Crystal, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979; to the Committee on Metropolitan and Urban Affairs.

COMMISSION ON JUDICIAL STANDARDS

Gerald Dillon, 16 Park Lane, Minneapolis, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977.

Katherine Murphy, 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977; to the Committee on Judiciary.

LEVY LIMITATION REVIEW BOARD

William R. Tysseling, 2632 Bittersweet Lane, North St. Paul, Ramsey County, appointed effective August 15, 1973, for a term expiring February 15, 1975; to the Committee on Taxes and Tax Laws.

MINNESOTA WATER RESOURCES BOARD

Bruce Fleming, 3680 Centerwood Road, Lexington Village, Anoka, Anoka County, appointed effective October 1, 1973, for a term expiring October 5, 1977.

David R. Von Holtum, 607-10th Street, Worthington, Nobles County, appointed effective October 5, 1973, for a term expiring October 5, 1979; to the Committee on Natural Resources and Agriculture.

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Richard H. Magnuson, 2141 Doswell Avenue, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Peter Benzoni, 1520 Morningside Avenue, Duluth, St. Louis County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Kenneth RockVam, 315 South Pearl Street, Mankato, Blue Earth County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Fred Ewing, 4436 4th Avenue South, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Reinert, Garvin, Lyon County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Wesley C. Ohman, 1506 Hamline Avenue North, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

David L. Clark, 829 25th Avenue S. E., Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Alice Keller, 358 Collegeview, Winona, Winona County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Shirley K. Hunt, 5600 Hillside Court, Edina, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

James Ted Shields, Longville, Cass County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Dayton, 11947 Hilloway Road, Minnetonka, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974; to the Committee on Natural Resources and Agriculture.

REAL ESTATE ADVISORY COMMISSION

Ray S. Jambor, 635 South Cleveland Avenue, St. Paul, Ramsey County, appointed effective June 30, 1973, for a term expiring June 30, 1978; to the Committee on Transportation and General Legislation.

STATE ARTS COUNCIL

Mrs. Sandra Hale, 1833 Girard Avenue South, Minneapolis, Hennepin County, appointed effective August 3, 1973, for a term expiring April 1, 1977; to the Committee on Transportation and General Legislation.

DIRECTOR OF THE PUBLIC SERVICE COMMISSION

Lawrence J. Anderson, 4905 Elliot Avenue, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring the first Monday of January, 1975; to the Committee on Labor and Commerce.

COMMISSIONER OF THE BANKING DIVISION DEPARTMENT OF COMMERCE

Robert A. Mampel, 5650 Westbrook Road, Golden Valley, Hennepin County, appointed effective September 4, 1973, for a term expiring September 4, 1979; to the Committee on Labor and Commerce.

WORKMEN'S COMPENSATION COMMISSIONER

Charles C. Reischel, 1711 Fremont Avenue, St. Paul, Ramsey County, appointed effective November 8, 1973, for a term expiring September 14, 1979; to the Committee on Labor and Commerce.

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

J. Martell Rud, Manager, Northtown Shopping Center, 398 N. E. Northtown Drive, Edina, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Earl Gustafson, 700 First American National Bank Building, Duluth, St. Louis County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Dan Gustafson, Minneapolis Building Trades and Construction

Trades Council, Room 400, 117 4th Street S. E., Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1979; to the Committee on Labor and Commerce.

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Paul Larimore, Interstate Power Company, Albert Lea, Freeborn County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Alfred Erickson, Ellerbe Architects, 333 Sibley, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Jack West, S. J. Grove and Sons, 1972 Malvern Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

James Miley, 60 East Fourth Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Leonard LaShomb, Minnesota AFL-CIO, 414 Auditorium Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

John Hauenstein, Peerliss Chain Company, Winona, Winona County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

William Westerberg, Continental Safety Equipment, 690 Snelling Avenue, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Harvey Paulson, State Building and Trades, 404 East Main, Albert Lea, Freeborn County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Hugh Gallagher, Communications Workers of America, Meadowbrook Building, W-315, 6490 Excelsior Boulevard, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Helen Bender, G-25A, Highway Building, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Victor Lowe, Minnesota Compensation Rating Bureau, 523 Marquette Avenue, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Robert McElroy, Minnesota Mining, 900 Bush, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977; to the Committee on Labor and Commerce.

STATE BOARD OF EDUCATION

Henry Tweten, East Grand Forks, Polk County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

Dorothea Chelgren, 89 West Hawthorne Avenue, St. Paul, Ramsey County, appointed effective July 1, 1973, for a term expiring July 1, 1979; to the Committee on Education.

STATE BOARD FOR COMMUNITY COLLEGES

Hugh V. Plunkett, III, 304 22nd Street Southwest, Austin, Mower County, appointed effective July 1, 1973, for a term expiring July 1, 1976.

Margaret Smith, 1706 Ryan Avenue West, St. Paul, Ramsey County, appointed effective July 1, 1973, for a term expiring July 1, 1980.

Douglas Alan Bruce, 2108 Laurel Avenue West, Minneapolis, Hennepin County, appointed effective July 1, 1973, for a term expiring July 1, 1980.

John Sontorovich, 519 4th Avenue, International Falls, Koochiching County, appointed effective November 16, 1973, for a term expiring July 1, 1978; to the Committee on Education.

STATE BOARD OF HEALTH

Marlys Wolf, Fingerhut Manufacturing, St. Cloud, Stearns County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Roberto Trevino, 1610 3rd Avenue South, Moorhead, Clay County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Elizabeth Kalisch, 5371 Hugo Road, White Bear Lake, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Robert Willmarth, 203 9th Avenue S. E., Rochester, Olmsted County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Bridget Coleman, 700 Linwood, St. Paul, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Patrick M. Daugherty, 3914 Bryant Avenue North, Minneapolis, Hennepin County, appointed effective October 12, 1973, for a term expiring January 1, 1977; to the Committee on Health, Welfare and Corrections.

EXECUTIVE DIRECTOR FOR THE COMMISSION ON ALCOHOL PROBLEMS AND AS DIRECTOR OF THE DRUG ABUSE SECTION

Joel Egertson, 5337 3rd Avenue South, Minneapolis, Hennepin County, appointed effective August 20, 1973, for a term expiring the first Monday of January, 1975; to the Committee on Health, Welfare and Corrections.

GILLETTE HOSPITAL AUTHORITY

Mrs. Marilyn Berg, 1865 Bayard Avenue, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Dr. Betty Green, 4377 Wooddale Avenue, St. Louis Park, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Dr. Ellen Fifer, Department of Health, University of Minnesota Campus, Minneapolis, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Judge Harold Schultz, 1176 Hawthorne Avenue East, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

Dr. Robert Winter, 1648 Dodd Road, Mendota Heights, Dakota County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Clifford Retherford, 7007 West Shore Drive, Edina, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

John Buzzell, Department of Public Welfare, 4th floor, Centennial Office Building, St. Paul, Ramsey County, appointed effective September 4, 1973, for an indeterminate term; to the Committee on Health, Welfare and Corrections.

STATE EXAMINING COMMITTEE FOR PHYSICAL THERAPISTS

Thomas R. Garrett, 1842 N. W. 16th Street, Rochester, Olmsted County, appointed effective August 16, 1973, for a term expiring June 30, 1976.

Dr. Elmer Salovich, 5249 Lochloy Drive, Minneapolis, Hennepin County, appointed effective June 30, 1972, for a term expiring June 30, 1975; to the Committee on Health, Welfare and Corrections.

STATE BOARD OF EXAMINERS IN BASIC SCIENCES

Dr. Raymond Bieter, 2015 Dayton Avenue, St. Paul, Ramsey County, appointed effective April 1, 1973, for a term expiring April 1, 1979.

Dr. Paul Winchell, 4100 Morrill Lane, Minneapolis, Hennepin County, appointed effective April 1, 1973, for a term expiring April 1, 1979; to the Committee on Health, Welfare and Corrections.

MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION

John Borchert, Scandia, Washington County, appointed effective January 2, 1974, for a term expiring July 1, 1977.

Robert Burns, 10677 Cedar Heights Trail, Hastings, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

James W. Johnson, Marine-on-St. Croix, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

Mrs. Stanley Hubbard, St. Croix Beach, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

Robert Nybo, Jr., Red Wing, Goodhue County, appointed effective July 1, 1973, for a term expiring July 1, 1977; to the Committee on Governmental Operations.

MUNICIPAL COMMISSION

Gerald Isaacs, 1835 Mechanic Avenue, St. Paul, Ramsey County, appointed effective November 5, 1973, for a term expiring June 30, 1979; to the Committee on Governmental Operations.

CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION

Thomas G. Reichert, 918 St. Germain, St. Cloud, Stearns County, appointed effective July 2, 1973, for a term expiring July 1, 1977; to the Committee on Governmental Operations.

HOUSING FINANCE AGENCY

Clyde Pemble, 10904 Ridgewood Court, Burnsville, Dakota County, appointed effective January 1, 1974, for a term expiring January 1, 1979; to the Committee on Governmental Operations.

STATE COMMISSION ON CABLE COMMUNICATIONS

Virginia Greenman, 148 Prospect Boulevard, St. Paul, Ramsey County, appointed effective August 17, 1973, for a term expiring January 1, 1976.

Mrs. Janet Yonehiro, 6020 Fairwood Drive, Minnetonka, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1976.

Harry Munger, 2921 North 22nd Avenue West, Duluth, St. Louis County, appointed effective August 17, 1973, for a term expiring January 1, 1976.

Theodore Melby, Montgomery, LeSueur County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Richard Hunegs, 8907 Minnehaha Circle, Minneapolis, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Tom Tipton, 3921 Sunset Boulevard, Minneapolis, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Richard Zeigler, 4031 N. W. 6th Street, Rochester, Olmsted County, appointed effective August 17, 1973, for a term expiring January 1, 1978; to the Committee on Governmental Operations.

COMMISSIONER OF PERSONNEL

John W. Jackson, 2114 Juliet Avenue, St. Paul, Ramsey County, appointed effective September 28, 1973, for a term coterminus with the Governor; to the Committee on Governmental Operations.

PERSONNEL BOARD

Edward LaFave, Jr., Morris, Stevens County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Edna Schwartz, 896 Cleveland South, St. Paul, Ramsey County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Cornell Moore, 2727 Dean Boulevard, Minneapolis, Hennepin County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Marie Larson, Kahler Hotel, 20 S. W. 2nd Avenue, Rochester, Olmsted County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Marcella Page, 1847 Woodcrest Drive, St. Paul, Ramsey County, appointed effective November 26, 1973, for a term expiring January 1, 1976.

William Flaherty, 3208 Rankin Road, Minneapolis, Hennepin County, appointed effective November 26, 1973, for a term expiring January 1, 1976.

William Watters, 330 East Faribault, Duluth, St. Louis County, appointed effective November 26, 1973, for a term expiring January 1, 1976; to the Committee on Governmental Operations.

COMMISSIONER OF FINANCE

Edward G. Ziegler, 510 South Owens, Stillwater, Washington County, appointed effective August 14, 1973, for a term that is coterminus with the Governor; to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2324, 2588, 2603, 2670, 2813, 862 and 2715 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. 2813 to the Committee on Education.

H. F. Nos. 2603 and 2588 to the Committee on Governmental Operations.

H. F. No. 2324 to the Committee on Labor and Commerce.

H. F. No. 2670 to the Committee on Taxes and Tax Laws.

H. F. No. 2715 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.
862	420				

Pursuant to Rule 49 the Committee recommends that H. F. No. 862 be amended as follows:

Page 2, line 12, delete "reflector" and insert in lieu thereof "reflectors"

Page 4, line 21, delete "*vehicles exempted by section 169.43*" and insert in lieu thereof "*trucks with gate, loading rack or partition carried in any manner on any part of the exterior of the truck where the top and bottom of the gate, loading rack or partition is securely attached to the truck so as to prevent swinging or becoming loose, or to trucks with a tail gate or tail-board hanging down or projecting from the vehicle while the vehicle is being loaded or unloaded when the load on the tail-board renders impossible the closing of the tail-board*"

And when so amended, H. F. No. 862 will be identical to S. F. No. 420 and further recommends that H. F. No. 862 be given its second reading and substituted for S. F. No. 420 and S. F. No. 420 be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, makes the following report. That Rule 69 of the Permanent Rules of the Senate as amended on Tuesday, January 15, 1974 and appearing in the Journal of the 67th day, pages 3798-3800 be amended as follows:

Page 3799 between the Page classification and Researcher I classification insert "1 Public Information Officer at \$29.75"

Page 3800 strike "20" before "Stenographer I" and insert "23"

Reports the same back with the recommendation that the permanent rules be so amended.

Mr. Coleman moved that the foregoing committee report be now adopted. The motion prevailed. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2704, 2727, 2703, 2668, 2681, 2718, 2716, 2799 and 2055 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 862, 1630, 2667 and 543 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2633. The motion prevailed.

Mr. Hughes moved that the names of Messrs. Anderson and Patton be added as co-authors to S. F. No. 2595. The motion prevailed.

Mr. Doty moved that S. F. No. 296 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Doty moved that the Senate do now concur in the amendments by the House to S. F. No. 296 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 296: A bill for an act relating to taxation; excise tax on motor vehicles; defining purchase price; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 8.

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

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

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that Rule 69 of the Permanent Rules of the Senate be amended in accordance with the report from the Committee on Rules and Administration adopted today.

The question being taken on adoption of the motion,

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

Those who voted in the affirmative were:

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

The motion prevailed. So the rule was amended.

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.

Jayne Milana, Stenographer I classification be substituted for Marjorie Harrison in the Stenographer II classification, effective January 17, 1974.

Jean S. Risdal substituted for Mary Brauer in the Stenographer I classification, effective January 21, 1974.

Emma Holm, Stenographer I, effective January 28, 1974.

Linda Holt, Stenographer I, effective January 21, 1974.

William Richardson, Public Information Officer, effective January 15, 1974.

Russell Sundquist, Sergeant, effective January 21, 1974.

Diane Booth, Clerk-Typist II, effective January 28, 1974.

Karen Wilson, Clerk Typist I, effective January 21, 1974.

Rev. Silvin Watterkotte, O.F.M., Chaplain, effective January 16, 1974.

Rev. Ronald Rieder, Chaplain, effective January 23, 1974.

Katharine Barton, Clerk Typist II, effective January 23, 1974.

Betty Rosas, Stenographer II, effective January 15, 1974.

Delva Allen, Stenographer I, effective January 22, 1974.

Mary Sullivan, Clerk-Typist II, effective January 26, 1974.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Conzemius moved that the name of Mr. Bang be added as co-author to S. F. No. 2877 and S. F. No. 2878. The motion prevailed.

Mr. Gearty moved that H. F. No. 1316 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Judiciary. The motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 1211: A bill for an act relating to rates for publication of legal notices; amending Minnesota Statutes 1971, Sections 3.21 and 331.08.

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 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1504: A bill for an act relating to elections; providing for the hours that the office of the commissioner of registration must be open; amending Minnesota Statutes 1971, Section 201.05.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Frederick, Josefson and Krieger voted in the negative.

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

H. F. No. 285: A bill for an act relating to health; physicians, surgeons and osteopaths; examination and licensing thereof; amending Minnesota Statutes 1971, Section 147.02, Subdivision 1.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Baldy and North voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1184: A bill for an act relating to cities; prohibiting resigning member of city council from voting on his successor.

Was read the third time 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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Frederick; Hansen, Mel; Josefson and Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Sillers
Arnold	Dunn	Kirchner	Novak	Solon
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bang	Frederick	Knutson	Olhoft	Stassen
Berg	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennesen
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Milton	Pillsbury	
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schrom	

So the bill passed and its title was agreed to.

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.

Was read the third time 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.	Novak	Solon
Arnold	Dunn	Kirchner	Ogdahl	Spear
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Stassen
Bang	Frederick	Knutson	Olson, A. G.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Tennessen
Bernhagen	Hansen, Baldy	Krieger	O'Neill	Thorup
Blatz	Hansen, Mel	Larson	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Pillsbury	
Coleman	Jensen	Moe	Renneke	
Conzemius	Josefson	Nelson	Schrom	
Davies	Keefe, J.	North	Sillers	

Mr. Lewis voted in the negative.

So the bill passed and its title was agreed to.

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.

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

Mr. Krieger voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Berg	Brown	Conzemius	Fitzsimons
Arnold	Bernhagen	Chenoweth	Davies	Frederick
Ashbach	Blatz	Chmielewski	Doty	Gearty
Bang	Borden	Coleman	Dunn	Hansen, Baldy

Hansen, Mel	Kleinbaum	Moe	Patton	Stassen
Hanson, R.	Knutson	Nelson	Perpich, A. J.	Stokowski
Hughes	Kowalczyk	North	Perpich, G.	Tennessee
Humphrey	Krieger	Novak	Pillsbury	Thorup
Jensen	Larson	Ogdahl	Renneke	Ueland
Josefson	Lewis	Olhoft	Schrom	Wegener
Keefe, J.	Lord	Olson, A. G.	Sillers	Willet
Keefe, S.	McCutcheon	Olson, J. L.	Solon	
Kirchner	Milton	O'Neill	Spaar	

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Novak	Sillers
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoft	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Larson	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	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	

So the bill passed and its title was agreed to.

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.

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

Perpich, A. J.	Schaaf	Solon	Stokowski	Ueland
Perpich, G.	Schrom	Spear	Tennessee	Wegener
Pillsbury	Sillers	Stassen	Thorup	Willet
Renneke				

Messrs. Knutson, Krieger and Lord voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Olhoft	Solon
Arnold	Frederick	Knutson	Olson, A. G.	Stassen
Ashbach	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Bang	Hansen, Baldy	Krieger	O'Neill	Thorup
Berg	Hansen, Mel	Larson	Patton	Ueland
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Wegener
Blatz	Hughes	McCutcheon	Pillsbury	Willet
Brown	Humphrey	Nelson	Renneke	
Chmielewski	Jensen	North	Schaaf	
Doty	Josefson	Novak	Schrom	
Dunn	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Conzemius	Keefe, J.	Lewis	Perpich, G.	Spear
Davies	Keefe, S.	Milton		

So the bill passed and its title was agreed to.

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.

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

Mr. Hansen, Mel voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Schrom
Arnold	Dunn	Kirchner	North	Sillers
Ashbach	Fitzsimons	Kleinbaum	Novak	Solon
Bang	Frederick	Knutson	Olhoff	Stassen
Berg	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Laufenburger	Patton	Ueland
Brown	Hughes	Lewis	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Lord	Perpich, G.	Willett
Coleman	Jensen	McCutcheon	Pillsbury	
Conzemius	Josefson	Milton	Renneke	
Davies	Keefe, J.	Moe	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 818: A bill for an act relating to elections; removing limitations on the transportation of voters to the polls; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

CALL OF THE SENATE

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

Anderson	Davies	Keefe, J.	Moc	Renneke
Arnold	Doty	Keefe, S.	Nelson	Schaaf
Ashbach	Dunn	Kirchner	North	Schrom
Bang	Fitzsimons	Kleinbaum	Novak	Sillers
Berg	Frederick	Knutson	Ogdahl	Solon
Bernhagen	Gearty	Kowalczyk	Olhoff	Spear
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	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
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Milton	Pillsbury	Willett

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

H. F. No. 818 was read the third time 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 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Taufenburger	Novak	Spear
Arnold	Gearty	Lewis	Olhoft	Stokowski
Borden	Hansen, Baldy	Lord	Olson, A. G.	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Keefe, S.	Moe	Schaaf	Willet
Conzemius	Kleinbaum	North	Solon	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideration Senate File No. 2012.

S. F. No. 2012: A bill for an act relating to taxes on and measured by net income; prescribing penalties; amending Minnesota Statutes 1971, Section 290.92, Subdivision 15.

Edward A. Burdick, Chief Clerk, House of Representatives
January 29, 1974

Mr. Conzemius moved that the Senate accede to the request of the House for the return of S. F. No. 2012 for further consideration by the House. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Stokowski in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Stokowski reported that the committee had considered S. F. Nos. 2248, 1977, also H. F. No. 892, which the committee recommends to pass.

H. F. No. 484, which the committee recommends to pass with the following amendment offered by Mr. Kleinbaum:

Page 1, line 11, strike the comma after "words" and insert a semicolon

Page 1, line 11, before the word "prescribe" restore the stricken words "for a fee"

Page 1, line 13, after "disease" strike "; provided, a" and insert ". A"

Page 1, line 17, after "license" strike "and, provided further, this" and insert ". This"

Page 2, line 5, after "religion" strike the comma and insert a semicolon

S. F. No. 806 which the committee reports progress, subject to the following motions:

Mr. Coleman moved to amend S. F. No. 806, as follows:

Page 6, line 19, after the comma insert "*except under supervision of a medical doctor,*"

Page 10, line 11, strike "Acquires by any means" and insert in lieu thereof "*Becomes a transferee of*"

Page 19, line 6, strike "or any"

Page 19, strike line 7

Page 19, line 8, strike "*being used unlawfully as a weapon against another*"

Page 19, line 15, strike "1973" and insert in lieu thereof "1974"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend S. F. No. 806, as follows:

Strike sections 1 through 14 and insert the following:

"Section 1. [CITATION.] *Sections 1 to 15 may be cited as the Minnesota pistol regulation act.*

Sec. 2. [PURPOSE: DECLARATION OF POLICY.] *It is the purpose of sections 1 to 15 to regulate the possession, sale, purchase and transfer of pistols. Nothing herein shall be construed to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as pistols nor to place the cost of administration upon those citizens who wish to lawfully possess or carry pistols.*

Sec. 3. [DEFINITIONS.] *Subdivision 1. As used in sections 1 to 15, the terms defined in this section shall have the meanings given them.*

Subd. 2. "Pistol" includes a weapon originally designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Pistol" does not include children's pop-guns or toys.

Subd. 3. "Person" includes an individual, corporation, partnership, firm or association. As applied to partnerships or associations the word "person" includes the partners or members; as applied to corporations, it includes the officers, agents or employees who are responsible for the act referred to.

Subd. 4. "Commissioner" means the commissioner of public safety.

Subd. 5. "Transferor" means any person who sells, gives, furnishes, loans, assigns or transfers, whether or not for a consideration, a pistol or the frame or receiver of a pistol to another.

"Transferee" means a person to whom a pistol or the frame or receiver of a pistol is sold, given, furnished, loaned, assigned or transferred, whether or not for a consideration.

"Transfer" means a sale, gift, loan, assignment, or other furnishing, whether or not for a consideration, of a pistol or the frame or receiver of a pistol to another.

Subd. 6. "Dealer" means a person engaged in the business of selling pistols at wholesale or retail.

Sec. 4. [CERTAIN PERSONS NOT TO HAVE PISTOLS.]
Subdivision 1. No person who is under indictment or has been convicted of a gross misdemeanor or a felony within the preceding 10 years or who has been adjudicated mentally defective and not restored to full legal capacity shall carry, hold, possess, or own a pistol.

Subd. 2. A person who knowingly or with reason to know transfers a pistol to a person named in this section is guilty of a gross misdemeanor.

Subd. 3. A person named in this section who carries, holds, possesses or becomes a transferee or owner of a pistol is guilty of a gross misdemeanor.

Sec. 5. [CARRYING PISTOLS WITHOUT PERMIT.]
Subdivision 1. [PENALTY.] A person, other than a law enforcement officer who has authority to make arrests other than citizens arrests, who carries, holds or possesses a pistol in a motor vehicle or snowmobile, or on or about his clothes or person, or otherwise in his possession or control in an incorporated municipality or a township having the power of a village without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor.

Subd. 2. [WHERE APPLICATION MADE.] Application for permits to carry shall not be public records within the meaning of Minnesota Statutes, Section 15.17. Applications for such permits shall be made to the chief of police of an organized full time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant resides. If the applicant is not a resident of the state of Minnesota he shall apply to the commissioner.

Subd. 3. [CONTENTS.] Applicants for permits to carry shall be in the form prescribed by the commissioner and shall set forth

the name, residence, place of business, age, date of birth, occupation, sex and physical description including distinguishing physical characteristics, if any, of the applicant, and such facts as required by the commissioner for a determination as to whether the applicant is disqualified for a permit by section 4. The application shall be signed by the applicant under oath.

Subd. 4. [FINGERPRINTING; INVESTIGATION.] The chief police officer or the county sheriff where there is no local police officer shall obtain the fingerprints of the applicant and shall have them compared with available records of fingerprints. An applicant for a permit to carry who has previously obtained a permit to carry from the same application authority for which he was previously fingerprinted and who provides other reasonably satisfactory proof of his identity need not be fingerprinted again.

Subd. 5. [GRANTING OF PERMITS.] The permit shall be granted unless the applicant is not entitled to carry, hold, possess, or own a pistol as provided in Section 4. Permits to carry shall be granted or denied not less than 60 days from the date of receipt of the application. Failure of the chief police officer or the county sheriff to deny the application or issue a permit to carry within 60 days of the date of application shall be deemed to be a grant thereof. The permits shall be issued free of charge.

Subd. 6. [RENEWAL.] Permits to carry a pistol issued pursuant to this section shall expire annually and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained.

Subd. 7. [PERMIT TO CARRY VOIDED.] The permit to carry shall be void at the time that the holder becomes prohibited from possessing a pistol under section 4, in which event the holder shall return the permit within five days to the commissioner who shall then advise the application authority. Failure of the holder to return the permit to the commissioner within the five days is a gross misdemeanor.

Subd. 8. [PERMIT TO CARRY; RECORD OF TRANSFER.] The permit to carry shall be in the form prescribed by the commissioner and shall be issued in triplicate. The issuing officer shall forward the original copy to the commissioner, the second copy to the applicant and he shall retain the third copy.

Sec. 6. [TRANSFER OF PISTOLS.] A person who does any of the following is guilty of a misdemeanor:

(a) Transfers a pistol to a person who does not either present evidence of his identity or is personally known to the transferer; or

(b) Transfers a pistol which is not unloaded and securely wrapped.

Sec. 7. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A permit to carry is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;

(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;

(c) To carry a pistol from his dwelling house to his place of business;

(d) To transport any pistol while traveling to or from hunting, fishing or a target range or other authorized place for the purpose of practice, match, target, trap or skeet shooting or shooting exhibitions; if the pistol while carried in a motor vehicle is unloaded and contained in a closed and fastened case, gunbox, or securely tied package, and locked in the trunk of the automobile in which the person is transporting the pistol, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers. If the pistol is carried lawfully pursuant to this section in a snowmobile or boat, it shall be unloaded.

Sec. 8. [PERMIT REQUIRED FOR EACH PISTOL.] A person shall not be restricted as to the number of pistols he may acquire or carry, but only one pistol shall be carried on each permit.

Sec. 9. [FALSE REPRESENTATIONS IN APPLICATIONS OR IN PURCHASES.] A person who gives or causes to be given any false information or signs a fictitious name or address in applying for a permit to carry is guilty of a gross misdemeanor.

Sec. 10. [REVOCATION.] The county attorney of a county, the county sheriff of a county, the chief police officer of a municipality or a citizen may apply to the commissioner for the revocation of a permit to carry; or the commissioner may institute a revocation on his own initiative. A permit to carry shall be revoked by the commissioner after written notice to the holder, a hearing and a finding that the holder no longer qualifies.

Sec. 11. [HEARING UPON DENIAL.] Any person aggrieved by the denial of a permit to carry may request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. The request for a hearing shall be made in writing within 30 days of the denial of the application. The applicant shall serve a copy of his request for a hearing upon the chief of police of the municipality in which he resides or the county sheriff if there is no municipal police force where he resides and upon the commissioner. The hearing shall be held within 30 days of the receipt of the application for the hearing."

Page 16, line 26, strike "17" and insert "14"

Renumber the sections in sequence

Page 18, lines 19 and 20, strike the new language

Page 18, lines 23 and 24, strike the new language

Further, amend the title as follows:

Line 4, strike the language after the semicolon

Strike line 5

Line 6, strike "pistols;"

Line 6, strike "acquire"

Line 7, strike "and"

The question being taken on adoption of the Jensen amendment,

And the roll being called, there were yeas 21 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Keefe, J.	Nelson	Renneke
Bang	Hanson, R.	Kirchner	Olson, J. L.	Stassen
Bernhagen	Jensen	Knutson	Patton	Thorup
Blatz	Josefson	Krieger	Pillsbury	Ueland
Frederick				

Those who voted in the negative were:

Anderson	Doty	Kowalczyk	Olhoff	Solon
Arnold	Dunn	Laufenburger	Olson, A. G.	Spear
Borden	Gearty	Lewis	Olson, H. D.	Stokowski
Brown	Hansen, Baldy	Lord	O'Neill	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Wegener
Coleman	Humphrey	Milton	Perpich, G.	Willet
Conzemius	Keefe, S.	Novak	Schaaf	
Davies	Kleinbaum	Ogdahl	Schrom	

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

RECESS

Mr. Coleman moved that the committee do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the Chairman called the committee to order.

The question recurred on S. F. No. 806.

Mr. Coleman moved to amend S. F. No. 806 as follows:

Page 17, strike lines 2 to 23 and renumber the remaining sections

Mr. Nelson moved a substitute amendment to the Coleman amendment to amend S. F. No. 806, as follows:

Page 17, line 5, delete "*or who is a fugitive from justice,*"

Page 17, line 7, strike "*may*" and insert in lieu thereof "*shall*"

Page 17, line 8, strike "*on a first*" and insert in lieu thereof "*by being sentenced to the following terms of imprisonment:*"

Page 17, strike all of lines 9 to 15, and insert the following in lieu thereof:

"(a) *Upon the first conviction for the commission or attempted*

commission of a crime of violence perpetrated while the person convicted has a pistol in his possession, a minimum of one year of imprisonment;

(b) Upon the second and any subsequent conviction for the commission or attempted commission of a crime of violence perpetrated while the person convicted has a pistol in his possession, a minimum of two years of imprisonment;

(c) Upon the first conviction for the commission or attempted commission of a crime of violence perpetrated while the person convicted used or threatened to use a pistol, a minimum of two years of imprisonment; and

(d) Upon the second and any subsequent conviction for the commission or attempted commission of a crime of violence perpetrated while the person convicted used or threatened to use a pistol, a minimum of three years of imprisonment.

For the purposes of this section, the use or threatened use of a pistol includes any display of a pistol at the time of the commission or attempted commission of a crime of violence.

No person upon whom a minimum sentence of imprisonment is imposed pursuant to this section shall be eligible for or be granted any stay of imposition of such sentence, or stay of execution of such sentence. Probation by the court or parole by the commissioner of corrections or any other parole authority, shall not relieve any person from serving, in its entirety, any minimum sentence imposed under this section."

The question being taken on adoption of the Nelson substitute amendment,

And the roll being called, there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hanson, R.	Kowalczyk	Renneke
Bang	Dunn	Josefson	Krieger	Stassen
Bernhagen	Frederick	Kirchner	Nelson	Ueland
Blatz	Hansen, Mel	Knutson	Patton	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Solon
Arnold	Doty	Lewis	Olson, H. D.	Spear
Berg	Gearty	Lord	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	McCutcheon	O'Neill	Tennessee
Chenoweth	Hughes	Milton	Perpich, A. J.	Thorup
Chmielewski	Humphrey	North	Perpich, G.	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet
Conzemius	Larson	Olhoft	Schrom	

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

The question recurred on the second Coleman amendment.

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 3, line 10, before "," insert "if the exchange was intended to be for a period of less than one hour"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 3, line 26, strike "*assault,*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 4, line 4, strike "*and owning, possessing, or*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 8, line 14, strike "*the fingerprints*" and insert in lieu thereof "*a thumbprint*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 8, line 15, strike "*them*" and insert in lieu thereof "*it*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 8, line 26, strike "*21*" and insert in lieu thereof "*14*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 9, line 2, strike "*by the commissioner*"

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend S. F. No. 806 as follows:

Page 12, line 8, strike "*60*" and insert in lieu thereof "*14*"

The motion prevailed. So the amendment was adopted.

The question being taken on the committee recommendation to pass S. F. No. 806,

And the roll being called, there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Milton	Olson, A. G.	Spear
Coleman	Keefe, S.	North	O'Neill	Stokowski
Conzemius	Lewis	Novak	Pil'sbury	Tennesen
Davies	Lord	Ogdahl	Schaaf	Wegener
Hughes	McCutcheon			

Those who voted in the negative were:

Anderson	Brown	Hanson, R.	Larson	Perpich, G.
Arnold	Chmielewski	Jensen	Laufenburger	Renneke
Ashbach	Doty	Josefson	Nelson	Schrom
Bang	Dunn	Keefe, J.	O'hoft	Solon
Berg	Frederick	Kirchner	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	Olson, J. L.	Thorup
Blatz	Hansen, Baldy	Kowalczyk	Patton	Ueland
Borden	Hansen, Mel	Krieger	Perpich, A. J.	Willet

The committee then progressed S. F. No. 806.

H. F. No. 1312, which the committee recommends be re-referred to the Committee on Transportation and General Legislation.

H. F. No. 2185 which the committee reports progress, subject to the following motion:

Mr. Kleinbaum moved to amend H. F. No. 2185, the typewritten bill as amended under Rule 49 and adopted by the Senate, January 25, 1974, as follows:

Page 1, line 21, strike "*duck hunter*" and insert "*person hunting waterfowl*"

Page 2, line 13, strike "1974" and insert "1975"

The motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 2185.

And then, on motion of Mr. Stokowski, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 835, pursuant to the request of the House:

Messrs. Gearty, Spear, Dunn.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:30 o'clock p.m., Friday, February 1, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

SEVENTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, January 31, 1974.

The House of Representatives met on Thursday, January 31, 1974, which was the Seventy-Eighth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

SEVENTY-NINTH DAY

St. Paul, Minnesota, Friday, February 1, 1974.

The Senate met at 12:30 o'clock p.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	Fitzsimons	Kirchner	Olson, H. D.	Spear
Arnold	Frederick	Kleinbaum	Olson, J. L.	Stassen
Ashbach	Gearty	Kowalczyk	Patton	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Thorup
Brown	Hanson, R.	Lord	Perpich, G.	Ueland
Coleman	Hughes	Milton	Pillsbury	Willet
Conzemius	Humphrey	Novak	Schrom	
Davies	Keefe, J.	Olhoff	Sillers	
Doty	Keefe, S.	Olson, A. G.	Solon	

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	Schrom
Ashbach	Dunn	Kleinbaum	Novak	Sillers
Bang	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
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Josefson	Milton	Perpich, G.	Willet
Conzemius	Keefe, J.	Moe	Pillsbury	

Quorum present.

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

MEMBERS EXCUSED

Messrs. Brown, Jensen, Purfeerst and Schaaf were excused from the Session of today. Mr. Larson was excused from the Session of today, beginning at 2:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 31, 1974

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. 516, An act relating to the sales and use tax; exemptions; educational or charitable purchases; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

S. F. No. 871, 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.

S. F. No. 993, An act relating to taxation; providing for tax on use of special fuels; amending Minnesota Statutes 1971, Section 296.12, Subdivision 9.

S. F. No. 1191, An act relating to taxation; eliminating the requirement of publishing the personal property tax list; repealing Minnesota Statutes 1971, Section 275.30.

S. F. No. 1523, An act relating to motor vehicles; registration and taxation; registrar of motor vehicles; amending Minnesota Statutes 1971, Section 168.325, Subdivision 1.

S. F. No. 1802, An act relating to the town of Iron Range and Bass Brook; authorizing electors to fix monthly salaries of chairman and supervisor of town board.

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

S. F. No. 2011, An act relating to taxation and the termination of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 2.

S. F. No. 2206, An act relating to taxation; uniform federal tax lien registration act; amending Minnesota Statutes 1971, Sections 272.483 and 272.484.

S. F. No. 2272, An act authorizing the county of Anoka to establish subordinate service districts in order to provide and finance governmental services.

Sincerely,
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts

of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	365	1	January 24, 1974	January 24, 1974
	662	2	January 24, 1974	January 24, 1974
	679	3	January 24, 1974	January 24, 1974
	1320	4	January 24, 1974	January 24, 1974
	1383	5	January 24, 1974	January 24, 1974
	1620	6	January 24, 1974	January 24, 1974
	1691	7	January 24, 1974	January 24, 1974
	2016	8	January 24, 1974	January 24, 1974
	2205	9	January 24, 1974	January 24, 1974

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Messrs. Arnold, Ashbach and Olson, A. G. introduced—

S. F. No. 2941: A bill for an act relating to highway traffic regulations; littering or placing refuse on highways or adjacent lands; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 169.42, Subdivision 5, and by adding a subdivision.

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

Messrs. Arnold, Ashbach and Olson, A. G. introduced—

S. F. No. 2942: A bill for an act relating to highway traffic regulations; littering or placing refuse on highways or adjacent land, or dropping objects on vehicles; prescribing penalties; amending Minnesota Statutes, 1973 Supplement, Section 169.42, Subdivision 5.

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

Messrs. Milton, O'Neill and McCutcheon introduced—

S. F. No. 2943: A bill for an act relating to the public employees retirement association; providing benefits to qualified survivors of a basic member or a member of the police and fire fund; amending Minnesota Statutes 1971, Chapter 353, by adding a section.

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

Messrs. Ashbach and O'Neill introduced—

S. F. No. 2944: A bill for an act relating to food; certain frozen

dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

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

Messrs. Hansen, Baldy and Krieger introduced—

S. F. No. 2945: A bill for an act relating to taxation; tax on oleomargarine; providing for the reduction and elimination thereof over a period of years; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1, and by adding a subdivision.

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

Messrs. Bang, North and Chenoweth introduced—

S. F. No. 2946: A bill for an act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 11; and 462.425, Subdivision 1.

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

Messrs. Schaaf and Tennessen introduced—

S. F. No. 2947: A bill for an act relating to civil actions; abolishing all civil causes of action for breach of promise to marry, alienation of affections, criminal conversation and seduction; providing penalties.

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

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

S. F. No. 2948: A bill for an act relating to the department of corrections; parole and probation; amending Minnesota Statutes, 1973 Supplement, Sections 241.045, Subdivision 7; and 242.10; repealing Minnesota Statutes 1971, Section 242.03, as amended.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Doty introduced—

S. F. No. 2949: A bill for an act relating to retirement; state contributions to certain teachers retirement associations; amending Minnesota Statutes 1971, Section 354.201, by adding a subdivision.

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

Mr. Laufenburger introduced—

S. F. No. 2950: A bill for an act relating to the Dover, Eyota and St. Charles sanitary district; extending the time for payment of certain state money; amending Laws 1973, Chapter 595, Sections 1 and 2.

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

Messrs. Solon and Doty introduced—

S. F. No. 2951: A bill for an act relating to retirement; tax levy for certain teachers retirement funds; amending Minnesota Statutes 1971, Section 354.20; repealing Laws 1969, Chapter 1106.

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

Messrs. Laufenburger, Novak and Perpich, A. J. introduced—

S. F. No. 2952: A bill for an act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobiles on the streets and highways between certain dates without payment of the motor vehicle registration tax.

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

Mr. Olhoft introduced—

S. F. No. 2953: A bill for an act relating to state lands; directing conveyance of a certain parcel of land in Otter Tail county.

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

Mr. Olhoft introduced—

S. F. No. 2954: A bill for an act relating to the department of education, division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

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

Messrs. Hanson, R.; Wegener and Schrom introduced—

S. F. No. 2955: A bill for an act relating to predatory animals; establishing a bounty upon skunks; providing a penalty; appropriating money.

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

Mr. Krieger introduced—

S. F. No. 2956: A bill for an act relating to the claim of Thomas Earl Crowe; arising from a beating administered by a highway patrolman to a person in his custody in Pipestone county; appropriating money for the payment thereof.

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

Messrs. McCutcheon, O'Neill and Milton introduced—

S. F. No. 2957: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property, to provide by regulation and ordinance for the governance of park, open space and recreational areas and to provide penalties for violation thereof, to preserve the natural drainage within the county, to make appropriations, levy taxes, borrow money and issue bonds therefor, and to expend funds for a park, open space and recreational system within or without Ramsey county; amending Laws 1971, Chapter 950, Section 1, Subdivision 1.

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

Messrs. Hansen, Mel; Gearty and O'Neill introduced—

S. F. No. 2958: A bill for an act relating to crime and criminals; providing penalties for altering or removing a manufacturer's or owner's identification number on firearms and other items of personal property; amending Minnesota Statutes 1971, Section 609.655.

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

Messrs. Hansen, Mel and Josefson introduced—

S. F. No. 2959: A bill for an act relating to retirement; authorizing short term retirement for certain members of the Minnesota state retirement system; amending Minnesota Statutes 1971, Section 352.115, by adding a subdivision.

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

Messrs. Hansen, Mel; Keefe, J. and Stassen introduced—

S. F. No. 2960: A bill for an act relating to elections; polling places; registration; amending Minnesota Statutes, 1973 Supplement, Sections 201.061, Subdivision 3; and 203.08, by adding a subdivision.

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

Messrs. Ogdahl; Hansen, Mel and Lewis introduced—

S. F. No. 2961: A bill for an act relating to the Minnehaha creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

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

Messrs. Keefe, S.; Gearty and Ogdahl introduced—

S. F. No. 2962: A bill for an act relating to the city of Minneapolis; combining the elective offices of comptroller and treasurer; and establishing a new elective office of comptroller-treasurer.

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

Messrs. Schaaf, Pillsbury and Doty introduced—

S. F. No. 2963: A bill for an act relating to sex discrimination; abolishing discrimination on the basis of sex in certain insurance laws; amending Minnesota Statutes 1971, Sections 61A.12, Subdivisions 2 and 4; 62A.041, as amended; 62C.14, as amended; 65A.26, as amended; 65B.26; 66A.29; 67A.10; 67A.16, Subdivision 2; 69.40; 69.41; and 69.48.

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

Messrs. McCutcheon, Spear and Olhoft introduced—

S. F. No. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Conzemius introduced—

S. F. No. 2965: A bill for an act relating to health; health maintenance organizations; prohibited practices; amending Minnesota Statutes, 1973 Supplement, Section 62D.12, Subdivision 9.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Coleman, Krieger and Borden introduced—

S. F. No. 2966: A bill for an act relating to labor and minimum wages; excluding legislative employees from the right to claim over-

time; amending Minnesota Statutes, 1973 Supplement, Section 177.25, by adding a subdivision.

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

Mr. Patton introduced—

S. F. No. 2967: A bill for an act relating to the city of Ellendale; authorizing it to issue bonds.

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

Messrs. Schrom, Blatz and Hansen, Baldy introduced—

S. F. No. 2968: A bill for an act relating to taxation; inheritance taxes; exemptions; amending Minnesota Statutes, 1973 Supplement, Section 291.05.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Sillers, Fitzsimons and Moe introduced—

S. F. No. 2969: A bill for an act relating to education; pupil units; requiring that all pupils in seventh and eighth grades shall be counted as secondary pupils; amending Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1.

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

Messrs. Olson, A. G.; Larson and Willet introduced—

S. F. No. 2970: A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Sections 205.041; and 465.57.

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

Messrs. Conzemius, Kowalczyk and Olson, A. G. introduced—

S. F. No. 2971: A bill for an act relating to health maintenance organizations; regulating the details of operation; amending Minnesota Statutes, 1973 Supplement, Sections 62D.02, Subdivisions 4 and 7; 62D.06, Subdivision 1; 62D.10, Subdivisions 2 and 4; 62D.11,

Subdivision 1; 62D.12, Subdivisions 4 and 9; 62D.22, Subdivision 8; and 62D.28, Subdivision 3.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Stassen, Knutson and Conzemius introduced—

S. F. No. 2972: A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

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

Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Conzemius, Stassen and Knutson introduced—

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

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

Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Schaaf, Stassen and Humphrey introduced—

S. F. No. 2974: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in certain statutes; amending Minnesota Statutes 1971, Sections 3A.02, Subdivision 1, as amended; 43.30; 88.11, Subdivision 1; 144.06; 144.201, Subdivision 2; 144.203; 178.08; 246.53; 315.40; 317.66, Subdivision 1; 323.06; 323.24; 352B.26, Subdivision 3, as amended; 352B.28, as added; 352C.04, Subdivisions 1 and 2; 352C.05; 352C.06; 352C.07; 356.20, Subdivision 4; 356.21, Subdivision 4 and Subdivision 5, as amended; 358.14; 387.15; 387.16; 393.01, Subdivisions 2, as amended, and 7; 423.34; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.809, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; 459.16; 490.102, Subdivision 6; 490.105; 510.06; 517.07; 518.15; 519.01; 525.05; 525.082; 525.14; 525.60, Subdivision 1, as amended; 540.08; 540.09; 548.06; 550.37, Subdivision 10; 558.28; 576.08; 617.22; 624.61; 629.55; 631.09; 631.412; 641.06; 641.14; repealing Minnesota Statutes 1971, Sections 202.18; and 352C.02, Subdivision 3.

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

Messrs. Knutson, by request, Conzemius and Stassen introduced—

S. F. No. 2975: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for county road and bridge purposes.

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

Messrs. Olhoft, Spear and Conzemius introduced—

S. F. No. 2976: A bill for an act relating to the legislature; Indian affairs commission; raising the per diem pay of members; amending Minnesota Statutes 1971, Section 3.922, Subdivision 3.

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

Messrs. Gearty; Keefe, S. and Hansen, Mel introduced—

S. F. No. 2977: A bill for an act relating to the city of Minneapolis; authorizing housing and rehabilitation loan and grant program; providing for the issuance of general obligation bonds.

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

Messrs. Patton, Frederick and Hansen, Mel introduced—

S. F. No. 2978: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Sections 4 and 5; providing a method of filling a vacancy in the office of lieutenant governor and removing the power of the governor to fill vacancies in the other executive offices.

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

Messrs. Conzemius, Kowalczyk and Lewis introduced—

S. F. No. 2979: A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

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

Messrs. Patton, Frederick and Hansen, Mel introduced—

S. F. No. 2980: A bill for an act relating to elections; providing

for elections to vacancies in the United States Senate; amending Minnesota Statutes 1971, Sections 203.44; 203.45, Subdivision 2; 203.48, Subdivision 3; and 203.56.

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

Messrs. Kleinbaum, Chenoweth and Ogdahl introduced—

S. F. No. 2981: A bill for an act relating to public safety; providing for emergency measures to meet disasters; vesting certain powers in the governor and executive council; amending Minnesota Statutes 1971, Section 9.061.

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

Messrs. Milton, Humphrey and Lewis introduced—

S. F. No. 2982: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the crime of prostitution; creating a cause of action for solicitation or inducement into prostitution; abolishing the cause of action for seduction; amending Minnesota Statutes 1971, Sections 540.07; and 609.32, Subdivisions 2 and 4; and Chapter 540, by adding a section.

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

Messrs. O'Neill, Anderson and Keefe, J. introduced—

S. F. No. 2983: A bill for an act relating to taxation; duties of assessors; amending Minnesota Statutes 1971, Section 273.08.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Coleman, Bernhagen and Anderson introduced—

S. F. No. 2984: A bill for an act relating to workmen's compensation; excluded employments, amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1.

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

Messrs. Milton, Knutson and Lewis introduced—

S. F. No. 2985: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law of marriage; amending Minnesota Statutes 1971, Sections 517.02, as amended; and 517.03.

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

Messrs. Milton, Pillsbury and Schaaf introduced—

S. F. No. 2986: A bill for an act relating to distinction on the basis of sex; abolishing these distinctions in statutes concerning rape and sexual intercourse with a child; amending Minnesota Statutes 1971, Sections 609.291; 609.292; and 609.295, as amended.

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

Messrs. Milton, Pillsbury and Schaaf introduced—

S. F. No. 2987: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1971, Sections 259.10; 259.11; 517.08, Subdivision 3; and 518.27; and Chapter 259, by adding sections.

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

Messrs. Kowalczyk, Gearty and Brown introduced—

S. F. No. 2988: A bill for an act relating to privacy; regulating the right of the news media to report on an individual's prior mental health record; creating a cause of action for defamation.

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

Messrs. Humphrey, Larson and Lewis introduced—

S. F. No. 2989: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

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

Messrs. Anderson, Dunn and Willet introduced—

S. F. No. 2990: A bill for an act relating to education; bids for school district contracts; amending Minnesota Statutes 1971, Section 123.37, Subdivision 1.

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

Messrs. Milton, Ogdahl and Kleinbaum introduced—

S. F. No. 2991: A bill for an act relating to mobile homes; requiring anchoring systems for mobile homes; prescribing penalties; amending Minnesota Statutes 1971, Chapter 327, by adding sections.

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

Messrs. Kleinbaum, Sillers and Perpich, A. J. introduced—

S. F. No. 2992: A bill for an act relating to taxation; providing for the calculation of property tax levy limits; amending Minnesota Statutes, 1973 Supplement, Section 275.51, Subdivision 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Brown introduced—

S. F. No. 2993: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

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

Messrs. Hughes; Olson, J. L. and Arnold introduced—

S. F. No. 2994: A bill for an act relating to education; buildings; providing for the economical joint use of school and other public buildings; appropriating money.

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

Messrs. Lord, Knutson and Anderson introduced—

S. F. No. 2995: A bill for an act relating to municipal industrial development; financing of telephone facilities; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1; and Minnesota Statutes 1971, Sections 474.02, Subdivision 2, and by adding a subdivision; and 474.13.

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

Messrs. Lewis, Renneke and Spear introduced—

S. F. No. 2996: A bill for an act relating to the interstate compact on juveniles; amending Minnesota Statutes 1971, Sections 260.53 and 260.55.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Doty, Ashbach and Gearty introduced—

S. F. No. 2997: A bill for an act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017,

Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

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

Messrs. Lewis, Renneke and Spear introduced—

S. F. No. 2998: A bill for an act relating to the interstate compact for the supervision of parolees and probationers; amending Minnesota Statutes 1971, Section 243.16, Subdivision 1.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 2999: A resolution memorializing the President and Congress to abolish daylight savings time in Minnesota during the winter months.

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

Messrs. Schrom and Kleinbaum introduced—

S. F. No. 3000: A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

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

Mr. Coleman introduced—

S. F. No. 3001: A bill for an act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 23.

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

Mr. Perpich, A. J. introduced—

S. F. No. 3002: A bill for an act relating to Lake county; consolidating the offices of treasurer and auditor.

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

Mr. Olson, A. G. introduced —

S. F. No. 3003: A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

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

Mr. Olson, A. G. introduced —

S. F. No. 3004: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

Which was read the first time and 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. 1522 and 1463.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 31, 1974

Mr. President:

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

H. F. Nos. 956, 1124, 1592, 1981, 2042, 2889, 1321, 2085, 2652, 2668, 2669, 2827, 951 and 2333.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted January 31, 1974

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. 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.

Senate File No. 96 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 31, 1974

Mr. Davies moved that the Senate do not concur in the amendments by the House to S. F. No. 96 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 956: A bill for an act relating to public utilities; imposing certain criteria for crossing state owned lands and waters; providing a penalty; amending Minnesota Statutes 1971, Section 84.415, Subdivision 1, as amended; and by adding a subdivision.

H. F. No. 1124: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 1, 23 and 24; providing for congressional and legislative apportionments by a commission.

H. F. No. 1592: A bill for an act relating to divorce; custody and support of children on judgment; amending Minnesota Statutes 1971, Section 518.17.

H. F. No. 1981: A resolution memorializing Congress and the President to increase funds for research on electric power resources other than atomic fission.

H. F. No. 2042: A bill for an act relating to manpower services; unemployment compensation; claims; appeals; amending Minnesota Statutes 1971, Section 268.10, Subdivisions 2 and 3; 268.12, Subdivision 13; 268.16, Subdivisions 3 and 6; and 268.18, by adding a subdivision.

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

H. F. No. 1321: A bill for an act relating to manpower services; unemployment compensation; administrative expense; amending Minnesota Statutes 1971, Section 268.05, Subdivision 5.

H. F. No. 2085: A bill for an act relating to child welfare; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

H. F. No. 2652: A bill for an act authorizing the sale of certain lands in Cass county by the commissioner of natural resources.

H. F. No. 2668: A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

H. F. No. 2669: A bill for an act relating to taxation; appointment of special boards of review and equalization; amending Minnesota Statutes 1971, Sections 274.13 and 274.14; and Minnesota Statutes, 1973 Supplement, Section 274.01.

H. F. No. 2827: A bill for an act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

H. F. No. 2333: A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

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. The motion prevailed.

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

S. F. No. 2252: A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

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

Page 1, line 25, strike "*or any unit of local*"

Page 1, line 26, strike "*government within the state,*"

Page 1, line 28, after "*offices,*" insert "*any local human rights department within the state which has enforcement powers,*"

Page 2, line 7, strike "*or unit of local government*"

Page 2, line 8, strike "*within the state*"

Page 2, line 8, after "*charged,*" insert "*or any local human rights department within the state which has enforcement powers,*"

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. 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.

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

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.

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

Page 1, line 19, strike "*sign*" and insert "*list*"

Page 1, line 30, after the period insert "*Such list shall be available to any person upon request.*"

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. 2256: A bill for an act relating to the park board of the city of Minneapolis; authorizing municipalities, other than the city of Minneapolis, to levy special assessments on property within such municipalities which has been benefited by public improvements made by the park board of the city of Minneapolis and to pay over such money to such park board.

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

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

S. F. No. 2590: A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

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

Page 1, line 20, strike "a majority of"

Line 21, strike "voting at an election"

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

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

S. F. No. 1477: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

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

Page 1, strike line 9

Page 1, line 15, strike "such" and insert "this"

Page 1, line 18, strike "said" and insert "the"

Page 1, line 19, strike "such agreement" and insert "the agreement"

Page 1, line 20, strike "said" and insert "the"

Page 1, line 23, strike "such" and insert "the"

Page 1, line 24, strike "of whether the"

Page 1, line 25, strike "district shall enter into the agreement"

Page 1, line 26, strike "Said" and insert "This"

Page 1, line 29, strike "said" and insert "the"

Page 2, line 3, strike "; FISCAL AGENT"

Page 2, line 20, after "year" and before the period insert "; provided that if the number of members is not evenly divisible by three, the membership will be as evenly distributed as possible with any difference serving the three year term"

Page 2, line 23, strike "appointing" and insert "appropriate"

Page 2, line 28, strike "such" and insert "this"

Page 3, lines 2 and 3, strike "such other organizational business as may be necessary" and insert "any other necessary organizational business"

Page 3, line 14, strike "said" and insert "the"

Page 4, line 1, strike "participation" and insert "participating"

Page 4, line 3, strike "shall" and insert "may"

Page 4, line 4, strike "every" and insert "any"

Page 4, line 7, after "(c)" and before "The" insert "In accordance with Subdivision 5 (b),"

Page 4, lines 8 and 9, strike "districts, the amount of necessary funds assessed to such" and insert "district the amount of funds assessed to the"

Page 4, strike lines 18, 19 and 20

Page 4, line 21, strike "shall" and insert "may"

Page 5, line 22, strike "Such" and insert "This"

Page 5, line 23, strike "the pupils enrolled in the center from"

and insert "an equitable distribution formula agreed upon by the participating districts and approved"

Page 5, line 24, strike "each participating district as verified"

Page 6, line 7, strike "such" and insert "the"

Page 6, line 9, strike "such" and insert "the"

Page 6, line 20, strike "upon mutual consent of" and insert "by"

Page 6, line 21, strike "such" and insert "the"

Page 6, line 23, strike "according to provisions within" and insert "upon compliance with provisions in"

Page 6, line 24, strike "such" and insert "the"

Page 6, line 24, after "resolution" strike ", the"

Page 6, strike line 25

Page 6, line 26, after "facts" insert ", the center board shall file a certified copy"

Page 6, line 27, strike "Such" and insert "The"

Page 6, line 28, strike "such" and insert "the"

Page 7, line 4, after "Centers" and before "approved" insert "operating pursuant to Minnesota Statutes, Section 471.59 which have been"

Page 7, line 5, strike "enactment" and insert "the effective date"

Page 7, line 7, strike "Changes necessary" and insert "Any changes"

Page 7, line 8, strike "operating under Minnesota Statutes, Section 471.59," and insert "necessary to comply with this act"

Page 7, line 11, strike "existing"

Page 7, line 11, after the period insert "Centers operating pursuant to Laws 1967, Chapter 822, as amended, Laws 1969, Chapter 775, as amended, and Laws 1969, Chapter 1060, as amended, shall not be subject to the provisions of this act."

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. 2537: A bill for an act relating to highways; adding an additional highway route to the highway routes designated as the Blue Star memorial highway; amending Minnesota Statutes 1971, Section 161.14, Subdivision 13.

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

Mr. Coleman from the Committee on Rules and Administration, makes the following report: That the permanent rules of the Senate be amended as follows:

Rule 7 is amended to read:

Order Of Business

7. The order of business shall be as follows:
 1. Petitions, letters, remonstrances.
 2. Executive and official communications.
 3. Introduction and first reading of Senate bills.
 4. Messages from the House of Representatives.
 5. First reading of House bills.
 6. Reports of committees:
 - (a) From standing committees.
 - (b) From select committees.
 7. Second reading of Senate bills.
 8. Second reading of House bills.
 9. Motions and resolutions.
 10. Third reading of Senate bills.
 11. Third reading of House bills.
 12. *Calendar of Ordinary Matters.*
 - ~~12.~~ 13. General Orders of the day.
 - ~~13.~~ 14. Announcements of Senate Interest.

~~Unless the Senate directs otherwise, the Calendar of Ordinary Matters shall be considered on the first day the Senate is in session each week. This Calendar will be considered after the third reading of House bills.~~

Under the order of business of Motions and Resolutions the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

Rule 9 is amended to read:

Calendar Of Ordinary Matters

9. If a committee determines that a bill it recommends to pass is of a routine nature or otherwise of a nature which likely will not be opposed, it may in its report, recommend that the bill be placed on the Calendar of Ordinary Matters. If such report is adopted, the bill will be printed and placed on the Calendar of Ordinary Matters after its second reading. On the question of adoption of such report the question of accepting the recommendation that the bill be

placed on the Calendar of Ordinary Matters may be divided from the question of adopting the report in other respects.

A majority of the whole Senate may order any bill on General Orders to be placed on the Calendar of Ordinary Matters.

The Calendar of Ordinary Matters shall consist of bills so placed on it; Rule 8 will govern it except that such bills will not be first considered in the Committee of the Whole and except as inconsistent with this rule.

If a member objects to consideration of a bill on the Calendar of Ordinary Matters at any time during its consideration in the Senate before the question on final passage is put, and that objection is supported by at least two other members, the bill will thereby and without further action be referred to the Committee of the Whole, and shall be placed at the bottom of General Orders subject to Rule 11, except that it need not lie over one calendar day before consideration in the Committee of the Whole.

Rule 10 is amended to read:

Special Order

10. After notice given during a session of the Senate at least two calendar days in advance, two-thirds of the whole Senate may designate a special order for a bill on General Orders.

With respect to any a bill on General Orders or on the Calendar, the chairman of the Committee on Rules and Administration, by committee report, as authorized by the Committee on Rules and Administration, may designate a special order for the that bill.

After a time specified by a resolution offered by the Committee on Rules and Administration, the Chairmen of the Committees on Finance and Taxes and Tax Laws, as authorized by their respective committees, may designate a special order for any bill favorably reported by their respective committees.

A special order shall provide that the bill be considered immediately, at a time certain, or after specific other business is completed.

During consideration of a special order, Rule 20 shall be suspended. As nearly as applicable, debate on the bill and all proceedings including amendments and substitutions shall be that of the Committee of the Whole.

On any question any member may call for the ayes and nays which shall be entered in the Journal.

Unless it is otherwise disposed of, after consideration a bill on Special Orders of the Senate shall immediately proceed to its third reading and final passage.

Rule 55 is amended to read:

Committee Action

55. No report of any committee shall be made to the Senate unless it reports action taken at a regular or special meeting of

the committee. Every report in violation of this rule shall be rejected whenever the Senate is advised that the same is in violation of this rule.

A committee report or a proposed amendment to a bill, memorial or resolution shall be in ~~quadruplicate~~ *six copies* and written only on one side of the paper.

Rule 79, (Providing for the Registration of Lobbyists) paragraph a., is amended to read:

a. To require a full disclosure of all facts relating to the activities of the person complained against or the activities of any organization, association, or committee by whom he is employed or of which he is or has been a member, including undue influence incident to election campaign activities and money or services expended or contributed toward the election of any member. Report adopted.

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

H. F. Nos. 956, 1124, 1592, 2042, 2889, 1321, 2085, 2668, 2669, 2827, 951 and 2333 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. 2085 and 2333 to the Committee on Health, Welfare and Corrections.

H. F. Nos. 1124, 1592 and 951 to the Committee on Judiciary.

H. F. Nos. 956, 2042 and 1321 to the Committee on Labor and Commerce.

H. F. No. 2827 to the Committee on Local Government.

H. F. No. 2889 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2668 and 2669 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. 2252, 2457, 2256, 2590, 1477 and 2537 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 1896 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Keefe, S. moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 2726. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2928. The motion prevailed.

Mr. Moe moved that his name be stricken and the name of Mr. Kleinbaum be added as chief author to S. F. No. 1146. The motion prevailed.

Mr. Coleman moved that the names of Messrs. Ogdahl and Hansen, Baldy be added as co-authors to S. F. No. 2531. The motion prevailed.

Mr. Borden moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2646. The motion prevailed.

Mr. Borden moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2677. The motion prevailed.

Mr. Borden moved that the name of Mr. Solon be added as co-author to S. F. No. 2583. The motion prevailed.

Mr. Coleman moved that the amendments to the Permanent Rules reported from the Committee on Rules and Administration today be laid on the table. The motion prevailed.

Mr. Wegener moved that S. F. No. 2879 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Mr. Chmielewski moved that S. F. No. 1858 be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the Senate do not concur in the amendments by the House to S. F. No. 1858 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Milton moved that S. F. No. 2991 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974, The Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA CORRECTIONS AUTHORITY

Jane Belau, 433-9th Avenue S.W., Rochester, Olmsted County, appointed effective January 1, 1974, for a term expiring January 1, 1976.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974, The Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA CORRECTIONS AUTHORITY

Leslie R. Green, 727-13th Avenue South, St. Cloud, Stearns County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974, The Senate having advised with, do now consent to and confirm the appointment of:

MINNESOTA CORRECTIONS AUTHORITY

P. K. Peterson, 3332 Edmund Boulevard, Minneapolis, Hennepin County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 53 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Arnold	Frederick	Lewis	Olson, A. G.	Spear
Conzemius	Hansen, Baldy	Moe	Schrom	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

Pertaining to the report from the Committee on Health, Welfare and Corrections, reported January 23, 1974 without Committee recommendation, Mr. Conzemius moved that the Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA CORRECTIONS AUTHORITY

Lester Melchert, Rural Route 2, Chaska, Carver County, appointed effective January 1, 1974, for a term expiring January 1, 1978.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that S. F. No. 2945 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

RECESS

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

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

THIRD READING OF SENATE BILLS

S. F. No. 2248: A bill for an act relating to foods; regulating the packaging, labelling and advertising of imitation honey; providing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding a section.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Blatz	Coleman	Fitzsimons	Hanson, R.
Ashbach	Borden	Conzemius	Frederick	Hughes
Bang	Brown	Davies	Gearty	Humphrey
Berg	Chenoweth	Doty	Hansen, Baldy	Josefson
Bernhagen	Chmielewski	Dunn	Hansen, Mel	Keefe, J.

Keefe, S.	Lewis	Olhoft	Pillsbury	Tennessee
Kirchner	Lord	Olson, A. G.	Renneke	Thorup
Kleinbaum	McCutcheon	Olson, H. D.	Schrom	Ueland
Knutson	Moe	Olson, J. L.	Sillers	Wegener
Kowalczyk	Nelson	O'Neill	Solon	Willet
Krieger	North	Patton	Spear	
Larson	Novak	Perpich, A. J.	Stassen	
Laufenburger	Ogdahl	Perpich, G.	Stokowski	

So the bill passed and its title was agreed to.

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

Was read the third time 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	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	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	Josefson	Moe	Pillsbury	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

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.

Was read the third time 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	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	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	Hanson, R.	Lewis	Patton	Thorup
Chmielewski	Hughes	Lord	Perpich, A. J.	Ueland
Coleman	Humphrey	Moe	Perpich, G.	Willet
Conzemius	Keefe, J.	Nelson	Pillsbury	
Davies	Keefe, S.	North	Renneke	
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

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.

Was read the third time 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.	Nelson	Pillsbury
Ashbach	Doty	Kirchner	North	Renneke
Bang	Dunn	Kleinbaum	Novak	Schrom
Berg	Fitzsimons	Knutson	Ogdahl	Sillers
Bernhagen	Frederick	Kowalczyk	Olhoft	Solon
Blatz	Gearty	Krieger	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	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Stassen in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Stassen reported that the committee had considered H. F. No. 1699 which the committee recommends to pass.

S. F. No. 647 which the committee reports progress, subject to the following motion:

Mr. Solon moved to amend S. F. No. 647 as follows:

Page 3, line 20, strike "1975" and insert "1976"

The motion prevailed. So the amendment was adopted.

The question being taken on the committee recommendation to pass S. F. No. 647,

And the roll being called, there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Davies	Keefe, S.	McCutcheon	Solon
Chenoweth	Doty	Kleinbaum	Milton	Spear
Chmielewski	Gearty	Larson	North	Stokowski
Coleman	Hughes	Lewis	Novak	Thorup
Conzemius	Humphrey	Lord	Perpich, G.	Willet

Those who voted in the negative were:

Arnold	Fitzsimons	Laufenburger	O'Neill	Tennessee
Ashbach	Frederick	Moe	Patton	Ueland
Berg	Hansen, Baldy	Ogdahl	Perpich, A. J.	Wegener
Bernhagen	Hansen, Mel	Olhoft	Renneke	
Blatz	Hanson, R.	Olson, A. G.	Schrom	
Brown	Kirchner	Olson, H. D.	Sillers	
Dunn	Kowalczyk	Olson, J. L.	Stassen	

The committee then progressed S. F. No. 647.

H. F. No. 874, which the committee recommends to pass with the following amendments offered by Mr. Chenoweth:

That the amendment made to H. F. No. 874 by the Committee on Rules and Administration in the report appearing on page 1949 of the Senate Journal and adopted by the Senate April 30, 1973, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Chenoweth then moved to amend H. F. No. 874, the printed bill, as follows:

Page 3, line 14, delete "gross"

Page 3, line 15, strike everything after "misdemeanor" and insert a period

Page 3, strike line 16

Page 3, line 19, strike "on January 1, 1974" and insert "June 1, 1974"

The motion prevailed. So the amendment was adopted.

H. F. No. 574, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Amend H. F. No. 574, the printed bill as follows:

Page 1, line 4, after "*motor vehicles*" insert "*and farm implements*"

And then, on motion of Mr. Stassen, 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 subject to the call of the President. The motion prevailed.

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

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 96, pursuant to the request of the Senate:

Messrs. Davies; Knutson; Olson, A. G.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, February 4, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTIETH DAY

St. Paul, Minnesota, Monday, February 4, 1974.

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:

Anderson	Hansen, Baldy	Larson	Perpich, A. J.	Tennessee
Arnold	Hansen, Mel	Lewis	Perpich, G.	Thorup
Bernhagen	Hanson, R.	McCutcheon	Pillsbury	Ueland
Borden	Humphrey	Novak	Purfeerst	Wegener
Coleman	Keefe, S.	Ogdahl	Renneke	Willet
Davies	Kirchner	Othoft	Solon	
Doty	Kleinbaum	Olson, A. G.	Spear	
Fitzsimons	Kowalczyk	O'son, H. D.	Stassen	
Gearty	Krieger	Olson, J. L.	Stokowski	

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	Schrom
Arnold	Dunn	Kleinbaum	Novak	Solon
Ashbach	Fitzsimons	Knutson	Ogdahl	Spear
Bang	Frederick	Kowalczyk	Olhft	Stassen
Berg	Gearty	Krieger	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Tennessee
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Thorup
Borden	Hanson, R.	Lewis	O'Neill	Ueland
Brown	Hughes	Lord	Perpich, A. J.	Wegener
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Milton	Pillsbury	
Conzernius	Josefson	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

Messrs. Chmielewski; Keefe, J.; Patton and Sillers were excused from the Session of today. Mr. Lord was excused from the Session of today until 11:30 o'clock a.m. Mr. Gearty was excused from the Session of today, beginning at 11:30 o'clock a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	1041	10	January 30, 1974	January 31, 1974
516		11	January 30, 1974	January 31, 1974
871		12	January 30, 1974	January 31, 1974
993		13	January 30, 1974	January 31, 1974
1191		14	January 30, 1974	January 31, 1974
1523		15	January 30, 1974	January 31, 1974
1802		16	January 30, 1974	January 31, 1974
1960		17	January 30, 1974	January 31, 1974
2011		18	January 30, 1974	January 31, 1974
2206		19	January 30, 1974	January 31, 1974
2272		20	January 30, 1974	January 31, 1974

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Mr. Hansen, Baldy introduced—

S. F. No. 3005: A bill for an act relating to the claim of Earl R. Colstrup; arising from damage to soybean crop occasioned by excessive water runoff from a culvert under interstate highway No. 90; appropriating money for the payment thereof.

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

Messrs. Chenoweth, Ogdahl and Stokowski introduced—

S. F. No. 3006: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

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

Messrs. Chenoweth; Hansen, Mel and Kleinbaum introduced—

S. F. No. 3007: A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with

legislator's, constitutional officer's and judge's retirement to the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivisions 2 and 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

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

Messrs. Chenoweth, Ogdahl and Stokowski introduced—

S. F. No. 3008: A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate by gift, purchase or condemnation for public purposes, and the construction of necessary building and structures thereon; and appropriating moneys therefor.

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

Mr. Chmielewski introduced—

S. F. No. 3009: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Pine county to the city of Moose Lake, Minnesota.

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

Messrs. Chmielewski and Laufenburger introduced—

S. F. No. 3010: A bill for an act relating to capital punishment; specifying the acts constituting murder in the first degree; providing a separate proceeding to determine sentence in capital cases; amending Minnesota Statutes 1971, Sections 243.05; 609.10; 609.18; 609.19; 609.195; and Chapter 609, by adding sections; Minnesota Statutes, 1973 Supplement, Section 626A.05, Subdivision 2; repealing Minnesota Statutes 1971, Section 609.185.

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

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chmielewski introduced—

S. F. No. 3011: A bill for an act relating to eminent domain; acquisition by direct purchase; amending Minnesota Statutes 1971, Section 117.232, Subdivision 1.

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

Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Chmielewski introduced—

S. F. No. 3012: A bill for an act relating to eminent domain; filing of final certificate; amending Minnesota Statutes 1971, Section 117.205.

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

Mr. Chmielewski introduced—

S. F. No. 3013: A bill for an act relating to eminent domain; possession; amending Minnesota Statutes 1971, Section 117.042.

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

Mr. Chmielewski introduced—

S. F. No. 3014: A bill for an act relating to education; providing state transportation to vocational education classes; amending Minnesota Statutes, 1973 Supplement, Section 124.223.

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

Mr. Wegener introduced—

S. F. No. 3015: A bill for an act relating to Todd county; authorizing a tax levy for snow removal over all tax limitations; amending Laws 1943, Chapter 367, Section 1, as amended.

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

Mr. Perpich, A. J. introduced—

S. F. No. 3016: A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

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

Messrs. Tennessen and Laufenburger introduced—

S. F. No. 3017: A bill for an act relating to the trunk high-

way system; adding a new route in substitution of an existing route.

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

Messrs. Arnold, Fitzsimons and Willet introduced—

S. F. No. 3018: A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

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

Mr. Keefe, J. introduced—

S. F. No. 3019: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

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

Mr. Renneke introduced—

S. F. No. 3020: A bill for an act relating to courts; apportioning the state judicial districts; adding one district judge; amending Minnesota Statutes 1971, Section 2.722.

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

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

S. F. No. 3021: A bill for an act relating to railroads; providing that only property owned by railroads shall be included in the gross earnings tax; amending Minnesota Statutes 1971, Section 295.02.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J. and Olson, A. G. introduced—

S. F. No. 3022: A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Gearty; Hanson, R. and Hansen, Baldy introduced—

S. F. No. 3023: A bill for an act relating to municipal industrial development; definitions; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1.

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

Mr. Chenoweth questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Ogdahl, Stokowski and Keefe, S. introduced—

S. F. No. 3024: A bill for an act relating to special assessments; amending Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1; and Minnesota Statutes 1971, Section 429.101, Subdivision 2.

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

Messrs. Spear, Ogdahl and Keefe, S. introduced—

S. F. No. 3025: A bill for an act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, Section 1.

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

Messrs. Tennesen, Stokowski and Ogdahl introduced—

S. F. No. 3026: A bill for an act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.

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

Messrs. Stokowski, Spear and Ogdahl introduced—

S. F. No. 3027: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

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

Mr. Ashbach introduced—

S. F. No. 3028: A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioners; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

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

Mr. Laufenburger introduced—

S. F. No. 3029: A bill for an act relating to highways; state-aid system of highways; research accounts set aside from the county state-aid highway fund and municipal state-aid street fund; purposes; amending Minnesota Statutes 1971, Sections 162.06, Subdivision 4; and 162.12, Subdivision 4.

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

Messrs. Arnold, Chmielewski and Willet introduced—

S. F. No. 3030: A bill for an act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during certain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 1.

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

Mr. Solon introduced—

S. F. No. 3031: A bill for an act relating to wild animals; altering certain provisions regarding commercial fishing in Lake Superior; amending Minnesota Statutes 1971, Sections 98.46, Subdivision 12; 102.28, Subdivisions 2 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

Mr. Sillers introduced—

S. F. No. 3032: A bill for an act authorizing the annexation of certain state owned land by the city of Breckenridge.

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

Messrs. Chenoweth, Ogdahl and Kleinbaum introduced—

S. F. No. 3033: A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivisions 2 and 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivisions 1 and 3; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11;

and 354.58; and Chapter 354, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.-46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.511; 354.52, Subdivision 1; 354.54; 354.-55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

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

Messrs. Thorup, Anderson and Stassen introduced—

S. F. No. 3034: A bill for an act relating to workmens compensation; appropriating money for the state compensation revolving fund; amending Minnesota Statutes 1971, Section 176.611, Subdivision 6.

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

Messrs. Thorup, Anderson and Stassen introduced—

S. F. No. 3035: A bill for an act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

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

Messrs. Thorup and Stassen introduced—

S. F. No. 3036: A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; and 484.61.

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

Mr. Thorup introduced—

S. F. No. 3037: A bill for an act relating to labor relations; political activity as grounds for removal from office of mediator or employee; repealing Minnesota Statutes 1971, Section 179.03.

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

Messrs. Thorup, Anderson and Stassen introduced—

S. F. No. 3038: A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

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

Messrs. Thorup, Anderson and Stassen introduced—

S. F. No. 3039: A bill for an act relating to courts; prescribing requirements for decisions of courts of record; prescribing penalties; amending Minnesota Statutes 1971, Section 546.27.

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

Messrs. Thorup and Stassen introduced—

S. F. No. 3040: A bill for an act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, as amended.

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

Messrs. Laufenbuger; Hansen, Baldy and McCutcheon introduced—

S. F. No. 3041: A bill for an act relating to veterans; providing that applications for the Vietnam bonus shall not be accepted after December 31, 1974; amending Minnesota Statutes, 1973 Supplement, Section 197.973.

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

Messrs. Stokowski; Hansen, Mel and Ogdahl introduced—

S. F. No. 3042: A bill for an act relating to the firemen's relief association and the firemen's pension fund in the city of Minneapolis; amending Laws 1965, Chapter 519, Section 1, as amended.

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

Messrs. Stokowski; Hansen, Mel and Ogdahl introduced—

S. F. No. 3043: A bill for an act relating to the city of Minneapolis; fire department relief association; providing for paid up annuities under certain circumstances.

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

Messrs. Olson, H. D.; Patton and Olhoft introduced—

S. F. No. 3044: A bill for an act relating to education; general powers of independent school districts; empowering school boards to authorize superintendents and business managers to enter into certain transactions; amending Minnesota Statutes 1971, Section 123.35, by adding a subdivision.

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

Messrs. Olson, H. D.; Patton and Olhoft introduced—

S. F. No. 3045: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1971, Section 123.34, Subdivision 1.

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

Messrs. Frederick, Conzemius and Berg introduced—

S. F. No. 3046: A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

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

Messrs. Anderson, Sillers and Hughes introduced—

S. F. No. 3047: A bill for an act relating to taxation; school district tax levy; levy adjustments; amending Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3; and Minnesota Statutes 1971, Section 275.125, Subdivision 7.

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

Messrs. McCutcheon, Nelson and Lewis introduced—

S. F. No. 3048: A bill for an act relating to crimes and criminals; contraband articles forbidden in state institutions and county jails; penalties; amending Minnesota Statutes 1971, Sections 243.55; and 641.165.

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

Mr. Thorup introduced—

S. F. No. 3049: A bill for an act relating to establishment of parks and playgrounds by the county of Anoka; repealing Laws 1961, Chapter 209.

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

Mr. Thorup introduced—

S. F. No. 3050: A bill for an act relating to natural resources; providing for the membership of the state soil and water conservation commission; amending Minnesota Statutes 1971, Section 40.03, Subdivision 1.

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

Messrs. Thorup, Anderson and Lewis introduced—

S. F. No. 3051: A bill for an act relating to state buildings; renaming the state office building; amending Minnesota Statutes 1971, Section 16.02, Subdivision 6.

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

Messrs. Gearty and Ogdahl introduced—

S. F. No. 3052: A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

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

Mr. Gearty questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Chenoweth, O'Neill and McCutcheon introduced—

S. F. No. 3053: A bill for an act relating to the determination of the frontage assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

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

Messrs. Schrom; Hanson, R. and Willet introduced—

S. F. No. 3054: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

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

Messrs. Willet; Olson, J. L. and Ashbach introduced—

S. F. No. 3055: A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

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

Messrs. Schrom; Olson, J. L. and Hansen, Baldy introduced—

S. F. No. 3056: A bill for an act relating to employments licensed by the state; architects, engineers and surveyors; raising the minimum public building cost for which services of a licensed architect, engineer or land surveyor are required; amending Minnesota Statutes 1971, Section 326.03, Subdivision 2.

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

Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Willet; Perpich, G. and Solon introduced—

S. F. No. 3057: A bill for an act relating to public welfare; exchange of information to safeguard public assistance funds.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Perpich, A. J.; O'Neill and Hansen, Baldy introduced—

S. F. No. 3058: A bill for an act relating to the sales and use tax; amending Minnesota Statutes, 1973 Supplement, Sections 297A.14; and 297A.25, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Stokowski, Kirchner and Humphrey introduced—

S. F. No. 3059: A bill for an act relating to county boards; providing for boards of seven members in counties having a population of 200,000 or more; amending Minnesota Statutes 1971, Section 375.01.

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 House File, herewith transmitted:

H. F. No. 2873.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 1, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2873: A bill for an act relating to state government and its personnel department; providing for temporary rules.

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 the Report of the Committee on Education on S. F. No. 2048 be now adopted. The motion prevailed.

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

S. F. No. 2048: A bill for an act relating to state colleges; permitting the state college board to designate certain colleges as state universities.

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

Page 1, line 6, after "board" insert "with the approval of the Minnesota higher education coordinating commission"

Page 1, line 9, strike "A"

Page 1, line 10, strike "college" and insert "Colleges"

Page 1, line 10, strike "post"

Page 1, line 11, strike "and award a doctoral degree or"

Page 1, strike line 12

Page 1, line 14, strike "3" and insert "2"

Page 1, line 21, after "board" insert "with the approval of the Minnesota higher education coordinating commission"

Page 2, after line 3, insert:

"Sec. 3. Minnesota Statutes, 1973 Supplement, Section 136A.04, is amended to read:

136A.04 [DUTIES.] The higher education coordinating commission shall:

(a) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state in respect thereto;

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring states and agencies of the federal government;

(c) Act as successor to any committee or commission here-

tofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the University of Minnesota, the state colleges, the state junior colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the commission as being unnecessary or a needless duplication of existing programs;

(e) Prior to implementation, approve or disapprove any change in the designation or status of a public institution of higher learning in Minnesota."

Further amend the title as follows:

Line 3, after "board" insert "with the approval of the Minnesota higher education coordinating commission"

Line 4, after "universities" and before the period insert " ; amending Minnesota Statutes, 1973 Supplement, Section 136A.04"

And when so amended the bill do pass.

Mr. Coleman questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

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.

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

Page 2, strike lines 9 through 11

Further, amend the title as follows:

Second line of the title, strike "regulating the liability of banks for certain disclosures;"

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. 1868: A bill for an act relating to the practices of chiropractic; providing additional powers to the board of chiropractic examiners; amending Minnesota Statutes 1971, Section 148.04.

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

Page 1, line 26, strike "Three" and insert "Five"

Page 1, line 29, strike "and such" and insert "which"

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. 1946: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to freeway patrol duty; amending Minnesota Statutes 1971, Section 299D.03, by adding a subdivision.

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

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

S. F. No. 1769: A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

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

Page 1, line 22, strike "junior" and insert "community"

Page 1, line 26, strike "by any agency approved by the United States"

Page 1, strike line 27

Page 1, line 28, strike "successors, or accredited"

Page 1, line 29, after "education" insert "or association of chiropractic colleges"

Page 1, line 29, strike "its" and insert "their"

Page 1, line 29, after "successors" strike the remainder of the line

Page 1, strike line 30

Page 2, strike lines 1 to 6

Page 2, line 8, strike "approve" and insert "recommend", and at the end of the line strike "at" and insert "to"

Page 2, line 9, strike "junior" and insert "community"

Page 2, line 10, strike "*satisfies*" and insert "*would satisfy*"

Page 3, line 17, after "*board*" and before the semicolon, insert "*without discriminating between the philosophies of practice adhered to by the accrediting agencies set forth in section 1*"

Page 3, line 23, strike "*study clubs*" and insert "*workshops*"

Page 3, line 26, after "*study*" strike the comma and insert a semicolon, and strike the remainder of the line

Page 3, line 27, strike "*clinician,*"

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. 196: A bill for an act relating to traffic regulations; traffic signals; regulating the right turn on a red semaphore signal; providing a penalty; amending Minnesota Statutes 1971, Section 169.06, Subdivision 5.

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

Page 3, line 14, after "*intersection*" and before the period insert: "*or in position to enter the intersection*"

Line 17, after "*right lane*" strike the balance of the line and insert in lieu thereof "*until the driver has lawfully signaled for change of lane.*"

Strike line 18.

Line 19, strike "*before making a right turn on red signal or*"

Line 20, after "*pedestrian*" insert "*lawfully*" After "*intersection*" strike "*or about to*" and insert in lieu thereof "*as demonstrated by the*"

Line 21, strike "*enter the intersection,*" and insert in lieu thereof "*pedestrian being struck by the vehicle*"

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1868, 1946, 1769, and 196 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 601 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the names of Messrs. Sillers and Fitzsimons be added as co-authors to S. F. No. 2641. The motion prevailed.

Mr. Doty moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2863. The motion prevailed.

Mr. Milton moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2460. The motion prevailed.

Mr. Hansen, Mel moved that the name of Mr. Kleinbaum be added as co-author to S. F. No. 2959. The motion prevailed.

Mr. Hansen, Baldy moved that the name of Mr. Hansen, Mel be added as co-author to S. F. No. 2945. The motion prevailed.

Mr. Hughes moved that the name of Mr. Dunn be added as co-author to S. F. No. 2627. The motion prevailed.

Mr. Coleman moved that the amendments to the Permanent Rules reported from the Committee on Rules and Administration on Friday, February 1, 1974, be taken from the table. The motion prevailed.

Mr. Krieger requested to divide the question on each rule. So the question was divided.

Mr. Ashbach raised a point of order as to the vote required to amend the Permanent Rules of the Senate.

The Chair ruled that a majority vote is required to amend the Rules.

Mr. Krieger appealed the decision of the Chair.

The question being taken on whether the decision of the Chair be the decision of the Senate,

And the roll being called, there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Olson, H. D.	Stokowski
Arnold	Gearty	McCutcheon	Perpich, A. J.	Tennessen
Borden	Hansen, Baldy	Milton	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Purfeerst	Wegener
Chmielewski	Humphrey	North	Schaaf	Willet
Coleman	Keefe, S.	Novak	Schroen	
Conzemius	Laufenburger	Olhoft	Solon	
Davies	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

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

So the decision of the Chair was sustained.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate for the remainder of the discussion on rules amendments. 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	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	

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

Mr. Novak moved that the Rules Committee amendment to Rule 7 be adopted.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Olson, H. D.	Tennessee
Arnold	Gearty	McCutcheon	Perpich, A. J.	Thorup
Borden	Hughes	Milton	Perpich, G.	Wegener
Chenoweth	Humphrey	Moe	Purfeerst	Willet
Chmielewski	Keefe, S.	North	Schaaf	
Coleman	Kleinbaum	Novak	Schrom	
Conzemius	Laufenburger	Olhoft	Spear	
Davies	Lewis	Olson, A. G.	Stokowski	

Those who voted in the negative were:

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

The motion prevailed. So the rule was amended.

Mr. Novak moved that the Rules Committee amendment to Rule 9 be adopted.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 51 and nays 14, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Frederick	Josefson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Kirchner	Patton	Ueland
Blatz	Jensen	Krieger	Renneke	

The motion prevailed. So the rule was amended.

Mr. Krieger moved to amend the amendment offered by the Committee on Rules and Administration to Rule 10 as follows:

Reinstate all of the stricken language in the first paragraph of Rule 10.

Further, strike all of the second paragraph.

The question being taken on adoption of the Krieger amendment,

And the roll being called, there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, H. D.	Stokowski
Arnold	Gearty	Lord	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Thorup
Chenoweth	Hughes	Milton	Purfeerst	Wegener
Chmielewski	Humphrey	Moe	Schaaf	Willett
Coleman	Keefe, S.	Novak	Schrom	
Conzemius	Kleinbaum	Olhoff	Solon	
Davies	Laufenburger	Olson, A. G.	Spear	

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

Mr. Novak moved that the Rules Committee amendment to Rule 10 be adopted.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 38 and nays 27, 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	Willett
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoff	Solon	

Those who voted in the negative were:

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

The motion prevailed. So the rule was amended.

Mr. Novak moved that the Rules Committee amendment to Rule 55 be adopted. The motion prevailed. So the rule was amended.

Mr. Novak moved that the Rules Committee amendment to Rule 79 be adopted. The motion prevailed. So the rule was amended.

THIRD READING OF SENATE BILLS

S. F. No. 1225: A bill for an act relating to corrections; regulating communication between inmates and the news media.

CALL OF THE SENATE

Mr. Conzemius imposed a call of the Senate on S.F. No. 1225. The following Senators answered to their names:

Anderson	Davies	Kirchner	North	Renneke
Arnold	Doty	Kleinbaum	Novak	Schaaf
Ashbach	Dunn	Knutson	Ogdahl	Schrom
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	O'Neill	Tennessee
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	

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

S. F. No. 1225 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

And the roll being called, there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, H. D.	Stokowski
Arnold	Hughes	Lord	Perpich, A. J.	Tennessee
Borden	Humphrey	Milton	Perpich, G.	Thorup
Chenoweth	Jensen	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Novak	Solon	
Davies	Kleinbaum	Olhoft	Spear	
Doty	Laufenburger	Olson, A. G.	Stassen	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

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.

Was read the third time 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	Schrom
Berg	Frederick	Kowalczyk	Olhoft	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	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Jensen	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Blatz	Conzemius	Gearty	Jensen
Arnold	Borden	Davies	Hansen, Baldy	Josefson
Ashbach	Brown	Doty	Hansen, Mel	Keefe, S.
Bang	Chenoweth	Dunn	Hanson, R.	Kirchner
Berg	Chmielewski	Fitzsimons	Hughes	Kleinbaum
Bernhagen	Coleman	Frederick	Humphrey	Knutson

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

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Kirchner	North	Renneke
Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Fitzsimons	Knutson	Ogdahl	Schrom
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	O'Neill	Tennessee
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	

Mr. Doty voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1699: A bill for an act relating to highway traffic regulations; slow moving vehicles, signs required; amending Minnesota Statutes 1971, Section 169.522, Subdivision 1.

With the unanimous consent of the Senate, Mr. Laufenburger moved to amend H. F. No. 1699, the printed bill, as follows:

Page 1, line 12, strike "*and used*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1699 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Schaaf
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
Blatz	Hanson, R.	Lewis	O'Neill	Thorup
Borden	Hughes	Lord	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Willet
Chenoweth	Jensen	Milton	Perpich, G.	
Chmielewski	Josefson	Moe	Pillsbury	
Conzemius	Keefe, S.	Nelson	Purfeerst	
Doty	Kirchner	North	Renneke	

Messrs. Davies and Schrom voted in the negative.

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

H. F. No. 874: A bill for an act relating to safety; requiring the safety glazing of certain glass or plastic panels for doors and enclosures; 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 54 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Davies	Larson	Renneke	Schrom
Bernhagen	Hansen, Baldy	Olson, J. L.		

So the bill passed and its title was agreed to.

H. F. No. 574: A bill for an act relating to motor vehicles; maximum length of motor vehicle transport vehicles; amending Minnesota Statutes 1971, Section 169.81, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 19, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Schrom
Ashbach	Frederick	Krieger	Olson, H. D.	Solon
Bang	Gearty	Larson	Olson, J. L.	Stassen
Berg	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lewis	Patton	Thorup
Blatz	Humphrey	Lord	Pillsbury	Ueland
Chmielewski	Josefson	Milton	Purfeerst	Wegener
Conzemius	Kleinbaum	Moe	Renneke	
Doty	Knutson	Nelson	Schaaf	

Those who voted in the negative were:

Brown	Hansen, Baldy	Kirchner	Ogdahl	Spear
Chenoweth	Hughes	McCutcheon	Olhoff	Tennessee
Davies	Jensen	North	Perpich, A. J.	Willet
Dunn	Keefe, S.	Novak	Perpich, G.	

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	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. L.	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
Conzemius	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

Pursuant to Rule No. 9, there being three objectors, S. F. No. 2376 was stricken from the Calendar of Ordinary Matters and placed on General Orders.

S. F. No. 2704: A bill for an act relating to bureau of health personnel of the city of St. Paul; amending Laws 1973, Chapter 767, Section 3, 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 65 and nays 0, 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	Olhoft	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

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Purfeerst
Arnold	Doty	Kirchner	North	Renneke
Ashbach	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoft	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	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Jensen	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	

So the bill passed and its title was agreed to.

H. F. No. 2789: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes 1973 Supplement, Section 202.09, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	North	Renneke
Ashbach	Dunn	Kleinbaum	Nova	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	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
Davies	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2367: A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 68 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
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
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	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2684: A bill for an act authorizing the city of Fairmont to designate, regulate, maintain, and improve streets in the central business district as a mall and to levy special assessments and taxes and issue bonds for this purpose; amending Laws, 1965, Chapter 70, Section 1, Subdivision 1, and by adding a subdivision; repealing Laws 1965, Chapter 70, Section 1, Subdivision 2, and Section 2, Subdivision 2.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Purfeerst
Arnold	Doty	Kirchner	North	Rennecko
Ashbach	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoft	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
Conzemiuss	Josefson	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

S. F. No. 2256: A bill for an act relating to the park board of the city of Minneapolis; authorizing municipalities, other than the city of Minneapolis, to levy special assessments on property within such municipalities which has been benefitted by public improvements made by the park board of the city of Minneapolis and to pay over such money to such park 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Purfeerst
Arnold	Doty	Kirchner	North	Rennecke
Ashbach	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Knutson	Ogdahl	Schrom
Berg	Frederick	Kowalczyk	Olhoft	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
Conzemiuss	Josefson	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, February 6, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTY-FIRST DAY

St. Paul, Minnesota, Tuesday, February 5, 1974.

The House of Representatives met on Tuesday, February 5, 1974, which was the Eighty-First Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

EIGHTY-SECOND DAY

St. Paul, Minnesota, Wednesday, February 6, 1974.

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	Hansen, Baldy	Larson	Ogdahl	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olhoft	Stokowski
Coleman	Hanson, R.	Lewis	Olson, A. G.	Tennessee
Conzemius	Hughes	Lord	Olson, H. D.	Ueland
Doty	Humphrey	McCutcheon	Patton	Wegener
Dunn	Josefson	Milton	Pillsbury	Willet
Fitzsimons	Keefe, S.	Moe	Purfeerst	
Frederick	Kirchner	North	Schrom	
Gearty	Kleinbaum	Novak	Solon	

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	Kleinbaum	Ogdahl	Schrom
Arnold	Dunn	Kowalczyk	Olhoft	Sillers
Ashbach	Fitzsimons	Krieger	Olson, A. G.	Solon
Bang	Frederick	Larson	Olson, H. D.	Spear
Bernhagen	Gearty	Laufenburger	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	Josefson	Nelson	Purfeerst	Willet
Conzemius	Keefe, S.	North	Renneke	
Davies	Kirchner	Novak	Schaaf	

Quorum present.

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

MEMBERS EXCUSED

Mr. Berg was excused from the Session of today. Messrs. Jensen; Keefe, J. and Knutson were excused from this morning's Session. Mr. Ogdahl was excused from the Session of today, beginning at 12:00 o'clock noon.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 17, 1974

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:

Allan A. Hill, Bean & Hill, Professional Engineers, 2002 London Road, Duluth, St. Louis County, has been appointed by me to the State Board of Electricity, effective January 1, 1974, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

January 21, 1974

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:

Walter Passe, Wabasha, Wabasha County, has been appointed by me to the State Board of Electricity, effective January 1, 1974, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

February 1, 1974

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. 152, An act relating to highway traffic regulations; providing for the adoption of motor vehicle safety standards; providing penalties.

S. F. No. 481, An act relating to highway traffic regulations; accidents; reporting of accidents; driver's license suspension under certain circumstance by reason of accident; amending Minnesota

Statutes 1971, Sections 169.09, Subdivisions 3, 7, 8, and 13, and 170.25, Subdivision 1; repealing Minnesota Statutes 1971, Section 170.33, Subdivision 5.

S. F. No. 781, An act relating to highway traffic regulations; application thereof; providing certain exemptions; amending Minnesota Statutes 1971, Section 169.03.

S. F. No. 944, An act relating to education; permitting certain teachers to apply for and receive life or permanent certificates.

S. F. No. 2243, An act relating to public indebtedness; sinking fund; amending Minnesota Statutes 1971, Section 475.66.

S. F. No. 2244, 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.

S. F. No. 2246, An act relating to savings banks; authorized investments; amending Minnesota Statutes 1971, Section 50.14, 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

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
152		21	January 31, 1974	February 1, 1974
481		22	January 31, 1974	February 1, 1974
781		23	January 31, 1974	February 1, 1974
944		24	February 1, 1974	February 1, 1974
2243		25	January 31, 1974	February 1, 1974
2244		26	January 31, 1974	February 1, 1974
2246		27	January 31, 1974	February 1, 1974

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Chmielewski, Larson and Humphrey introduced—

S. F. No. 3060: A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforce-

ment; amending Minnesota Statutes 1971, Sections 463.151; 463.17, Subdivisions 1 and 3; 463.21; and Chapter 463, by adding a section.

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

Messrs. Arnold, Ashbach and Olson, A. G. introduced—

S. F. No. 3061: A bill for an act relating to parks; prohibiting littering; providing a penalty.

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

Mr. Purfeerst introduced—

S. F. No. 3062: A bill for an act relating to Rice county; probate judge's service and retirement contributions; appropriating money for refunds.

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

Messrs. Conzemius, Kirchner and Perpich, G. introduced—

S. F. No. 3063: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon; Perpich, A. J. and Doty introduced—

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

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

Messrs. Conzemius, Larson and Laufenburger introduced—

S. F. No. 3065: A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

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

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

S. F. No. 3066: A bill for an act relating to health; certificates

of need for health care facilities; eliminating provisions of appeal to appeal board from order of state board of health; repealing Minnesota Statutes 1971, Section 145.81.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Hughes, Blatz and Anderson introduced—

S. F. No. 3067: A bill for an act relating to taxation; inheritance taxes; tax rates; amending Minnesota Statutes, 1973 Supplement, Section 291.03.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Hughes, Ogdahl and Keefe, S. introduced—

S. F. No. 3068: A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

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

Mr. Dunn introduced—

S. F. No. 3069: A bill for an act authorizing the city of Foley to acquire and develop certain land for industrial purposes.

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

Messrs. Patton, Sillers and Hanson, R. introduced—

S. F. No. 3070: A bill for an act relating to education; providing for forgiveness of repayment of loans to medical students who practice medicine in rural communities; amending Minnesota Statutes 1971, Section 147.26, Subdivision 1.

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

Messrs. Brown and Anderson introduced—

S. F. No. 3071: A bill for an act relating to retirement; conditions for retirement of certain district judges.

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

Mr. Kowalczyk introduced—

S. F. No. 3072: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

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

Mr. Pillsbury introduced—

S. F. No. 3073: A bill for an act relating to the metropolitan transit commission; transit taxing district; including within the transit taxing district the town of Hassan and the city of Rogers in Hennepin county subject to certain conditions; amending Minnesota Statutes 1971, Section 473A.111, by adding a subdivision.

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

Messrs. Keefe, S.; Spear and Tennessen introduced—

S. F. No. 3074: A bill for an act relating to the housing finance agency; granting additional housing loan and bonding authority.

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

Messrs. Milton, Olhoft and Krieger introduced—

S. F. No. 3075: A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Chenoweth, Kirchner and North introduced—

S. F. No. 3076: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

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

Messrs. Hansen, Baldy; and Schrom introduced—

S. F. No. 3077: A bill for an act relating to taxation, sales tax exemption for certain sand and gravel; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Hansen, Baldy; and Schrom introduced—

S. F. No. 3078: A bill for an act relating to highway traffic regulations; providing for maximum speeds of certain vehicles on the highways; authorizing the designation of specific lanes for such vehicles under certain conditions.

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

Messrs. Lord, Purfeerst and Renneke introduced—

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

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum and Chenoweth introduced—

S. F. No. 3080: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

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

Mr. Stokowski, by request, introduced—

S. F. No. 3081: A bill for an act relating to the claim of Claudia Beamer; arising from impairment of marital relationship due to state's failure to acknowledge validity of marriage or, if marriage was invalid, to permit remarriage; appropriating money for the payment thereof.

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

Mr. Humphrey introduced—

S. F. No. 3082: A bill for an act relating to commerce; requiring a person who is conducting a poll or survey to identify his employer and the use for which the poll is designed.

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

Mr. Kirchner, by request, introduced—

S. F. No. 3083: A bill for an act relating to the claim of George Madsen Construction Company; arising from increased costs of construction material due to increase in sales tax rate and failure to qualify for prior rate when fire extended completion of construction; appropriating money for the payment thereof.

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

Mr. Fitzsimons introduced—

S. F. No. 3084: A bill for an act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau county.

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

Mr. Frederick introduced—

S. F. No. 3085: A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

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

Mr. Josefson introduced—

S. F. No. 3086: A bill for an act relating to agriculture; requiring furnishing of certain information by first buyers of milk; providing a penalty.

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

Messrs. Perpich, A. J; Perpich, G. and Arnold introduced—

S. F. No. 3087: A bill for an act relating to unemployment compensation; benefits; disqualification; exceptions; amending Minnesota Statutes, 1973 Supplement, Section 268.09, Subdivision 1.

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 File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2012: A bill for an act relating to taxes on and measured by net income; prescribing penalties; amending Minnesota Statutes 1971, Section 290.92, Subdivision 15.

Senate File No. 2012 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 4, 1974

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 2012 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2012 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	Fitzsimons	Kleinbaum	Novak	Schaaf
Arnold	Frederick	Kowalczyk	Olson, A. G.	Schrom
Ashbach	Gearty	Krieger	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Solon
Borden	Hansen, Mel	Laufenburger	O'Neill	Spear
Chmielewski	Hanson, R.	Lewis	Patton	Stassen
Coleman	Hughes	Lord	Perpich, A. J.	Stokowski
Conzemius	Humphrey	McCutcheon	Perpich, G.	Tennessee
Davies	Josefson	Milton	Pillsbury	Ueland
Doty	Keefe, S.	Moe	Purfeerst	Wegener
Dunn	Kirchner	North	Renneke	Willet

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2735, 2856 and 2902.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 4, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1136 and 2425.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 5, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2704.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 5, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2735: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

H. F. No. 2856: A bill for an act authorizing the county of Marshall to assume liability for payment of contract for construction of county ditch; authorizing the issuance of bonds and validating contract.

H. F. No. 2902: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

H. F. No. 2425: A bill for an act relating to cities and counties; investment of city and county funds.

Which were referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report from the Committee on Natural Resources and Agriculture on S. F. No. 891 and those pertaining to appointments. The motion prevailed.

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

S. F. No. 2257: A bill for an act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

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

Page 1, line 24, strike "1973" and insert "1974"

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

S. F. No. 2400: A bill for an act relating to the city of Hopkins; investment of city funds.

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 471.56, Subdivision 1, is amended to read:

471.56 [MUNICIPAL FUNDS.] Subdivision 1. Any municipal funds, not presently needed for other purposes, may be invested in *any the same obligations and in the same manner* in which sinking funds are now authorized to be invested pursuant to section 475.66, including appreciation bonds issued by the United States of America on a discount basis. Municipal funds may also be deposited in time deposits of any state or national bank subject to the limitations and requirements of chapter 118.

The term “municipal funds” as used herein shall include all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by any county, city, village or borough, or by any officer or agency thereof, in the state of Minnesota.

Sec. 2. Minnesota Statutes 1971, Section 475.66, is amended to read:

475.66 [SINKING FUND; SURPLUSES.] There shall always be retained in any sinking fund sufficient cash to provide for the annual payments of principal and interest on the obligations for which the fund was created. Subject to the provisions of any resolutions of the governing body relating to the maintenance of reserves of cash or investments for the security of holders of such obligations, any surplus in any sinking fund above such amount may be invested under the direction of the governing body in any general obligation of the United States, the state of Minnesota or any of its municipalities, and in securities issued by the following agencies of the United States: Federal Home Loan Banks, Federal Intermediate Credit Banks, Federal Land Banks, Banks for Cooperatives, and the Federal National Mortgage Association. *Investments in such obligations and securities may also be made when accompanied by simultaneous repurchase agreements issued by a state or federally chartered banking institution under the terms of which the obligations or securities are to be repurchased by the particular banking institution on a specified date at a predetermined price.* Such surplus may also be used to purchase any obligation, whether general or special, of the issue for which the fund is created, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of said issue prior to maturity in accordance with its terms. The obligations representing any such investment may be sold or hypothecated by the governing body at any time, but the money so received remains a part of such fund until used for the purpose for which the fund was created. Any obligation held in the sinking fund from which it is payable may be cancelled at any time when moneys in such fund are sufficient to pay all other obligations issued prior to July 1, 1961, payable therefrom with interest to maturity or to their earliest redemption dates. Any obligation issued after July 1, 1961, held in the sinking fund from which it is payable may be cancelled at any time unless otherwise provided in the other obligations payable from such fund or in a resolution or ordinance authorizing their issuance.”

Further amend by striking the title and inserting:

"A bill for an act relating to municipalities; investments of Municipal Funds; amending Minnesota Statutes 1971, Sections 471.56, Subdivision 1; and 475.66."

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. 2502: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to create a revolving tort liability 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. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2600: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

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

Page 3, line 13, strike the word "*suggest*" and insert "*recommend*"

Page 3, line 16, after "*seaplanes*" strike the remainder of the line.

Page 3, strike all of lines 17 and 18.

Page 3, line 19, strike the word "*person*"

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which were re-referred the following appointments:

CHAIRMAN OF THE METROPOLITAN COUNCIL

John Boland, 2454 Ripley Avenue, North St. Paul, Ramsey County, appointed effective August 6, 1973, for an indeterminate term.

METROPOLITAN COUNCIL

Mrs. Joan Campbell, 947 17th Avenue Southeast, Minneapolis, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

John Costello, 2177 Stanford Avenue, St. Paul, Ramsey County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Kingsley Murphy, Jr., 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Mrs. Alice Kreber, 4719 Yates Avenue North, Crystal, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

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

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

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

S. F. No. 2691: A bill for an act relating to elections; abolishing the use of social security numbers in voter registration; amending Laws 1973, Chapter 676, Section 5, Subdivision 1.

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

Page 1, after "Section 1." strike the rest of line 7 and insert in lieu thereof: "Minnesota Statutes, 1973 Supplement, Section 201.071,"

Line 9, delete the brackets before and after "201.071"

Line 24, strike the entire line and renumber accordingly.

Further, amend the title as follows:

Page 1, line 4, strike "Laws 1973"

Line 5, strike the entire line and insert in lieu thereof "Minnesota Statutes, 1973 Supplement, Section 201.071, Subdivision 1."

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

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

H. F. No. 2715: A bill for an act relating to elections; prohibiting the scheduling of athletic events on a precinct caucus day; amending Minnesota Statutes 1971; Chapter 202, by adding a section.

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

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

"Section 1. No school board, county board of commissioners, township board, village council, or city council may conduct a meeting after 7 p. m. on the day of a political party precinct caucus.

Sec. 2. Every employee who is entitled to attend a political party precinct caucus is entitled to absent himself from his work for the purpose of attending the caucus during the time for which the caucus is scheduled without penalty or deduction from his salary or wages on account of his absence other than a deduction in salary for the time he absented himself from his employment.

Sec. 3. No state college may schedule an event which will take place after 7:00 p. m. on the day of a political party precinct caucus unless permission to do so has been received from the state college board. No state community college may schedule an event which will take place after 7:00 p. m. on the day of a political party precinct caucus unless permission to do so has been received from the state community college board.

Sec. 4. No school official may deny the use of a public school building for the holding of a political party precinct caucus if the school office has received a written request for the use of the school building 30 days or more prior to the date of the caucus.

Sec. 5. No public elementary or secondary school may hold a school sponsored event after 7:00 p. m. on the day of a political party precinct caucus."

Further, amend the title as follows:

Page 1, line 3, strike "athletic events on a" and strike lines 4, 5 and 6 and insert in lieu thereof: "certain activities on a political party precinct caucus day; granting employees time off from work during precinct caucuses; making public schools available for precinct caucuses."

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

S. F. No. 2605: A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns county.

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

Page 1, line 8, before "the" insert "the governor, upon recommendation of"

Page 1, line 8, strike "natural resources" and insert in lieu thereof "administration,"

Page 1, line 11, strike "agreed upon by the parties" and insert in lieu thereof "determined by appraisal of the commissioner"

Page 1, after line 26, insert:

"The commissioner shall cause the lands to be appraised by not less than three appraisers, at least two of whom shall be

residents of Stearns county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any lands to be appraised, which oath shall be attached to the report of such appraisal.

The consideration to be paid for the conveyance provided for in this act shall be not less than the appraised value of the land plus the cost of the appraisal."

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

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.

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

Page 1, line 17, strike "will" and insert "should"

Page 2, line 25, after "Sec. 2." strike "The sum of \$1,000 is appropriated from the"

Page 2, strike lines 26 to 28 and insert "This act is effective the day following final enactment."

Further amend the title as follows:

Page 1, line 6, strike "; appropriating"

Page 1, line 7, strike "money"

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

S. F. No. 891: A bill for an act relating to natural resources; regulating the harvest of wild rice in Aitkin, Crow Wing, Mille Lacs, and Morrison counties; providing a penalty.

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

Page 6, after line 14, insert:

"Sec. 2. This act is effective July 1, 1974."

And when so amended the bill do pass.

Mr. Gearty questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

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.

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 40.07, is amended by adding a subdivision to read:

Subd. 16. A district may appropriate necessary funds to provide membership in state and national associations which have as their purpose the betterment and improvement of soil and water conservation district operations. A district is also authorized to participate through duly designated representatives in the meetings and activities of such associations, and is authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith, which expenses may be paid only upon the presentation and allowance of a properly verified itemized claim."

Strike the title and insert in lieu thereof:

"A bill for an act relating to soil and water conservation districts; authorizing membership in state and national associations; amending Minnesota Statutes 1971, Section 40.07, by adding a subdivision."

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

S. F. No. 2398: A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

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

Page 1, line 8, after "COUNTY.]" and before "The" insert "The governor, upon recommendation of"

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

S. F. No. 2611: A bill for an act relating to state lands; direct- ing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands.

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

Page 1, line 7, after "Section 1." strike "The state of Minnesota shall convey and"

Page 1, strike line 8

Page 1, line 9, strike "approved by the attorney general," and insert "The governor, upon recommendation of the commissioner of administration, by quitclaim deed in such form as the attorney general approves, in the name of the state, for a consideration to be determined by appraisal of the commissioner, shall convey"

Page 3, after line 11, insert:

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

The consideration to be paid for the conveyance provided for in this act shall be not less than the appraised value of the land plus the cost of the appraisal."

Amend the title in line 5, after "lands" and before the period by inserting "in Carlton county"

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2750: A bill for an act authorizing the sale of certain lands in Cass county by the commissioner of natural resources.

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

S. F. No. 2857: A bill for an act relating to wild animals; clarifying certain provisions concerning fishing license exemptions and free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivisions 1 and 8.

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

S. F. No. 2295: A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding 60 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in such areas of the state and during such times and subject to such regulations as the commissioner shall prescribe, between November 1st and April 30th following, and beaver may be taken, by trapping only, for a period, or periods, not exceeding a total of 45 days, in such areas of the state and during such times and subject to such regulations as the commissioner shall prescribe, between November 1st and May 31st following, *provided that during the calendar year 1974 and 1975 there shall be no season open for the taking of beaver in that portion of the state lying northerly and easterly of a line commencing at the intersection of state trunk highway numbered 71 and the Canadian border and running southerly along state trunk highway numbered 71 to its intersection with state trunk highway numbered 6, thence southerly along state trunk highway numbered 6 to its intersection with state trunk highway numbered 18, thence easterly along state trunk highway numbered 23, thence northeasterly along state trunk highway numbered 23 to Duluth.*"

Amend the title as follows:

Page 1, line 4, after "area" and before the period, insert "; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4"

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

S. F. No. 2822: A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Laws 1973, Chapter 702, Sections 4, Subdivision 2; and 5, Subdivision 1.

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

Page 1, line 9, after "Section 1." strike "Laws 1973, Chapter 702, Section 4" and insert "Minnesota Statutes, 1973 Supplement, Section 378.31"

Page 1, line 25, after "Sec. 2." strike "Laws 1973, Chapter 702, Section 5" and insert "Minnesota Statutes, 1973 Supplement, Section 378.32"

Page 1, line 27, delete the brackets before and after "378.32"

Further amend the title as follows:

Page 1, line 5, strike "Laws" and insert "Minnesota Statutes,"

Page 1, line 6, strike everything after "1973" and insert "Supplement, Sections 378.31,"

Page 1, line 7, strike "5" and insert "378.32"

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. 1243: A bill for an act relating to education; providing for waiver of tuition for foreign students.

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. Institutions of higher education in Minnesota shall be authorized to grant resident status for the purpose of paying tuition fees in these institutions to bona fide foreign students after their first year in Minnesota, provided that the total number of these residencies shall not exceed one half of one percent of total fall term enrollment of each institution, provided further that these residencies shall be granted on the basis of demonstrated financial need.

Sec. 2. The state of Minnesota shall establish an emergency scholarship fund of \$160,000 to be awarded to public and private institutions of higher education in Minnesota for the purpose of meeting emergency financial problems of their foreign students. This scholarship shall be apportioned to these institutions on the basis of their foreign student enrollment, cost of education, and demonstrated financial need. The formula for apportioning this fund to the institutions shall be determined by the higher education coordinating commission.

Sec. 3. Institutions of higher education in Minnesota shall be authorized to grant resident status for the purpose of paying tuition fees to foreign students who are recipients of scholarship funds contributed to these institutions by Minnesota individuals, organizations or corporations in sufficient amounts to cover such resident tuition fees in the institutions concerned.

Sec. 4. Public and private institutions of higher education in Minnesota shall be authorized to establish procedures which would require recipients of these scholarship funds and/or residencies to return to their countries upon conclusion of their education and training. Initially these scholarship funds and/or residencies shall be made as loans which will be converted to scholarships upon evidence that the students returned home. Should the students

not return, these loans will be repaid in full to the institutions granting them.

Sec. 5. [APPROPRIATION.] The sum of \$_____ or so much thereof as may be required, is appropriated from the general fund to these institutions of higher education for the biennium ending June 30, 1975 for the purposes of section 1 and section 3 of this act."

Further amend the title as follows:

Line 3, after "students" and before the period insert "; appropriating money"

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 referred

S. F. No. 2627: A bill for an act relating to education; authorizing school districts to adopt a year-round school program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 125.12, by adding a subdivision; 126.12; Chapter 120, by adding sections; and Laws 1973, Chapter 683, Section 11, Subdivision 3.

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

Page 1, line 24, after "of" strike "*this act*" and insert "*Minnesota Statutes, Sections 120.59 to 120.68*"

Page 1, line 26, strike "*year-round school*" and insert "*flexible school year*"

Page 1, line 27, strike "*year-round*" and insert "*flexible school year*"

Page 2, line 4, strike "*Year-round school*" and insert "*Flexible school year*"

Page 2, line 9, after "*schools*" and before the period insert "*or residential facilities for handicapped children*"

Page 2, line 14, strike "*year-round school*" and insert "*flexible school year*"

Page 2, line 15, after "*schools*" insert "*or residential facilities for handicapped children*"

Page 2, line 19, strike "*year-round*" and insert "*flexible school year*"

Page 3, line 5, strike "*year-round*" and insert "*flexible*"

Page 3, line 6, after "*school*" and before "*program*" insert "*year*"

Page 3, line 7, after "*teachers*" insert "*, principals, assistant principals, supervisory personnel*"

Page 3, line 8, after "school" and before the comma insert "pursuant to Minnesota Statutes, 1973 Supplement, Chapter 179"

Page 3, line 11, strike "public" and insert "open"

Page 3, line 18, strike "year-round school" and insert "flexible school year"

Page 3, line 25, strike "year-round" and insert "flexible school year"

Page 3, line 26, after "more" insert "or less"

Page 3, line 27, after "of" and before "days" insert "scheduled"

Page 3, line 27, after "days" insert "or their equivalent"

Page 3, line 28, strike "year-round" and insert "flexible school year"

Page 4, line 4, strike "year-round school" and insert "flexible school year"

Page 4, line 5, strike "prescribe" and insert "negotiate a salary schedule that shall not be less than"

Page 4, line 5, after "teachers" insert ", principals, assistant principals, supervisory personnel"

Page 4, line 7, strike "year-round" and insert "flexible school year"

Page 4, line 9, after "the" insert "flexible"

Page 4, line 17, strike "year-round" and insert "flexible school year"

Page 4, line 19, strike "year-round" and insert "flexible school year"

Page 4, line 22, strike "year-round" and insert "flexible school year"

Page 4, line 23, strike "year-round" and insert "flexible school year"

Page 4, line 27, strike "year-round" and insert "flexible school year"

Page 5, line 7, strike "year-round" and insert "flexible school year"

Page 5, line 12, strike the comma and insert "and"

Page 5, line 13, strike ", and (c) the length of the"

Page 5, line 14, strike "school day and the school week"

Page 5, line 17, strike "year-round" and insert "flexible school year"

Page 5, line 25, strike "year-round" and insert "flexible"

Page 5, line 26, after "school" and before "program" insert "year"

Page 5, after line 28, insert a new section as follows:

"Sec. 11. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.68] [TERMINATION OF PROGRAM.] *The school board of any district, with the approval of the state board of education, may terminate a flexible school year program in one or more of the schools or residential facilities for handicapped children within the district. This section shall not be construed to permit an exception to Minnesota Statutes, Section 120.10 or Minnesota Statutes, Section 124.19."*

Page 6, line 5, strike "year-round" and insert "flexible school year"

Page 7, line 15, after "days" insert "or their equivalent"

Page 7, line 16, strike "effective the 1970-71 school year and thereafter"

Page 8, line 4, after "session" strike ", and (2) expend for teachers' salaries not" and insert a period

Page 8, strike lines 5 through 14

Page 8, after line 14, insert a new section as follows:

"Sec. 13. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] *State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of year-round flexible school year programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term."*

Page 8, line 15, strike everything after "Sec. 13." and insert "Minnesota Statutes, 1973 Supplement, Section 124.222,"

Page 8, line 19, strike "year-round program" and insert "flexible school year"

Page 8, line 27, strike "YEAR-ROUND" and insert "FLEXIBLE YEAR"

Page 9, line 1, strike "year-round" and insert "flexible school year"

Page 9, line 3, after "year" strike "if agreeable to the parties. No contract entered into" and insert "through mutual consent, and provided that either

(i) one contract per teacher shall cover a period of consecutive full time employment at least equivalent to a full school year as set forth in Minnesota Statutes, Section 124.19, which contract shall be covered by the provisions of this section, while supplementary

contracts for additional time shall not be covered by the provisions of this section unless expressly so declared therein, or

(ii) the sum of the number of days in the contracts entered into by an individual teacher during any number of successive school years within a five year period which, when added together, equal or exceed the number of days in a full school year as defined in Minnesota Statutes, Section 124.19, shall constitute a full year's employment for purposes of establishing and retaining tenure under the provisions of Subdivisions 3 and 4 of this section, and any teacher who has established tenure rights thereunder shall be entitled, upon delivery of a written demand therefor to the superintendent of schools on or before April 1, to a full school year contract, if available, as specified in clause (i) above."

Page 9, strike lines 4 through 7

Page 9, after line 7, insert the following:

"Sec. 15. Minnesota Statutes 1971, Section 125.17, is amended by adding a subdivision to read:

Subd. 3a. [FLEXIBLE SCHOOLS.] Notwithstanding the foregoing provisions, teachers in any district operating flexible year elementary or secondary school programs may enter into more than one contract during any calendar or school year through mutual consent, and provided that either

(i) one contract per teacher shall cover a period of consecutive full time employment at least equivalent to a full school year as set forth in Minnesota Statutes, Section 124.19, which contract shall be covered by the provisions of this section, while supplementary contracts for additional time shall not be covered by the provisions of this section unless expressly so declared therein, or

(ii) the sum of the number of days in the contracts entered into by an individual teacher during any number of successive school years within a five year period which, when added together, equal or exceed the number of days in a full school year as defined in Minnesota Statutes, Section 124.19, shall constitute a full year's employment for purposes of establishing and retaining tenure under the provisions of subdivisions 3 and 4 of this section, and any teacher who has established tenure rights thereunder shall be entitled, upon delivery of a written demand therefor to the superintendent of schools on or before April 1, to a full school year contract, if available, as specified in clause (i) above."

Page 9, line 14, reinstate the stricken word "Every"

Page 9, line 15, reinstate the stricken language through the word "school holiday" and insert a period after "holiday"

Page 9, line 18, after "year" and before "on" insert "and the calendar for the school year"

ReNUMBER the sections in sequence

Further amend the title as follows:

Line 3, strike "year-round" and insert "flexible"

Line 4, after "school" insert "year"

Line 8, after "subdivision;" insert "125.17, by adding a subdivision;"

Lines 9 and 10, strike "and Laws 1973, Chapter 683, Section 11, Subdivision 3." and insert "Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3."

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. 2516: A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

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

Page 1, line 8, before "The" insert "Notwithstanding any other law,"

Page 1, line 8, strike "The official" and insert "any public officer"

Page 1, line 10, after "use" insert ", subject to the approval of the commissioner of administration or the state auditor,"

Page 1, line 10, strike "creation" and insert "compilation"

Page 1, line 12, after "records" insert a comma and strike the rest of the line

Page 1, strike lines 13 to 14

Page 1, line 16, strike "the" at the end of the line

Page 1, line 17, strike "dissemination of" and insert "access to"

Page 1, line 17, strike "to" at the end of the line and insert "by"

Page 1, line 18, strike "specified" and insert "authorized"

Page 1, line 18, strike "legal"

Page 1, line 21, strike "and security"

Page 1, after line 22, insert the following new sections:

"Sec. 2. [APPROVAL OF ALTERNATE METHOD.] At least 90 days prior to the date upon which he proposes to put into effect an alternate method of compilation, maintenance, and storage of records, the public official shall submit a description of the proposed method and the reasons for adopting it to the commissioner of administration, in the case of records of statewide significance, or to the state auditor, in the case of records of less than statewide significance. If the commissioner of administration or the state auditor finds that the proposed method complies with the conditions specified in section 1, he shall

approve its use; if not, he shall disapprove its use. A failure of the commissioner of administration or state auditor to act before the date upon which the public official proposes to put the alternative method into effect shall be deemed a disapproval of that method.

Sec. 3. [NOTICE OF ALTERNATIVE METHOD.] Whenever the commissioner of administration or the state auditor approves an alternate method of compilation, maintenance and storage, he shall maintain a written notice of that approval, the date of taking effect of the alternate method, a description of the method and the reasons for its adoption in his office as a public record. In the case of a record having less than statewide significance, the public official having jurisdiction over the records shall file a written notice containing the same information as the notice maintained by the auditor with the county auditor, clerk or other similar recording officer of the affected governmental subdivision and such notices shall also be maintained as public records.

Sec. 4. [RECORDS NOW IN USE.] Notwithstanding section 1, any public official using an alternate method of compilation, maintenance and storage of a record on the effective date of this act may continue to use that alternate method unless and until that method is expressly disapproved by the commissioner of administration or the county auditor. Such an official shall file a description of the method and the reasons for its use on or before the effective date of this act. Failure of the commissioner of administration or state auditor to approve or disapprove such a method within 90 days shall be deemed an approval. Notice of such methods shall be filed as required in section 3."

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

S. F. No. 2875: A bill for an act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

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

S. F. No. 2730: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

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

S. F. No. 2862: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

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

Page 1, line 13, strike "*such*" and insert "*town*"

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2967: A bill for an act relating to the city of Ellendale; authorizing it to issue bonds.

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. 2827: A bill for an act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

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

S. F. No. 2682: A bill for an act relating to the city of Upsala; validating certain proceedings of the city preliminary to and in the issuance and sale of certain general obligation bonds.

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

S. F. No. 2498: A bill for an act relating to the village of Hibbing; taxation; levy for library purposes.

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

Page 1, line 5, strike "*VILLAGE*" and insert "*CITY*"

Page 1, line 8, strike "*village*" and insert "*city*"

Page 1, line 8, strike "*special*"

Page 1, line 15, strike "*1973*" and insert "*1974*"

Page 1, line 16, strike "1974" and insert "1975"

Page 1, after line 16, insert a new section as follows:

"Sec. 3. This act takes effect when approved by the city council of the city of Hibbing and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, strike "village" and insert "city"

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

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

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

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

Page 1, line 15, after the period insert:

"A nominal charge may be made by the school board to cover the cost of materials and laboratory fees."

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. 2881: A bill for an act relating to taxation; increases in valuation for property tax purposes; amending Minnesota Statutes 1971, Section 273.11, Subdivision 2, as added.

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, 1973 Supplement, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] ~~Subdivision 1. Except as provided in subdivision 2,~~ All property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and

at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivisions 2, 3, 4, and 5 are repealed.

Sec. 3. This bill is effective for taxes payable in 1975."

Further, amend the title as follows:

Page 1, line 2, strike "increases in"

Line 4, strike "1971" and insert "1973 Supplement"

Line 5, strike "2, as added" and insert "1; repealing Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivisions 2, 3, 4, and 5"

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. 2582: A bill for an act relating to energy; establishing a division of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; imposing an energy surcharge tax; prescribing penalties; and appropriating money.

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

Page 2, lines 5 to 9, strike subdivisions 2 and 3 and insert:

"Subd. 2. "Agency" means the intergovernmental agency on energy as provided in this act.

Subd. 3. "Commission" means the legislative commission on energy."

Page 2, after line 9, insert:

"Subd. 4. "Director" means the director of the intergovernmental agency on energy."

Renumber the subdivisions accordingly.

Page 2, line 24, strike "30,000" and insert "100,000"

Page 2, line 27, after "84.57," insert "any facility designed or capable of serving as a depot for coal transported into this state for transshipment from the state"

Page 3, strike line 6 and insert "this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state."

Page 3, strike line 7

Page 3, line 11, after "synthetic" insert "natural"

Page 3, line 13, after "utility." at the end of the line, insert:

"The director shall establish by regulation output or capacity thresholds to exempt any utility from the requirements of this act whose output or capacity has no significant effect on energy supply in this state."

Page 3, line 15, strike "permanent equipment"

Page 3, line 16, strike "structures" and insert "enlarge a large energy facility"

Page 3, strike lines 18 to 23

Page 3, strike lines 24 to 28 and insert:

"Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the intergovernmental agency on energy.

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Subd. 3. The director shall be appointed by the governor by and with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salary of the deputy shall be fixed by the director unless otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created by the legislature a legislative commission on energy.

The commission shall be composed of three members from the senate, two to be appointed by the majority leader and one to be appointed by the minority leader; and three members from the house, two to be appointed by the speaker and one to be appointed by the minority leader, and three public members to be appointed by the governor, no more than two to be of the same political party. The commission shall appoint an executive secretary to serve at its pleasure.

Subd. 2. The director of the office of legislative research shall serve as executive director of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) review and evaluate policies adopted by the agency;

(c) coordinate with the director of the agency and assist him in determining energy policies;

(d) assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) consult with the director and the agency on all matters regarding energy conservation;

(g) routinely advise the director and the agency regarding the exercise of their other duties under this act;

(h) continuously evaluate the energy policies of the state;

(i) review and comment upon the other activities of the agency;

(j) re-evaluate the report of the agency submitted pursuant to section 10;

(k) recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;

(l) submit an annual report of its activities to the governor and the legislature.

(m) include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy; and

(n) hold public bi-monthly meetings to carry out its duties under this act."

Strike all of page 4

Page 5, strike lines 1 to 19

Page 5, strike lines 20 to 25 and insert the following:

"Sec. 5. [CONFLICT OF INTEREST.] No person during his term as director shall receive any substantial portion of his income directly or indirectly from any utility, coal or petroleum supplier, or the sale or manufacture of any major component of a large energy facility. No person shall be eligible to be appointed director unless and until he divests himself of any interest or abandons any employment which produces such a substantial portion of his income."

Page 5, line 26, strike "division" and insert "agency"

Page 5, line 28, strike "division" and insert "agency or committee"

Page 5, line 28, strike "or" at the end of the line

Page 6, line 1, strike "other beneficial"

Page 6, strike lines 2 to 6

Page 6, line 7, strike "Subd. 5." and insert "Sec. 6. [JURISDICTION.] Subdivision 1."

Page 6, line 7, strike "division" and insert "agency"

Page 6, line 9, after "act." insert: "Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration or enforcement of this act."

Page 6, line 9, strike "The commissioner will consult with the other" and insert "The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act"

Page 6, strike lines 10 to 12

Page 6, line 13, strike "the provisions of this act"

Page 6, line 13, strike "division" and insert "department, agency"

Page 6, line 17, strike "division" and insert "agency"

Page 6, line 19, strike "commissioner" and insert "director"

Page 6, line 20, strike "his division" and insert "the agency"

Page 6, line 21, strike "insure minimum" and insert "eliminate"

Page 6, line 23, after "energy." insert:

"The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act."

Page 6, line 24, after "DUTIES" insert "OF THE AGENCY"

Page 6, line 25, strike "commissioner" and insert "director"

Page 6, line 26, strike "division" and insert "agency"

Page 6, after line 28, insert:

(b) charge other governmental departments and agencies involved in energy related activities with specific information gathering goals, require that those goals be met, and report such goals to the commission;"

Page 7, after line 25, insert:

"(j) report to the committee and provide the committee with all forecasts, statistics and other data compiled by it in carrying out its duties under this act;"

Page 7, line 27, strike "commissioner" and insert "director"

Reletter the clauses in sequence

Page 7, line 28, after "POWERS" insert "OF THE AGENCY"

Page 7, line 28, strike "commissioner" and insert "director"

Page 8, line 1, strike "pursuant to chapter 15" and insert "necessary to carry out the purposes of this act;"

Page 8, strike line 2

Page 8, line 3, strike "and do all things necessary to" and insert "pursuant to this act"

Page 8, line 4, strike "cooperate with the United States government"

Page 8, line 4, strike "to"

Page 8, line 5, strike "public or"

Page 8, line 6, after "act" insert ". Notwithstanding any other law, the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act"

Page 8, line 9, strike "division" and insert "agency"

Page 8, strike line 13 and insert: "(c) Furnish informational material without charge upon reasonable request."

Page 8, strike line 14

Page 8, line 15, strike "ENERGY"

Page 8, strike lines 16 to 28 and insert the following:

"Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use in the event of sudden or serious shortage and shall establish guidelines and criteria for allocation of fuels to priority users in a shortage situation. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to persons who demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) immediate allocations to persons be based on needs at energy conservation levels;

(2) successive allocations to persons be based on needs after implementation of required action to increase energy conservation;

(3) needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices, provided that if no feasible and prudent alternative exists, minimum easing of short range environmental goals and standards, consistent with human health, in specific cases for minimum specific periods of time shall be permitted;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him, public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and

to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such cooperative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of chapter 325.8017, subdivision 2. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure easy public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 3. At least once every five years and whenever construction of a large new energy facility is completed which affects the supply of energy in Minnesota, the director shall review the emergency conservation and allocation plan.

Subd. 4. Upon a declaration of an energy supply emergency or serious fuel shortage by the executive council or concurrent resolution of the legislature, the director shall, in accordance with those provisions of the emergency conservation and allocation plan as specified in the resolution declaring the emergency, restrict the use of or limit the availability of any form of energy to avoid impending serious shortages of energy supplies and to protect the public health, safety, and welfare. The division of civil defense shall, at the direction of the director, implement and enforce the emergency conservation allocation plan and each person shall carry out the responsibilities specified in the plan. Violation of any provision of such required emergency conservation or allocation requirements shall be deemed a violation of this act and the rules or regulations thereunder for purposes of enforcement pursuant to section 13 hereof."

Page 9, strike lines 1 to 19

Page 9, line 22, strike "commissioner" and insert "director"

Page 10, line 2, strike "commissioner" and insert "director"

Page 10, line 7, strike "throughout the state" and insert "within their respective service areas"

Page 10, line 10, strike "commissioner" and insert "director"

Page 10, line 11, strike "commissioner" and insert "director"

Page 10, line 12, strike "commissioner" and insert "director"

Page 10, line 19, strike "division" and insert "agency"

Page 10, line 20, strike "commissioner" and insert "director"

Page 10, line 27, strike "commissioner" and insert "director"

Page 10, line 28, after "governor" insert ", commission"

Page 11, line 11, strike "commissioner" and insert "director"

Page 11, line 16, strike "commissioner" and insert "director"

Page 12, line 2, strike "division's" and insert "agency's"

Page 12, line 8, strike "commissioner" and insert "director"

Page 12, line 8, strike "energy"

Page 12, line 9, strike "advisory committee" and insert "commission"

Page 12, line 10, strike "hearing" and insert "meeting"

Page 12, line 11, strike "hearing" and insert "meeting"

Page 12, line 13, strike "commissioner" and insert "director"

Page 12, line 15, strike "The"

Page 12, strike lines 16 to 19 and insert: "When legislation to insure the efficient use of energy and to minimize unnecessary energy consumption is enacted, the director shall have the authority to promulgate rules and regulations for the administration of such laws."

Page 12, line 20, strike "commissioner" and insert "director"

Page 12, line 21, after "governor" insert ", the commission"

Page 12, line 26, strike "commissioner" and insert "director"

Page 13, line 5, strike "commissioner" and insert "director"

Page 13, line 9, strike "In assessing need, the commissioner" and insert "The criteria for assessing need"

Page 13, line 10, strike "evaluate" and insert "include"

Page 13, line 13, strike "possible" and insert "pending"

Page 13, line 27, strike "views" and insert "policies, rules and regulations"

Page 14, line 1, strike "Any utility may" and insert "After promulgation of the criteria for assessment of need each utility, coal supplier, and petroleum supplier in the state shall"

Page 14, line 2, strike "to construct" and insert "prior to the construction of"

Page 14, line 4, strike "commissioner" and insert "director"

Page 14, line 5, strike "commissioner" and insert "director"

Page 14, line 5, strike "pursuant" and insert "after notice to all"

Page 14, line 6, strike "to chapter 15" and insert "interested persons"

Page 14, line 7, strike "Within" and insert "No later than"

Page 14, line 7, after "months" strike "of" and insert "after"

Page 14, line 8, strike "commissioner" and insert "director"

Page 14, line 8, after "approve" insert a comma and strike "or"

Page 14, line 8, after "deny" insert "or approve subject to modification"

Page 14, line 11, strike "Issuance of the"

Page 14, strike lines 12 and 13 and insert the following subdivisions:

"Subd. 6. To assure the paramount and controlling effect of the provisions herein over other state agencies, regional, county and local governments and special purpose government districts, the determinations of the director and issuance of certificates of need shall be the sole and exclusive prerogative of the director, and said determinations and certificates shall be binding upon other state agencies, regional, county and local governments and special purpose government districts.

Subd. 7. Any person subject to federal legislation requiring, with respect to the construction of interstate pipeline facilities or interstate electrical transmission lines, a certificate comparable to that provided for herein shall be deemed to have complied with this section upon filing with the director a copy of the certificate issued by the responsible federal agency."

Renumber the remaining subdivision

Page 14, line 16, strike "commissioner" and insert "director"

Page 14, line 16, strike "pursuant to"

Page 14, line 17, strike "chapter 15 and this act,"

Page 14, line 18, strike "output of the facility and the difficulty" and insert "cost"

Page 14, strike lines 21 to 28

Page 15, strike lines 1 to 4

Page 15, line 5, strike "commissioner" and insert "director"

Page 15, line 10, after "record." insert "If a person does not comply with a subpoena, the director may apply to the district court of Ramsey County and the court shall compel obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt."

Page 15, line 24, strike "commissioner" and insert "director"

Page 16, after line 5, insert the following:

"Sec. . Minnesota Statutes, 1973 Supplement, Section 116C.-03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the inter-governmental agency on energy*, a representative of the governor's office designated by the governor, the chairman of the citizens

advisory committee, and three other members of the citizens advisory committee as designated by the governor.”

Page 16, line 6, strike “\$500,000” and insert “\$300,000”

Page 16, line 7, strike “division of energy” and insert “Minnesota intergovernmental agency on energy”

Page 16, line 8, strike “in the department of public service”

Page 16, line 9, after “act.” insert “The sum of \$30,000 is appropriated from the general fund to the legislative commission on energy for the purposes of this act. Notwithstanding Minnesota Statutes, Section 16.17 or other law, this appropriation shall cancel June 30, 1975.”

Page 16, line 10, strike “Section 14 is effective the” and insert “This act is effective the day following final enactment.”

Page 16, strike lines 11 to 18

Page 16, after line 18, insert the following new section:

“Sec. . [EXPIRATION DATE.] The provisions of this act shall expire June 30, 1979 unless renewed by the legislature.”

Renumber the sections in sequence

Further amend the title as follows:

Line 2, strike “a” and insert “an intergovernmental agency on energy”

Line 3, strike “division of energy”

Line 15, before the period, insert “; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2”

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

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

S. F. No. 1427: A bill for an act relating to contracts; providing, on the termination of certain contracts, for the repurchase of implements, machinery, attachments and parts held for retail sale.

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

Page 1, line 13, after “contract” insert “, sales agreement or security agreement”

Page 1, line 14, strike “such” and insert “the”

Page 1, line 17, after “thereafter” insert “the written contract, sales agreement or security agreement is terminated, cancelled or discontinued, then the”

Page 1, line 18, strike “either such”

Page 1, line 18, after "distributor" strike "or" and insert "shall pay to"

Page 1, line 19, strike all the language after "retailer" and insert "or credit to the retailer's account, if the retailer has outstanding any sums owing the"

Page 1, line 20, strike "shall pay to such"

Page 1, line 21, strike "retailer"

Page 1, line 21, after "desire" insert "and has a contractual right"

Page 1, line 24, after "attachments" insert "in new condition which have been purchased by the retailer from the wholesaler, manufacturer or distributor within the 24 months immediately preceding notification by either party of intent to cancel or discontinue the contract"

Page 1, line 25, strike "such" and insert "the"

Page 1, line 25, after "retailer," insert "or invoiced to retailer's account by the wholesaler, manufacturer or distributor"

Page 1, line 25, strike "85" and insert "80"

Page 1, line 26, after "superseded" insert "or obsolete"

Page 1, line 27, after "catalogs" insert "in use by the wholesaler, manufacturer or distributor on the date of cancellation or discontinuance of the contract,"

Page 1, line 28, after "purchased" insert "by the retailer"

Page 1, line 28, strike "such" and insert "the"

Page 1, line 29, after "and" insert "are"

Page 1, line 29, strike "such" and insert "the"

Page 1, line 30, strike "such" and insert "the"

Page 2, line 1, strike "such" and insert "the"

Page 2, line 3, strike "such" and insert "the"

Page 2, line 3, after "retailer" insert "or credit to his account"

Page 2, line 6, strike "such" and insert "the"

Page 2, line 7, before the period insert "unless the wholesaler, manufacturer or distributor elects to perform inventorying, packing and loading of the parts itself"

Page 2, line 7, after "payment" insert "or allowance of credit to the retailer's account"

Page 2, line 7, strike "equal to 100"

Page 2, strike lines 8 through 19 and insert "required by this subdivision, the title to the farm implements, farm machinery, attachments or repair parts shall pass to the manufacturer, wholesaler or distributor making the payment or allowing the

credit and the manufacturer, wholesaler or distributor shall be entitled to the possession of the farm implements, machinery, attachments or repair parts. However, this section shall not in any way affect any security interest which the wholesaler, manufacturer or distributor may have in the inventory of the retailer."

Page 2, strike all of subdivision 2 and insert:

"Subd. 2. [PROVISIONS OF CONTRACT SUPPLEMENTED.] The provisions of this section shall be supplemental to any agreement between the retailer and the manufacturer, wholesaler or distributor covering the return of farm implements, machinery, attachments and repair parts. The retailer can elect to pursue either his contract remedy or the remedy provided herein, and an election by the retailer to pursue his contract remedy shall not bar his right to the remedy provided herein as to those farm implements, machinery, attachments and repair parts not affected by the contract remedy. Notwithstanding anything contained herein, the rights of a manufacturer, wholesaler or distributor to charge back to the retailer's account amounts previously paid or credited as a discount incident to the retailer's purchase of goods shall not be affected. Further, any repurchase hereunder shall not be subject to the provisions of the bulk sales law."

Page 3, strike line 1.

Page 3, line 20, strike "such" before "dealership" and insert "the"

Page 3, line 20, before "merchandise" strike "such" and insert "the"

Page 3, line 22, strike "such" and insert "the"

Page 3, line 23, strike "such" and insert "the"

Page 3, line 24, after "of" insert "the"

Page 4, line 5, strike "such" and insert "the"

Page 4, line 6, insert a comma after "section" and strike the remaining language in that line

Page 4, strike all of lines 7 through 11

Page 4, line 12, strike "wholesaler or distributor, such"

Page 4, line 12, insert "the" before "manufacturer,"

Page 4, line 14, strike "such" and insert "the"

Page 4, line 15, strike "such" and insert "the"

Page 4, line 17, strike "85" and insert "80"

Page 4, line 18, after "handling" insert " , packing"

Page 4, line 18, after "loading" insert " , if applicable."

Page 4, strike all of line 19.

Page 4, strike all of subdivision 6, and insert:

"Subd. 5. [EXCEPTIONS.] This act shall not require the repurchase from a retailer of a repair part where the retailer previously has failed to return the repair part to the wholesaler, manufacturer or distributor after being offered a reasonable opportunity to return the repair part at a price not less than 80 percent of the net price of the repair part as listed in the then current price list or catalog. This act shall not require the repurchase from a retailer of repair parts which have a limited storage life or are otherwise subject to deterioration, such as rubber items, gaskets and batteries; repair parts in broken or damaged packages; single repair parts priced as a set of two or more items; and repair parts which because of their condition are not resalable as new parts without new packaging or reconditioning.

Subd. 6. [DEFINITION.] For the purposes of this act "farm implements" mean every vehicle designed or adapted and used exclusively for agricultural operations and only incidentally operated or used upon the highways.

Subd. 7. [EFFECTIVE DATE.] The effective date of this act is July 1, 1974."

Renumber subdivisions in sequence.

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

S. F. No. 2771: A bill for an act relating to motor vehicles; providing that certain new vehicles sold or offered for sale after a certain date have affixed to the vehicle a label containing certain fuel consumption information.

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

Page 1, line 15, strike "under" and insert "as determined by the tests conducted by the environmental protection agency"

Page 1, line 16, strike "ordinary city driving conditions"

Page 1, line 18, after "mileage" insert "and that the addition of accessories may decrease gas mileage"

Page 1, line 18, strike "All information contained on"

Page 1, strike all of lines 19 and 20

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

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

S. F. No. 2251: A bill for an act relating to public welfare; providing supplemental categorical aid to certain persons after December 31, 1973 to maintain levels of aid existing on that date; 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. [CATEGORICAL AID PROGRAMS; PROVISION FOR CONTINUING PAYMENTS.] Subdivision 1. Commencing January 1, 1974, the commissioner of public welfare shall certify to each county the amount of aid each eligible county resident received per pay period prior to December 31, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974, each county shall advance to the commissioner of public welfare one half of the amount by which aid paid to the county resident by the county, the state, and the United States prior to January 1, 1974 exceeds the amount of aid paid to the individual after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1381. The commissioner of public welfare shall forward all such sums received from the counties, together with an equal state share, to the appropriate department of the United States for disbursement.

Subd. 2. [OPTIONAL FISCAL PROCEDURE.] The commissioner of public welfare may, by rule and regulation, establish alternate fiscal procedures by which the amount of individual county liability established under this section may be deducted from the state liability to the county incurred under any other public assistance program authorized by law.

Subd. 3. [PROVISIONS FOR RE-CALCULATIONS OF SUPPLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.] An individual who is eligible for supplemental aid under this section may, if his or her circumstances change substantially after January 1, 1974, have the amount of his or her supplemental aid recalculated by the county welfare board in accordance with the standards for shelter, food, clothing, personal needs, household supplies, utilities, and recurring special needs in effect for the appropriate categorical aid program in December, 1973. No individual shall experience a decrease in the amount of his or her original supplemental aid as a result of a recalculation under this section. Any increase in the individual's supplemental aid which results from a recalculation shall be administered pursuant to the provisions of section 2.

Sec. 2. [NEW ENROLLEES; PROVISION FOR SUPPLEMENTS.] Subdivision 1. For all recipients of supplemental security income provided by the United States pursuant to 42 U.S.C. Section 1381 who were not enrolled in any categorical aid program referred to in section 1 on December 31, 1973 and who make application to the appropriate county welfare board, each county welfare board shall determine whether the recipient meets the relevant eligibility criteria in effect December 31, 1973 for the appropriate categorical aid program. For any recipient who meets the eligibility criteria in effect December 31, 1973, the county welfare board shall certify to the commissioner of public welfare the amount which the individual would have received in accordance with the standards for shelter, food, clothing, personal needs,

household supplies, utilities, and recurring special needs in effect for the categorical aid program in December, 1973. From and after the first of the month in which a successful application was filed, the state shall advance to the county one half of the amount by which the amount certified by the county exceeds the amount of aid paid to the recipient after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1381. The county shall forward each sum received, together with an equal county share, to the appropriate recipient.

Subd. 2. The state shall pay one half of the administrative costs incurred by the county under this section and not otherwise reimbursed by federal or state funds.

Sec. 3. No recipient of supplemental aid granted pursuant to this act shall experience a decrease in the amount of his or her supplement as a result of any increase authorized or effective on or after January 1, 1974 in the amount of aid paid to the recipient by the United States pursuant to 42 U.S.C. Section 1381.

Sec. 4. The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act.

Sec. 5. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by any order or determination by the county welfare board may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 6. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effective date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 261.063 is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor relief, general assistance, aid to dependent children, *county supplementation of supplemental security income recipients*, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 8. There is appropriated from the general fund to the de-

partment of public welfare \$_____ for the purposes of this act.

Sec. 9. This act shall be effective the day following enactment; provided, however, that payments authorized under section 1 shall be made retroactive to January 1, 1974."

Amend the title as follows:

Page 1, line 3, strike "categorical"

Page 1, strike lines 4 and 5 and insert "supplemental security income recipients after December 31, 1973"

Page 1, line 6, strike "date"

Page 1, line 6, after the semicolon insert "providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income recipients;"

Page 1, line 6, after "money" and before the period, insert "; amending Minnesota Statutes, 1973 Supplement, Section 261.063"

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

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

S. F. No. 1569: A bill for an act relating to labor; removing prohibition on certain employment of females under 16 years of age; amending Minnesota Statutes 1971, Section 181.40.

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. 2873 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:

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.
		2873	2727		

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 referred

H. F. No. 1136 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. 1136 to the Committee on Labor and Commerce.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2257, 2400, 2600, 2691, 2605, 2469, 2488, 2398, 2750, 2357, 2295, 2822, 2627, 2516, 2875, 2730, 2862, 2967, 2682, 2498, 2842, 2881, 1427, 2771 and 1569 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2502, 2715, 2827 and 2873 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2727. The motion prevailed.

Mr. North moved that the names of Messrs. McCutcheon and Kirchner be added as co-authors to S. F. No. 2885. The motion prevailed.

Mr. Tennessen moved that S. F. No. 1776, No. 3 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Conzemius moved that S. F. No. 1310 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 1310 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1310: A bill for an act relating to taxation; assessment of personal property of electric light and power companies; amending Minnesota Statutes 1971, Section 273.38.

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	Coleman	Gearty	Keefe, S.	Lewis
Arnold	Conzemius	Hansen, Baldy	Kirchner	Lord
Ashbach	Davies	Hansen, Mel	Kleinbaum	McCutcheon
Bang	Doty	Hanson, R.	Kowalczyk	Milton
Bernhagen	Dunn	Hughes	Krieger	Moo
Blatz	Fitzsimons	Humphrey	Larson	North
Chmielewski	Frederick	Josefson	Laufenburger	Novak

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Sillers moved that his name be stricken as co-author to S. F. No. 2913. The motion prevailed.

Mr. Arnold moved that S. F. No. 2763 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Arnold moved that S. F. No. 2734 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Olhoff be added as co-author to S. F. No. 2701. The motion prevailed.

Mr. Arnold moved that S. F. No. 3032 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Conzemius moved that his name be stricken as chief author to S. F. No. 2251 and the name of Mr. Tennessee be added as chief author to S. F. No. 2251. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2590: A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

Was read the third time 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	Fitzsimons	Krieger	Olson, A. G.	Sillers
Arnold	Gearty	Larson	Olson, H. D.	Solon
Ashbach	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Bang	Hansen, Mel	Lewis	O'Neill	Stassen
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Stokowski
Blätz	Hughes	McCutcheon	Perpich, G.	Tennessee
Chmielewski	Humphrey	Milton	Pillsbury	Thorup
Coleman	Keefe, S.	Moe	Purfeerst	Ueland
Conzemius	Kirchner	North	Renneke	Wegener
Davies	Kleinbaum	Novak	Schaaf	Willet
Doty	Kowalczyk	Ogdahl	Schrom	

Messrs. Dunn, Frederick, Josefson and Patton voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved intself into a Committee of the Whole, with Mr. Spear in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Spear reported that the committee had considered S. F. No. 2231, also H. F. Nos. 1309, 483, 482, 1764, 952 which the committee recommends to pass.

S. F. No. 1665 and S. F. No. 1946 which the committee recommends be re-referred to the Committee on Finance.

S. F. No. 1815 which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 1815 as follows:

Page 2, line 2, after "(4)" insert "if upon motion made by a judgment creditor within six months of entry of a judgment and after notice and hearing a district court determines that extending the exemption from seizure or sale to the full value of the homestead would be unconscionable in the circumstances,"

Page 2, line 4, strike "\$25,000" and insert in lieu thereof "\$35,000"

Page 2, line 17, strike "A" and insert in lieu thereof: "If a judicial determination of unconscionability has been obtained pursuant to section 2, clause (4), a"

Page 2, line 18, after "homestead" strike "of" and insert in lieu thereof "or"

Page 6, strike line 4, insert in lieu thereof:

"Sec. 10. The provisions of section 2, clause (4) of this act do not apply to judgments obtained prior to the effective date of this act. This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 1815.

H. F. No. 2185 which the committee reports progress, subject to the following motion:

Mr. Olson, A. G. moved to amend H. F. No. 2185, as amended by the rule 49 amendment adopted by the Senate January 25, 1974, as further amended by Mr. Kleinbaum's amendment adopted January 30, 1974, as follows:

After "waterfowl" insert "and except for a person hunting small game or a trapper in territory open for the taking of deer with shotguns and slugs but not with rifles"

The motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 2185.

S. F. No. 634 which the committee reports progress, subject to the following motions:

Mr. Hansen, Mel moved to amend S. F. No. 634 as follows:

On page 2, line 19, after "brand" insert "*, size and type of container*"

The motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend S. F. No. 634 as follows:

Page 5, line 22, insert a new section 7 to read:

"Sec. 7. [TAX CREDIT.]

(a) A credit of 5 percent of the net cost of equipment which is installed and operated in Minnesota as a necessary means of complying with this act, as determined by the agency, may be deducted from the tax due under chapter 290 in the first year for which a depreciation deduction is allowed for the equipment. The credit allowed by this subdivision shall not exceed so much of the liability for the taxable year as does not exceed \$100,000.

(b) If the amount of the credit determined under (a) for any taxable year for which a depreciation deduction is allowed exceeds the limitation provided by (a) for such taxable year (hereinafter in this subdivision referred to as the "unused credit year"), such excess shall be,

(1) a credit carryback to each of the three taxable years preceding the unused credit year, and

(2) a credit carryover to each of the seven taxable years following the unused credit year.

The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the ten taxable years to which (by reason of (1) and (2)) such credit may be carried and then to each of the other nine taxable years; provided, however, the maximum credit allowable in any one taxable year under this subdivision (including the credit allowable under (a) and the carryback or carry-forward allowable under this paragraph) shall in no event exceed \$100,000.

(c) This section shall apply to property acquired in taxable years beginning after December 31, 1973.

(d) In determining the net cost of newly installed and operated equipment pursuant to clause (a), the agency shall subtract the economic benefits accruing to the bottler apart from the requirements of this act resulting from such installation and operation from the total cost of installation and operation."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing for a tax credit;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 6 and nays 52, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Kleinbaum	Milton	Schrom
Hansen, Baldy				

Those who voted in the negative were:

Arnold	Doty	Kirchner	Olhoft	Sillers
Bang	Dunn	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Gearty	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Ueland
Brown	Humphrey	Lord	Perpich, A. J.	Wegener
Chmielewski	Jensen	Moe	Perpich, G.	Willet
Coleman	Josefson	Nelson	Pillsbury	
Conzemius	Keefe, J.	North	Purfeerst	
Davies	Keefe, S.	Ogdahl	Renneke	

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

The question being taken on the committee recommendation to pass S. F. No. 634,

And the roll being called, there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

Bang	Conzemius	Humphrey	Moe	Olson, H. D.
Berg	Davies	Josefson	Nelson	Perpich, G.
Bernhagen	Doty	Keefe, J.	North	Schaaf
Borden	Dunn	Keefe, S.	Olhoft	Spear
Brown	Hansen, Mel	Lewis	Olson, A. G.	Willet

Those who voted in the negative were:

Anderson	Hansen, Baldy	Krieger	O'Neill	Solon
Arnold	Hanson, R.	Larson	Patton	Stassen
Ashbach	Hughes	Laufenburger	Perpich, A. J.	Stokowski
Blatz	Jensen	Lord	Pillsbury	Thorup
Chenoweth	Kirchner	McCutcheon	Purfeerst	Ueland
Chmielewski	Kleinbaum	Milton	Renneke	
Coleman	Knutson	Ogdahl	Schrom	
Frederick	Kowalczyk	Olson, J. L.	Sillers	

The committee then progressed S. F. No. 634.

H. F. No. 2332, which the committee recommends to pass with the following amendments offered by Mr. Tennesen:

Amend H. F. No. 2332, the typewritten bill, as amended under Rule 49 and adopted by the Senate January 25, 1974, as follows:

Strike the Rule 49 amendment and further amend H. F. No. 2332, the printed bill, as follows:

Page 1, line 3, strike "or her"

Page 1, line 7, strike "or her"

Page 2, line 23, strike "or her"

Page 3, line 1, strike "or she"

Page 3, line 2, strike "or her"

Page 3, line 26, strike the period and insert ", or"

Page 3, after line 26, insert

“(f) The person has filed an affidavit pursuant to section 1 of this act.”

Page 3, line 27, strike *“Provided that such”* and insert *“This”*

Page 3, line 28, after *“terminated,”* insert *“whose notice of intention to retain parental rights filed pursuant to section 1 has been successfully challenged,”*

Mr. Tennesen then moved to amend H. F. No. 2332, the printed bill, as follows:

Page 1, line 6, strike *“Minnesota department”* and insert *“division”*

Page 1, line 7, after *“tics”* insert *“of the Minnesota department of health”*

Page 1, line 11, strike *“Minnesota”* and insert *“division”*

Page 1, line 12, strike *“department”*

Page 1, line 12, after *“statistics”* insert *“of the Minnesota department of health”*

S. F. No. 1530, which the committee recommends to pass with the following amendments offered by Messrs. Doty and Dunn:

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

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

“Section 1. This act may be cited as “The Minnesota Fair Pupil Fee Law.”

Sec. 2. [GENERAL POLICY.] It is the policy of the state of Minnesota that public school education shall be free and a public school pupil shall not be denied an education because of economic inability to furnish books and educational supplies necessary to complete requirements for graduation. Any practice leading to suspension, exclusion, withholding of grades or diplomas, or coercive or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to make certain charges and to establish fees in areas considered extra curricular, non-curricular, supplementary, or not required for the successful completion of a class. No public school board may require, except as authorized by section 3, the payment of fees relating to participation in any instructional program.

Sec. 3. [AUTHORIZED FEES.] Subdivision 1. A public school board is authorized to collect fees only for the following:

- a) In any program a resultant product which, at the pupil's option, becomes the personal property of the pupil;*
- b) Admission fees or charges for extra curricular activities, where attendance is optional;*

- c) A security deposit for the return of materials, supplies, or equipment;
- d) Personal physical education and athletic equipment and apparel, provided that any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the public school board;
- e) Items or products which a student may purchase at his own option such as newspapers, class rings, annuals, and graduation announcements;
- f) Fees specifically permitted by any other statute;
- g) Field trips considered supplementary to a district educational program;
- h) Any authorized voluntary student health and accident benefit plan;
- i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost claimed by the district for each instrument.

Subd. 2. Students may be required to furnish consumable items such as pencils, paper, pens, erasers and notebooks.

Subd. 3. This act shall not preclude the operation of a school store wherein pupils may purchase school supplies and materials such as paper, pencils, and notebooks.

Subd. 4. A school board may waive any charge, deposit or fee if any pupil or his parent or guardian is unable to pay it.

Sec. 4. [PROHIBITED FEES.] Subdivision 1. A public school board is not authorized to charge fees in the following areas:

- a) Textbooks, workbooks, art supplies, laboratory supplies, towels;
- b) Supplies required for participation in the requirements of any instructional course except as authorized in section 3, subdivision 1;
- c) Field trips which are a part of a basic educational program or course;
- d) Graduation caps, gowns, any other specific form of dress necessary for any educational program, and diplomas;
- e) Instructional costs for necessary school personnel employed in any course or educational program;
- f) Library books necessary for any educational course or program;
- g) Admission fees, dues, or fees for any activity the pupil is required to attend;

- h) Any admission or examination costs for any educational course or program;
- i) Locker rentals.

Subd. 2. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for non-payment of fees; but this provision shall not prohibit a school district from maintaining any action provided by law for the collection of such fees authorized by section 3.

Sec. 5. Subdivision 1. The state board of education may promulgate rules and regulations for the purposes of this act.

Subd. 2. In any case where a public school board wishes to initiate a fee not specifically authorized by section 3, the board shall petition the state board of education. After a public hearing to be held within the petitioning district, the state board shall rule on the issue in accordance with the general policy set forth in this act.

Subd. 3. The decision of the state board of education made pursuant to subdivision 2 shall be subject to direct judicial review as provided by Minnesota Statutes, Sections 15.0424 to 15.0426.

Sec. 6. [EFFECTIVE DATE.] This act shall be effective July 1, 1975."

Further, amend the title as follows:

Page 1, line 2, after the ";" and before "prohibiting" insert "authorizing and"

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved that S. F. No. 1530 be re-referred to the Committee on Education.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 26 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Ueland
Bang	Fitzsimons	Kirchner	Olson, J. L.	Willet
Berg	Frederick	Knutson	O'Neill	
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	
Blatz	Hansen, Mel	Krieger	Renneke	
Brown	Hanson, R.	Larson	Sillers	

Those who voted in negative were:

Anderson	Doty	Lord	Olson, A. G.	Stassen
Arnold	Gearty	McCutcheon	Olson, H. D.	Stokowski
Borden	Hughes	Milton	Perpich, A. J.	Tennessen
Chenoweth	Humphrey	Moe	Purfeerst	Thorup
Coleman	Keefe, S.	North	Schaaf	Wegener
Conzemius	Kleinbaum	Novak	Solon	
Davies	Lewis	Olhoft	Spear	

The motion did not prevail.

RECESS

Mr. Coleman moved that the committee do now recess until 1:45 o'clock p. m. The motion prevailed.

The hour of 1:45 o'clock p. m. having arrived, the Chairman called the committee to order.

The question recurred on S. F. No. 1530.

Mr. Dunn moved to amend the Doty amendment to S. F. No. 1530 as follows:

Page 1 of the amendment, line 23, strike "only"

Page 3, line 13, after "any" and before "educational" insert "required"

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

The question being taken on the committee recommendation to pass S. F. No. 1530,

And the roll being called, there were yeas 43 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Patton	Stasson
Borden	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Nelson	Perpich, G.	Tennessee
Coleman	Jensen	North	Furfeerst	Thorup
Conzemius	Keefe, S.	Novak	Renneke	Ueland
Davies	Kleinbaum	Olhoft	Schaaf	Wegener
Doty	Knutson	Olson, A. G.	Sillers	Willet
Dunn	Laufenburger	Olson, H. D.	Solon	
Gearty	Lewis	O'Neill	Spear	

Those who voted in the negative were:

Bang	Fitzsimons	Hanson, R.	Kowalczyk	Olson, J. L.
Berg	Frederick	Keefe, J.	Krieger	Pillsbury
Bernhagen	Hansen, Baldy	Kirchner	Larson	Schrom

So the committee recommended S. F. No. 1530 to pass.

S. F. No. 2736, which the committee recommends to pass with the following amendment offered by Mr. Nelson:

Page 2, line 12, reinstate the stricken "\$6,000" and strike "\$8,000"

And then, on motion of Mr. Spear, 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, Monday, February 11, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTY-THIRD DAY

St. Paul, Minnesota, Monday, February 11, 1974.

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:

Arnold	Davies	Knutson	Olson, A. G.	Solon
Ashbach	Doty	Kowalczyk	Olson, H. D.	Stassen
Berg	Dunn	Krieger	Olson, J. L.	Tennessee
Bernhagen	Gearty	Laufenburger	Patton	Thorup
Blatz	Hansen, Baldy	Lord	Perpich, A. J.	Ueland
Borden	Hanson, R.	Milton	Perpich, G.	Wegener
Chenoweth	Hughes	Novak	Pillsbury	Willet
Coleman	Keefe, S.	Ogdahl	Purfeerst	
Conzemius	Kirchner	Olhoft	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:

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
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Borden	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	

Quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson, Nelson and Frederick were excused from the Session of today. Mr. Thorup was excused from the Session of today beginning at 1:15 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 28, 1974

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:

Lyman L. Huntley, 803 2nd Avenue N.W., Grand Rapids, Itasca County, has been appointed by me to the Citizens Advisory Committee to the Environmental Quality Council, effective January 28, 1974, for a term expiring December 31, 1974.

Sincerely,
Wendell R. Anderson, Governor

February 6, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Roberta Williamson, 2021 Bluestone Lane, Eagan, Dakota County, has been appointed by me to the State Board of Health, effective February 6, 1974, for a term expiring January 1, 1978.

Dr. Maurice McCollar, 3563 White Bear Avenue, White Bear Lake, Ramsey County, has been appointed by me to the State Board of Health, effective January 1, 1974, for a term expiring January 1, 1978.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

February 6, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

I have received and accepted the resignation of Mr. Peter Benzoni from the Environmental Quality Council and the Environmental Quality Council Citizens Advisory Committee. Therefore, I respectfully request that his name be removed from Senate consideration.

Sincerely,
Wendell R. Anderson, Governor

Which communication was referred to the Committee on Rules and Administration.

February 5, 1974

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. 296, An act relating to taxation; excise tax on motor vehicles; defining purchase price; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 8.

S. F. No. 2426, An act authorizing conveyance of certain state lands in Lyon County to the Southwest Minnesota College Foundation.

Sincerely,
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
296		28	February 5, 1974	February 5, 1974
2426		29	February 5, 1974	February 5, 1974
	140	30	February 5, 1974	February 5, 1974
	284	31	February 5, 1974	February 5, 1974
	371	32	February 5, 1974	February 5, 1974
	487	33	February 5, 1974	February 5, 1974
	854	34	February 5, 1974	February 5, 1974
	1005	35	February 5, 1974	February 5, 1974
	1184	36	February 5, 1974	February 5, 1974
	1196	37	February 5, 1974	February 5, 1974
	1211	38	February 5, 1974	February 5, 1974
	1895	39	February 5, 1974	February 5, 1974
	2197	40	February 5, 1974	February 5, 1974
	2789	41	February 5, 1974	February 5, 1974

Sincerely,
Arlen Erdahl,
Secretary of State

INTRODUCTION OF BILLS

Messrs. O'Neill, North and Novak introduced—

S. F. No. 3088: A bill for an act relating to courts, Ramsey county; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

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

Messrs. Stokowski and Gearty introduced—

S. F. No. 3089: A bill for an act relating to Hennepin county; apportionment of county commissioners; repealing Laws 1963, Chapter 789.

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

Messrs. Chmielewski, Bernhagen and Schrom introduced—

S. F. No. 3090: A resolution withdrawing ratification of a proposed amendment to the Constitution of the United States of America relating to equal rights for men and women under the law.

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

Mr. Kleinbaum introduced—

S. F. No. 3091: A bill for an act relating to taxation; property tax exempt property; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Solon and Keefe, S. introduced—

S. F. No. 3092: A bill for an act regulating gasoline station franchises and transactions; providing a penalty.

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

Messrs. Brown and Borden introduced—

S. F. No. 3093: A bill for an act relating to public records; defining "public records" and "governmental agency"; providing for citizen inspection and duties of custodians; providing for judicial review and remedies; and providing criminal penalties; amending Minnesota Statutes 1971, Section 15.17, as amended.

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

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

Mr. Brown introduced—

S. F. No. 3094: A bill for an act relating to elections; requiring party designation upon voter registration; restricting primary election voting; amending Minnesota Statutes, 1973 Supplement, Sections 201.061, Subdivisions 6 and 7; 201.071, Subdivisions 1 and 3; 201.221, Subdivision 4; 203.35, Subdivisions 7 and 9; 204.08, Subdivision 1; 207.19, Subdivision 1; Minnesota Statutes 1971, Sections 202.07, Subdivisions 1 and 2; 202.08, Subdivision 1; 203.35, Subdivisions 1 and 2; 204.08, Subdivision 2; 206.07, Subdivisions 4 and 5; 206.09; repealing Minnesota Statutes 1971, Section 203.35, Subdivision 8; Laws 1973, Chapter 676, Section 31.

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

Messrs. Solon, Gearty and Coleman introduced—

S. F. No. 3095: A bill for an act relating to adoption; establishing a division within the department of administration to facilitate adoption of Vietnamese war orphans; appropriating money.

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

Messrs. O'Neill, McCutcheon and Ashbach introduced—

S. F. No. 3096: A resolution urging the President and Congress to enact legislation that would require Amtrak, the National Railroad Passenger Corporation to stop at cities that are state capitols.

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

Messrs. O'Neill, Chenoweth and Keefe, J. introduced—

S. F. No. 3097: A bill for an act relating to motor vehicles; registration and taxation; fees for applications; amending Minnesota Statutes, 1973 Supplement, Section 168.33, Subdivision 7.

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

Messrs. Novak; Perpich, A. J. and Coleman introduced—

S. F. No. 3098: A bill for an act relating to hospitals; commerce; restricting hospitals in the use of open contracts; amending Minnesota Statutes 1971, Section 144.56, Subdivision 1.

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

Messrs. O'Neill, Thorup and Krieger introduced—

S. F. No. 3099: A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and other political subdivisions of the state; amending Minnesota Statutes 1971, Section 466.05, Subdivision 1.

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

Messrs. Laufenburger, Dunn and Purfeerst introduced—

S. F. No. 3100: A bill for an act relating to education; authorizing school districts to contract for transportation of school children either by sealed bids or direct negotiation; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

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

Messrs. Keefe, S.; McCutcheon and Solon introduced—

S. F. No. 3101: A bill for an act relating to taxation; providing for a credit against income tax for certain ad valorem taxes; amending Minnesota Statutes 1971, Chapters 273, by adding sections; and 290, by adding a section.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Blatz, Novak and Gearty introduced—

S. F. No. 3102: A bill for an act relating to the compensation of members of the tax court; appropriating money; amending Minnesota Statutes 1971, Section 271.01, Subdivision 4a.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Renneke, Fitzsimons and Arnold introduced—

S. F. No. 3103: A bill for an act relating to energy conservation; appropriating money to the university of Minnesota for the purpose of research into developing an alcohol supplement that can be blended with gasoline.

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

Messrs. Larson, Kleinbaum and Humphrey introduced—

S. F. No. 3104: A bill for an act relating to workmen's compensation; providing for compensation for certain suicides.

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

Mr. Larson questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Larson, Willet and Chmielewski introduced—

S. F. No. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

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

Messrs. Arnold, O'Neill and Humphrey introduced—

S. F. No. 3106: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

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

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

Messrs. Hughes, Chenoweth and Ogdahl introduced—

S. F. No. 3107: A bill for an act relating to retirement; annuities for certain members of the public employees and teachers retirement associations; amending Minnesota Statutes 1971, Sections 353.29 and 354.33, by adding Subdivisions.

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

Messrs. Krieger, Laufenburger and Purfeerst introduced—

S. F. No. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

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

Messrs. Moe, O'Neill and Coleman introduced—

S. F. No. 3109: A bill for an act relating to the capitol area architectural and planning commission, redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1 and 2, and by adding a subdivision; 16.02, Subdivisions 5, 6, 9, 10, 14, and 25; 16.025, Subdivision 1; 16.22; 16.23; 16.25; 16.32, by adding a subdivision; 16.72, by adding a subdivision; 16.82, Subdivision 1; 138.53, by adding a subdivision; 138.68; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; and 138.67, Subdivision 3.

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

Mr. Conzemius introduced—

S. F. No. 3110: A bill for an act relating to economic development; establishing a board of economic development to direct the department of economic development; amending Minnesota Statutes 1971, Chapter 362, by adding a section; and Section 362.09, Subdivision 1; repealing Minnesota Statutes 1971, Section 362.09, Subdivisions 3 and 4.

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

Messrs. Borden and Moe introduced—

S. F. No. 3111: A bill for an act relating to the governor's citizens council on aging; duties of council; amending Minnesota Statutes 1971, Section 256.975, Subdivision 2.

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

Messrs. Schaaf and Milton introduced—

S. F. No. 3112: A bill for an act relating to architects, engineers and surveyors; exempting certain contractors from certain state registration requirements; amending Minnesota Statutes, 1973 Supplement, Section 326.02, Subdivision 5.

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

Messrs. Milton, Spear and Schaaf introduced—

S. F. No. 3113: A resolution memorializing Congress and the

President to increase funds for research on electric power resources other than atomic fission.

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

Messrs. Humphrey, Sillers and Lewis introduced—

S. F. No. 3114: A bill for an act relating to education; requiring state colleges to give full credit for graduate courses completed in other state colleges.

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

Messrs. Thorup, Stassen and Anderson introduced—

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

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

Messrs. Thorup, Patton and Keefe, S. introduced—

S. F. No. 3116: A bill for an act relating to labor; public employees; contracts; amending Minnesota Statutes 1971, Section 179.70, Subdivision 2.

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

Messrs. Thorup, O'Neill and Conzemius introduced—

S. F. No. 3117: A bill for an act relating to labor; public employees; definitions; amending Minnesota Statutes 1971, Section 179.63, Subdivision 7.

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

Messrs. Thorup, Ashbach and Coleman introduced—

S. F. No. 3118: A bill for an act relating to labor; public employees; negotiation procedures; amending Minnesota Statutes, 1973 Supplement, Section 179.69, Subdivisions 3 and 5.

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

Messrs. Thorup, Nelson and Gearty introduced—

S. F. No. 3119: A bill for an act relating to labor; public em-

ployees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

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

Messrs. McCutcheon and Chenoweth introduced—

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district; comprised of lands within the counties of Ramsey and Washington.

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

Messrs. Hughes, Kirchner and Milton introduced—

S. F. No. 3121: A bill for an act relating to public welfare; creating a program for the prevention of and reporting of child abuse; providing penalties; appropriating money; repealing Minnesota Statutes 1971, Section 626.554.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Stokowski, Fitzsimons and Willet introduced—

S. F. No. 3122: A bill for an act relating to snowmobiles; operating regulations; requiring the use of protective headgear; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1.

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

Messrs. Keefe, S.; Kowalczyk and Willet introduced—

S. F. No. 3123: A bill for an act relating to health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

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

Messrs. Schaaf, Laufenburger and McCutcheon introduced—

S. F. No. 3124: A bill for an act relating to highway traffic regulations; permitting authorized emergency vehicles to display rotating red and white flashing lights; amending Minnesota Statutes 1971, Section 169.64, Subdivision 3.

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

Messrs. Lord and Gearty introduced—

S. F. No. 3125: A bill for an act relating to the operation of state government, regulating the cash flow of state funds; providing penalties; amending Minnesota Statutes, 1973 Supplement, Chapter 16A, by adding a section.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Doty, Kleinbaum and Sillers introduced—

S. F. No. 3126: A bill for an act relating to severance pay for governmental employees, including employees of the state and its departments and the state college system; amending Minnesota Statutes, 1973 Supplement, Section 465.72.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Borden introduced—

S. F. No. 3127: A bill for an act relating to the state board of podiatry examiners; appropriating money.

Which was read the first time and referred to the Committee on Finance.

Messrs. Moe; Olson, J. L. and Humphrey introduced—

S. F. No. 3128: A bill for an act relating to the commissioner of public welfare; appropriating money for the daytime activity centers for the mentally retarded.

Which was read the first time and referred to the Committee on Finance.

Messrs. McCutcheon, Kirchner and Milton introduced—

S. F. No. 3129: A bill for an act relating to the state arts council; providing the lieutenant governor shall be an ex-officio member of the governing board in lieu of the governor; amending Minnesota Statutes 1971, Section 139.02.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Ashbach introduced—

S. F. No. 3130: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Ashbach introduced—

S. F. No. 3131: A bill for an act relating to special assessments; assessment against governmental units; amending Minnesota Statutes 1971, Section 435.19.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Gearty questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Ashbach introduced—

S. F. No. 3132: A bill for an act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes, 1973 Supplement, Section 352D.05, Subdivision 3.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Ashbach introduced—

S. F. No. 3133: A bill for an act relating to professional corporations; including podiatrists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Ashbach and Krieger introduced—

S. F. No. 3134: A bill for an act relating to taxation; levy limitations; authorizing school tax levies in excess of limitations for certain purposes; amending Minnesota Statutes 1971, Sections 353.28, Subdivision 8; 355.299; Minnesota Statutes, 1973 Supplement, Sections 275.125, Subdivision 3; and 471.61, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Hughes questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Doty, Spear and Sillers introduced—

S. F. No. 3135: A bill for an act relating to state colleges; providing for access to records by state college employees; amending Minnesota Statutes 1971, Chapter 136, by adding a section.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Conzemius; Olson, A. G. and Perpich, A. J. introduced—

S. F. No. 3136: A bill for an act relating to taxes on and measured by net income; credits against tax, amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Anderson, Blatz and Perpich, A. J. introduced—

S. F. No. 3137: A bill for an act relating to school district tax levies; transferring certain functions to the commissioner of education; amending Minnesota Statutes 1971, Section 275.125, Subdivision 7.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Hughes questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Perpich, A. J.; Blatz and Olson, A. G. introduced—

S. F. No. 3138: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Borden and Sillers introduced—

S. F. No. 3139: A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 3140: A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Section 260.185, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Keefe, S. introduced—

S. F. No. 3141: A bill for an act relating to licensing; former

inmates; providing that persons shall not be considered of bad moral character after final discharge from a state or federal correctional institution.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Olson, H. D. introduced—

S. F. No. 3142: A bill for an act relating to predators; optional county and town bounties on certain predators; amending Minnesota Statutes 1971, Section 348.12.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Coleman and Schaaf introduced—

S. F. No. 3143: A bill for an act relating to intoxicating liquor; clarifying the law with regard to restrictions upon the advertising thereof; amending Minnesota Statutes, 1973 Supplement, Section 340.15, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Chenoweth; Hansen, Mel and Kleinbaum introduced—

S. F. No. 3144: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.32, Subdivision 1; and 353.651, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Krieger and Frederick introduced—

S. F. No. 3145: A bill for an act relating to Olmsted county; taxation; county legal assistance; appropriating money.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Coleman, Conzemius and Sillers introduced—

S. F. No. 3146: A bill for an act relating to intoxicating liquor; regulating the importation thereof and providing for licensing of importers and importer representatives; amending Minnesota Statutes 1971, Section 340.07, by adding subdivisions; 340.113;

and Minnesota Statutes, 1973 Supplement, Section 340.11, Subdivision 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Chmielewski and Purfeerst introduced—

S. F. No. 3147: A bill for an act relating to education; providing state transportation to vocational education classes; amending Minnesota Statutes, 1973 Supplement, Section 124.223.

Which was read the first time and referred to the Committee on Education.

Mr. Wegener introduced—

S. F. No. 3148: A bill for an act relating to Morrison county; providing for increased compensation for county welfare board, including county commissioners; amending Laws 1967, Chapter 818, Section 1, as amended.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Keefe, S.; Brown and Schaaf introduced—

S. F. No. 3149: A bill for an act relating to drivers licenses; requiring legal name to appear on application therefor; amending Minnesota Statutes 1971, Section 171.06, Subdivision 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Kleinbaum and Schrom introduced—

S. F. No. 3150: A bill for an act relating to commerce; prohibiting an increase in the price of gasoline and other fuel in excess of the ceiling price established by the federal cost of living council and in effect at a certain date; providing penalties.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Olson, H. D.; Purfeerst and Bernhagen introduced—

S. F. No. 3151: A bill for an act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2.

Which was read the first time and referred to the Committee on Local Government.

Mr. Perpich, A. J. introduced—

S. F. No. 3152: A bill for an act relating to the county of

Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

Which was read the first time and referred to the Committee on Local Government.

Mr. Schaaf introduced—

S. F. No. 3153: A bill for an act relating to the city of Fridley; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius and Lewis introduced—

S. F. No. 3154: A bill for an act relating to insurance; creating a health catastrophe security program; providing a deduction from gross income; appropriating money; amending Minnesota Statutes 1971, Section 290.09, Subdivision 10.

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 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. 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.

There has been appointed as such committee on the part of the House: Brinkman, Vento and Newcome.

Senate File No. 96 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 6, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2675, 1403, 1966, 2822, 2936 and 2890.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 6, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2675: A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

H. F. No. 1403: A bill for an act relating to the state building code; authorizing municipalities to impose certain fire prevention standards; amending Minnesota Statutes 1971, Section 16.851.

H. F. No. 1966: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

H. F. No. 2822: A bill for an act relating to cooperative associations; officers and directors thereof; amending Minnesota Statutes 1971, Section 308.11.

H. F. No. 2936: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

H. F. No. 2890: A bill for an act relating to the city of Benson; authorizing the issuance of on-sale liquor licenses.

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. The motion prevailed.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2733: A bill for an act authorizing the county of Marshall to assume liability for payment of contract for construction of county ditch; authorizing the issuance of bonds and validating contract.

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 referred.

S. F. No. 2707: A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "12" and insert "10"

Page 1, line 11, after the comma insert "and"

Page 1, line 12, strike the comma and insert a period and strike "and two members appointed by"

Page 1, line 13, strike "the governor."

Page 1, strike all of section 5

Page 2, strike lines 1 through 7

Renumber sections in sequence

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 3, line 6, after "tificate" insert " , a copy of his birth certificate, or a copy of his driver's license"

Page 3, line 22, after "certificates" insert " , copies of birth certificates or copies of drivers' licenses presented to the employer pursuant to subdivision 1,"

Page 3, line 28, strike "Regularly employed"

Page 3, line 31, after "chores" insert " , to baby sit"

Page 3, strike lines 33 and 34

Page 5, line 21, after "therefor," strike "be fined not less than \$100" and insert "be guilty of a gross misdemeanor."

Page 5, strike line 22

Renumber subdivisions in sequence

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

S. F. No. 2558: A bill for an act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, before "The" insert "*Subdivision 1.*"

Page 2, line 3, before "*Transactions*" insert "*Subd. 2.*"

Page 2, line 5, strike "\$250,000" and insert "\$100,000"

Page 2, after line 9, add a section to read:

"Sec. 2. This act is effective the day following final enactment and shall expire on July 1, 1975."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2998: A bill for an act relating to the interstate compact for the supervision of parolees and probationers; amending Minnesota Statutes 1971, Section 243.16, 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 referred

S. F. No. 2996: A bill for an act relating to the interstate compact on juveniles; amending Minnesota Statutes 1971, Sections 260.53 and 260.55.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2811: A bill for an act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; and 83.30, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, line 23, strike "*or order*"

Page 7, restore the stricken language in lines 4 and 5

Page 7, line 5, strike "*The*" and insert a period

Page 7, strike lines 6 through 9

Page 7, after line 28, add:

"Sec. 6. Minnesota Statutes, 1973 Supplement, Section 83.38, is amended by adding a subdivision to read:

Subd. 3. For the purpose of rules and forms, the commissioner may by rule classify subdivisions, persons and matters within his jurisdiction, and prescribe different requirements for different classes.

Sec. 7. This bill is effective the day following final enactment."

Further, amend the title as follows:

Page 1, line 7, strike "and" after the semicolon

Page 1, line 7, before the period insert "; and Section 83.38 by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, strike all of section 2

Further, amend the title on page 1, 3rd line as follows:

Strike "subdivisions" and insert "a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1403, 1966, 2936 and 2890 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. 1403 to the Committee on Governmental Operations.

H. F. No. 2890 to the Committee on Labor and Commerce.

H. F. Nos. 1966 and 2936 to the Committee on Metropolitan and Urban Affairs.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2425 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
2425	2400				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2425 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. Minnesota Statutes 1971, Section 471.56, Subdivision 1, is amended to read:

471.56 [MUNICIPAL FUNDS.] Subdivision 1. Any municipal funds, not presently needed for other purposes, may be invested in *any the same obligations and in the same manner* in which sinking funds are now authorized to be invested pursuant to section 475.66, including appreciation bonds issued by the United States of America on a discount basis. Municipal funds may also be deposited in time deposits of any state or national bank subject to the limitations and requirements of chapter 118.

The term “municipal funds” as used herein shall include all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by any county, city, village or borough, or by any officer or agency thereof, in the state of Minnesota.

Sec. 2. Minnesota Statutes 1971, Section 475.66, is amended to read:

475.66 [SINKING FUND; SURPLUSES.] There shall always be retained in any sinking fund sufficient cash to provide for the annual payments of principal and interest on the obligations for which the fund was created. Subject to the provisions of any resolutions of the governing body relating to the maintenance of reserves of cash or investments for the security of holders of such obligations, any surplus in any sinking fund above such amount may be invested under the direction of the governing body in any general obligation of the United States, the state of Minnesota or any of its municipalities, and in securities issued by the following agencies of the United States: Federal Home Loan Banks, Federal Intermediate Credit Banks, Federal Land Banks, Banks for Cooperatives, and the Federal National Mortgage Association. *Investments in such obligations and securities may also be made when accompanied by simultaneous repurchase agreements issued by a state or federally chartered banking institution under the terms of which the obligations or securities are to be repurchased by the particular banking institution on a specified date at a predetermined price.* Such surplus may also be used to purchase any obligation, whether

general or special, of the issue for which the fund is created, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of said issue prior to maturity in accordance with its terms. The obligations representing any such investment may be sold or hypothecated by the governing body at any time, but the money so received remains a part of such fund until used for the purpose for which the fund was created. Any obligation held in the sinking fund from which it is payable may be cancelled at any time when moneys in such fund are sufficient to pay all other obligations issued prior to July 1, 1961, payable therefrom with interest to maturity or to their earliest redemption dates. Any obligation issued after July 1, 1961, held in the sinking fund from which it is payable may be cancelled at any time unless otherwise provided in the other obligations payable from such fund or in a resolution or ordinance authorizing their issuance."

Further, strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to municipalities; investments of municipal funds; amending Minnesota Statutes 1971, Sections 471.56, Subdivision 1; and 475.66."

And when so amended, H. F. No. 2425 will be identical to S. F. No. 2400 and further recommends that H. F. No. 2425 be given its second reading and substituted for S. F. No. 2400 and S. F. No. 2400 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2652, 2735 and 2902 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.
2652	2750	2735	2730		
		2902	2862		

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 SENATE BILLS

S. F. Nos. 2733, 2558, 2998, 2996 and 2811 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2129, 1386, 2425, 2652, 2735 and 2902 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Krieger moved that the Senate do now adjourn sine die. The question being taken on adoption of the motion,

And the roll being called, there were yeas 12 and nays 38, as follows:

Those who voted in the affirmative were:

Bang	Hanson, R.	Knutson	Larson	Sillers
Bernhagen	Keefe, J.	Krieger	Olson, J. L.	Ueland
Blatz	Kirchner			

Those who voted in the negative were:

Arnold	Gearty	Lewis	Olson, A. G.	Spear
Borden	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Tenneszen
Chmielewski	Humphrey	Milton	Perpich, G.	Thorup
Coleman	Josefson	Moe	Purfeerst	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet
Davies	Kleinbaum	Novak	Schrom	
Doty	Laufenburger	Olhoff	Solon	

The motion did not prevail.

Mr. Chenoweth moved that the report from the Committee on Metropolitan and Urban Affairs, reported February 6, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chenoweth moved that the foregoing report be now adopted. The motion prevailed.

Mr. Keefe, J. requested that the report be divided as to the appointment of Mr. Kingsley Murphy. So the question was divided.

CONFIRMATION

Mr. Chenoweth moved that in accordance with the report from the Committee on Metropolitan and Urban Affairs, reported February 6, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

CHAIRMAN OF THE METROPOLITAN COUNCIL

John Boland, 2454 Ripley Avenue, North St. Paul, Ramsey County, appointed effective August 6, 1973, for an indeterminate term.

METROPOLITAN COUNCIL

Mrs. Joan Campbell, 947 17th Avenue Southeast, Minneapolis, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

John Costello, 2177 Stanford Avenue, St. Paul, Ramsey County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Mrs. Alice Kreber, 4719 Yates Avenue North, Crystal, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Chenoweth moved that in accordance with the report from the Committee on Metropolitan and Urban Affairs, reported February 6, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

METROPOLITAN COUNCIL

Kingsley Murphy, Jr., 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 54 and nays 7, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Ogdahl	Schrom
Berg	Fitzsimons	Krieger	Olhoft	Sillers
Bernhagen	Gearty	Larson	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Spear
Borden	Hanson, R.	Lewis	Patton	Stokowski
Chenoweth	Hughes	Lord	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Thorup
Coleman	Jensen	Milton	Pillsbury	Ueland
Conzemius	Keefe, S.	Moe	Purfeerst	Wegener
Davies	Kirchner	North	Renneke	Willet
Doty	Kleinbaum	Novak	Schaaf	

Those who voted in the negative were:

Ashbach	Hansen, Mel	Keefe, J.	Kowalczyk	O'Neill
Bang	Josefson			

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that S. F. No. 3154 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Renneke moved that H. F. No. 2827, No. 10 on the Calendar of Ordinary Matters, be stricken and placed on General Orders. The motion prevailed.

Mr. Willet moved that S. F. No. 1800, No. 36 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Olson, J. L. be added as co-author to S. F. No. 2701. The motion prevailed.

Mr. Ashbach moved that the name of Mr. Willet be added as co-author to S. F. No. 2944. The motion prevailed.

Mr. Solon moved that S. F. No. 647, No. 1 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Hughes moved that S. F. No. 2062, No. 12 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Hughes moved that S. F. No. 1421, No. 22 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Schaaf moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 2561. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 1530: A bill for an act relating to education; authorizing and prohibiting fees for public educations.

CALL OF THE SENATE

Mr. Doty imposed a call of the Senate on S. F. No. 1530. The following Senators answered to their names:

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
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Borden	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 1530 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 26, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Lewis	Olson, H. D.	Stassen
Borden	Hansen, Mel	Lord	Patton	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Humphrey	Milton	Perpich, G.	Thorup
Conzemius	Jensen	North	Schaaf	Wegener
Davies	Keefe, S.	Novak	Sillers	Wille
Doty	Kleinbaum	Olhoft	Solon	
Dunn	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Ashbach	Chmielewski	Kirchner	Ogdahl	Schrom
Bang	Fitzsimons	Knutson	Olson, J. L.	Ueland
Berg	Hansen, Baldy	Kowalczyk	O'Neill	
Bernhagen	Hanson, R.	Krieger	Pillsbury	
Blatz	Josefson	Larson	Purfeerst	
Brown	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2736: A bill for an act relating to education; providing for loans to medical and osteopathic students who agree to practice in rural communities; authorizing the issuance of revenue bonds; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; 147.31; and 147.32; and Laws 1973, Chapter 727, Section 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Borden	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Wegener
Coleman	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2231: A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

Was read the third time 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	Kleinbaum	Ogdahl	Schrom
Ashbach	Dunn	Knutson	Olhoft	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	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Josefson	Milton	Pillsbury	Willet
Coleman	Keefe, J.	Moe	Purfeerst	
Conzemius	Keefe, S.	North	Renneke	
Davies	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2332: A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Gearty	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schaaf
Ashbach	Dunn	Kleinbaum	Ogdahl	Schrom
Bang	Fitzsimons	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.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Chenoweth moved to amend H. F. No. 483, the printed bill, as follows:

Page 2, line 5, strike "1971" and insert ", 1973 Supplement"

Page 2, line 12, before the semicolon, insert "and nursing aides performing services under the direction and supervision of a registered nurse, provided, however, that no additional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering"

Page 2, line 21, strike "148.37;"

Page 2, line 22, strike "148.45;"

Page 2, line 22, strike "and"

Page 2, line 22, after "148.511" insert "; and Minnesota Statutes, 1973 Supplement, Sections 148.37 and 148.45"

Further, amend the title as follows:

Page 1, second line of the title, strike "154.04; and"

Second line of the title, after "155.19;" insert "and Minnesota Statutes, 1973 Supplement, Section 154.04;"

Second line of the title, after "to" insert "148.36; 148.41; 148.43; 148.46 to" and after "148.511" and before the period, insert "; and repealing Minnesota Statutes, 1973 Supplement, Sections 148.37 and 148.45"

The motion prevailed. So the amendment was adopted.

H. F. No. 483 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 6, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Olson, A. G.	Colon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Stassen
Bang	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Berg	Hansen, Mel	Krieger	O'Neill	Tennessee
Bernhagen	Hanson, R.	Larson	Patton	Thorup
Blatz	Hughes	Laufenburger	Perpich, A. J.	Ueland
Borden	Humphrey	Lord	Perpich, G.	Wegener
Brown	Jensen	McCutcheon	Pillsbury	Willet
Chenoweth	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Coleman	Lewis	Novak	Olhoft	Spear
Hansen, Baldy				

So the bill, as amended, passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	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	Patton	Tennessee
Brown	Hughes	Lewis	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Lord	Perpich, G.	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Wegener
Coleman	Josefson	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 952: A bill for an act relating to housing; requiring installation of fire extinguishers in apartments.

Was read the third time 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:

Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Bang	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stassen
Blatz	Hansen, R.	Laufenburger	O'Neill	Stokowski
Borden	Hughes	Lewis	Patton	Tennessee
Brown	Humphrey	Lord	Perpich, A. J.	Thorup
Chenoweth	Jensen	McCutcheon	Perpich, G.	Ueland
Chmielewski	Josefson	Milton	Pillsbury	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	North	Renneke	
Davies	Kirchner	Novak	Schaaf	
Doty	Kleinbaum	Ogdahl	Schrom	
Dunn	Knutson	Olhoft	Sillers	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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:

Arnold	Doty	Kirchner	Ogdahl	Sillers
Ashbach	Dunn	Kleinbaum	Olhoft	Solon
Bang	Fitzsimons	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Borden	Hansen, 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.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

Messrs. Krieger and Schrom voted in the negative.

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2875: A bill for an act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoff	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessen
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.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2967: A bill for an act relating to the city of Ellendale; authorizing it to issue 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schaaf
Ashbach	Dunn	Kleinbaum	Ogdahl	Schrom
Bang	Fitzsimons	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.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessen
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2682: A bill for an act relating to the city of Upsala; validating certain proceedings of the city preliminary to and in the issuance and sale of certain general obligation bonds.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Dunn	Humphrey	Knutson
Ashbach	Chenoweth	Fitzsimons	Jensen	Kowalczyk
Bang	Chmielewski	Gearty	Josefson	Krieger
Berg	Coleman	Hansen, Baldy	Keefe, J.	Larson
Bernhagen	Conzemius	Hansen, Mel	Keefe, S.	Laufenburger
Blatz	Davies	Hanson, R.	Kirchner	Lewis
Borden	Doty	Hughes	Kleinbaum	Lord

McCutcheon	Olhoff	Perpich, A. J.	Schrom	Tennessee
Milton	Olson, A. G.	Perpich, G.	Sillers	Ueland
Moe	Olson, H. D.	Pillsbury	Solon	Wegener
North	Olson, J. L.	Purfeerst	Spear	Willet
Novak	O'Neill	Renneke	Stassen	
Ogdahl	Patton	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 2498: A bill for an act relating to the city of Hibbing; taxation; levy for library 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	Davies	Keefe, J.	Moe	Purfeerst
Ashbach	Doty	Keefe, S.	North	Renneke
Bang	Dunn	Kirchner	Novak	Schaaf
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoff	Solon
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Borden	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brown	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chenoweth	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Milton	Pillsbury	Willet

So the bill passed and its title was agreed to.

H. F. No. 2502: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to create a revolving tort liability 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:

Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Fitzsimons	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
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Chmielewski	Jensen	McCutcheon	Perpich, G.	Wegener
Coleman	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Renneke	
Doty	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 2873: A bill for an act relating to state government and its personnel department; providing for temporary rules.

Was read the third time 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	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Fitzsimons	Knutson	Olhoft	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.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Chmielewski	Jensen	McCutcheon	Perpich, G.	Wegener
Coleman	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Renneke	
Doty	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Solon in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Solon reported that the committee had considered S. F. No. 2136, which the committee recommends to pass with the following amendment offered by Mr. Bernhagen:

Page 1, line 18, after the period strike remainder of the line

Page 1, line 19, strike "*this section,*"

And then, on motion of Mr. Solon, 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 9:00 o'clock a.m., Wednesday, February 13, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTY-FOURTH DAY

St. Paul, Minnesota, Tuesday, February 12, 1974.

The House of Representatives met on Tuesday, February 12, 1974, which was the Eighty-Fourth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

EIGHTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, February 13, 1974.

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	Gearty	Lewis	Olson, J. L.	Stassen
Ashbach	Hansen, Baldy	Lord	Patton	Stokowski
Berg	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Bernhagen	Hughes	Moe	Perpich, G.	Thorup
Brown	Humphrey	Nelson	Pillsbury	Ueland
Coleman	Jensen	Novak	Purfeerst	Willet
Davies	Josefson	Ogdahl	Schrom	
Doty	Kirchner	Olhoft	Sillers	
Dunn	Kleinbaum	Olson, A. G.	Solon	
Fitzsimons	Larson	Olson, H. D.	Spear	

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	Kleinbaum	Novak	Schaaf
Arnold	Doty	Knutson	Ogdahl	Schrom
Ashbach	Dunn	Kowalczyk	Olhoft	Sillers
Bang	Fitzsimons	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
Coleman	Josefson	Nelson	Purfeerst	Willet
Conzemius	Kirchner	North	Reyneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Frederick; Keefe, S. and Keefe, J. were excused from the Session of today. Mr. Perpich, G. was excused for the first hour of today's Session. Mr. Tennessee was excused from the Session of today from 11:00 o'clock a.m. until 2:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 11, 1974

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:

John Bacich, 5321 Harriet Avenue South, Minneapolis, Hennepin County, has been appointed by me to the Veterans Home Board, effective February 11, 1974, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Which appointment was referred to the Committee on Rules and Administration.

February 12, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

I have received and accepted the resignation of Margaret Smith from the Community Colleges Board. Therefore, I respectfully request that her name be removed from Senate consideration.

Sincerely,
Wendell R. Anderson, Governor

Which communication was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Messrs. Milton, O'Neill and Schaaf introduced—

S. F. No. 3155: A bill for an act relating to crimes and criminals; highway traffic regulations; providing that the driver of any vehicle who fails to stop and give information at the scene of an accident resulting in injury or death to any person shall be guilty of a felony; amending Minnesota Statutes 1971, Section 169.09, Subdivision 14.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. McCutcheon, Pillsbury and Novak introduced—

S. F. No. 3156: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and anti-trust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes

1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Milton, Pillsbury and Schaaf introduced—

S. F. No. 3157: A bill for an act relating to children; substituting the term born outside of wedlock for the term illegitimate.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Laufenburger and Hansen, Baldy introduced—

S. F. No. 3158: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Milton, Ogdahl and Kleinbaum introduced—

S. F. No. 3159: A bill for an act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties; providing remedies.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Lord, Gearty and North introduced—

S. F. No. 3160: A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Keefe, S.; Gearty and Hansen, Mel introduced—

S. F. No. 3161: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Hansen, Mel; Spear and Keefe, S. introduced—

S. F. No. 3162: A bill for an act relating to the city of Minneapolis; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 16, Subdivision 8.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. North, Chenoweth and Coleman introduced—

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Perpich, G.; Laufenburger and Coleman introduced—

S. F. No. 3164: A bill for an act relating to mine inspection; amending Minnesota Statutes 1971, Section 180.03.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Milton, Knutson and Keefe, S. introduced—

S. F. No. 3165: A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Milton, Schaaf and Keefe, S. introduced—

S. F. No. 3166: A bill for an act relating to labor and minimum wages; providing a penalty; amending Minnesota Statutes 1971, Chapter 177, by adding a section; amending Minnesota Statutes, 1973 Supplement, Section 177.32, by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 177.28, Subdivision 4.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Schaaf introduced—

S. F. No. 3167: A bill for an act relating to highway traffic regulations; requiring the operator of a motor vehicle to wear seat belts under certain conditions; prescribing penalties; amending Minnesota Statutes 1971, Section 169.685, by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Josefson introduced—

S. F. No. 3168: A bill for an act relating to the claim of Elmer Christianson; arising from loss of a pair of spectacles while an employee of the department of natural resources; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Arnold introduced—

S. F. No. 3169: A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Kirchner, Milton and McCutcheon introduced—

S. F. No. 3170: A bill for an act relating to the Gillette hospital authority; appropriating money for construction of hospital facilities.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Laufenburger introduced—

S. F. No. 3171: A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S. F. No. 3172: A bill for an act relating to education; school aids; changing the adjusted assessed valuation of Independent School District No. 93 and No. 99 for the use of the equalization aid review committee.

Which was read the first time and referred to the Committee on Education.

Messrs. Hansen, Mel; Anderson and Jensen introduced—

S. F. No. 3173: A bill for an act relating to crime and criminals; prohibiting a person convicted of a crime from possessing fire-arms unless he has received a pardon; prescribing penalties.

Which was read the first and referred to the Committee on Judiciary.

Messrs. Krieger, Fitzsimons and Hansen, Mel introduced—

S. F. No. 3174: A bill for an act relating to elections; providing for the election of independent and party candidates to the state legislature; amending Minnesota Statutes 1971, Section 202.03, Subdivision 2; and Minnesota Statutes, 1973 Supplement, Sections 202.03, Subdivision 1; 203.28, Subdivision 1; 203.29, Subdivision 1; and 203.35, Subdivisions 7 and 9.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Milton, Kirchner and Lewis introduced—

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5; 145.63; and 145.64.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Knutson, by request, Stassen and Conzemius introduced—

S. F. No. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Milton, Spear and Schaaf introduced—

S. F. No. 3177: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in statutes governing parental and inter-spousal relationships; regulating intra-family duties of support, rights of custody, rights of notice of adoption proceedings, and determinations of parenthood; amending Minnesota Statutes 1971, Chapters 259, by adding a section; and 519, by adding sections; Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.261, Subdivisions 1 and 3; 257.262; 257.263; 257.264; 257.27; 257.28; 257.30; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 259.28; 260.135, Subdivision 2; 260.221; 260.231, Subdivision 3; 525.172; 525.173; 609.375, Subdivision 1; repealing Minnesota Statutes 1971, Section 519.05.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Laufenburger, O'Neill and Hughes introduced—

S. F. No. 3178: A bill for an act relating to education; school safety patrol; providing that equipment used by school crossing

guards be visible by night and day; amending Minnesota Statutes 1971, Section 126.15, by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Coleman, Brown and Anderson introduced—

S. F. No. 3179: A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Hughes questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Thorup introduced—

S. F. No. 3180: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Perpich, A. J. introduced—

S. F. No. 3181: A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Hansen, Baldy introduced—

S. F. No. 3182: A bill for an act relating to the claim of Donald R. Boyer; arising from failure of the highway department to properly maintain a counting device in Albert Lea; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Solon and Doty introduced—

S. F. No. 3183: A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 7, Subdivision 1; 8, Subdivision 2; and by adding a section.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Doty and Solon introduced—

S. F. No. 3184: A bill for an act relating to Independent School District No. 709; St. Louis county; abolishing the civil service system therein; establishing policies with respect to the transfer, demotion, suspension, discharge, layoff and promotion of noncertified employees within the school district; requiring union shop in the case of noncertified employees within the school district who are members of nonsupervisory bargaining units; repealing Minnesota Statutes 1971, Sections 421.11 to 421.14; Laws 1967, Chapter 252, as amended; Laws 1969, Chapter 699, Section 5; and Extra Session Laws 1971, Chapter 40.

Which was read the first time and referred to the Committee on Education.

Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Doty and Solon introduced—

S. F. No. 3185: A bill for an act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and not subject to the provisions of Minnesota Statutes, Section 475.58, to provide the local funds needed to match state or federal grant funds.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Purfeerst introduced—

S. F. No. 3186: A bill for an act relating to courts; probate; bond requirements for representatives of estates; amending Minnesota Statutes 1971, Section 525.32 and Chapter 525, by adding a section.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Keefe, S.; Larson and Solon introduced—

S. F. No. 3187: A bill for an act relating to natural gas pipeline safety; modifying the definition of the term "gas"; changing the procedure by which civil penalties may be imposed for violations of the natural gas pipeline safety act; providing for fire marshal regulations thereunder; granting certain powers to the state fire marshall in regard to civil penalties for violations; imposing penalties; amending Minnesota Statutes 1971, Sections 299F.56 and 299F.60, Subdivisions 1 and 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Keefe, S.; Kirchner and Conzemius introduced—

S. F. No. 3188: A bill for an act relating to the organization and operation of the state government; regulating the bloc grant system of the department of public welfare; appropriating money; amending Laws 1973, Chapter 765, Section 2, Subdivision 2.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Doty and Keefe, J. introduced—

S. F. No. 3189: A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Chenoweth, Laufenburger and Bang introduced—

S. F. No. 3190: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Kleinbaum introduced—

S. F. No. 3191: A bill for an act relating to courts; establishing a separate county court district for Stearns county to be activated by the county board.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Stassen, Fitzsimons and Hansen, Baldy introduced—

S. F. No. 3192: A bill for an act relating to taxation; providing a property tax refund for certain uncultivated or unharvested agricultural land; appropriating money.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Gearty, Willet and Lord introduced—

S. F. No. 3193: A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding sections; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Wegener, Bernhagen and Olson, H. D. introduced—

S. F. No. 3194: A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Brown, Nelson and Renneke introduced—

S. F. No. 3195: A bill for an act relating to energy conservation; providing the governor with authority during an energy shortage to order the closing of business establishments on Sunday.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Anderson, Thorup and Milton introduced—

S. F. No. 3196: A bill for an act relating to the metropolitan transit commission; establishing the outer limits of the metropolitan transit taxing district; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Chmielewski introduced—

S. F. No. 3197: A bill for an act relating to barbers; board of barber examiners; officers; compensation and reports; providing that the secretary of the board of barber examiners may elect not to be covered by the Minnesota state retirement system; amending Minnesota Statutes, 1973 Supplement, Section 154.23.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Arnold introduced—

S. F. No. 3198: A bill for an act relating to tax forfeited lands; providing conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. McCutcheon, Brown and Purfeerst introduced—

S. F. No. 3199: A bill for an act relating to employments licensed by the state; appraisers and planners; amending Minnesota Statutes 1971, Sections 326.02, Subdivision 1, and by adding subdivisions; 326.03, Subdivision 1; 326.08, Subdivision 2; 326.09; 326.10, Subdivisions 1, 2 and 7; 326.11, Subdivision 1; 326.12; 326.13; 326.14; amending Minnesota Statutes, 1973 Supplement, Sections 326.02, Subdivision 5; 326.04; 326.05; and 326.07.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius, Kirchner and Tennessen introduced—

S. F. No. 3200: A bill for an act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Perpich, A. J. introduced—

S. F. No. 3201: A bill for an act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, Subdivision 6.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Conzemius introduced—

S. F. No. 3202: A bill for an act relating to the claim of Mrs. Josephine M. Brow; arising from damage done to an automobile as a result of its being stolen by escapees of the state training school at Red Wing; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Schrom introduced—

S. F. No. 3203: A bill for an act relating to the claim of John Ahrens; arising from damage done to an automobile and other expenses incurred as a result of its being stolen by an escapee from the Minnesota home school; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Schrom introduced—

S. F. No. 3204: A bill for an act relating to the claim of Julian Haskamp; arising from damage done to an automobile and other expenses incurred as a result of its being stolen by escapees from Minnesota home school; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Wegener introduced—

S. F. No. 3205: A bill for an act to reimburse the city of Staples for the loss of certain gross earnings aids; appropriating money.

Which was read the first time and referred to the Committee on Finance.

Mr. Hughes introduced—

S. F. No. 3206: A bill for an act relating to education; establishing early identification and early educational childhood programs; prescribing powers and duties of the department of education; requiring certain information to be included in the school census; appropriating money; amending Minnesota Statutes 1971, Section 120.095, Subdivision 5.

Which was read the first time and referred to the Committee on Education.

Messrs. Olson, A. G. and Conzemius introduced—

S. F. No. 3207: A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes, 1973 Supplement, Section 626.851, Subdivision 2.

Which was read the first time and referred to the Committee on Governmental Operations.

lis; retirement; disability benefits for city employees; amending Laws 1973, Chapter 133, Section 18, Subdivisions 2 and 3, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 30, after "or" strike "*1/55 of the final average*"

Page 2, strike all of line 1 and insert: "*an amount equal to two percent of final average compensation for each year of allowable service for the first ten years, and thereafter 2.5% of final average compensation per year of allowable service,*"

Page 3, after line 3, insert a new section to read:

"Sec. 3. [EFFECTIVE DATE.] This act is effective upon approval by the city council of the city of Minneapolis, and upon compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3006: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 1, strike "*survey*" and insert "*valuation*"

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. 2638: A bill for an act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, Section 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

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 be amended as follows:

Alice Keller, 358 Colledgeview, Winona, Winona County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Shirley K. Hunt, 5600 Hillside Court, Edina, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

James Ted Shields, Longville, Cass County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Arnold moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred the following appointment:

MINNESOTA WATER RESOURCES BOARD

Mr. David R. Von Holtum, 607 Tenth Street, Worthington, Nobles County, appointed effective October 5, 1973, for a term expiring October 5, 1979.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Arnold moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2944: A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, 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

S. F. No. 2631: A bill for an act relating to game and fish; opening of migratory waterfowl seasons; amending Minnesota Statutes 1971, Section 97.48, Subdivision 23.

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

S. F. No. 2860: A bill for an act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

Subd. 13. "Deferred pensioner" means a member of the relief association who has completed not less than 20 years of service in the fire department of the city of St. Cloud, before reaching the age of 50 years, and who is entitled upon request to receive a pension when he attains the age of 50 years.

Subd. 14. "Funeral benefit" means a sum given to assist the family of a deceased member in defraying funeral expenses.

Subd. 15. "Death benefit" means a sum to be paid to beneficiaries of a deceased member after his death.

Subd. 16. "Payroll deduction" means deductions from the salaries of members made pursuant to section 4.

Subd. 17. "City" means the city of St. Cloud.

Sec. 2. [ORGANIZATION; OPERATION.] Subdivision 1. The members of the fire department of the city shall organize a firemen's relief association or maintain the relief association now existing which shall be incorporated under the laws of this state. This association shall create, maintain, and administer a firemen's pension fund for the benefit of its members, their widows, and their children.

Subd. 2. The association shall be organized, operated and maintained in accordance with its own articles of incorporation and bylaws, by firemen who are members of the fire department.

Subd. 3. The general management of the association shall be vested in a board of trustees, which shall be composed of the following persons: six trustees elected annually from their members and the mayor, city clerk and the chief of the fire department, who shall serve as ex officio members.

Sec. 3. [MEMBERSHIP.] Subdivision 1. Every fireman shall be eligible to apply for membership in the relief association within the time and in the manner set forth in the bylaws of the association.

Subd. 2. The association shall have the right to exclude all applicants for membership who are not physically and mentally sound, so as to prevent unwarranted risks for the association; and additional requirements for the entrance fees and annual dues for membership in the association as may from time to time be prescribed in the bylaws of the association.

Subd. 3. Any active member who is granted a leave of absence, shall cease to be an active member as of the effective date of leave and thereafter shall not be entitled to any benefits unless benefits were granted or applied for prior to such leave. Any member who was on a leave of absence, may resume active membership, and shall be considered an active member from the time he is reentered on the payrolls of the fire department, without medical examination provided his absence does not exceed 30 calendar days. In the event the absence of any member exceeds the 30 calendar days, the member must reapply for membership in accordance with the bylaws, unless such leave was granted due to the member serving with the armed forces of the United States.

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the terms defined in this section have the meanings ascribed to them:

Subd. 2. "Fire department" means the fire department of the city of St. Cloud.

Subd. 3. "Relief association" or "association" means the St. Cloud fire department relief association.

Subd. 4. "Fireman" means every person who is duly appointed and regularly entered on the payroll of the fire department and who is on active duty with that department. The term does not include emergency employees employed for less than 30 days or temporary employees employed for nine months consecutively in any 12 month period, with the exception of firemen in the association prior to the effective date of this act.

Subd. 5. "Member" means every fireman who has been admitted to membership in the relief association as hereinafter provided.

Subd. 6. "Unit" means a fractional part of the highest monthly base salary paid to any fireman as such salary is established from time to time by the city council. A unit shall never be less than 1/75 of such monthly salary.

Subd. 7. "Disability" means physical or mental incapacity, or a combination thereof, which renders a member unable to perform the duties of his position in the fire department.

Subd. 8. "Disability pensioner" means a person incapable of performing his duties by reason of sickness, or injury incurred while an active member.

Subd. 9. "Sick benefits" means such sum of money up to and including 36 units that may be advanced to a sick or injured member in lieu of disability benefits paid upon the recommendation of the relief committee, accompanied by the certificate of disability from one attending physician or surgeon, while the board of examiners is considering, but has not acted upon, the member's application for disability benefits.

Subd. 10. "Temporary disability" means any disability which renders an active member unfit to perform his duties as a fireman upon the member's application therefor in accordance with the procedures set forth in the bylaws and the board of examiners' determination thereof which has not been determined by the board of trustees to be permanent.

Subd. 11. "Permanent disability" means that the board of trustees has passed a resolution stating that a member is permanently disabled after the board of examiners has determined that the member was disabled and that the member is entitled to a disability pension.

Subd. 12. "Pensioner" means a member of the association who has qualified and is receiving a pension.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "for such"

Page 1, line 13, strike "consideration to be agreed upon,"

Page 1, after line 22, add a new section as follows:

"Sec. 2. The consideration to be paid by Cambridge memorial hospital, Cambridge, to the state for the conveyance provided for herein shall not be less than the appraised value of such described property and the cost of the appraisal as provided in Minnesota Statutes, Section 94.10. The appraisals shall be in the manner prescribed by Minnesota Statutes, Section 94.10, but no survey of such described property is necessary."

Page 1, renumber "Sec. 2." as "Sec. 3."

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

S. F. No. 3054: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, lines 21 to 26, restore the stricken language and strike the new language

Page 2, line 22, strike "unlawful" and insert "lawful"

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

S. F. No. 2872: A bill for an act relating to environment; solid waste disposal; user fee; authorizing certain counties to exempt landfills and incinerators from the user fee under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 116F.07.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 116F.07 is repealed.

Sec. 2. This act is effective the day following its final enactment."

Strike the title and insert in lieu thereof:

“A bill for an act relating to the environmental impact; reduction, reuse and recycling of solid waste; eliminating the user fee levied on solid waste disposal at certain disposal facilities; repealing Minnesota Statutes, 1973 Supplement, Section 116F.07.”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 16 through 18

Page 4, strike lines 16 through 28.

Page 5, strike lines 1 through 28.

Page 6, strike lines 1 through 10 and insert the following:

“Subd. 11. Stewart and Little Stewart Rivers Trout Stream Improvement, Management, and Angling Easements: Strips of land lying in Gov't. Lot 2 and in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, T. 53 N., R. 10 W., and in W $\frac{1}{2}$ SW $\frac{1}{4}$ of S. 20, T. 53 N., R. 10 W., said strips described as follows: From the center line of the beds of the Stewart and the Little Stewart Rivers, extending to the right and to the left looking down stream, to the natural ordinary high water marks of said Stewart and Little Stewart Rivers. Also a strip of land 66 ft. in width lying to the right of said ordinary high water marks of said Rivers and a strip of land 66 ft. in width lying to the left of said ordinary high water marks of said Rivers.

Also easements for ingress and egress by employees and agents of the State for purpose of Fish Management to and from the Stewart and Little Stewart Rivers over and across Gov't. Lot 2, and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of said S. 29 and over and across the S $\frac{1}{2}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said S. 20.”

Page 7, line 10, delete “NW $\frac{1}{4}$ SW $\frac{1}{4}$ ” and insert “NE $\frac{1}{4}$ SE $\frac{1}{4}$ ”

Renumber the subdivisions 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. 2891: A bill for an act relating to the city of Minneapo-

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2638.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 11, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2027.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 12, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2638: A bill for an act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2027: A bill for an act relating to natural resources, wild rice; providing for distinguishing labeling of naturally and commercially grown rice; 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 with the exception of those pertaining to confirmation of appointments. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which were referred the following appointments:

**ENVIRONMENTAL QUALITY COUNCIL CITIZENS
ADVISORY COMMITTEE**

Fred Ewing, 4436 Fourth Avenue South, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Reinert, Garvin, Lyon County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Wesley C. Ohman, 1506 Hamline Avenue North, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

David L. Clark, 829 25th Avenue S.E., Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Subd. 4. When any active member of the association ceases for any cause to be a member of the fire department, his name shall be stricken from the list of active members of the association, and unless his retirement is caused by disability of such character as shall entitle him to a pension under the articles of incorporation or bylaws, or unless he shall subsequently be reinstated pursuant thereto, such retiring member shall thereafter not be entitled to any pecuniary benefit or aid from his membership herein.

Sec. 4. [SOURCES AND ADMINISTRATION OF FUNDS.]
Subdivision 1. Funds of the association shall be derived from the following sources:

- (a) Gifts made for such purposes;
- (b) Money received under the provisions of Minnesota Statutes, Sections 424.01 to 424.31;
- (c) Deductions from each member's salary to be made by the city treasurer, finance commissioner or other fiscal officer in an amount equal to six percent of the monthly salary of a first class fireman. Said sum shall be increased by one half of one percent effective January 1, 1975 and again in identical increments on the first day of January of each year thereafter until such time as the member's contribution equals eight percent of the monthly salary of a first class fireman;
- (d) Moneys now in the firemen's relief association treasury and all interest thereon or gains therefrom.
- (e) Any other income allowed by law.

Subd. 2. Any surplus remaining in these funds at the close of any fiscal year shall continue therein. Notwithstanding the provisions of subdivision 1, clause (d), the balance in the fund may be reduced proportionately as the number of members of the association and pensioners declines below the number of such members and pensioners on July 1, 1974. Any balance remaining in the fund upon the death of the last member of the association or spouse or eligible beneficiary thereof shall be turned over to the city treasury for general purposes.

Subd. 3. The board of trustees shall have exclusive control and management of all funds received by its treasurer under the provisions of Minnesota Statutes, Sections 424.30 and 424.31 and funds derived for the investment of these funds, and such funds when received, shall be kept in a special fund on the books of the secretary and treasurer of the association and never disbursed for any purpose except the following:

- (a) For the relief of sick, injured and disabled members;
- (b) For the payment of pensions to disabled firemen and their widows and orphans of firemen;
- (c) For the payment of pensions to retired firemen pursuant to the laws of the state and the bylaws of the association;
- (d) For the payment of such death or funeral benefits as may be from time to time stipulated in the bylaws of the association;

Page 3, line 19, strike "The"

Page 3, line 20, before "director" insert "Subd. 9. The"

Renumber the subdivisions in sequence

Page 3, line 21, after "utility" insert "petroleum supplier or coal supplier"

Page 5, line 14, strike "director" and insert "secretary"

Page 6, line 17, after the semicolon insert "and"

Page 6, line 21, strike "; and" and insert in lieu thereof a period

Page 6, strike lines 22 and 23

Page 9, line 13, after "the" and before "and" strike "committee" and insert "commission"

Page 9, line 13, after "provide the" strike "committee" and insert "commission"

Page 14, line 18, strike "7" and insert "10"

Page 14, line 28, strike "10" and insert "13"

Page 17, line 23, after "facility." insert "Failure to act within six months after the submission of an application constitutes approval."

Page 19, line 5, strike "a"

Further amend the title as follows:

Page 1, line 13, strike "imposing an"

Page 1, line 14, strike "energy surcharge tax,"

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. 1665: A bill for an act relating to fire and police aid; providing state aid to municipalities contracting with counties for police protection services; amending Minnesota Statutes 1971, Sections 69.011, Subdivisions 2 and 4; and 69.021, Subdivision 7.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2345: A bill for an act relating to education; prescribing tax levies; and authorizing school districts to levy to offset certain real estate tax delinquencies; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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, 1973 Supplement, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, Subdivision 2a, a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation.

(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

honorably discharged from military service and resumes membership in the association, the period that the applicant spends in military service shall be counted in computing the period of service required for benefits under this section. During a period of military service any such person is not considered a member of the association and is not entitled to any service pension, disability benefits, or deferred pensions as provided in clauses (a) and (b) above, unless previously earned. If the member does not return to employment of the fire department within one year from the cessation of war or the termination of the period of the emergency, the provisions of this subdivision shall not apply.

Subd. 3. Every member of the association who was retired on January 1, 1961, and was receiving a service pension on that date, or had attained a deferred pensioner status on that date, and who is eligible to receive a pension thereafter, shall receive a pension each month thereafter during the time he is so eligible to receive a service pension equal to not less than 32 units and not more than 35 units, as determined by a uniform rule established by the board of trustees.

Subd. 4. All members who retire after July 1, 1973 shall be eligible for the same group health insurance coverage as is provided by the city for active fire fighters. If such a retired member requests coverage under the group hospitalization insurance plan for city employees, the firemen's pension fund shall pay the city, on behalf of the retired member, an amount equal to the premium for the same coverage for an active fire fighter. Said premium payment shall be in addition to and not deducted from any other payments for which the individual is eligible from the association. In the event such a retired member is receiving deferred pension, he shall be eligible for such insurance, however, the premiums therefor shall be paid by the retired member until such member reaches the age of 50, at which time he shall become eligible to have said premiums paid by the association as specified above. A retired member shall also be eligible to apply for and receive coverage for his eligible dependents under said group plan, however the cost of such additional insurance shall be paid by the retired member. The benefits provided in this section shall cease when the individual receiving said benefits attains the age of 65.

Sec. 7. [ACTIONS; EXEMPTION FROM PROCESS.] Subdivision 1. No person shall bring an action to recover any benefits provided in sections 5 and 6, unless he shall post a bond in a sufficient amount to defray the cost of the governing board of defending said action. In the event the governing board is sustained the portion of the bond necessary to defray these costs shall be forfeited to the association.

Subd. 2. Any payment made by the association under any provision of this act is exempt from any legal process. No person entitled to any such payment may assign the same. The association shall not recognize any assignment or pay any sum on account thereof.

Sec. 8. [POWERS OF CITY OFFICIALS LIMITED.] Subdivision 1. When the governing board of the firemen's relief associa-

tion determines what is necessary to adequately protect, maintain, and administer the firemen's pension fund created by section 2, subdivision 1, neither the governing body of the city nor any official of the city may thereafter deny adequate representation therefor.

Subd. 2. Any duties performed by any member of such association under any provision of subdivision 1, are deemed to be fire duties.

Sec. 9. [P.E.R.A. MEMBERSHIP.] Subdivision 1. Notwithstanding any provisions of this act or any other general or special law to the contrary, all fire fighters first employed by the city on or after the effective date of this act shall be members of the public employees police and fire fund operated pursuant to Minnesota Statutes, Sections 353.63 to 353.68. Such persons shall not be members of the firemen's relief association and pension fund of the city continued and maintained pursuant to this act nor be subject to any of the laws related thereto.

Sec. 10. [GUIDELINES ACT NOT AFFECTED.] No provision of this act shall be construed as exempting, abridging, repealing, or amending compliance with the provisions of the police and firemen's relief association guidelines act of 1969, as amended, except as herein specifically provided. From and after the effective date of this act, Minnesota Statutes, Sections 424.01 to 424.31 shall not apply to the firemen's relief association of the city of St. Cloud, except as otherwise provided therein.

Sec. 11. This act is effective upon approval by the city council of the city of St. Cloud and upon compliance with Minnesota Statutes, Section 645.021."

Further, delete the title and insert in lieu thereof:

"A bill for an act relating to the city of St. Cloud; contributions and benefits of members of the firemen's relief association."

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. 2582: A bill for an act relating to energy; establishing an intergovernmental agency on energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; imposing an energy surcharge tax; prescribing penalties; and appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

(e) For the payment of all expenses of administering such fund, including the secretary's and treasurer's salaries, and including payments from the fund for the purchase of insurance to cover either the disability or death of a member declaring the special fund as beneficiary and including expenses in connection with the investment and protection of moneys in said fund;

(f) For the payment of premiums for health insurance policies.

Subd. 4. The money received from the various sources shall be kept in two separate and distinct funds, one to be designated as the association special fund and the other as its general fund. All money received from the state, the city of St. Cloud and from all payroll deductions shall be deposited in the special fund, and expended only for purposes hereinafter authorized. All money received from other sources shall be deposited in the general fund and may be expended for any purpose deemed proper by the association.

Sec 5. [FUNERAL AND DEATH BENEFITS.] Subdivision 1. Upon the death of any active member of this association in good standing, there shall be allowed and appropriated out of the special fund of the association a funeral benefit in the amount of \$200.

Subd. 2. Upon satisfactory proof of the death of an active member or permanent pensioner of the association, leaving a widow or a child or children who are entitled to a pension pursuant to the provisions of the articles of incorporation of the association, the board of trustees shall allow a pension to be paid out of the special fund of the association to any widow or to any child under 18 years of age of any member as follows:

(a) When a service pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving a widow who was his legally married wife residing with him, and who was married while or prior to the time he was on the payroll of the fire department, and who, in case the deceased member was a service pensioner or a deferred pensioner, was legally married to the member at least one year before his retirement from the fire department, then to such widow a dependency pension of 18 units per month for her natural life, but, if she remarries, the pension shall cease as of the date of the remarriage.

(b) When a service pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving a child or children who were living while the deceased was on the payroll of the fire department or born within ten months after the deceased was withdrawn from such payroll, then to each such child a dependency pension of six units per month until the child reaches 18 years.

(c) The total dependency pensions payable under paragraphs (a) and (b) above for the widow and children of a deceased member shall not exceed 36 units per month. The pension due to any minor child or children shall be paid to the legal guardian of such child or children.

Subd. 3. Upon the death of any active member, or permanent pensioner, leaving neither wife as beneficiary nor any child entitled to a pension as hereinafter provided, the board of trustees shall pay to the person or persons named as beneficiary in his certificate the sum of \$200 out of the special fund of the association as a funeral benefit. In the event the beneficiary named is not permitted under the articles or bylaws of the association to receive said sum, the board of trustees shall make payment to one of the following people in this order of preference: first, the widow, if any; second, the member's children, if any, in equal shares; third, the parents of the deceased member; and fourth, his brothers and sisters, in equal shares. If the member leaves a minor child or children surviving him, who are entitled to a pension, such child or children shall, upon arriving at the age of 18 years be paid the sum of \$200, mentioned in the benefit certificate, less amounts paid to such child or children as a pension in accordance with the provisions of this section; upon surrender of the certificate. If certificate is lost or illegible an affidavit shall be signed before benefits are granted. No benefit shall be paid out under the provisions of this section except to a child, parent, brother or sister. No payment shall be made pursuant to this section if the making of such payment would reduce the special fund balance below the sum of \$1,000.

Sec. 6. [BENEFITS.] Subdivision 1. Whenever any active member not eligible for a service pension from the association, in good standing, becomes incapacitated from performing his duties as an active fireman in the fire department, by reason of illness or bodily injuries, provided that the condition causing such disability did not result from an attempted suicide or otherwise due to intentional self-inflicted injuries, the member shall then be entitled to relief in the amount of 36 units paid monthly from the time the member is dropped from the payroll upon the expiration of his leave of absence with pay, provided that the member complies with the bylaws of the association governing such disability benefits.

Subd. 2. (a) Any member of the age of 50 years or more who performs the duties as a member of the fire department of the city for 20 years or more, upon his written application after retiring from such duties shall be paid monthly during his lifetime a pension equal to 35 units plus one additional unit for each year of service in excess of 20 years, not to exceed a maximum of 42 units.

(b) Any member who performs duty as a member of the fire department of the city for 20 years or more who retires from such duty before he attains the age of 50 years, upon his written application after reaching 50 years of age shall be paid monthly during his lifetime a pension equal to 35 units plus one additional unit for each year of such service in excess of 20 years, but not to exceed a maximum of 42 units. In the case of an applicant for a pension pursuant to clauses (a) and (b) above, who, following admission to membership in the association, has served in the military forces of the United States in any war or national emergency subsequent to January 1, 1940, and thereafter is

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 mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by those laws, as amended.

(7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) In 1973, and each year thereafter, for a district which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of mills not to exceed the number of mills necessary in 1973 to raise \$1 per capita in 1973 for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.

The population of the district for purposes of this clause is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

(9) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors any errors made in 1971 and 1972 in general and special purpose levy amounts. The county auditor is authorized to adjust the 1973 levy to correct for the errors.

(11) *Any district whose total tax receipts, including homestead credit and delinquent tax receipts for any prior year, collected by the county auditor during the preceding year are less than 95 percent of the amount of the district levy spread by the county auditor for that year as a result of delinquent real estate taxes occurring in that year may make an additional levy equal to the amount by which such net receipts are less than 95 percent of the spread levy which produced such delinquency. The county treasurer shall certify to each district authorized to make such additional levy the amount of the delinquent real estate taxes which resulted from the district levy collected during the preceding year and the same shall be submitted by any district making the additional levy to the commissioner of education and the commissioner of taxation as provided in Minnesota Statutes, Section 275.125, Subdivision 7.*

Any district which makes the additional levy authorized by this clause shall deduct one-third of the amount of such additional levy from the levy spread by the county auditor in each of the succeeding three years.

Any district which makes such an additional levy is authorized to make the levy permitted by this clause in any subsequent year provided that the 95 percent factor shall apply to the amount of

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3003: A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

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 referred

S. F. No. 3004: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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 referred

S. F. No. 2952: A bill for an act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobile on the streets and highways between certain dates without payment of the motor vehicle registration tax.

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 referred

S. F. No. 3017: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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 referred

S. F. No. 3030: A bill for an act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during certain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3032: A bill for an act authorizing the annexation of certain state owned land by the city of Breckenridge.

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

S. F. No. 2977: A bill for an act relating to the city of Minneapolis; authorizing housing and rehabilitation loan and grant program; providing for the issuance of general obligation bonds.

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.] The legislature of the state of Minnesota finds that preservation of the quality of life in a major metropolitan city is dependent upon the preservation of adequate housing, that many houses in the city of Minneapolis do not meet the applicable housing code, that there is a need for a comprehensive housing rehabilitation program in the city of Minneapolis which will complement any statewide housing rehabilitation program, that some home owners are unable to afford any rehabilitation expenses, that many home owners are unable to afford housing rehabilitation loans at market rate of interest, and that because the availability of mortgage credit for housing rehabilitation is limited some home owners cannot obtain such credit.

Sec. 2. [CITY OF MINNEAPOLIS; HOUSING REHABILITATION LOAN PROGRAM.] The city of Minneapolis is authorized to develop and administer a housing rehabilitation loan program with respect to property located anywhere within its boundaries on such terms and conditions as it determines; provided that in approving applications for this program, the following factors shall be considered:

(1) The availability of other governmental programs affordable by the applicant,

(2) The availability and affordability of private market financing,

(3) Whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated,

(4) Whether the housing is required, pursuant to a court order issued under Minnesota Statutes, 1973 Supplement, Section 566.25, clauses (b), (c), and (e), to be repaired, improved, or rehabilitated,

(5) Whether the housing has been determined to be uninsur-

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2823: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; providing for adjustments in cost, benefits and contributions; amending Laws 1973, Chapter 133, Sections 8, Subdivision 2, as amended; 10, Subdivision 1; and 15, Subdivision 1, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 713: A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 21, after "day" reinstate the stricken language

Page 2, line 22, reinstate "meetings of the council"

Page 2, line 25, strike "*or part thereof necessarily spent in the discharge of his duties*"

Page 2, line 27, strike "*of days*" and after "12" strike "*days*"

Page 4, line 2, after the period, strike the remainder of the line and insert in lieu thereof: "*The director shall have the authority to make wage determinations applicable to the graduated schedule of wages and journeyman wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeymen that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.*"

Page 4, strike line 3

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. 2571: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes 1971, Section 169.86, Subdivision 1, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 10 through 12 and insert the following:

“Section 1. Minnesota Statutes, 1973 Supplement, Section 169.86, Subdivision 1, is amended to read:”

Page 2, line 4, after “*telephone*” insert a period and strike the rest of the line.

Page 2, strike lines 5 through 9 and insert: “*If the statement is obtained by telephone, the permit shall contain the date and time of the telephone call and the names of the persons in the auditor’s office and treasurer’s office who verified that all personal and real property taxes had been paid.*”

Further amend the title in line 7, strike “1971” and insert “, 1973 Supplement”

Line 8, strike “, as amended”

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. 3029: A bill for an act relating to highways; state-aid system of highways; research accounts set aside from the county state-aid highway fund and municipal state-aid street fund; purposes; amending Minnesota Statutes 1971, Sections 162.06, Subdivision 4; and 162.12, 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. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2393: A bill for an act relating to highway traffic regulations; vehicle lighting; time of display of lighted lamps; amending Minnesota Statutes 1971, Section 169.48.

Reports the same back with the recommendation that the bill do pass. Report adopted.

the district levy spread by the county auditor exclusive of additions to or deductions from spread levies authorized by this clause.

The additions and deductions authorized by this section shall not be adjusted by the county auditor in spreading the levy.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 275.51, is amended by adding a subdivision to read:

Subd. 5. Any governmental subdivision whose total tax receipts, including homestead credit and delinquent tax receipts for any prior year, collected by the county auditor during the preceding year are less than 95 percent of the amount of the governmental subdivision's levy spread by the county auditor for that year as a result of delinquent real estate taxes occurring in that year may make an additional levy equal to the amount by which such net receipts are less than 95 percent of the spread levy which produced such delinquency. The county treasurer shall certify to each governmental subdivision authorized to make such additional levy the amount of the delinquent real estate taxes which resulted from the governmental subdivision's levy collected during the preceding year and the same shall be submitted by any governmental subdivision making the additional levy to the commissioner of taxation.

Any governmental subdivision which makes the additional levy authorized by this clause shall deduct one-third of the amount of such additional levy from the levy spread by the county auditor in each of the succeeding three years.

Any governmental subdivision which makes such an additional levy is authorized to make the levy permitted by this subdivision in any subsequent year provided that the 95 percent factor shall apply to the amount of the governmental subdivision's levy spread by the county auditor.

Sec. 3. This act is effective for taxable years commencing after December 31, 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 education; prescribing tax levies; and authorizing school districts to levy to offset certain real estate tax delinquencies; amending Minnesota Statutes, 1973 Supplement, Sections 275.125, Subdivision 3, and 275.51, by adding a subdivision."

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. 2939: A bill for an act relating to taxation; providing an income tax credit for persons with small incomes; amending Minnesota Statutes 1971, Section 290.06, Subdivision 2c, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, strike "workmen's compensation"

Page 2, line 15, strike "2b" and insert "2c"

Page 3, line 12, strike "There may be only one claimant for each household."

Page 3, line 21, strike "1971" and insert "1973"

Page 4, line 9, reinstate the stricken language and strike "fifteen"

Page 4, line 10, reinstate the stricken language and strike "sixteen"

Page 4, line 22, strike "1974" and insert "1973"

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. 2676: A bill for an act relating to agriculture; abolishing certain agricultural statistical and informational returns; repealing Minnesota Statutes 1971, Section 17.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 9, add the following:

"Sec. 2. This act is effective July 1, 1975."

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. 2921: A bill for an act relating to the city of Minneapolis; retirement; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivisions 1, 3, 5 as amended, 6, and by adding a subdivision; 9, Subdivision 2 as amended, and 3; 11, Subdivision 1; 12, Subdivision 2; 16, Subdivisions 1, and 8; 18, Subdivision 1; and 23, Subdivision 1; repealing Laws 1973, Chapter 133, Section 25.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2892: A bill for an act relating to the city of Minneapolis; retirement; survivors benefits for dependents of city employees; amending Laws 1973, Chapter 133, Section 23, Subdivisions 2, 3, and 9.

able because of physical hazards after inspection pursuant to a statewide property insurance plan approved by the United States Department of Housing and Urban Development under title XII of the National Housing Act; and further provided that all loans and grants shall be issued primarily for rehabilitating housing so that it meets applicable housing codes.

Sec. 3. [CITY OF MINNEAPOLIS; HOUSING REHABILITATION GRANT PROGRAM.] The city of Minneapolis is authorized to develop and administer a housing rehabilitation grant program with respect to property within its boundaries, on such terms and conditions as it determines; provided that in approving applications for this program, all of the considerations and limitations enumerated in section 2 for loans must be considered in making grants under this program, and the following factors must also be considered:

(1) Whether the housing unit is a single family dwelling or homesteaded unit and

(2) Whether the applicant is a person of low income; and further provided that the city council of the city of Minneapolis shall by ordinance set forth the regulations for this grant program; and further provided that the dollar value of grants made shall not exceed five percent of the total value of the bonds issued for the loan and grant program together.

Sec. 4. [ISSUANCE OF BONDS.] To finance the programs authorized in sections 2 and 3 of this act, the governing body of the city of Minneapolis may by resolution authorize, issue, and sell general obligation bonds of the city of Minneapolis in accordance with the provisions of Minnesota Statutes, Chapter 475. The total amount of all bonds outstanding for the programs shall not exceed \$10,000,000. The amount of all bonds issued shall be included in the net indebtedness of the city for the purpose of any charter or statutory debt limitation.

Sec. 5. This act takes effect when approved by a majority of the city council of the city of Minneapolis, and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Line 5, after "of" insert "limited"

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. 2889: A bill for an act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.

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. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 19, strike "administration" and insert "personnel"

Page 3, line 28, after "administration" strike the remainder of the line and insert the following:

"may survey such lands, and if the value thereof is estimated to be \$5000 or less, may have such lands appraised. He shall have the lands appraised if the estimated value is in excess of \$5000. The appraisal shall be made"

Page 3, strike line 29

Page 3, line 30, strike "appraisal necessary,"

Page 4, line 10, strike "public examiner" and insert "legislative auditor"

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 the following appointment:

LEVY LIMITATION REVIEW BOARD

William R. Tysseling, 2632 Bittersweet Lane, North St. Paul, Ramsey County, appointed effective August 15, 1973, for a term expiring February 15, 1975.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Perpich, A. J. moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

Lines 8 and 9, strike “; and 124.17, Subdivision 2”

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

S. F. No. 3016: A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after “*limitation*” insert “, *except the limitation imposed in Minnesota Statutes, Sections 275.50 to 275.59,*”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 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.

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 253A.08, Subdivision 2, is amended to read:

Subd. 2. Any person, when admitted to an institution of the veterans administration or other federal agency within or without this state, shall be subject to the rules and regulations of the veterans administration or other federal agency, *except that nothing in this section shall deprive any such person of rights secured to patients of state mental hospitals by Section 253A.16.*”

Amend the title as follows:

Page 1, line 3, strike “requiring review of” and insert “securing equal rights of administrative review for patients in federal hospitals;”

Page 1, strike lines 4 to 7 and insert “amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2948: A bill for an act relating to the department of corrections; parole and probation; amending Minnesota Statutes, 1973 Supplement, Sections 241.045, Subdivision 7; and 242.10; repealing Minnesota Statutes 1971, Section 242.03, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 27 to 31

Page 2, strike lines 1 to 4 and insert:

“(2) The chairman of the Minnesota corrections authority may, with the approval of the commissioner of the department of corrections, appoint an officer of the department of corrections as deputy chairman to sit as a voting member of the authority at any regularly scheduled hearing and to perform such administrative and ministerial duties as may be assigned him by the chairman. Provided, however, that the deputy chairman shall not sit on the same unit with the chairman of the authority.”

Page 3, after line 1, insert:

“Sec. 3, Minnesota Statutes, 1973 Supplement, Section 241.045, Subdivision 6, is amended to read:

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.”

Renumber subsequent sections.

Page 3, line 2, strike “1971” and insert “, 1973 Supplement”

Page 3, line 2, strike “as” and insert “is amended to read:”

Page 3, strike lines 3 and 4 and insert

“242.03 [POLICY.] ~~The chairman of the Minnesota corrections authority shall be responsible~~ *may make advisory recommendations to the commissioner of corrections* for the development of the policy pertaining to the care, treatment, and disposition of persons committed to the authority.”

Further amend the title as follows:

Page 1, line 6, strike “Subdivision” and insert “Subdivisions 6 and”

Page 1, line 6, after “7;” insert “242.03;”

Page 1, line 6, after “242.10” strike the semicolon and insert a period

Page 1, line 6, strike “repealing”

S. F. No. 2805: A bill for an act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, Section 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "*and*" insert "*public utilities*"

Page 1, line 15, after "Silver Bay" strike "." and insert "*exclusive of scheduled council and commission meetings.*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2586: A bill for an act relating to Clay county; authorizing expenditure of federal revenue sharing funds for certain purposes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, after "departments" strike "." and insert "or other community projects. These grants may terminate upon expiration of said federal act."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which were referred the following appointments:

STATE BOARD OF EDUCATION

Henry Tweten, East Grand Forks, Polk County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

Dorothea Chelgren, 89 West Hawthorne Avenue, St. Paul, Ramsey County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

STATE BOARD OF COMMUNITY COLLEGES

Douglas Alan Bruce, 2108 Laurel Avenue West, Minneapolis, Hennepin County, appointed effective July 1, 1973, for a term expiring July 1, 1980.

Reports the same back with the recommendation that the appointments be confirmed. Report adopted.

Mr. Hughes moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3065: A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2128: A bill for an act relating to education; providing school bus transportation for pupils in shared time programs, and to non-public schools in adjacent districts; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 3; 123.78, by adding a subdivision; and 124.17, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, strike all of Section 1

Renumber Section 2 as Section 1

Page 2, line 21, after "DISTRICT.]" insert "(a)"

Page 2, line 22, after "*transportation*" insert "*to the district boundary*"

Page 2, line 23, strike "to" and insert "*and attending*"

Page 2, line 24, strike "*or to the district boundary on*" and insert "*, whether or not there is another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the district or if the attendance of such children at school can more safely, economically, or conveniently be provided for by such means*"

Page 2, line 25, strike "*the bus route*"

Page 2, line 25, after the period insert

"(b) The school board of any local district may provide school bus transportation to a nonpublic school in an adjacent contiguous district for school children residing in the district and attending that school, whether or not there is another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the district or if the attendance of such children at school can more safely, economically, or conveniently be provided for by such means."

Pages 3 and 4, strike all of Section 3

Further, amend the title as follows:

Lines 3 and 4, strike "in shared time programs, and"

Line 6, strike "Sections" and insert "Section"

Line 7, strike "120.10, Subdivision 3;"

S. F. No. 967: A bill for an act relating to taxation; reducing the tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, strike "1974" and insert "1975"

Page 1, line 23, strike "1975" and insert "1976"

Page 1, line 24, strike "1976" and insert "1977"

Page 1, line 24, after "*pound in*" strike "1977" and insert "1978"

Page 1, line 24, after "*and in*" strike "1978" and insert "1979"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

H. F. No. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "1971" and insert ", 1973 Supplement"

Page 1, line 4, after "subdivisions" insert "or from any other state or its political or governmental subdivisions"

Page 1, line 8, strike "1973" and insert "1974"

Further, amend the title as follows:

On the second line, strike "1971" and insert ", 1973 Supplement"

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

S. F. No. 2950: A bill for an act relating to the Dover, Eyota and St. Charles sanitary district; extending the time for payment of certain state money; amending Laws 1973, Chapter 595, Sections 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. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3002: A bill for an act relating to Lake county; consolidating the offices of treasurer and auditor.

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. 2150: A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

Reports the same back with the recommendation that the bill be amended as follows:

Amend the title as follows:

Line 2, strike "athletic" and insert "boxing"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2970: A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Sections 205.041, and 465.57.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, strike lines 13 through 17

Page 7, line 8, after "~~treasurer,~~" insert "constable"

Page 7, line 10, after "~~clerk~~" insert "; constable"

Page 13, lines 27 and 28, reinstate the stricken language and strike the new language.

Page 14, line 28, strike "Sections" and insert "Section" and strike ", and 465.57, are repealed" and insert "is repealed"

Further, amend the title as follows:

Page 1, line 17, strike "Sections" and insert "Section" and strike "; and" and insert a period.

Page 1, strike line 18

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

Page 1, strike lines 7 and 8

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. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, strike lines 2 through 16 and insert:

"Subd. 2. [PROHIBITED ACTIVITIES.] It is unlawful to restrain or interfere with a person with regard to the exercise of any of his rights under the workmen's compensation law. It is unlawful to discharge or otherwise penalize or discriminate against an employee who has exercised any right authorized by the provisions of the workmen's compensation law.

Subd. 3. [CIVIL ACTION.] Any person who has been aggrieved by a violation of subdivision 2 may within one year of the violation bring an action for treble damages and equitable relief in the district court in the county in which the violation occurred or in a county in which the defendant resides or transacts business. A showing by the plaintiff that he has been discharged or otherwise penalized or discriminated against after having exercised any of his rights under the workmen's compensation law shall create a presumption that he has been aggrieved by a violation of subdivision 2. This presumption may be rebutted only by clear and convincing evidence to the contrary. Upon a finding for the plaintiff, the court shall grant appropriate equitable relief, and award an amount equal to three times the amount of the damages sustained together with costs and disbursements including reasonable attorneys fees."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2731: A bill for an act relating to employment services; unemployment compensation; benefits; excluding from the term "employment" services performed by certain employees and appointees of political subdivisions; amending Minnesota Statutes, 1973 Supplement, Section 268.04, Subdivision 12.

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 referred

S. F. No. 2379: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "village, borough,"

Page 1, line 15, strike "effective"

Page 1, lines 17 and 18, strike "are given the force and effect of law" and insert in lieu thereof: "shall become effective"

Page 2, line 1, strike "effective"

Page 2, lines 3 and 4, strike "are given the force and effect of law" and insert in lieu thereof: "shall become effective"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

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. 2638 and 2027 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. 2638 to the Committee on Labor and Commerce.

H. F. No. 2027 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. 2822 and 2856 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.
2822	2681	2856	2733		

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 appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 82nd day, reports the same back with the recommendation that said appointments be re-referred to the Committee on Governmental Operations.

STATE BOARD OF ELECTRICITY

Walter Passe, Wabasha, Wabasha County, appointed effective January 1, 1974, for a term expiring January 1, 1979.

Allan A. Hill, Bean & Hill, Professional Engineers, 2002 London Road, Duluth, St. Louis County, appointed effective January 1, 1974, for a term expiring January 1, 1979. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 83rd day, reports the same back with the recommendation that said appointments be re-referred to the standing committees of the Senate as follows:

CITIZENS ADVISORY COMMITTEE TO THE ENVIRONMENTAL QUALITY COUNCIL

Lyman L. Huntley, 803 2nd Avenue N. W., Grand Rapids, Itasca County, appointed effective January 28, 1974, for a term expiring December 31, 1974; to the Committee on Natural Resources and Agriculture.

STATE BOARD OF HEALTH

Roberta Williamson, 2021 Bluestone Lane, Eagan, Dakota County, appointed effective February 6, 1974, for a term expiring January 1, 1978.

Dr. Maurice McCollar, 3563 White Bear Avenue, White Bear Lake, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1978; to the Committee on Health, Welfare and Corrections. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2944, 2631, 2860, 3054, 2264, 2891, 3006, 2638, 1679, 2582, 2345, 2939, 2676, 2921, 2892, 2823, 2571, 3029, 2393, 3003, 3004, 2952, 3017, 3030, 3032, 2977, 967, 2950, 3002, 2970, 2805, 2586, 2128, 3016, 2449, 2948, 2731 and 2379 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 713, 2889, 2043, 995, 2150, 2822 and 2856 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Olhoft moved that S. F. No. 2954 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Mr. Kleinbaum moved that S. F. No. 2981 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Milton moved that S. F. No. 2161 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 2388 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Lord moved that S. F. No. 2415 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Borden moved that S. F. No. 2301 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that S. F. No. 2439 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that H. F. No. 1907 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that the name of Mr. Tennesen be added as chief author and the name of Mr. Gearty be stricken as chief author to S. F. No. 1339. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 3141. The motion prevailed.

Mr. Ashbach moved that the name of Mr. Hughes be added as co-author to S. F. No. 3134. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 1856 be withdrawn

from the Committee on Labor and Commerce and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Milton moved that S. F. No. 3165 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Olhoft moved that S. F. No. 2976 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Novak moved that S. F. No. 3205 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Coleman moved that his name be stricken and the name of Mr. North be added as chief author to S. F. No. 2427. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2136: A bill for an act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

Was read the third time 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	Davies	Knutson	North	Sillers
Arnold	Doty	Kowalczyk	Novak	Solon
Ashbach	Dunn	Krieger	Ogdahl	Spear
Bang	Gearty	Larson	Olhoft	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, A. G.	Stokowski
Blatz	Hansen, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Kirchner	Moe	Renneke	Willett
Conzemius	Kleinbaum	Nelson	Schaaf	

Those who voted in the negative were:

Berg	Hansen, Baldy	Olson, H. D.	Purfeerst	Schrom
Fitzsimons	Josefson	Olson, J. L.		

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

H. F. No. 2735: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

Was read the third time 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	Knutson	Ogdahl	Schrom
Arnold	Fitzsimons	Kowalczyk	Olhoff	Sillers
Ashbach	Gearty	Krieger	Olson, A. G.	Solon
Bang	Hansen, Baldy	Larson	Olson, H. D.	Spear
Berg	Hansen, Mel	Laufenburger	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Lewis	O'Neill	Stokowski
Blatz	Hughes	Lord	Patton	Tennessee
Borden	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Brown	Jensen	Milton	Pillsbury	Ueland
Chmielewski	Josefson	Nelson	Purfeerst	Wegener
Conzemius	Kirchner	North	Renneke	Willet
Doty	Kleinbaum	Novak	Schaaf	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2902: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Ogdahl	Sillers
Arnold	Dunn	Kowalczyk	Olhoff	Solon
Ashbach	Fitzsimons	Krieger	Olson, A. G.	Spear
Bang	Gearty	Larson	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lewis	O'Neill	Tennessee
Blatz	Hanson, R.	Lord	Patton	Thorup
Borden	Hughes	McCutcheon	Perpich, A. J.	Ueland
Brown	Humphrey	Milton	Pillsbury	Wegener
Chmielewski	Jensen	Moe	Purfeerst	Willet
Coleman	Josefson	Nelson	Renneke	
Conzemius	Kirchner	North	Schaaf	
Davies	Kleinbaum	Novak	Schram	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Sillers in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Sillers reported that the committee had considered S. F. No. 2644, which the committee recommends to pass.

S. F. No. 2447, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 3, line 8, strike "may" and insert in lieu thereof "shall"

Page 3, line 11, strike "and only one" and insert in lieu thereof "or more"

Page 3, line 12, strike "supervisor" and insert in lieu thereof "supervisors"

H. F. No. 636, which the committee recommends to pass with the following amendments offered by Messrs. North and Brown:

Mr. North moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 18, line 14, after "reviewed by the council." insert "The regulations shall take effect on July 1, 1975."

Mr. Brown moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 2, line 12, after "including" insert "only"

Mr. Hansen, Mel moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 4, line 12, after the period, insert "No more than five of these members shall be from any one political party."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	Patton	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Hanson, R.	Larson	Renneke	
Brown	Jensen	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Davies	Kirchner	Moe	Schaaf
Arnold	Doty	Kleinbaum	Novak	Schrom
Borden	Gearty	Laufenburger	Olhoff	Spear
Chenoweth	Hansen, Baldy	Lewis	Olson, A. G.	Stokowski
Coleman	Hughes	Lord	Perpich, A. J.	Thorup
Conzemius	Humphrey	Milton	Purfeerst	Wegener

The motion did not prevail. So the amendment was not adopted.

Mr. Knutson moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 19, strike lines 25 to 28

Re-number the clauses in sequence

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	Fitzsimons	Josefson	Nelson	Renneke
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Sillers
Blatz	Hansen, R.	Kowalczyk	Patton	Stassen
Brown	Jensen	Larson	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	North	Schaaf
Arnold	Doty	Laufenburger	Novak	Schroon
Borden	Dunn	Lewis	Ogdahl	Spear
Chenoweth	Hansen, Baldy	Lord	Olhoft	Stokowski
Chmielewski	Hughes	McCutcheon	Olson, A. G.	Wegener
Coleman	Humphrey	Milton	O'Neill	Willet
Conzemius	Kirchner	Moe	Purfeerst	

The motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 4, line 12, after "senate." insert:

"The governor shall appoint each member from a list of five nominees submitted by the members of the senate and house of representatives representing the precinct."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Conzemius	Jensen	Nelson	Pillsbury
Berg	Dunn	Josefson	Ogdahl	Renneke
Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Brown	Hanson, R.	Larson	Patton	

Those who voted in the negative were:

Arnold	Doty	Lewis	Olhoft	Solon
Borden	Gearty	Lord	Olson, H. D.	Spear
Chenoweth	Hansen, Baldy	Milton	Purfeerst	Stokowski
Chmielewski	Hughes	Moe	Schaaf	Thorup
Coleman	Humphrey	North	Schrom	Wegener
Davies	Laufenburger	Novak	Sillers	

The motion did not prevail. So the amendment was not adopted.

Mr. Renneke moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 5, line 21, after "office." insert:

"The governor shall give consideration to the appointment of members of the governing bodies of municipalities and counties to the commissions."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 26, as follows:

Those who voted in the affirmative were:

Berg	Conzemius	Josefson	Lord	Pillsbury
Bernhagen	Dunn	Kirchner	Nelson	Renneke
Blatz	Hansen, Mel	Knutson	Olson, H. D.	Sillers
Brown	Hanson, R.	Kowalczyk	Olson, J. L.	Stassen
Chmielewski	Jensen	Larson	Patton	Ueland

Those who voted in the negative were:

Arnold	Humphrey	Moe	O'Neill	Spear
Chenoweth	Kleinbaum	North	Perpich, A. J.	Stokowski
Coleman	Laufenburger	Novak	Purfeerst	
Davies	Lewis	Ogdahl	Schaaf	
Gearty	McCutcheon	Olhoft	Schrom	
Hughes	Milton	Olson, A. G.	Solon	

The motion did not prevail. So the amendment was not adopted.

RECESS

Mr. Coleman moved that the committee do now recess until 1:00 o'clock p.m. The motion prevailed.

The hour of 1:00 o'clock p.m. having arrived, the Chairman called the committee to order.

S. F. No. 498, which the committee recommends to pass with the following amendments offered by Messrs. Thorup and Lewis:

Mr. Thorup moved to amend S. F. No. 498, as follows:

Page 2, line 13, strike "by means of a surgical procedure involving the" and insert "after the first trimester"

Page 2, line 14, strike "use of any instrument"

Page 2, line 21, strike "non compos mentis except if necessary to" and insert "unconscious except if the woman has been rendered unconscious for the purpose of having an abortion or if the abortion is necessary to save the life of the woman."

Page 2, strike lines 22 and 23

Mr. Lewis moved to amend S. F. No. 498 as follows:

Page 2, line 7, after "to" insert "wilfully"

Mr. Conzemius moved that S. F. No. 498 be stricken from General Orders and re-referred to the Committee on Judiciary.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 13 and nays 47, as follows:

Those who voted in the affirmative were:

Ashbach	Humphrey	North	Perpich, G.	Spear
Bang	Lewis	Ogdahl	Pillsbury	
Conzemius	Nelson	Perpich, A. J.	Schaaf	

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Stassen
Arnold	Dunn	Knutson	Olson, H. D.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Tennessen
Bernhagen	Gearty	Larson	O'Neill	Thorup
Blatz	Hansen, Baldy	Lord	Patton	Ueland
Borden	Hansen, Mel	McCutcheon	Purfeerst	Wegener
Brown	Hanson, R.	Milton	Renneke	Willet
Chenoweth	Hughes	Moe	Schrom	
Chmielewski	Jensen	Novak	Sillers	
Coleman	Kirchner	Olhoft	Solon	

The motion did not prevail.

The question being taken on the committee recommendation to pass S. F. No. 498,

And the roll being called, there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoft	Stassen
Arnold	Dunn	Knutson	Olson, A. G.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Tennessen
Bernhagen	Gearty	Larson	Olson, J. L.	Thorup
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Ueland
Borden	Hansen, Mel	Lord	Patton	Wegener
Brown	Hanson, R.	McCutcheon	Purfeerst	Willet
Chenoweth	Hughes	Milton	Renneke	
Chmielewski	Humphrey	Moe	Schrom	
Coleman	Jensen	Nelson	Sillers	
Conzemius	Josefson	Novak	Solon	

Those who voted in the negative were:

Lewis	Ogdahl	Pillsbury	Schaaf	Spear
North				

So the committee recommended S. F. No. 498 to pass.

And then, on motion of Mr. Sillers, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

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.

Jean Zak, Clerk Typist II, effective February 18, 1974.

Rev. Reuben Groehler, Chaplain, effective February 4, 1974.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. Nos. 1829 and 2652, S. F. Nos. 2718, 2537, 2600, 2605, 2398, and 2822. The motion prevailed.

Mr. Doty moved that S. F. No. 3184 be withdrawn from the Committee on Rules and Administration and returned to its author. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, February 18, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTY-SIXTH DAY

St. Paul, Minnesota, Thursday, February 14, 1974.

The House of Representatives met on Thursday, February 14, 1974, which was the Eighty-Sixth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

EIGHTY-SEVENTH DAY

St. Paul, Minnesota, Friday, February 15, 1974.

The House of Representatives met on Friday, February 15, 1974, which was the Eighty-Seventh Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

EIGHTY-EIGHTH DAY

St. Paul, Minnesota, Monday, February 18, 1974.

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:

Anderson	Dunn	Krieger	Olson, J. L.	Stokowski
Arnold	Fitzsimons	Laufenburger	O'Neill	Tennessee
Ashbach	Frederick	Lewis	Patton	Thorup
Bang	Gearty	McCutcheon	Perpich, A. J.	Ueland
Bernhagen	Hansen, Baldy	Moe	Renneke	Wegener
Borden	Hansen, Mel	North	Schaaf	Willet
Coleman	Hanson, R.	Novak	Sillers	
Conzemius	Keefe, S.	Olhoft	Spear	
Davies	Kowalczyk	Olson, A. G.	Stassen	

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.	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Doty was excused from the Session of today. Mr. Perpich, G. was excused from the Session of today until 12:00 o'clock noon. Mr. Kirchner was excused from the Session of today until 4:00

o'clock p.m. Messrs. Brown and Josefson were excused from the Session of today, beginning at 12:00 o'clock noon.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 14, 1974

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. 1310, An Act relating to taxation; assessment of personal property of electric light and power companies; amending Minnesota Statutes 1971, Section 273.38.

S. F. No. 1522, An Act relating to elections; providing for financial disclosures by candidates for Congress; amending Minnesota Statutes 1971, Section 211.20, by adding a subdivision.

S. F. No. 2704, An Act relating to bureau of health personnel of the city of St. Paul; amending Laws 1973, Chapter 767, Section 3, Subdivision 3.

Sincerely,
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	285	42	February 13, 1974	February 14, 1974
	484	43	February 13, 1974	February 14, 1974
	1566	44	February 13, 1974	February 14, 1974
	1577	45	February 13, 1974	February 14, 1974
	1939	46	February 13, 1974	February 14, 1974
1310		47	February 13, 1974	February 14, 1974
1522		48	February 13, 1974	February 14, 1974
2704		49	February 13, 1974	February 14, 1974

Sincerely,
Arlen Erdahl,
Secretary of State

INTRODUCTION OF BILLS

Messrs. Coleman, Kirchner and Moe introduced—

S. F. No. 3208: A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; and 245A.18, Subdivision 2.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Doty, O'Neill and Milton introduced—

S. F. No. 3209: A bill for an act relating to labor; prohibiting various subterfuges by employers to obtain employee's consent to a polygraph test; amending Minnesota Statutes, 1973 Supplement, Section 181.75.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Pillsbury introduced—

S. F. No. 3210: A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Dunn and Hughes introduced—

S. F. No. 3211: A bill for an act relating to school districts; elections; providing for primary elections in certain cases; providing procedures therefor; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 4 and 8, and by adding a subdivision.

Which was read the first time and referred to the Committee on Education.

Mr. Keefe, S. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Arnold, Willet and Olson, A. G. introduced—

S. F. No. 3212: A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Arnold introduced—

S. F. No. 3213: A bill for an act relating to the distribution of

taxes accruing to the statutory city of Cooley under Minnesota Statutes, Sections 298.24 and 298.32.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Humphrey and Stokowski introduced—

S. F. No. 3214: A bill for an act relating to department of human rights; unfair discriminatory practices; insurance; prohibiting certain premium increases for persons with a disability that has stabilized; amending Minnesota Statutes, 1973 Supplement, Section 363.03, by adding a subdivision.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Bernhagen, Willet and Larson introduced—

S. F. No. 3215: A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Doty, Stokowski and Solon introduced—

S. F. No. 3216: A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Renneke, Purfeerst and Olson, H. D. introduced—

S. F. No. 3217: A bill for an act relating to court commissioners; altering the circumstances in which fees are allowed; amending Minnesota Statutes 1971, Section 357.28, Subdivision 1.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Renneke, Purfeerst and Olson, H. D. introduced—

S. F. No. 3218: A bill for an act relating to towns, local improvements, special assessments, amending Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Milton, Kirchner and Lewis introduced—

S. F. No. 3219: A bill for an act relating to health; establishing a health care disclosure authority with the commissioner of public welfare; prescribing powers and duties; providing penalties; appropriating money.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Perpich, A. J.; Olhoft and Hanson, R. introduced—

S. F. No. 3220: A bill for an act relating to waters and watercraft safety; boat licenses; providing for a non-use license category; amending Minnesota Statutes 1971, Section 361.03, Subdivision 3.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Chenoweth; Hansen, Mel and Stokowski introduced—

S. F. No. 3221: A bill for an act relating to retirement; the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; and 352.93, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Humphrey and Olson, H. D. introduced—

S. F. No. 3222: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.-20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3 and 4; and 462A.22, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Kleinbaum and Ueland introduced—

S. F. No. 3223: A bill for an act relating to education; state

aids for special education; removing the maximum salary aid limits for essential personnel; amending Minnesota Statutes, 1973 Supplement, Section 124.32, Subdivision 1.

Which was read the first time and referred to the Committee on Education.

Mr. Solon introduced—

S. F. No. 3224: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Schaaf, McCutcheon and Coleman introduced—

S. F. No. 3225: A bill for an act relating to elections; providing for the rotation of party candidates; amending Minnesota Statutes 1971, Section 203.33, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 2.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Nelson; Olson, H. D. and Milton introduced—

S. F. No. 3226: A bill for an act relating to loans to medical and osteopathy students who agree to practice in rural communities; establishing amount of loans; providing for assessment of need in making loans; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; and 147.33.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Nelson, Laufenburger and Perpich, A. J. introduced—

S. F. No. 3227: A bill for an act relating to mileage allowances and expenses; amount for public officials and deductibility for income tax purposes; amending Minnesota Statutes, 1973 Supplement, Section 15A.20, Subdivision 1; and Minnesota Statutes 1971, Section 357.09, Subdivision 2.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Ashbach and Milton introduced—

S. F. No. 3228: A bill for an act relating to retirement; state employees benefits upon retirement; amending Minnesota Statutes 1971, Section 352.28, by adding a subdivision.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Dunn, Conzemius and Brown introduced—

S. F. No. 3229: A bill for an act relating to welfare; general assistance; defining county of financial responsibility; amending Minnesota Statutes, 1973 Supplement, Section 245A.18, Subdivision 2.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Nelson, Lewis and Milton introduced—

S. F. No. 3230: A bill for an act relating to special assessments against governmental units; amending Minnesota Statutes 1971, Section 435.19, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Moe introduced—

S. F. No. 3231: A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Conzemius, Stassen and Olson, A. G. introduced—

S. F. No. 3232: A bill for an act relating to education; transportation levies; permitting levies for excess costs due to atypical attendance plans; amending Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3.

Which was read the first time and referred to the Committee on Education.

Messrs. Conzemius, O'Neill and Lewis introduced—

S. F. No. 3233: A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Conzemius, O'Neill and Lewis introduced—

S. F. No. 3234: A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Conzemius, Bernhagen and Willet introduced—

S. F. No. 3235: A bill for an act relating to towns; requiring a city to obtain the approval of the governing body of a town before extending certain municipal services into the area governed by the town.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Conzemius and Lewis introduced—

S. F. No. 3236: A bill for an act relating to state employees; corrections ombudsman and deputy; setting salaries; amending Minnesota Statutes, 1973 Supplement, Section 15A.081, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Coleman introduced—

S. F. No. 3237: A bill for an act relating to the claim of Minnesota Parks Foundation; providing partial reimbursement for the cost of a film prepared for the department of natural resources; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Dunn, Kleinbaum and Olson, A. G. introduced—

S. F. No. 3238: A bill for an act relating to the county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Tennesen, Gearty and Ogdahl introduced—

S. F. No. 3239: A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Solon introduced—

S. F. No. 3240: A bill for an act relating to the state, civil service; providing certain seniority rights for Vietnam veterans.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Solon introduced—

S. F. No. 3241: A bill for an act relating to property taxation; providing tax relief for certain permanently disabled persons; amending Minnesota Statutes 1971, Section 273.13, Subdivision 7.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Kleinbaum and Hansen, Baldy introduced—

S. F. No. 3242: A bill for an act relating to financial institutions; restricting certain incentives to depositors.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Borden, Fitzsimons and Kleinbaum introduced—

S. F. No. 3243: A bill for an act relating to education; establishing a program of tuition supplements and a program of equivalency credits for the Minnesota national guard; appropriating money.

Which was read the first time and referred to the Committee on Education.

Messrs. Hansen, Baldy; and Laufenburger introduced—

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Anderson introduced—

S. F. No. 3245: A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

Which was read the first time and referred to the Committee on Local Government.

Mr. Anderson introduced—

S. F. No. 3246: A bill for an act relating to Chisago county; authorizing the county board to levy special assessments for improvements to bodies of water.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Spear, Nelson and Conzemius introduced—

S. F. No. 3247: A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Anderson, Renneke and Olson, H. D. introduced—

S. F. No. 3248: A bill for an act relating to dairy products; regulation and inspection of milk other than cow's milk; providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Laufenburger introduced—

S. F. No. 3249: A bill for an act relating to the city of Winona; authorizing the transfer of interests in certain real property to the port authority of Winona.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Nelson; Keefe, S. and Laufenburger introduced—

S. F. No. 3250: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; amending Minnesota Statutes, 1973 Supplement, Section 207.03.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Doty and Solon introduced—

S. F. No. 3251: A bill for an act relating to veterans' preference rights for employment by the city of Duluth; repealing Laws 1957, Chapter 741.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Chmielewski, Anderson and Laufenburger introduced—

S. F. No. 3252: A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Tennessen, Knutson and Milton introduced—

S. F. No. 3253: A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; amending Minnesota Statutes 1971, Section 151.37, by adding a subdivision.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Milton introduced—

S. F. No. 3254: A bill for an act relating to courts; salaries of municipal court judges; providing a salary increase for the judge of White Bear Lake municipal court; amending Minnesota Statutes, 1973 Supplement, Section 488.21, Subdivision 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Olson, A. G. introduced—

S. F. No. 3255: A bill for an act relating to taxation; authorizing a school district to levy a tax for the partial funding of adult vocational programs; amending Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3.

Which was read the first time and referred to the Committee on Education.

Mr. Wegener introduced—

S. F. No. 3256: A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, O'Neill and Coleman introduced—

S. F. No. 3257: A bill for an act relating to highway traffic regulations; requiring certain motor vehicles to be equipped with safety belts; requiring operators and certain passengers of such motor vehicles to use safety belts with certain exceptions; prescribing penalties; suspending Minnesota Statutes 1971, Section 169.685, Subdivisions 1, 2 and 3 for a specified period of time.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Kowalczyk and Larson introduced—

S. F. No. 3258: A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards; providing a penalty.

Which was read the first time and referred to the Committee on Education.

Mr. Pillsbury introduced—

S. F. No. 3259: A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Thorup introduced—

S. F. No. 3260: A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Thorup introduced—

S. F. No. 3261: A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Thorup introduced—

S. F. No. 3262: A bill for an act relating to courts; county courts; clerks fees; disposition of fines, fees and other money; amending Minnesota Statutes, 1973 Supplement, Section 487.31, Subdivisions 1, 2, and 3; Minnesota Statutes 1971, Sections 487.31, Subdivision 4; and 487.33, Subdivision 1; repealing Minnesota Statutes 1971, Section 487.33, Subdivision 2.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Thorup introduced—

S. F. No. 3263: A bill for an act relating to courts; certain court fees; amending Minnesota Statutes, 1973 Supplement, Section 487.31, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Thorup introduced—

S. F. No. 3264: A bill for an act relating to courts; establishing one general trial court having statewide jurisdiction; expanding the judicial council; conferring certain powers and duties on the supreme court and the chief justice; appropriating money; amending Minnesota Statutes 1971, Sections 276.02; 480.05; 480.051; 480.052; 480.054; 480.055, Subdivision 1; 480.056; 480.059, Subdivision 2; 480.12; 480.15, Subdivision 4; 480.19; 483.02; 483.03; 484.01; 484.29; 484.34; 487.28, Subdivision 1; and 487.34; Chapter 484, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 487.30; and 15A.083; repealing Minnesota Statutes 1971, Sections 480.20; 484.015; 484.09 to 484.16; 484.18; 484.28; 484.33; 484.44 to 484.52; 484.55; 484.62; 484.64; 484.65; 487.02; 487.04; 487.07; 487.11 to 487.15; 487.20; 487.22; 487.32; 487.38; 547.17; 627.02; Minnesota Statutes 1971, as amended by Laws 1973, Sections 291.33; 484.17; 487.03; 487.09; 487.10; 487.16; 487.17; 487.18; 487.19; 487.21; 487.23; 487.25, Subdivisions 1 to 9; 487.26; 487.27; 487.31; 487.33; 487.39; 487.40; and Chapters 485; 486; 488 and 488A; Minnesota Statutes, 1973 Supplement, Sections 484.63; 487.01; 487.37; and 487.41; Laws 1961, Chapter 53; Laws 1963, Chapter 785; Laws 1965, Chapter 853; Laws 1967, Chapter 245; Laws 1965, Chapter 352; Laws 1955, Chapter 321; Laws 1961, Chapter 49; Laws 1965, Chapter 854; Laws 1955, Chapter 504; Laws 1961, Chapter 527; Laws 1969, Chapter 601; Laws 1957, Chapter 742; Laws 1961, Chapter 531; Laws 1963, Chapter 651; Laws 1957, Chapter 563; Laws 1969, Chapter 568; Laws 1971, Chapter 608; Laws 1969, Chapter 492; Laws 1973, Chapter 608; Laws 1971, Chapter 300; Laws 1957, Chapter 237; Laws 1969, Chapter 798; Laws 1969, Chapter 799; Laws 1955, Chapter 703; Laws 1971, Chapter 291; Laws 1955, Chapter 507; Laws 1967, Chapter 497; Laws 1955, Chapter 581; Laws 1959, Chapter 551; Laws 1957, Chapter 250; Laws 1965, Chapter 709; Laws 1965, Chapter 469; Laws 1955, Chapter 622; Laws 1967, Chapter 792; Laws 1971, Chapter 426; Laws 1963, Chapter 631; Laws 1969, Chapter 1008; Laws 1965, Chapter 876; Laws 1965, Chapter 25; Laws 1965, Chapter 261; Laws 1967, Chapter 814; and Laws 1959, Chapter 219.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Bernhagen and Gearty introduced—

S. F. No. 3265: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to exchange lands when the proposed Luce Line Trail adversely affects an abutting landowner; amending Minnesota Statutes, 1973 Supplement, Section 85.015, Subdivision 10.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, A. J. introduced—

S. F. No. 3266: A bill for an act relating to taxation; defining

exemptions from inheritance and gift tax; setting homestead exemption; removing distinctions based on sex; amending Minnesota Statutes, 1973 Supplement, Section 291.05.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 3267: A bill for an act relating to the city of St. Cloud; property assessment as a function of the city assessor.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Perpich, A. J. and Coleman introduced—

S. F. No. 3268: A bill for an act relating to inheritance taxes; prescribing inheritance tax rates and exemptions for certain donees; amending Minnesota Statutes 1971, Sections 291.03, as amended; and 291.05, as amended.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, A. J. introduced—

S. F. No. 3269: A bill for an act relating to Cook county; reimbursement for Indian aid; appropriating money.

Which was read the first time and referred to the Committee on Finance.

Mr. Perpich, A. J. introduced—

S. F. No. 3270: A bill for an act relating to taxation; general property taxes; exemptions; providing an exemption for modifications to a dwelling to accommodate physically handicapped residents; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Bernhagen introduced—

S. F. No. 3271: A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money for the collection, preservation, publication and dissemination of historical material.

Which was read the first time and referred to the Committee on Local Government.

Mr. Hansen, Baldy introduced—

S. F. No. 3272: A bill for an act relating to the legislature; authorizing group hospital and medical benefits coverage for retired members; amending Minnesota Statutes 1971, Section 43.491, by adding a subdivision.

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. 720 and 1213.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 14, 1974

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. 1434: A bill for an act relating to holidays; regulating the date for celebration of Veterans Day; amending Minnesota Statutes 1971, Section 645.44, Subdivision 5.

Senate File No. 1434 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 13, 1974

CONCURRENCE AND REPASSAGE

Mr. Hansen, Baldy moved that the Senate do now concur in the amendments by the House to S. F. No. 1434 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1434 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoff	Sillers
Ashbach	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearty	Kowalczyk	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Thorup
Blatz	Hanson, R.	Lewis	Patton	Ueland
Borden	Hughey	Lord	Perpich, A. J.	Wegener
Brown	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Milton	Purfeerst	
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schaaf	

Messrs. North, Spear 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 Files, herewith returned:

S. F. Nos. 2121, 2248 and 2446.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 13, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 2200.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 15, 1974

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. 2370: A bill for an act relating to education; peddling and canvassing on school grounds; repealing Minnesota Statutes 1971, Section 126.19.

Senate File No. 2370 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 2370 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2370 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	Dunn	Kleinbaum	Novak	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Frederick	Kowalczyk	Olhoft	Solon
Bang	Gearty	Krieger	Olson, A. G.	Spear
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 190 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate do now concur in the amendments by the House to S. F. No. 190 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 190 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	Dunn	Kleinbaum	Novak	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Frederick	Kowalczyk	Olhoff	Solon
Bang	Gearty	Krieger	Olson, A. G.	Spear
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 892:

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Knickerbocker, LaVoy and Laidig have been appointed as such committee on the part of the House.

House File No. 892 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 February 15, 1974

Mr. Frederick moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 892, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2862, 2048, 2334, 2336, 2595, 2650, 2844, 1539, 2120, 2717, 2919, 2985 and 3021.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 13, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 1962, 2935, 1489, 2163, 2699, 2725, 2911, 2937, 401, 2866, 2888, 3013, 3052, 3053, 3089, 1562, 1564, 1967, 2377, 2728, 2745 and 2978.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 14, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2796, 3039, 3040 and 3041.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 15, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2862: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; providing penalties.

H. F. No. 2048: A bill for an act relating to welfare; limiting the payments under medical assistance to physicians in teaching hospitals; amending Minnesota Statutes 1971, Section 256B.05, Subdivision 2.

H. F. No. 2334: A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

H. F. No. 2336: A bill for an act relating to child welfare; foster care and day care facilities; providing penalties for certain violations; amending Minnesota Statutes 1971, Sections 257.123, Subdivisions 1 and 2; and 257.124.

H. F. No. 2595: A bill for an act relating to the Minnehaha creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

H. F. No. 2650: A bill for an act relating to the city of Fridley; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2844: A bill for an act relating to the Minnehaha creek watershed district; providing for taxes.

H. F. No. 1539: A bill for an act relating to elections; providing an "alley system" of election for local government officials.

H. F. No. 2120: A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

H. F. No. 2717: A bill for an act relating to the city of Island View; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2919: A bill for an act relating to Koochiching county; authorizing the issuance of additional on-sale intoxicating liquor licenses.

H. F. No. 2985: A bill for an act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

H. F. No. 3021: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivision 1.

H. F. No. 1962: A bill for an act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

H. F. No. 2935: A bill for an act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, Section 1.

H. F. No. 1489: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

H. F. No. 2163: A bill for an act relating to register of deeds; fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

H. F. No. 2699: A bill for an act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

H. F. No. 2725: A bill for an act relating to education; requiring a good faith attempt to make up time lost by school districts on account of calamity; amending Minnesota Statutes 1971, Section 124.16.

H. F. No. 2911: A bill for an act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

H. F. No. 2937: A bill for an act relating to subdivided lands; application for registration; annual reports; amending Minnesota Statutes, 1973 Supplement, Sections 83.20, Subdivision 5; 83.23, Subdivisions 2, 3 and 4; 83.30, Subdivision 1; and 83.38, by adding a subdivision.

H. F. No. 401: A bill for an act relating to game and fish; authorizing angling with two lines through the ice; amending

Minnesota Statutes 1971, Sections 97.40, Subdivision 32; 101.41, Subdivision 2, and 101.42, Subdivision 20.

H. F. No. 2866: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sections 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

H. F. No. 2888: A bill for an act relating to the city of Mantoville; authorizing the issuance of an on-sale liquor license.

H. F. No. 3013: A bill for an act relating to the city of Beaver Bay; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3052: A bill for an act relating to the interstate compact on juveniles; amending Minnesota Statutes 1971, Sections 260.53 and 260.55.

H. F. No. 3053: A bill for an act relating to the interstate compact for the supervision of parolees and probationers; amending Minnesota Statutes 1971, Section 243.16, Subdivision 1.

H. F. No. 3089: A bill for an act relating to the city of Detroit Lakes; authorizing the issuance of an on-sale liquor license.

H. F. No. 1562: A bill for an act relating to crimes and criminals; alteration or removal of manufacturer's identification numbers; providing penalties; amending Minnesota Statutes 1971, Section 609.655.

H. F. No. 1564: A bill for an act relating to crimes and criminals; sentencing; providing that offenders may be sentenced to a workhouse term in a county other than the county where the offender was tried or where the offense was committed; amending Minnesota Statutes 1971, Section 631.461.

H. F. No. 1967: A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

H. F. No. 2377: A bill for an act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3; and by adding a subdivision.

H. F. No. 2728: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

H. F. No. 2745: A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in award-

ing contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

H. F. No. 2978: A bill for an act relating to the city of Minneapolis; authorizing the city to appoint a public officer or employee as commissioner on the city housing and redevelopment authority.

H. F. No. 2796: A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

H. F. No. 3039: A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

H. F. No. 3040: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

H. F. No. 3041: A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

H. F. No. 2200: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

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. The motion prevailed.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2957: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property, to provide by regulation and ordinance for the governance of park, open space and recreational areas and to provide penalties for violation thereof, to preserve the natural drainage within the county, to make appropriations, levy taxes, borrow money and issue bonds therefor, and to expend funds for a park, open space and recreational system within or without Ramsey county; amending Laws 1971, Chapter 950, Section 1, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 32, add a new section to read:

"Sec. 2. Laws 1971, Chapter 950, Section 1, Subdivision 4, is amended to read:

Subd. 4. [PUBLIC USE FACILITIES, ACCOMMODATIONS AND SERVICES, PUBLIC OR PRIVATE OPERATION.] The county board may provide for the construction, installation, maintenance, and operation of suitable facilities, accommodations and services in the park and open space system for public use for the purposes of this act or may authorize private persons or corporations to do so. The county board shall not acquire any right, title or interest in or to real property or develop any real property pursuant to this act without the approval of the governing body of the municipality in which such property is located; *provided further that no such property situated in any other county shall be acquired without the approval by resolution of the county board thereof.*"

Renumber the following sections.

Further amend the title as follows:

Page 1, line 18, strike "Subdivision 1" and insert "Subdivisions 1 and 4"

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. 2885: A bill for an act relating to metropolitan transportation; directing the metropolitan council to promote the use of car pools and employer vans; authorizing grants and loans to cover the acquisition cost of employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing a tax levy.

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. [METROPOLITAN TRANSIT COMMISSION; PROMOTION OF USE OF CAR POOLS AND EMPLOYER VANS.] The metropolitan transit commission shall promote the use of car pools and employer vans in the metropolitan area. The commission's goal shall be to provide employees and employers with incentives to achieve by January 1, 1980, in the metropolitan area between 6:00 a.m. and 9:00 a.m. an increase of the proportion of persons riding rather than driving in motor vehicles from the 37 percent figure of 1970 to 50 percent.

Sec. 2. [DEFINITIONS.] Subdivision 1. "Metropolitan area" means the metropolitan area as defined in Minnesota Statutes, Section 473B.02.

Subd. 2. "Transit taxing district" means the metropolitan transit taxing district as designed in Minnesota Statutes, Section 473A.111.

Sec. 3. [POWERS AND DUTIES OF COMMISSION.] Subdivision 1. The commission shall promote the use of car pooling and encourage employers, public and private, within the transit taxing district to purchase or lease vans for the employer vans acquisition program.

Subd. 2. The commission may contract for space in parking facilities within the transit taxing district, and make the space available to vehicles carrying more than three persons at a cost which it deems provides incentive for motor vehicle drivers to join car pools or participate in an employer van program.

Subd. 3. The commission may cooperate with employers in the transit taxing district in developing staggered work schedules. The schedules shall be designed so a substantial number of employees are involved in each scheduled arrival and departure time.

Subd. 4. Upon proper application by an employer, as the commission shall prescribe by rule or regulation, the commission may certify an employer's van if it is to be used for the transportation of employees to and from work and a van so certified may use the exclusive bus freeway entrance ramps.

Subd. 5. The commission shall make a study of ways in which private taxi service could be better coordinated with the operation of other forms of transportation within the metropolitan area. The commission shall complete the study and make a report to the legislature by January 1, 1975.

Subd. 6. The commission shall promulgate rules and regulations for implementation of the authority of this act.

Subd. 7. The commission shall contract with the commissioner of highways for performance of the duties enumerated in subdivisions 1, 2, and 4 of this section.

Sec. 4. [EMPLOYER VANS ACQUISITION PROGRAM.] Subdivision 1. It is the purpose of the employer vans acquisition program to encourage the transportation of employees to and from work where the metropolitan transit commission finds that the employees reside in the transit taxing district and are not adequately served by the bus system.

Subd. 2. The commission shall encourage the acquisition of vans capable of handling more than ten passengers, for the purpose of transporting employees to and from work, where the employer will (a) pay the operating and maintenance costs of the van either directly as an expense of operating his business or through assessment of the employees who use the van service and (b) pay additional compensation to the driver of a van if he is a regular employee and has not been hired for the sole purpose of driving the van.

Subd. 3. Any city, county, school district, independent board or agency, or agency of the state located within the metropolitan area may establish an employer vans acquisition program as described in this act.

Sec. 5. [REPORTS.] The commission shall submit reports to the legislature not later than November 15 of each year which shall indicate progress toward increasing the proportion of passengers over drivers, including progress in achieving the January, 1980 driver and passenger ratio goal and any additional legislation necessary to aid in achieving that goal.

Sec. 6. [EMPLOYER VANS REVOLVING FUND.] Subdivision 1. [ESTABLISHMENT.] The governing body of any city, county, or school district may by resolution establish an employer vans revolving fund to be used to purchase vans for the employer vans acquisition program described in section 4 of this act. Any payments out of the fund shall be repaid to the fund out of revenues derived from the use by the employees of the city, county, or school district, of the vans so purchased.

Subd. 2. [LEVY.] Any city, county, or school district is authorized for the purposes of this section, to make a one time levy in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the city, county, or school district for other purposes or by any local governments in the area. The city, county, or school district may make the one time levy of a tax, not to exceed one tenth of a mill, in one of the following years: 1974, 1975, 1976 or 1977; the tax to be payable in the year following the year of the levy.

Subd. 3. [TERMINATION OF THE FUND.] The governing body of any city, county, or school district may by resolution terminate the employer vans revolving fund and use the funds for other purposes authorized by law.

Sec. 7. [FREEWAY EXCLUSIVE LANES.] Subdivision 1. For the purpose of this section, "freeway" means a completely controlled access highway where ingress and egress is allowed only at certain designated points as determined by the road authority having jurisdiction over the highway.

Subd. 2. The metropolitan council in consultation with the metropolitan transit commission may require that any freeway constructed in the metropolitan area on which actual construction has not been commenced by the effective date of this act shall include provisions for exclusive lanes for buses and, as the council may determine, other forms of multipassenger transit. The council, in making its determination, must demonstrate that the exclusive lanes are necessary to implement the transportation policy plan of the development guide.

Sec. 8. [TRANSIT SHELTERS.] The commissioner of administration shall adopt regulations pursuant to the authority granted him in Minnesota Statutes, Section 16.85, requiring the provision of space for transit passenger shelters in all residential apartment or condominium developments of more than the 100 units constructed within the metropolitan area after the effective date of this act.

Sec. 9. [FINANCING; TAX LEVIES.] Subdivision 1. The metropolitan transit commission may accept and use grants from any

source to finance the activities contemplated by this act and in addition to any other tax the metropolitan transit commission is authorized to levy and in excess of all taxing limitation, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area, the commission may levy a tax not to exceed 1/100 mill upon all taxable property within the metropolitan transit taxing district as defined in Minnesota Statutes, Section 473A.111 for the purpose of this act.

Subd. 2. Any city, county, or school district which establishes an employer vans acquisition program is authorized, upon resolution of its governing body, to levy a tax for the purpose of covering the administrative costs of the program and in addition to any other tax the city, county, or school district is authorized to levy and in excess of all taxing limitations, without affecting the amount or rate of taxes which must be levied by the city, county, or school district for other purposes or by a local government in the area, the city, county, or school district may levy a tax not to exceed 1/100 mill.

Sec. 10. This act is effective on the date following its final enactment."

Further amend the title as follows:

Strike the title and insert: "A bill for an act relating to metropolitan transportation; directing the metropolitan transit commission to promote the use of car pools and employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing tax levies."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which were referred the following appointments:

COMMISSION ON JUDICIAL STANDARDS

Gerald Dillon, 16 Park Lane, Minneapolis, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977.

Katherine Murphy, 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Davies moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

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.

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, Chapter 43, is amended by adding a section to read:

[43.062] [SALARY SETTING AUTHORITY.] *Subdivision 1. [SALARY LISTING.] The personnel board shall, on or before December 1 of each even numbered year, submit to the legislature a listing of salaries for the commissioners of administration, aeronautics, agriculture, banking, insurance, securities, corrections, economic development, education, finance, health, the executive director of the higher education coordinating commission, the commissioners of highways, human rights, the executive secretary of the board of investment, the commissioner of the iron range resources commission, the commissioner of labor and industry, the director of mediation services, the commissioners of liquor control, employment services, natural resources, and personnel, the directors of the planning agency and the pollution control agency, the commissioners of public safety and of public service, the director of public service, the commissioner of public welfare, the chancellors of the state college system and the community college system, the commissioners of revenue and of veterans affairs, as well as salaries for unclassified deputy positions to the before mentioned department heads. The listing shall further include salary ranges for professional positions in the office of the attorney general, except for the position of chief deputy attorney general, and salaries for the chief deputy attorney general, the deputy state auditor, the deputy secretary of state, and the deputy state treasurer.*

Subd. 2. [BOARD TO CONSIDER ADVICE.] Before submitting the salary listing prescribed in subdivision 1 to the legislature, the personnel board shall consult with the governor, the commissioner of administration, the commissioner of finance, and the commissioner of personnel concerning the salary listing and shall give due consideration to the advice of these officers. Before submitting to the legislature a salary listing prescribed in subdivision 1 for a position in the office of a constitutional officer, the personnel board shall consult with the constitutional officer concerning the salary listing and shall give due consideration to the advice of the officer.

Subd. 3. [BASE SALARIES AND ACHIEVEMENT AWARDS.] Except for positions for which salary ranges have been established, the salary listing shall contain a specific salary for each position defined in subdivision 1. For positions for which no salary ranges have been established, the salary listing shall further

contain a specific monetary amount or percentage to which an incumbent's salary may be raised to reward achievement as prescribed by section 12. The board shall determine only a fixed salary for the positions of executive secretary of the board of investment, and the commissioner of public service who shall not be eligible for achievement awards as provided by section 12.

Subd. 4. [OFFICE OF ATTORNEY GENERAL.] Salaries within the ranges for professional positions within the office of the attorney general shall be established by the attorney general, within his sole discretion.

Sec. 2. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.063] **[EFFECTIVE DATE OF SALARIES.]** The salary listing submitted to the legislature under the provisions of section 1 shall automatically become effective the beginning of the first pay period in the fiscal year following its submittal to the legislature unless otherwise provided by law. If such a law is vetoed by the governor, the salary listing submitted by the board shall not become effective, but the salaries then in effect shall continue in effect until other salaries are established through the procedure prescribed in this act.

Sec. 3. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.064] **[OTHER SALARIES SET BY PERSONNEL.]** Notwithstanding any other law to the contrary, salaries for all unclassified positions in the executive branch not enumerated in the listing described in section 1, subdivision 1, shall be established by the commissioner of personnel except for the following: (1) positions listed in Minnesota Statutes, Section 15A.083; (2) positions listed in section 7 of this act; (3) positions listed in Minnesota Statutes, Section 299D.03; (4) positions in the office of the governor whose salaries shall be determined by the governor; (5) positions in the state college system, the state community college system, and in the higher education coordinating commission whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions, or departments of colleges and community colleges, or conducting research on academic subjects. Individual salaries for the positions enumerated in clause (5) shall be determined by the state college board, the state community college board, and the higher education coordinating commission, respectively, within the limits of a salary plan which shall have been approved by the commissioner of personnel before becoming effective.

No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this section unless it is expressly provided in such subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Sec. 4. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.065] [SALARY REVIEW.] *Subdivision 1. [SALARIES TO BE EQUITABLE.] When determining salaries for any position the personnel board and the commissioner of personnel shall assure that:*

(1) *Salaries in the classified and unclassified service bear equitable relationship to one another;*

(2) *Salaries among the various positions listed in Section 1, Subdivision 1, bear equitable relationships to one another; and*

(3) *Salaries for state positions bear equitable relationships to salaries for similar positions outside state service.*

Salaries bear equitable relationships to one another within the meaning of this section if salaries for positions which require comparable knowledge, abilities, duties, responsibilities and accountabilities are comparable and if salaries for positions which require differing knowledge, abilities, duties, responsibilities and accountabilities are directly proportional to the knowledge, abilities, duties, and responsibilities required.

Subd. 2. [METHOD OF REVIEW.] In determining the salary listing described in section 1, subdivision 1, the board shall consider only those criteria established by subdivision 1 and shall not take into account personal performance of individual incumbents. The board shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities and accountabilities and in determining salary listings rate each position according to this system.

Subd. 3. [INFORMATION, CONSULTANTS.] Each department shall furnish the board with any information which the board may request to aid in the performance of its duties. Subject to appropriations, the board may engage expert consultants.

Sec. 5. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.066] [SALARIES FOR OTHER POSITIONS.] *The board shall submit to the legislature together with the listing described in section 1, subdivision 1, recommendations for salaries for members of the legislature, the governor, the lieutenant governor, the attorney general, the state auditor, the state treasurer, the secretary of state, justices of the supreme court, judges of all other courts, the public defender, and the supreme court administrator. Salaries for these positions shall be determined by laws; the board's salary listings for these positions shall be advisory only.*

Sec. 6. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.067] [SALARY LIMITS.] *The base salary of the head of any state department in the executive branch shall serve as the upper limit of compensation in his organization unless the personnel board approves an exemption in individual cases. Salaries of medical doctors paid under the provisions of Minnesota Statutes, Section 43.126, shall be excluded from the limitation provided in this section.*

Sec. 7. Minnesota Statutes 1971, Chapter 15A, is amended by adding a section to read:

[15A.082] [SALARIES FOR CONSTITUTIONAL OFFICERS.] *Subject to the provisions of Minnesota Statutes, Section 16.027, the following annual salaries are provided for constitutional officers:*

Attorney general	\$36,500
Auditor, state	26,000
Governor	41,000
Lieutenant governor	30,000
Secretary of state	25,000
Treasurer, state	25,000

Sec. 8. Minnesota Statutes 1971, Section 43.01, is amended by adding subdivisions to read:

Subd. 17. [LEGISLATIVE BRANCH.] For purposes of Minnesota Statutes, Chapters 15A and 43, "legislative branch" means all legislators and all employees of the legislature including part time or full time employees and temporary or permanent employees of legislative committees or commissions.

Subd. 18. [JUDICIAL BRANCH.] For the purposes of Minnesota Statutes, Chapters 15A and 43, "judicial branch" means all justices of the supreme court, all employees of the supreme court, including commissions, boards, and committees established by the supreme court, the board of law examiners, the law library, the office of the public defender, and all judges of district courts and such other agencies as may be placed in the judicial branch by law.

Subd. 19. [EXECUTIVE BRANCH.] For purposes of Minnesota Statutes, Chapters 15A and 43, "executive branch" means heads of all departments of government, elective or appointive, established by statute or constitution, and all employees of such department heads which have within their particular field of responsibility, state-wide jurisdiction and are not defined as part of the legislative or judicial branches of government and as opposed to jurisdiction in specifically defined geographical areas, such as regions, counties, cities, towns, municipalities, or school districts. The executive branch shall include the governor and his staff. Not included in the executive branch are the university of Minnesota, the public employees retirement association, the Minnesota state retirement system, the teachers retirement association, the Minnesota society, and all of their employees, and any other entity which is incorporated, though it may receive state funds.

Subd. 20. [CIVIL SERVICE.] "Civil service" of the state means a system consisting of all employees in the legislative, the judicial, and the executive branches of state government. The state civil service system shall be divided into the classified and the unclassified civil service as provided elsewhere in this chapter.

Subd. 21. [DEPARTMENT, AGENCY.] For purposes of chapters 15A and 43, the terms "department" and "agency" may be used interchangeably within the executive branch.

Subd. 22. [OFFICER, EMPLOYEE.] For purposes of chapters

15A and 43, the terms "officer" and "employee" may be used interchangeably within the executive branch.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 43.06, is amended to read:

43.06 [BOARD; DUTIES; POWERS.] It shall be the duty of the personnel board and it shall have power:

(1) To conduct hearings and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, suspension, or removal of the officer or employee, in accordance with the provisions of this chapter;

(2) To hear and pass upon such other matters as the commissioner may, from time to time, bring before the board for determination; and

(3) The personnel board may employ, prescribe the duties, and, notwithstanding the provisions of section ~~15A.021~~ 3 of this act, fix the compensation of temporary and permanent hearing officers and other employees who shall be in the unclassified civil service or may be retained by contract. ~~The board may decide matters from a report of the testimony taken by a hearing officer and in accordance with such rules as it may prescribe.~~

(4) The personnel board shall advise the commissioner of personnel on any matters concerning his rules when requested so to do by the commissioner.

(5) The personnel board shall render its advisory opinion on all proposed personnel rules, or proposed changes of personnel rules.

Sec. 10. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.042] [EXTENT OF AUTHORITY.] *Whenever any power or authority is given to the commissioner of personnel by any provision of chapters 15A or 43, such power or authority shall extend to all departments in the executive branch, but shall not extend to any subdivisions or employees in the judicial branch or legislative branch. The classified employees in the office of the legislative auditor, however, the Minnesota state retirement system and the teachers retirement association shall be subject to the powers or authority of the commissioner of personnel.*

Sec. 11. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.068] [NO DECREASE IN PRESENT SALARIES.] *The salary of any state employee whose salary at the end of an odd numbered fiscal year was above the limit set in section 7 or Minnesota Statutes, 1973 Supplement, Section 15A.083 or by the personnel board under the provisions of section 1 shall remain at that level at the beginning of the next fiscal year and until a vacancy in the position occurs or the salary falls below a newly established limit. New appointments shall be made at the base salary or within the salary range prescribed in section 7 or Minnesota Statutes, 1973 Supplement, Section 15A.083 or by the personnel board under the provisions of section 1.*

Sec. 12. Minnesota Statutes 1971, Chapter 43, is amended by adding a section to read:

[43.069] [BOARD MAY LIFT SALARIES.] *Subdivision 1. Except as provided in section 1, the personnel board may raise the salary for any individual incumbent of a position whose base salary is established by the board under the provisions of section 1 and which has not been provided with a salary range, provided:*

(a) The incumbent has, in the opinion of the board, challenging written objectives which are specific as to amount and time and which have been agreed upon in advance by the appointing authority;

(b) The appointing authority of the incumbent applies to the board for the salary increase and simultaneously certifies to the board that the incumbent has fulfilled, or is fulfilling, his agreed upon objectives.

Subd. 2. The board may require the appointing authority or the incumbent to submit additional information as it may deem necessary.

Subd. 3. The appointing authority may apply for, and the board may approve salary raises for the incumbent by any increment, and more than once. The aggregate of the increases under this section shall not increase the individual salary beyond 25 percent of the base salary established for the position by the board under the provisions of section 1.

Subd. 4. Any achievement award granted to individuals under this section shall remain in effect for 12 months from the date of approval, unless the board determines a lesser effective period of time.

Sec. 13. Minnesota Statutes, 1973 Supplement, Section 43.324, is amended to read:

43.324 [COMPENSATION PLAN.] *Subdivision 1. On or before December 1 of each even numbered year, the commissioner of personnel shall after consultation with the commissioner of finance submit to the governor, or if a governor has been elected in that year to the governor-elect, his recommendations concerning compensation to be paid all state employees ; in the classified and unclassified civil service in the executive branch with the exception of salaries for positions contemplated in section 1 and for positions exempted from the commissioner's salary setting authority in section 3. The recommendations so submitted shall be in bill form, drafted in conformity with the rules of the senate and house of representatives and may contain proposals concerning salaries, paid holidays, health and life insurance benefits, and other items of compensation for all employees of the state in the executive branch. The recommendations shall also include any agreements reached through collective bargaining, or ordered by arbitrators, or which may be the results of any negotiations conducted under a public employment labor relations law applicable to state employees to the extent that such agreements pertain to issues or items included in the commissioner's compensation recommendations described in this subdivision.*

Subd. 2. The recommendation of the commissioner as required by subdivision 1 shall include the recommendations of the personnel board concerning salaries in the unclassified service or any modifications thereof which he has made. But no modification of the personnel board's recommendations shall be made by the commissioner without a written explanation therefor, and in no event may the commissioner make any changes in the recommendations of the personnel board concerning positions in the legislative and judicial branches.

Subd. 3 2. The governor at the time of delivering *As part of his budget message to the opening of a regular session of the legislature in January of each odd numbered year*, the governor shall also transmit for legislative consideration the commissioner's proposals as recommended by the commissioner or as modified by the governor, but the governor shall not modify any recommendations concerning positions in the legislative or judicial branches, or any recommendations reached through collective bargaining, or ordered by arbitrators, or which may be the result of any negotiations conducted under a public employment labor relations law applicable to state employees.

Sec. 14. Minnesota Statutes, 1973 Supplement, Section 43.128, is amended to read:

43.128 [SALARY INCREASES, UNCLASSIFIED SERVICE.] Subdivision 1. The salaries of all employees in the unclassified *civil* service of the state *executive branch* whose salary is not fixed by ~~section 15A.091~~ *determined by the board under the provisions of section 1*, shall be adjusted to the class of persons in the classified *civil* service performing comparable work and having comparable responsibility, as determined by the commissioner of personnel but in no event to an amount in excess of the maximum of such class.

Subd. 2. The provisions of subdivision 1 shall not apply to state employees listed in sections 43.09, subdivision 2, clause (7) and 136A.03, except that the appointing authority of such employees shall submit a salary schedule to the commissioner for approval before such schedule may become effective. *The provisions of subdivision 1 shall further not apply to salaries for positions which are exempted from the commissioner's salary setting authority under the provisions of section 3.*

Sec. 15. Minnesota Statutes, 1973 Supplement, Section 15A.081, Subdivision 1, 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	\$36,000
Deputy commissioner	28,800
Aeronautics, department of commissioner	20,400

Agriculture, department of commissioner		\$22,000
deputy commissioner		17,600
Attorney general, office of attorney general		36,500
chief deputy attorney general	24,500 —	31,500
deputy attorney general	19,100 —	27,500
solicitor general	21,300 —	28,000
assistant attorney general	12,000 —	26,000
special assistant attorney general	12,600 —	22,600
Auditor, office of auditor		26,000
deputy auditor		20,800
Civil service, department of director	25,700 —	28,200
This salary is authorized only until the department of civil service is abolished by other law.		
Commerce, department of commissioner of banks		22,000
commissioner of insurance		22,000
commissioner of securities		22,000
Corrections, department of commissioner		28,000
deputy commissioner		22,400
Economic development, department of commissioner		22,000
deputy commissioner		17,600
Education, department of commissioner		29,800
Finance, department of commissioner		35,500
deputy commissioner		28,400
Governor, office of governor		41,000
Health, department of commissioner		30,300
Higher education coordinating commission executive director		26,100
assistant executive director		20,900

Highways, department of commissioner	\$33,600
Human rights, department of commissioner	20,000
Indian affairs commission executive director	17,500
Investment, board of executive secretary	35,000
Labor and industry, department of commissioner	26,400
deputy commissioner	21,100
workmen's compensation commissioner	22,000
director, mediation services	21,000
Lieutenant governor, office of lieutenant governor	30,000
Liquor control, department of commissioner	19,000
Manpower services, department of commissioner	26,400
Natural resources, department of commissioner	28,300
deputy commissioner	22,600
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	27,000
Pollution control agency director	24,000
Public examiner, department of public examiner	25,100
(This salary is authorized only until August 31, 1973.)	
Public safety, department of commissioner	26,900
deputy commissioner	21,500
Public service, department of commissioner, public service commission	22,000
director	20,700

Public welfare, department of commissioner	\$33,600
deputy commissioner	26,900
Secretary of state, office of secretary of state	25,000
deputy secretary of state	17,500
State college system chancellor	32,500
State junior college system chancellor	27,500
Taxation, department of commissioner	28,900
Treasury, state treasurer	25,000
deputy treasurer	17,500
Veterans affairs, department of commissioner	16,000

Sec. 16. Minnesota Statutes 1971, Section 15A.083, is amended by adding a subdivision to read:

Subd. 4. [OTHER SALARIES.] The annual salary for a workmen's compensation commissioner shall be 80 percent of the base salary of a district judge.

Sec. 17. [REPEALER.] Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.084, 15A.085, and 43.02 are repealed. Minnesota Statutes, 1973 Supplement, Section 15A.081 as amended by this act is repealed at the beginning of the first pay period of the fiscal year beginning July 1, 1975.

Sec. 18. [EFFECTIVE DATE.] This act shall be effective on July 1, 1974 except that sections 15 and 16 shall be effective the beginning of the first pay period after the final approval of this act. The salaries established in section 15A.081 as amended shall remain in effect until the beginning of the first pay period of the fiscal year beginning July 1, 1975."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to the operation and structure of state government; changing the salary setting authority of certain unclassified positions in the executive branch of government; defining certain terms; amending Minnesota Statutes 1971, Sections 15A.083, by adding a subdivision; and 43.01 by adding subdivisions; Chapters 15A by adding a section; and 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021; 15A.031; 15A.041; 15A.081, as amended; 15A.084; 15A.085; and 43.02."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1713: A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 23, reinstate the stricken "at" and after the stricken word "their" insert "its"

Page 8, line 23, reinstate the stricken "first session"

Page 8, line 25, restore the stricken comma

Page 8, line 26, after "shall" insert "have the power to"

Page 8, line 27, before "districts" insert "and legislative"

Page 8, line 27, strike "; and"

Page 8, lines 27 and 28, strike "apportion anew the senators and representatives"

Page 9, line 25, after "new" insert "legislative"

Page 10, line 23, strike the comma

Page 11, line 28, after "governor" insert "on extraordinary occasions"

Page 12, line 16, strike "They" and insert "Both houses"

Page 14, line 9, after "of" insert "the"

Page 16, line 24, strike "To pass" and insert "Passage of"

Page 19, line 1, reinstate the stricken "of office"

Page 19, line 5, restore the stricken language

Page 19, line 16, strike "their" and insert "his"

Page 20, line 8, reinsert the stricken "term"

Page 20, line 8, strike "terms" and insert "of office"

Page 20, line 10, strike "are" and insert "is"

Page 22, line 23, reinstate the stricken "as"

Page 25, line 19, strike "not mentally competent or"

Page 25, line 20, after "insane" insert "or not mentally competent"

Page 25, lines 25, 26 and 27, strike "nor" each place it appears and reinstate the stricken commas.

Page 31, line 5, after the stricken word "but" insert "All"

Page 31, line 7, strike "and"

Page 31, line 8, strike "and" and insert in lieu thereof a comma

Page 32, line 17, strike "May first of" and insert "*the first day of May in*"

Page 32, line 28, strike the words "*fluids*" or other" and after "means" insert "*or substance*"

Page 33, line 4, reinsert the stricken "or operating"

Page 34, line 8, strike the comma and strike "of not more than 25"

Page 34, line 9, strike "years but"

Page 39, line 8, strike "are" and insert "is"

Page 44, line 10, strike "*the*" and insert "*that*"

Page 48, line 20, reinsert the stricken "provided"

Page 49, line 2, restore the stricken "the voters"

Page 49, line 3, strike "*those*"

Page 49, line 4, strike "city or village and any county or"

Page 49, line 5, strike "other" and also strike the comma

Page 51, line 5, strike "Lands" and insert in lieu thereof "*Land*"

Page 51, line 8, restore the stricken "land"

Page 51, line 8, strike "*the*"

Page 51, line 9, strike "*lands*" and also strike the comma

Page 51, line 12, after "shall" strike "be bound to"

Page 51, line 12, strike "the"

Page 51, line 13, after "mineral," insert "*forest,*"

Page 51, line 13, strike "other productions of manufacturers" and insert "*manufactured products*"

Page 51, line 17, strike "combinations" and insert "*combination*"

Page 51, line 26, reinsert the word "therefor"

Page 52, line 24, strike the word "*majority*"

Page 53, line 25, after the stricken "reconstruct" reinsert the comma

Page 53, line 26, reinsert the stricken "improve"

Page 54, line 8, reinsert the stricken comma after the stricken "reconstructed"

Page 54, line 8, reinsert the stricken "improved"

Page 56, line 1, after "~~reconstructed~~" reinsert the stricken comma

Page 56, line 2, reinsert the stricken "improved"

Page 56, line 18, after "~~reconstructed~~" reinsert the stricken comma

Page 56, line 18, reinsert the stricken "improved"

Page 59, line 1, after "construction" reinsert the stricken comma

Page 59, line 2, reinsert the stricken "improvement"

Page 59, line 6, after "~~reconstruction~~" reinsert the stricken comma

Page 59, line 6, reinsert the stricken "improvement"

Page 59, line 19, after "~~reconstruction~~" reinsert the stricken comma

Page 59, line 19, reinsert the stricken "improvement"

Page 59, line 24, after "~~reconstruction~~" reinsert the stricken comma

Page 59, line 25, reinsert the stricken "improvement"

Page 60, line 5, reinsert "using the public streets and highways"

Page 60, line 25, after "substance" insert "*or means used*"

Page 61, line 1, strike the word "used"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35,

S. F. No. 2048, together with the committee report thereon; A bill for an act relating to state colleges; permitting the state college board to designate certain colleges as state universities.

Reports the same back with the recommendation that the bill together with the committee report thereon be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred under Rule 35,

S. F. No. 891, together with the committee report thereon; A bill for an act relating to natural resources; regulating the harvest of wild rice in Aitkin, Crow Wing, Mille Lacs, and Morrison counties; providing a penalty.

Reports the same back with the recommendation that the bill together with the committee report thereon be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2623: A bill for an act relating to the city of Brainerd; exemption from water fluoridation requirements.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2864: A bill for an act relating to St. Louis county; tax levy for health purposes; repealing Laws 1967, Chapter 501.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Local Government. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2889: A bill for an act relating to public places; smoking; regulating smoking at public places and in public meetings; providing a penalty.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2855: A bill for an act relating to distinction on the basis of sex; abolishing these distinctions in the area of labor and industry; amending Minnesota Statutes 1971, Sections 175.16, as amended; 175.18; 175.20; 181.07; 181.40, as amended; repealing Minnesota Statutes 1971, Sections 181.18; 181.19; 181.20; 181.21; 181.22; 181.23; 181.43; 181.44; 181.45; 181.46; 181.47; 181.48; and 182.09, as amended.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2596: A bill for an act relating to security guards; requiring the licensing and qualification thereof; providing a penalty.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3010: A bill for an act relating to capital punishment; specifying the acts constituting murder in the first degree; providing a separate proceeding to determine sentence in capital cases; amending Minnesota Statutes 1971, Sections 243.05; 609.10; 609.18; 609.19; 609.195; and Chapter 609, by adding sections; Minnesota Statutes, 1973 Supplement, Section 626A.05, Subdivision 2; repealing Minnesota Statutes 1971, Section 609.185.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3011: A bill for an act relating to eminent domain; acquisition by direct purchase; amending Minnesota Statutes 1971, Section 117.232, Subdivision 1.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3023: A bill for an act relating to municipal industrial development; definitions; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Local Government. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3052: A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3056: A bill for an act relating to employments licensed by the state; architects, engineers and surveyors: raising the minimum public building cost for which services of a licensed architect, engineer or land surveyor are required; amending Minnesota Statutes 1971, Section 326.03, Subdivision 2.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2904: A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2912: A bill for an act relating to education; estab-

lishing a center for consumer education services and prescribing its duties; appropriating money.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Education. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2930: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the laws concerning unemployment compensation by pregnancy; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1, as amended.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2972: A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Metropolitan and Urban Affairs. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Local Government. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2886: A bill for an act relating to place of filing bonds of county officials; amending Minnesota Statutes 1971, Section 574.21.

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

S. F. No. 3069: A bill for an act authorizing the city of Foley to acquire and develop certain land for industrial purposes.

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

S. F. No. 2568: A bill for an act relating to the village of Cooley in Itasca county; providing for the dissolution of the village of Cooley.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, strike "village, or"

Page 1, line 7, strike the comma

Page 1, line 9, strike "village" and insert "city"

Page 1, line 17, strike "village" and insert "city"

Page 1, line 18, strike "village" and insert "city"

Page 1, line 21, strike "village" and insert "city"

Page 1, line 26, strike "village" and insert "city"

Page 2, line 3, strike "village" and insert "city"

Further amend the title as follows:

Page 1, line 2, strike "village" and insert "city"

Page 1, line 4, strike "village" and insert "city"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2966: A bill for an act relating to labor and minimum wages; excluding legislative employees from the right to claim overtime; amending Minnesota Statutes, 1973 Supplement, Section 177.25, 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. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3034: A bill for an act relating to workmens compensation; appropriating money for the state compensation revolving fund; amending Minnesota Statutes 1971, Section 176.611, Subdivision 6.

Reports the same back with the recommendation that the bill

do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3116: A bill for an act relating to labor; public employees; contracts; amending Minnesota Statutes 1971, Section 179.70, 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. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3117: A bill for an act relating to labor; public employees; definitions; amending Minnesota Statutes 1971, Section 179.63, Subdivision 7.

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 referred

S. F. No. 3118: A bill for an act relating to labor; public employees; negotiation procedures; amending Minnesota Statutes, 1973 Supplement, Section 179.69, Subdivisions 3 and 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. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3040: A bill for an act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, 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. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3119: A bill for an act relating to labor; public employees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "transmit" insert "both"

Page 1, line 16, after "board" insert "and to the director"

Page 1, line 17, after the period add "*Should any issues submitted to arbitration be settled voluntarily before the arbitrator issues his decision, notice of such settlement shall be made by the arbitrator in a report issued both to the board and to the director.*"

Page 1, line 22, after "board" insert "and to the director"

Page 1, line 24, after the period add "*Should any issues submitted to arbitration be settled voluntarily before the arbitrator issues his decision, notice of such settlement shall be made by the arbitrator in a report issued both to the board and to the director.*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3115: A bill for an act relating to labor; public employees; powers and duties of the public employment relations board; amending Minnesota Statutes 1971, Section 179.72, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*upon its own initiative*" and insert "*at its discretion*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3037: A bill for an act relating to labor relations; political activity as grounds for removal from office of mediator or employee; repealing Minnesota Statutes 1971, Section 179.03.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "repealed." and insert "amended to read:

179.03 [POLITICAL ACTIVITIES FORBIDDEN.] Any mediator or employee, under the provisions of sections 179.01 to 179.17, who exerts his influence, directly or indirectly, to induce any other person to adopt his political views, or to favor any particular candidate for office, or to contribute funds for political purposes shall forthwith be removed from his office or position by the authority appointing him; provided, that before removal the director of mediation services shall be entitled to a hearing before the governor, and any other employee shall be entitled to a similar hearing before the director of mediation services."

Further, amend the title as follows:

Page 1, line 4, strike "or employee"

Page 1, line 5, strike "repealing" and insert "amending"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2327: A bill for an act relating to health and welfare; prohibiting the sale in this state of household products containing liquid lye preparations.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "sale" insert "for household use"

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:

STATE BOARD OF HEALTH

Marlys Wolf, Fingerhut Manufacturing, St. Cloud, Stearns County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Roberto Trevino, 1610 3rd Avenue South, Moorhead, Clay County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Elizabeth Kalisch, 5371 Hugo Road, White Bear Lake, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Robert Willmarth, 203 9th Avenue S.E., Rochester, Olmsted County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Bridget Coleman, 700 Linwood, St. Paul, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Patrick M. Daugherty, 3914 Bryant Avenue North, Minneapolis, Hennepin County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Dr. Maurice McCollar, 3563 White Bear Avenue, White Bear Lake, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1978.

Roberta Williamson, 2021 Bluestone Lane, Eagan, Dakota County, appointed effective February 6, 1974, for a term expiring January 1, 1978.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were re-referred the following appointments:

STATE EXAMINING COMMITTEE FOR PHYSICAL THERAPISTS

Thomas R. Garrett, 1842 N. W. 16th Street, Rochester, Olmstead County, appointed effective August 16, 1973, for a term expiring June 30, 1976.

Dr. Elmer Salovich, 5249 Lochloy Drive, Minneapolis, Hennepin County, appointed effective June 30, 1972, for a term expiring June 30, 1975.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were re-referred the following appointments:

STATE BOARD OF EXAMINERS IN BASIC SCIENCES

Dr. Raymond Bieter, 2015 Dayton Avenue, St. Paul, Ramsey County, appointed effective April 1, 1973, for a term expiring April 1, 1979.

Dr. Paul Winchell, 4100 Morrill Lane, Minneapolis, Hennepin County, appointed effective April 1, 1973, for a term expiring April 1, 1979.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were re-referred the following appointments:

GILLETTE HOSPITAL AUTHORITY

Mrs. Marilyn Berg, 1865 Bayard Avenue, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Dr. Betty Green, 4377 Wooddale Avenue, St. Louis Park, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Dr. Ellen Fifer, Department of Health, University of Minnesota Campus, Minneapolis, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Judge Harold Schultz, 1176 Hawthorne Avenue East, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

Dr. Robert Winter, 1648 Dodd Road, Mendota Heights, Dakota County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Clifford Retherford, 7007 West Shore Drive, Edina, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

John Buzzell, Department of Public Welfare, 4th floor, Centennial Office Building, St. Paul, Ramsey County, appointed effective September 4, 1973, for an indeterminate term.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred the following appointment:

EXECUTIVE DIRECTOR FOR THE COMMISSION ON ALCOHOL PROBLEMS AND AS DIRECTOR OF THE DRUG ABUSE SECTION

Joel Egertson, 5337 3rd Avenue South, Minneapolis, Hennepin County, appointed effective August 20, 1973, for a term expiring the first Monday of January, 1975.

Reports the same back with the notice that the appointment does not need confirmation. Pursuant to Laws 1973, Chapter 572, confirmation is not needed due to the fact that Mr. Egertson is now employed in the unclassified service of the state.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1759: A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; authorizing the metropolitan council to issue bonds therefor and levy taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

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. [LEGISLATIVE PURPOSE.] 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.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 12, 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 act.

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 open space pursuant to section 4 of this act.

Subd. 8. "Development program" means a plan adopted by the commission pursuant to section 6 relating to recreational open space and the nature of its development and use.

Subd. 9. "Master plan" means a plan describing the boundaries of a specific park or other regional recreation open space and the nature of its development and use.

Sec. 3. [METROPOLITAN PARKS AND OPEN SPACE COMMISSION.] Subdivision 1. [GENERAL.] A metropolitan parks and open space commission is established as an agency of the council and shall be organized and structured and administered as provided in this section.

Subd. 2. [MEMBERSHIP.] The commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the 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 the commission shall be appointed by the governor with the advice and consent of the senate and shall be the ninth member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the governor for a four year term. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. The commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] Each member shall be a resident of the precinct for which he is appointed and shall not during his term of office as a commission member hold the office of metropolitan council member, or be a member of the metropolitan transit commission, metropolitan sewer service board, or metropolitan airports commission; or any other metropolitan agency, board, or commission hereafter established by the legislature or hold any judicial office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 8. The oath, duly certified by the official administering the same, shall be filed with the executive director of the metropolitan council.

Subd. 5. [TERMS, REMOVAL.] Commencing the first Monday in January 1975 the terms of members of the commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1977, members representing precincts E, F, G, and H for terms ending the first Monday in January 1979. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified. Members, other than the chairman, may be removed by the governor only for cause in the manner specified in chapter 351.

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 receive a salary

in an amount fixed by law and shall be reimbursed for reasonable expenses to the same extent as a member.

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] The commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

Subd. 9. [PUBLIC EMPLOYEES.] All persons employed by the chief administrator shall be public employees, and shall have all rights and duties conferred on public employees under sections 179.61 to 179.76. The compensation and other conditions of employment of such employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of chapter 15A, unless the council so provides. All employees of the commission shall be members of the Minnesota state retirement system, except that employees, who by reason of their prior employment belonged to another public retirement association in the state of Minnesota, may at their option continue membership in that public retirement association, and all other rights to which they are entitled by contract or law. The commission shall make the employer's contributions to pension funds of its employees. Employees shall perform such duties as may be prescribed by the commission.

Subd. 10. [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 the commission shall not enter into any contract with the council which would assign any operations authority, responsibility or function, other than planning or making studies, from the commission to the council.

Subd. 11. [SECRETARY AND TREASURER.] At its first regular meeting each year the commission shall appoint a secretary and a treasurer or, in the alternative, a secretary-treasurer. The secretary and treasurer, or secretary-treasurer, may, but need not be, members of the commission, and shall hold office at

the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except such as the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the commission except such as the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Subd. 12. [RELOCATION PAYMENT STANDARDS.] In all acquisitions the commission 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.

Subd. 13. [CHIEF ADMINISTRATOR.] The chairman of the commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.

(b) He shall appoint and remove 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.

Sec. 4. [POLICY PLANS.] Subdivision 1. [GENERAL.] Within 12 months after the effective date of this section, the council shall adopt after appropriate study and such public hearings as may be necessary, as a part of its development guide, a long-range comprehensive policy plan for the commission and when adopted, the policy plan shall be followed by the council and the commission. The plan shall sub-

stantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council and the commission. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commission, and the commission shall cooperate with and make its employees, records, studies, plans and other information available to the council. The council shall also consult with park districts, counties and municipalities in the metropolitan area.

Subd. 2. [PROCEDURE.] Before adopting the policy plan, the council shall submit the proposed plan to the commission for its review, and the commission shall report its comments to the council within 90 days and may, within that period request the council to hold a special public hearing for the purpose of receiving the commission's report and comments. Within a reasonable time, not to exceed 60 days, after receiving a request for a hearing, the council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 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 interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and such hearing, if any, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to the policy plan may be proposed by the council or by the commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council pursuant to Minnesota Statutes, Chapters 473A, 473B and 473C, shall continue in force and effect until expressly superseded by the policy plan adopted pursuant to this subdivision. The council shall not amend the policy plan except in accordance with the procedures herein established.

Sec. 5. [COUNCIL REVIEW; APPLICATIONS FOR FEDERAL AND STATE AID.] Subdivision 1. [FEDERAL AID.] The council shall review all applications of the commission for funds, grants, loans, or loan guarantees from the United States of America or any agency thereof if review by a regional agency is required by federal law or the federal agency, and all applications of the

commission for grants, loans, or allocations from funds made available by the United States of America to the metropolitan area for regional facilities pursuant to a federal revenue sharing or similar program requiring that the funds be received and granted or allocated or that the grants and allocations be approved by a regional agency.

Subd. 2. [STATE AID.] The council shall review all applications or requests of the commission for state funds if review by a regional agency is required by state law or the granting state agency.

Sec. 6. [DEVELOPMENT PROGRAM.] Subdivision 1. [PREPARATION OF DEVELOPMENT PROGRAM.] The commission shall prepare a development program covering the detailed technical planning, engineering, financing, scheduling and other information necessary to the development of the program elements to be performed by the commission in implementing the policy plan adopted by the council pursuant to section 4 of this act. The program may include such other technical information as the commission deems necessary. The program shall prescribe and delineate the functions to be performed and activities to be undertaken by the commission and shall cover at least the five year period commencing with the first calendar year beginning after its approval or such longer period as the council may prescribe. The program shall describe all capital improvements to be undertaken in such period and with respect to each improvement shall include the following:

(a) A description of the improvement, its location, function and estimated cost;

(b) The proposed manner of financing the capital costs of the improvement, and the sources of revenue available for payment of such costs;

(c) A schedule showing on a yearly basis the timing of land acquisition, construction and capital expenditures for the improvements;

(d) A review and description of the public need for the improvement, alternatives to the improvement, (including alternatives not involving capital expenditures), the environmental and social effects of the improvement and all actions and steps theretofore taken by the commission with respect to the improvement;

(e) An estimate of the probable impact of the improvement on the responsibilities of the metropolitan transit commission, the metropolitan airports commission, the metropolitan sewer board, and other agencies, boards, and commissions which may be established by the legislature;

(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. The council shall complete its review within 90 days after receipt of the proposed development program. If the council determines that the program is consistent with the policy plan it shall approve the program as submitted. If it determines that the program is inconsistent with the policy plan, it shall disapprove it and return it to the commission with the 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 commission, the council shall hold a public hearing for the purpose of considering the program and the council's comments thereon, if requested to do so by the commission. Within two years of the approval of its first development program by the council and at least biennially thereafter the commission shall review the program, make such revisions as are necessary, including an updating of the five year capital improvement program, and submit the program to the council for its review and approval or disapproval as herein provided.

Subd. 3. [EFFECT OF DEVELOPMENT PROGRAM.] After approval by the council of a development program plan the commission shall implement the program. No capital improvements shall be undertaken by the commission unless authorized by the program or specifically approved by the council. The council shall not approve any improvement not in substantial conformance with the appropriate policy plan.

Sec. 7. [MASTER PLANS; LOCAL GOVERNMENTS.] Subdivision 1. [PLAN PREPARATION.] 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 master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county consistent with the commission's development program and, to the extent applicable, the council's policy plan.

Subd. 2. [COMMISSION REVIEW.] 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. 8. [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, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within

the period of time hereinafter specified; provided that the commission shall not have the power of eminent domain. 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 may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the 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 this section. 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 valuation 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 except as otherwise provided in this subdivision 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 9. The tax levied for any year shall not exceed seven-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 collected by the state. The tax shall be levied and collected in the manner provided by Minnesota Statutes, Section 473.08.

Sec. 9. [GENERAL POWERS.] Subdivision 1. In addition to the powers granted by sections 1 to 8 of this act, 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 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. Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with Minnesota Statutes, Section 471.345.

Sec. 10. [COMMISSION BUDGET PREPARATION; REVIEW AND APPROVAL.] Subdivision 1. The commission shall prepare a proposed budget for calendar year 1976 and each calendar year thereafter. The proposed budget shall be prepared on or before August 1, 1975, and each year thereafter. The budget shall show for each such year:

(a) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service; and

(b) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; all in such detail and form as the council may prescribe. Between August 1 and September 1 of each year, the commission shall hold a public hearing on the proposed budget. Not less than 14 days before the hearing, the commission shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed budget may be examined by any interested person. Those parts of the budget relating to revenues and expenditures for capital improvements shall be submitted to the council on or before August 1 of each year and shall be subject to approval by the council. The council shall act to approve or disapprove by October 1 of each year. Before December 15 of each year the commission, after obtaining approval of the council for any changes in the capital improvements budget, shall by resolution adopt a final budget. The commission shall file its final budget with the council on or before December 20 of each year. Except in an emergency, for which procedures shall be established by the commission, the commission and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation by the commission or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or

other revenues pledged to pay the obligation and interest on it whether or not specifically included in any annual budget. The commission may, after obtaining approval of the council, amend the capital improvements budget at any time by transferring any appropriation from one purpose to another, except appropriations of the proceeds of bonds issued for a specific purpose. The council shall file the budgets of the commission with the secretary of the senate and the clerk of the house of representatives not later than January 15 of each year.

Subd. 2. [PROGRAM BUDGETING.] The council may in consultation with the commission adopt regulations providing for program budgeting, as defined in section 16.141, subdivision 1, by the commission. Upon adoption of such regulations, the commission shall submit program budgets to the council in the form established by the regulations. Within three years after the effective date of this act the council and the commission shall adopt budgets in program budget form.

Subd. 3. [REVIEW OF USER CHARGES.] Thirty days prior to the establishment of or change in any user charges or fees or schedule of user charges or fees the commission shall forthwith submit proposed charges or fees or schedule to the council. The council shall review and comment upon the charges, fees, or schedule with particular reference to (1) their consistency with the development guide and policy plan, and (2) their fiscal impact on the metropolitan area, especially their impact on future debt service requirements, the financing of future capital improvements, and on the various local governmental units and classes of users. On or before January 15 of each year, the council shall transmit the charges, user fees or schedules of the commission and its comments thereon to the secretary of the senate and chief clerk of the house of representatives for consideration by the legislature.

Sec. 11. [FINANCIAL DISCLOSURE.] Subdivision 1. Each member of the commission shall file with the executive director of the council by April 1 of each year, on 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 amounts borrowed against 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 en-

tered into by the commission. No commissioner shall be subject to any personal liability on account of any liability of the commission.

Sec. 12. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

Amend the title as follows:

Line 4, after the semicolon, insert "establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes;" and strike "authorizing the"

Strike line 5

Line 6, strike "therefor and levy taxes;"

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 the following appointment:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Richard H. Magnuson, 2141 Doswell Avenue, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2675 for comparison to companion Senate File, 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.
2675	2582				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2675 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [FINDINGS AND PURPOSE.] The legislature finds and declares that the present rapid growth in demand for energy is in part due to unnecessary energy use; that a continuation of this trend will result in serious depletion of finite quantities of fuels, land and water resources, and threats to the state's

environmental quality; that the state must insure consideration of urban expansion, transit systems, economic development, energy conservation and environmental protection in planning for large energy facilities; that there is a need to carry out energy conservation measures; and that energy planning, protection of environmental values, and conservation of energy require expanded authority and technical capability and a unified, coordinated response within state government.

The legislature seeks to encourage thrift in the use of energy, and to maximize use of energy-efficient systems, thereby reducing the rate of growth of energy consumption, prudently conserving energy resources, and assuring statewide environmental protection consistent with an adequate, reliable supply of energy.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the following terms shall have the meanings here given them.

Subd. 2. "Agency" means the intergovernmental agency on energy as provided in this act.

Subd. 3. "Commission" means the legislative commission on energy.

Subd. 4. "Director" means the director of the intergovernmental agency on energy.

Subd. 5. "Large energy facility" means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any interstate high voltage transmission line with a capacity of 200 kilovolts or more and over 100 miles in length, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and over 50 miles in length used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and over 50 miles in length, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to Minnesota Statutes, Section 84.57, any facility designed or capable of serving as a depot for coal transported into this state for transshipment from the state and any petroleum refinery.

Subd. 6. "Petroleum supplier" means any petroleum refinery in the state and any entity engaged in transmission or wholesale distribution of more than 100,000 gallons of crude petroleum or petroleum fuels or oil or derivatives thereof annually in this state.

Subd. 7. "Coal supplier" means any entity engaged in this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state.

Subd. 8. "Utility" means any entity engaged in this state in the generation, transmission or distribution of electric energy and any entity engaged in this state in the transmission or distribution of natural or synthetic natural gas, including, but not limited to a private investor owned utility or a public or municipally owned utility.

Subd. 9. The director shall establish by regulation output or capacity thresholds to exempt any utility petroleum supplier or coal supplier from the requirements of this act whose output or capacity has no significant effect on energy supply in this state.

Subd. 10. "Construction" means significant physical alteration of a site to install or enlarge a large energy facility, but not including activities incident to preliminary engineering or environmental studies.

Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the intergovernmental agency on energy.

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Subd. 3. The director shall be appointed by the governor by and with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salary of the deputy shall be fixed by the director unless otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created by the legislature a legislative commission on energy.

The commission shall be composed of three members from the senate, two to be appointed by the majority leader and one to be appointed by the minority leader; and three members from the house, two to be appointed by the speaker and one to be appoint-

ed by the minority leader, and three public members to be appointed by the governor, no more than two to be of the same political party. The commission shall appoint an executive secretary to serve at its pleasure.

Subd. 2. The director of the office of legislative research shall serve as executive secretary of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) review and evaluate policies adopted by the agency;

(c) coordinate with the director of the agency and assist him in determining energy policies;

(d) assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) consult with the director and the agency on all matters regarding energy conservation;

(g) routinely advise the director and the agency regarding the exercise of their other duties under this act;

(h) continuously evaluate the energy policies of the state;

(i) review and comment upon the other activities of the agency;

(j) re-evaluate the report of the agency submitted pursuant to section 10;

(k) recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;

(l) submit an annual report of its activities to the governor and the legislature; and

(m) include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy.

Sec. 5. [CONFLICT OF INTEREST.] No person during his term as director shall receive any substantial portion of his income directly or indirectly from any utility, coal or petroleum supplier, or the sale or manufacture of any major component of a large energy facility. No person shall be eligible to be appointed director unless and until he divests himself of any interest or abandons any employment which produces such a substantial portion of his income.

No person who is an employee of the agency shall participate in any manner in any decision or action of the agency or committee where he has a direct or indirect financial interest.

Sec. 6. [JURISDICTION.] The agency has sole authority and responsibility for the administration and enforcement of this act. Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration or enforcement of this act. The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act. Any other department, agency or official of this state or political subdivision thereof which would in any way affect the administration or enforcement of this act shall cooperate and coordinate all such activities with the agency to assure orderly and efficient administration and enforcement of this act.

The director shall designate a liaison officer from the agency whose duty it shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the division and the other agencies that may be involved in energy. The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act.

Sec. 7. [DUTIES OF THE AGENCY.] It shall be the duty of the director to:

(a) Manage the agency as the central repository within the state government for the collection of data on energy;

(b) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals, require that those goals be met, and report such goals to the commission;

(c) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(d) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(e) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of this act;

(f) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy demands for the state and various service areas as a basis for planning large energy facilities;

(g) Require certificate of need for construction of large energy facilities;

(h) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of this act, and make recommendations for changes in energy pricing policies and rate schedules;

(i) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(j) Report to the commission and provide the commission with all forecasts, statistics and other data compiled by it in carrying out its duties under this act;

(k) Exercise and perform such further duties as may be required or imposed on the director of energy by law.

Sec. 8. [POWERS OF THE AGENCY.] The director may:

(a) Adopt rules and regulations, necessary to carry out the purposes of this act;

(b) Make all contracts pursuant to this act, and qualify for, accept and disburse any private grant intended for the administration of this act. Notwithstanding any other law, the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act;

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Furnish informational material without charge upon reasonable request.

Sec. 9. [EMERGENCY ALLOCATION PLAN.] Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use in the event of sudden or serious shortage and shall establish guidelines and criteria for allocation of fuels to priority users in a shortage situation. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to persons who demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) immediate allocations to persons be based on needs at energy conservation levels;

(2) successive allocations to persons be based on needs after implementation of required action to increase energy conservation;

(3) needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices, provided that if no feasible and prudent alternative exists, minimum easing of short range environmental goals and standards, consistent with human health, in specific cases for minimum specific periods of time shall be permitted;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him, public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such cooperative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of section 325.8017, subdivision 2. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure easy public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 3. At least once every five years and whenever construction of a large new energy facility is completed which affects the supply of energy in Minnesota, the director shall review the emergency conservation and allocation plan.

Subd. 4. Upon a declaration of an energy supply emergency or serious fuel shortage by the executive council or concurrent resolution of the legislature, the director shall, in accordance with those provisions of the emergency conservation and allocation plan as specified in the resolution declaring the emergency, restrict the use of or limit the availability of any form of energy to avoid impending serious shortages of energy supplies and to protect the public health, safety, and welfare. The division of civil defense shall, at the direction of the director, implement and enforce the emergency conservation allocation plan and each person shall carry out the responsibilities specified in the plan. Violation of any provision of such required emergency conservation or allocation requirements

shall be deemed a violation of this act and the rules or regulations thereunder for purposes of enforcement pursuant to section 13 hereof.

Sec. 10. [FORECASTS, STATISTICS AND INFORMATION.]
Subdivision 1. In order to further the purposes of this act, the director shall develop and maintain an effective program of collection, compilation, and analysis of energy statistics. The statistical program shall be developed to insure a central state repository of energy data and so that the state may coordinate and cooperate with other governmental data collection and record keeping programs.

Subd. 2. In addition to such short range forecasting information as the director may request, each utility, coal supplier and petroleum supplier in the state shall prepare and transmit to the commissioner by January 1, 1975, and every year thereafter, a report specifying in five, ten, and 20-year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the director and contain all information deemed relevant by the director.

Subd. 3. The director shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication.

Subd. 4. Reports issued pursuant to this section shall be available for public inspection in the office of the agency during normal business hours.

Subd. 5. The director shall review and evaluate forecasts of energy demands and resources as they relate to the most current population growth and development estimates, statewide and regional land use, transportation, and economic development programs and forecasts.

Sec. 11. [STATE ENERGY POLICY AND CONSERVATION REPORT.] Subdivision 1. Beginning January 1, 1976, and at least every two years thereafter, the director shall transmit to the governor, commission and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and service area energy demand. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 10 and the alternatives to meeting that demand;

(b) An estimate of statewide and geographical area energy demand for the forthcoming five and ten year period which, in the judgment of the director, will reasonably balance requirements of state and service area growth and development, protection of public health and safety, preservation of environmental quality, and conservation of energy resources. Such forecasts established by the

director shall serve as the basis for certification of large energy facilities in section 13;

(c) The anticipated level of statewide and geographical area energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The status of the agency's ongoing studies;

(h) A description of the emergency allocation plan;

(i) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of this act.

Subd. 2. Prior to the preparation of a final report, the director shall issue a draft report to the commission, the environmental quality council and any person, upon request, and shall hold a public meeting. Notice of the public meeting shall be provided to each regional development commission.

Subd. 3. The director shall distribute the final report to any person upon request.

Sec. 12. [RULES AND REGULATIONS.] Subdivision 1. When legislation to insure the efficient use of energy and to minimize unnecessary energy consumption is enacted, the director shall have the authority to promulgate rules and regulations for the administration of such laws.

Subd. 2. The director shall recommend to the governor, the commission and the legislature additional energy policies and conservation measures as required to meet the objectives of this act.

Sec. 13. [CERTIFICATE OF NEED.] Subdivision 1. Within six months after the submission of the first biennial report the director shall, pursuant to chapter 15 and this act, promulgate assessment of need criteria, to be used in the determination of need for large energy facilities pursuant to this section.

Subd. 2. After promulgation of the assessment of need criteria, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to this act and consistent with the criteria for assessment of need.

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. The criteria for assessing need shall include:

(1) The accuracy of the long range energy need forecasts on which the necessity for the facility is based;

(2) The effect of existing or pending energy conservation programs under this act or other federal or state legislation on long term energy need;

(3) The relationship of the proposed facility to overall state energy needs;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand;

(8) The policies, rules and regulations of other state and federal agencies and local governments.

Subd. 4. After promulgation of the criteria for assessment of need each utility, coal supplier, and petroleum supplier in the state shall apply for a certificate of need prior to the construction of a new large energy facility. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing after notice to all interested persons.

Subd. 5. No later than six months after the submission of an application, the director shall approve, deny, or approve subject to modification a certificate of need for the facility. Failure to act within six months after the submission of an application constitutes approval. Such approval or denial of the certificate shall be accompanied by a statement of the reasons for the decision.

Subd. 6. To assure the paramount and controlling effect of the provisions herein over other state agencies, regional, county and local governments and special purpose government districts, the determinations of the director and issuance of certificates of need shall be the sole and exclusive prerogative of the director, and said determinations and certificates shall be binding upon other state agencies, regional, county and local governments and special purpose government districts.

Subd. 7. Any person subject to federal legislation requiring, with respect to the construction of interstate pipeline facilities or interstate electrical transmission lines, a certificate comparable to that provided for herein shall be deemed to have complied with this section upon filing with the director a copy of the certificate issued by the responsible federal agency.

Subd. 8. Any application for a certificate of need shall be accompanied by a fee not to exceed \$50,000. The director shall establish by regulation a schedule of fees based on the cost of assessment of need. Funds collected in this manner shall be credited to the general fund of the state treasury.

Sec. 14. [SUBPOENA POWER.] The director shall have the power, for the purposes of this act, to issue subpoenas for production of books, records, correspondence and other information and to require attendance of witnesses. Such subpoenas may be served anywhere in the state by any person authorized to serve processes of courts of record. If a person does not comply with a subpoena, the director may apply to the district court of Ramsey county and the court shall compel obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Sec. 15. [ENFORCEMENT, PENALTIES.] Subdivision 1. Any person who violates this act or any rule or regulation promulgated hereunder or knowingly submits false information in any report required by this act shall be guilty of a misdemeanor for the first offense and a gross misdemeanor for 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 director, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Subd. 3. When the court finds that any person has violated this act or any rule or regulation thereunder, knowingly submitted false information in any report required by this act, or has violated any court order issued under this act, the court may impose a civil penalty of not more than \$10,000 for each violation. These penalties shall be paid to the general fund in the state treasury.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the intergovernmental agency on energy*, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor.

Sec. 17. [APPROPRIATIONS.] The sum of \$300,000 is appropriated from the general fund to the Minnesota intergovernmental agency on energy for the purposes of this act. The sum of \$30,000 is appropriated from the general fund to the legislative commission on energy for the purposes of this act. Notwithstanding Minnesota Statutes, Section 16.17 or other law, this appropriation shall cancel June 30, 1975.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following final enactment.

Sec. 19. [EXPIRATION DATE.] The provisions of this act shall expire June 30, 1979 unless renewed by the legislature."

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

“A bill for an act relating to energy; establishing an intergovernmental agency on energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; and appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.”

And when so amended, H. F. No. 2675 will be identical to S. F. No. 2582 and further recommends that H. F. No. 2675 be given its second reading and substituted for S. F. No. 2582 and S. F. No. 2582 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2048, 2334, 2336, 2595, 2650, 2844, 1539, 2120, 2717, 2919, 2985, 3021, 2163, 2699, 401, 2866, 2888, 3013, 3089, 1562, 1564, 1967, 2377, 2728, 2745, 2978, 2796 and 3041 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. 2796 to the Committee on Education.

H. F. No. 2728 to the Committee on Governmental Operations.

H. F. Nos. 2336, 2334, 2048 and 1564 to the Committee on Health, Welfare and Corrections.

H. F. Nos. 2163, 2699 and 1562 to the Committee on Judiciary.

H. F. Nos. 2919, 2717, 2120, 2650, 2888, 3013, 3089, 2377 and 2745 to the Committee on Labor and Commerce.

H. F. Nos. 2844, 2595, 1967, 2978 and 2866 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 401 to the Committee on Natural Resources and Agriculture.

H. F. Nos. 3021, 2985, 1539 and 3041 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. 2957, 2885, 1713, 2886, 3069, 2568, 2966, 3116, 3117, 3118, 3040, 3119, 3115, 3037, 2327 and 1759 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 2675 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hughes moved that the name of Mr. Humphrey be added as co-author to S. F. No. 3206. The motion prevailed.

Mr. Borden moved that the name of Mr. Wegener be added as co-author to S. F. No. 2558. The motion prevailed.

Mr. Milton moved that S. F. No. 2600, No. 20 on the Calendar of Ordinary Matters, be stricken and placed on General Orders. The motion prevailed.

Mr. Conzemius moved that S. F. No. 130 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Conzemius moved that S. F. No. 1788 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Hughes moved that the name of Mr. O'Neill be added as co-author to S. F. No. 3206. The motion prevailed.

Mr. Olson, A. G. moved that S. F. No. 3003, No. 9 on the Calendar of Ordinary Matters, be stricken and placed on General Orders. The motion prevailed.

Mr. Borden moved that S. F. No. 1138 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Borden moved that the Senate do now concur in the amendments by the House to S. F. No. 1138 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1138: A bill for an act relating to taxation; providing that county auditors shall furnish abstract of tax list to certain state officials; amending Minnesota Statutes 1971, Section 275.29.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Frederick	Jensen	Krieger
Arnold	Chmielewski	Gearty	Josefson	Larson
Ashbach	Coleman	Hansen, Baldy	Keefe, J.	Laufenburger
Bang	Conzemius	Hansen, Mel	Keefe, S.	
Berg	Davies	Hanson, R.	Kleinbaum	
Bernhagen	Dunn	Hughes	Knutson	
Blatz	Fitzsimons	Humphrey	Kowalczyk	

Lewis	Novak	O'Neill	Schaaf	Stokowski
Lord	Ogdahl	Patton	Schrom	Tennessen
McCutcheon	Olhoft	Perpich, A. J.	Sillers	Thorup
Moe	Olson, A. G.	Pillsbury	Solon	Ueland
Nelson	Olson, H. D.	Purfeerst	Spear	Wegener
North	Olson, J. L.	Renneke	Stassen	Willet

So the bill, as amended, was repassed and its title was agreed to.

THIRD READING OF SENATE BILLS

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.

Was read the third time 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	Dunn	Keefe, S.	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessen
Brown	Hughes	Lord	Patton	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 498: A bill for an act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes 1971, Sections 617.18 and 617.19.

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 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Novak	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoft	Solon
Ashbach	Gearty	Knutson	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Blatz	Hanson, R.	Laufenburger	O'Neill	Thorup
Borden	Hughes	Lord	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schrom	

Those who voted in the negative were:

Bang	North	Pillsbury	Schaaf	Spear
Lewis	Ogdahl			

So the bill passed and its title was agreed to.

THIRD 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.

Was read the third time 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 12, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Lord	Olson, H. D.	Stassen
Arnold	Hughes	McCutcheon	Olson, J. L.	Stokowski
Ashbach	Humphrey	Milton	O'Neill	Tennessee
Borden	Jensen	Moe	Patton	Thorup
Chmielewski	Josefson	Nelson	Perpich, A. J.	Wegener
Coleman	Keefe, J.	North	Pillsbury	Willet
Davies	Keefe, S.	Novak	Schaaf	
Dunn	Kleinbaum	Ogdahl	Sillers	
Fitzsimons	Larson	Olhoff	Solon	
Gearty	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

Berg	Conzemius	Knutson	Laufenburger	Renneke
Bernhagen	Hansen, Baldy	Kowalczyk	Purfeerst	Schrom
Brown	Hansen, Mel			

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2860: A bill for an act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

Was read the third time 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, J.	Novak	Schrom
Arnold	Dunn	Kleinbaum	Olhoft	Sillers
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Krieger	Olson, H. D.	Spear
Berg	Gearty	Larson	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Blatz	Hansen, Mel	Lord	Patton	Tennessee
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Brown	Hughes	Milton	Pillsbury	Ueland
Chmielewski	Humphrey	Moe	Purfeerst	Wegener
Coleman	Jensen	Nelson	Renneke	Willet
Conzemius	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2891: A bill for an act relating to the city of Minneapolis; retirement; disability benefits for city employees; amending Laws 1973, Chapter 133, Section 18, Subdivisions 2, and 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2921: A bill for an act relating to the city of Minneapolis; retirement; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivisions 1, 3, 5 as amended, 6, and by adding a subdivision; 9, Subdivision 2 as amended, and 3; 11, Subdivision 1; 12, Subdivision 2; 16, Subdivisions 1, and 8; 18, Subdivision 1; and 23, Subdivision 1; repealing Laws 1973, Chapter 133, Section 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 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	Olson, J. L.	Tennessee
Bernhagen	Hansen, Mel	Lewis	O'Neill	Thorup
Blatz	Hanson, R.	Lord	Patton	Ueland
Brown	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Milton	Pillsbury	Willet
Chmielewski	Jensen	Moe	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2892: A bill for an act relating to the city of Minneapolis; retirement; survivors benefits for dependents of city employees; amending Laws 1973, Chapter 133, Section 23, Subdivisions 2, 3, and 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Schaaf
Arnold	Dunn	Kleinbaum	North	Schrom
Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olhoft	Solon
Berg	Gearty	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Tennessee
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Pillsbury	Ueland
Coleman	Jensen	Milton	Purfeerst	Wegener
Conzemius	Josefson	Moe	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 2823: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; providing for adjustments in cost, benefits and contributions; amending Laws 1973, Chapter 133, Sections 8, Subdivision 2, as amended; 10, Subdivision 1; and 15, 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	Dunn	Kleinbaum	Ogdahl	Sillers
Arnold	Fitzsimons	Knutson	Olhoft	Solon
Ashbach	Frederick	Kowalczyk	Olson, A. G.	Spear
Bang	Gearty	Krieger	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Blatz	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	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	

So the bill passed and its title was agreed to.

S. F. No. 3029: A bill for an act relating to highways; state-aid system of highways; research accounts set aside from the county state-aid highway fund and municipal state-aid street fund; purposes; amending Minnesota Statutes 1971, Sections 162.06, Subdivision 4; and 162.12, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olhoft	Solon
Arnold	Frederick	Kowalczyk	Olson, A. G.	Spear
Bang	Gearty	Krieger	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Blatz	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Pillsbury	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	
Dunn	Kleinbaum	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2952: A bill for an act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobile on the streets and highways between certain dates without payment of the motor vehicle registration tax.

Was read the third time 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	Frederick	Kleinbaum	North	Purfeerst
Bang	Gearty	Knutson	Novak	Renneke
Berg	Hansen, Baldy	Kowalczyk	Ogdahl	Schrom
Bernhagen	Hansen, Mel	Krieger	Olhofs	Sillers
Blatz	Hanson, R.	Larson	Olson, A. G.	Solon
Brown	Hughes	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Humphrey	Lewis	Olson, J. L.	Stokowski
Chmielewski	Jensen	Lord	O'Neill	Ueland
Davies	Josefson	McCutcheon	Patton	Wegener
Dunn	Keefe, J.	Moe	Perpich, A. J.	Willet
Fitzsimons	Keefe, S.	Nelson	Pillsbury	

Messrs. Anderson, Spear and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3032: A bill for an act authorizing the annexation of certain state owned land by the city of Breckenridge.

Was read the third time 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.	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Sillers
Ashbach	Fitzsimons	Knutson	Ogdahl	Solon
Bang	Frederick	Kowalczyk	Olhofs	Spear
Berg	Gearty	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Tennesen
Borden	Hanson, R.	Lewis	O'Neill	Ueland
Brown	Hughes	Lord	Patton	Wegener
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Jensen	Milton	Pillsbury	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2950: A bill for an act relating to the Dover, Eyota and St. Charles sanitary district; extending the time for payment of certain state money; amending Laws 1973, Chapter 595, Sections 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Hansen, Baldy	Keefe, J.
Arnold	Borden	Davies	Hansen, Mel	Keefe, S.
Ashbach	Brown	Dunn	Hanson, R.	Kleinbaum
Bang	Chenoweth	Fitzsimons	Hughes	Knutson
Berg	Chmielewski	Frederick	Jensen	Kowalczyk
Bernhagen	Coleman	Gearty	Josefson	Krieger

Larson	Nelson	Olson, J. L.	Schaaf	Tennessee
Laufenburger	North	O'Neill	Schrom	Ueland
Lewis	Novak	Patton	Sillers	Wegener
Lord	Ogdahl	Perpich, A. J.	Solon	Willet
McCutcheon	Olhoff	Pillsbury	Spear	
Milton	Olson, A. G.	Purfeerst	Stassen	
Moe	Olson, H. D.	Renneke	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 2586: A bill for an act relating to Clay county; authorizing expenditures of federal revenue sharing funds for certain purposes.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
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. L.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2718: A bill for an act directing the commissioner of natural resources to convey certain lands to Lake of the Woods 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
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. L.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2605: A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willett
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2398: A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willett
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2822: A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Sections 378.31, Subdivision 2; and 378.32, Subdivision 1.

Was read the third time 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	Fitzsimons	Knutson	Ogdahl	Sillers
Arnold	Frederick	Kowalczyk	Olhoft	Solon
Bang	Gearty	Krieger	Olson, A. G.	Spear
Berg	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Brown	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Dunn	Kleinbaum	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2856: A bill for an act authorizing the county of Marshall to assume liability for payment of contract for construction of county ditch; authorizing the issuance of bonds and validating contract.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2537: A bill for an act relating to highways; adding an additional highway route to the highway routes designated as the Blue Star memorial highway; amending Minnesota Statutes 1971, Section 161.14, Subdivision 13.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	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	O'Neill	Tennessee
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 2150: A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	North	Schrom
Arnold	Dunn	Knutson	Novak	Sillers
Ashbach	Fitzsimons	Kowalczyk	Ogdahl	Solon
Bang	Frederick	Krieger	Olson, A. G.	Spear
Berg	Gearty	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Blatz	Hanson, R.	Lewis	Patton	Tennessee
Borden	Hughes	Lord	Perpich, A. J.	Thorup
Brown	Humphrey	McCutcheon	Pillsbury	Ueland
Chenoweth	Jensen	Milton	Purfeerst	Wegener
Chmielewski	Keefe, J.	Moe	Renneke	Willet
Coleman	Keefe, S.	Nelson	Schaaf	

Messrs. Hansen, Mel; Josefson; Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Blatz	Coleman	Frederick	Hughes
Arnold	Borden	Conzemius	Gearty	Humphrey
Ashbach	Brown	Davies	Hansen, Baldy	Jensen
Bang	Chenoweth	Dunn	Hansen, Mel	Josefson
Bernhagen	Chmielewski	Fitzsimons	Hanson, R.	Keefe, J.

Keefe, S.	Lord	Ogdahl	Perpich, A. J.	Stassen
Kleinbaum	McCutcheon	Olhoft	Pillsbury	Stokowski
Knutson	Milton	Olson, A. G.	Purfeerst	Thorup
Kowalczyk	Moe	Olson, H. D.	Renneke	Ueland
Krieger	Nelson	Olson, J. L.	Schrom	Wegener
Larson	North	O'Neill	Sillers	Willet
Laufenburger	Novak	Patton	Solon	

Messrs. Schaaf, Spear and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2652: A bill for an act authorizing the sale of certain lands in Cass county by the commissioner of natural resources.

Was read the third time 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	Dunn	Kleinbaum	Novak	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Frederick	Kowalczyk	Olhoft	Solon
Bang	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	O'Neill	Tennesen
Brown	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Schrom in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Schrom reported that the committee had considered S. F. Nos. 2716, 2055, 2252, 1868 and 2691, also H. F. Nos. 2822, 543, 1630, 2667 and 601 which the committee recommends to pass.

H. F. No. 2425 which the committee recommends to pass, subject to the following motion:

Mr. Keefe, J. moved that the amendment made to H. F. No. 2425 by the Committee on Rules and Administration in the report adopted by the Senate February 11, 1974, pursuant to Rule 49 be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 2703, which the committee recommends to pass with the following amendments offered by Messrs. Ashbach and North:

Mr. Ashbach moved to amend S. F. No. 2703 as follows:

Page 3, line 16, after "members" insert "of the senate"

Page 3, line 18, after "members" insert "of the house"

Mr. North moved to amend S. F. No. 2703 as follows:

Page 4, line 2, after "addition," insert "before"

Page 4, line 2, after "consultant" insert "is"

Page 4, line 3, after "act" insert "he"

Page 4, line 3, strike "the prior approval of" and insert "his contract for employment approved by"

Mr. Blatz moved that S. F. No. 2703 be re-referred to the Committee on Taxes and Tax Laws.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 19 and nays 38, as follows:

Those who voted in the affirmative were:

Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Sillers
Blatz	Frederick	Kowalczyk	Pillsbury	Stassen
Conzemius	Hanson, R.	Krieger	Purfeerst	Ueland
Dunn	Jensen	Larson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Lord	Olhoff	Spear
Arnold	Hansen, Mel	McCutcheon	Olson, A. G.	Stokowski
Ashbach	Hughes	Milton	Olson, H. D.	Tennessee
Borden	Humphrey	Moe	O'Neill	Thorup
Chenoweth	Keefe, J.	Nelson	Perpich, A. J.	Wegener
Chmielewski	Keefe, S.	North	Schaaf	Willet
Coleman	Kleinbaum	Novak	Schrom	
Davies	Lewis	Ogdahl	Solon	

The motion did not prevail.

Mr. Krieger moved that S. F. No. 2703 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 19 and nays 35, as follows:

Those who voted in the affirmative were:

Bernhagen	Frederick	Kowalczyk	Olson, J. L.	Sillers
Blatz	Hanson, R.	Krieger	O'Neill	Stassen
Dunn	Jensen	Larson	Pillsbury	Ueland
Fitzsimons	Knutson	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Conzemius	Keefe, S.	North	Schrom
Arnold	Davies	Kleinbaum	Olhoff	Solon
Ashbach	Gearty	Lewis	Olson, A. G.	Spear
Borden	Hansen, Mel	Lord	Olson, H. D.	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Keefe, J.	Moe	Schaaf	Willet

The motion did not prevail.

S. F. No. 2668, which the committee recommends to pass with the following amendments offered by Mr. Arnold:

Page 1, line 13, strike "any"

Page 1, strike line 14 and insert in lieu thereof "*St. Louis and Koochiching counties,*"

Page 3, lines 24 and 25, strike "*any county having a land area in excess of 3,000 square miles*" and insert in lieu thereof "*St. Louis or Koochiching counties*"

Page 4, lines 32 and 33, strike "*any county with a land area in excess of 3,000 square miles*" and insert in lieu thereof "*St. Louis or Koochiching counties*"

Page 6, lines 11 and 12, strike "*any county with a land area in excess of 3,000 square miles*" and insert in lieu thereof "*St. Louis or Koochiching counties*"

Amend the title in line 3, after "sales" and before the semicolon by inserting "in St. Louis and Koochiching counties"

S. F. No. 2457 which the committee reports progress, subject to the following motion:

Mr. Nelson moved to amend S. F. No. 2457 as follows:

Page 1, lines 30 and 31, strike the new language.

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 2457.

And then, on motion of Mr. Schrom, 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 9:00 o'clock a.m., Wednesday, February 20, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

EIGHTY-NINTH DAY

St. Paul, Minnesota, Tuesday, February 19, 1974.

The House of Representatives met on Tuesday, February 19, 1974, which was the Eighty-Ninth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

NINETIETH DAY

St. Paul, Minnesota, Wednesday, February 20, 1974.

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	Novak	Solon
Arnold	Gearty	Kowalczyk	Olhoft	Spear
Berg	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Olson, H. D.	Tennessee
Borden	Hanson, R.	Lewis	Olson, J. L.	Thorup
Coleman	Hughes	Lord	O'Neill	Ueland
Conzemius	Humphrey	Milton	Perpich, A. J.	Wegener
Davies	Josefson	Moe	Renneke	Willet
Doty	Keefe, S.	North	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	Keefe, J.	North	Schrom
Arnold	Doty	Keefe, S.	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	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	Milton	Pillsbury	Willet
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Kirchner, McCutcheon, Schaaf and Perpich, G. were excused from the Session of today. Messrs. Brown and Krieger were excused from this morning's Session. Mr. Ashbach was excused from the Session of today, beginning at 12:00 o'clock noon.

Mr. Pillsbury was excused from Friday's Session. Mr. Knutson was excused from Friday morning's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 15, 1974

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. 1463, An act relating to municipalities; local improvements and special assessments; providing for separate sidewalk benefiting districts.

S. F. No. 2012, An act relating to taxes on and measured by net income; prescribing penalties; amending Minnesota Statutes 1971, Section 290.92, Subdivision 15.

Sincerely,
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	28	50	February 15, 1974	February 15, 1974
	149	51	February 15, 1974	February 15, 1974
	574	52	February 15, 1974	February 15, 1974
	874	53	February 15, 1974	February 15, 1974
	1288	54	February 15, 1974	February 15, 1974
	1504	55	February 15, 1974	February 15, 1974
	1617	56	February 15, 1974	February 15, 1974
	1699	57	February 15, 1974	February 15, 1974
	2873	58	February 15, 1974	February 15, 1974
1463		59	February 15, 1974	February 15, 1974
2012		60	February 15, 1974	February 15, 1974

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Mr. Fitzsimons introduced—

S. F. No. 3273: A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Frederick, Bang and Krieger introduced—

S. F. No. 3274: A bill for an act relating to state government; executive council membership; providing that the lieutenant governor be an ex officio member; amending Minnesota Statutes, 1973 Supplement, Section 9.011, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Olson, A. G.; Sillers and Moe introduced—

S. F. No. 3275: A bill for an act relating to cooperative associations; nomination and election of directors; providing for voting by mail by stockholders; amending Minnesota Statutes 1971, Section 308.071.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Olson, A. G.; Lewis and Pillsbury introduced—

S. F. No. 3276: A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Section 346.27.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Coleman, Conzemius and Gearty introduced—

S. F. No. 3277: A bill for an act relating to taxation; disallowing certain interest costs to determine occupation tax due; amending Minnesota Statutes 1971, Section 298.08.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Spear and Keefe, S. introduced—

S. F. No. 3278: A bill for an act relating to the state; allowing the state to purchase or condemn and operate private industries and facilities that produce or distribute energy; providing for the issuance of bonds; appropriating money.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Solon introduced—

S. F. No. 3279: A bill for an act relating to intoxicating liquor; establishments eligible for on-sale licenses; amending Minnesota Statutes 1971, Section 340.11, Subdivision 11.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Fitzsimons, Olhoff and Ueland introduced—

S. F. No. 3280: A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

Which was read the first time and referred to the Committee on Finance.

Messrs. Ueland, Patton and Humphrey introduced—

S. F. No. 3281: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Which was read the first time and referred to the Committee on Education.

Messrs. Stassen, Anderson and Dunn introduced—

S. F. No. 3282: A bill for an act relating to education; providing that public schools shall not be required to open prior to 9 A.M. during certain months.

Which was read the first time and referred to the Committee on Education.

Messrs. Conzemius; Keefe, J. and Keefe, S. introduced—

S. F. No. 3283: A bill for an act relating to public utilities; requiring natural gas and electric power utilities to give notice to the local welfare agency prior to terminating service.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Renneke, Bernhagen and Berg introduced—

S. F. No. 3284: A bill for an act relating to time; providing that the state of Minnesota shall be exempt from federal daylight savings time during certain months.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Humphrey introduced—

S. F. No. 3285: A bill for an act relating to the administration of justice; providing for the establishment of a public defender system in certain judicial districts; expanding the class of persons entitled to public representation; providing for the financing of the district public defender; amending Minnesota Statutes 1971, Sections 611.14; 611.15; 611.16; 611.17; 611.18; 611.19; 611.20; 611.21; 611.24; 611.25; and Chapter 611, by adding sec-

tions; repealing Minnesota Statutes 1971, Sections 611.26 and 611.27.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Knutson, Gearty and Kowalczyk introduced—

S. F. No. 3286: A bill for an act relating to liens; exceptions to the requirement of notice; amending Minnesota Statutes, 1973 Supplement, Section 514.011, Subdivision 4.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Knutson, Milton and Kowalczyk introduced—

S. F. No. 3287: A bill for an act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Statutes, 1973 Supplement, Sections 402.05, Subdivision 2; and 402.08.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Humphrey introduced—

S. F. No. 3288: A bill for an act relating to the writ of mandamus; amending Minnesota Statutes 1971, Section 586.02.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Humphrey introduced—

S. F. No. 3289: A bill for an act relating to agriculture; requiring labeling of certain plants and flowers; providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Humphrey and Keefe, S. introduced—

S. F. No. 3290: A bill for an act relating to courts; county and municipal courts; creating a housing court division in the municipal courts of Hennepin and Ramsey county and in the county court of St. Louis county; amending Minnesota Statutes 1971, Sections 487.27, by adding subdivisions; 488.05, Subdivision 1; 488A.01, Subdivision 7; 488A.18, Subdivision 8; Chapters 487, by adding a section; 488A, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 487.17; 488.04, Subdivision 4; 488A.01, Subdivision 5; and 488A.18, Subdivision 6.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. O'Neill, Thorup and Keefe, J. introduced—

S. F. No. 3291: A bill for an act relating to crimes and criminals; prescribing penalties for certain offenses under certain circumstances in certain municipal courts; prescribing penalties for failure to pay fines imposed; amending Minnesota Statutes 1971, Sections 488A.10, Subdivision 4; 488A.27, Subdivision 4; and Chapter 609, by adding a section.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Conzemius introduced—

S. F. No. 3292: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Schaaf and Gearty introduced—

S. F. No. 3293: A bill for an act relating to the state building code; adopting the uniform fire code.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Schaaf introduced—

S. F. No. 3294: A bill for an act relating to mobile homes and mobile home parks; setting forth obligations of park owners and tenants; amending Minnesota Statutes, 1973 Supplement, Sections 327.42, by adding subdivisions; and 327.44.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Ueland introduced—

S. F. No. 3295: A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Laufenburger, O'Neill and Hansen, Baldy introduced—

S. F. No. 3296: A bill for an act relating to insurance; governmental units; requiring that contracts for employee group insurance be let on competitive bidding; providing for the disclosure of the particulars of such policies of insurance; amending Minnesota Statutes, 1973 Supplement, Section 471.616.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius, Knutson and McCutcheon introduced—

S. F. No. 3297: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Hanson, R.; Solon and Perpich, A. J. introduced—

S. F. No. 3298: A bill for an act relating to intoxicating liquor; granting governing bodies authority to set the number of on-sale and off-sale licenses; amending Minnesota Statutes 1971, Section 340.11, Subdivisions 5, 10, and 13; repealing Minnesota Statutes 1971, Section 340.11, Subdivisions 6; 7 and 8, as amended.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Hughes, O'Neill and Coleman introduced—

S. F. No. 3299: A bill for an act relating to education; authorizing establishment of a higher education consortium to serve downtown St. Paul, and its surrounding area; appropriating money.

Which was read the first time and referred to the Committee on Education.

Mr. Hansen, Baldy introduced—

S. F. No. 3300: A bill for an act relating to commerce; banking; requiring financial institutions to report investments and loans made outside the state; amending Minnesota Statutes 1971, Chapter 47, by adding a section.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Spear, Kirchner and Solon introduced—

S. F. No. 3301: A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims in the counties of Hennepin, Ramsey and St. Louis; appropriating money.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Spear introduced—

S. F. No. 3302: A bill for an act relating to public welfare; appropriating money for the Bridge Runaway Youth, Incorporated.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Perpich, A. J. introduced—

S. F. No. 3303: A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Perpich, A. J. introduced—

S. F. No. 3304: A bill for an act relating to education; St. Louis county; certain independent school districts in St. Louis county; authorizing the creation of an intermediate school district and school board; defining the powers relating thereto; authorizing a tax levy.

Which was read the first time and referred to the Committee on Education.

Mr. Olson, H. D. introduced—

S. F. No. 3305: A bill for an act relating to the claim of the city of Fairmont; arising from special improvements benefiting state property; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Perpich, A. J. introduced—

S. F. No. 3306: A bill for an act relating to taxation; providing for a reduction of ad valorem taxes paid by certain persons; amending Minnesota Statutes, 1973 Supplement, Sections 273.011, Subdivision 5; 273.012, Subdivision 2; Minnesota Statutes 1971, Chapter 273, by adding sections; and repealing Minnesota Statutes, 1973 Supplement, Section 290.066.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Krieger, Blatz and Kleinbaum introduced—

S. F. No. 3307: A bill for an act relating to taxation; providing an income tax deduction for the costs of post secondary school education; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Borden introduced—

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Which was read the first time and referred to the Committee on Rules and Administration.

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. 283, 534, 980, and 1712.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 18, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2256.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 19, 1974

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. 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.

Senate File No. 951 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Olson, H. D. moved that the Senate do now concur in the amendments by the House to S. F. No. 951 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 951 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	Dunn	Knutson	Ogdahl	Sillers
Arnold	Fitzsimons	Kowalczyk	Olhoft	Solon
Berg	Gearty	Larson	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	Olson, H. D.	Stassen
Borden	Hansen, Mel	Lewis	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lord	O'Neill	Tennessee
Chmielewski	Humphrey	Milton	Patton	Thorup
Coleman	Jensen	Moe	Perpich, A. J.	Ueland
Conzemius	Josefson	Nelson	Pillsbury	Wegener
Davies	Keefe, J.	North	Renneke	Willet
Doty	Keefe, S.	Novak	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2736: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; 147.31; and 147.32; and Laws 1973, Chapter 727, Section 4.

Senate File No. 2736 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Olson, H. D. moved that the Senate do now concur in the amendments by the House to S. F. No. 2736 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2736 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	Kowalczyk	Olhoff	Sillers
Arnold	Gearty	Larson	Olson, A. G.	Solon
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Borden	Hughes	Lord	O'Neill	Stokowski
Chenoweth	Humphrey	Milton	Patton	Tennessen
Chmielewski	Jensen	Moe	Perpich, A. J.	Thorup
Coleman	Josefson	Nelson	Pillsbury	Ueland
Conzemius	Keefe, J.	North	Purfeerst	Wegener
Doty	Keefe, S.	Novak	Renneke	Willet
Dunn	Knutson	Ogdahl	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1859 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Jensen moved that the Senate do now concur in the amendments by the House to S. F. No. 1859 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1859 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.	Olhoff	Solon
Arnold	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Tennessen
Borden	Hansen, Mel	Lewis	Patton	Thorup
Chenoweth	Hanson, R.	Lord	Perpich, A. J.	Ueland
Chmielewski	Hughes	Milton	Pillsbury	Wegener
Coleman	Humphrey	Moe	Purfeerst	Willet
Conzemius	Jensen	North	Renneke	
Davies	Josefson	Novak	Schrom	
Doty	Keefe, J.	Ogdahl	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1810, 2680, 2746, 3074, 3076, 3132, 2553, 2726, 3023, 3038, 3058, 3060, 2280, 2458, 2577, 2710, 2799, 2833 and 3077.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 18, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1866 and 2655.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 19, 1974

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. 14: A house concurrent resolution relating to the adjournment of the House of Representatives on February 22, 1974.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 18, 1974

Mr. Coleman moved that House Concurrent Resolution No. 14 be laid on the table.

The motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545,

Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

H. F. No. 2680: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the crime of prostitution; creating a cause of action for solicitation or inducement into prostitution; amending Minnesota Statutes 1971, Sections 540.07; and 609.32, Subdivisions 2 and 4.

H. F. No. 2746: A bill for an act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, as amended.

H. F. No. 3074: A bill for an act relating to labor; public employees; definitions; amending Minnesota Statutes 1971, Section 179.63, Subdivision 7.

H. F. No. 3076: A bill for an act relating to labor; public employees; negotiation procedures; amending Minnesota Statutes, 1973 Supplement, Section 179.69, Subdivisions 3 and 5.

H. F. No. 3132: A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

H. F. No. 2553: A bill for an act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

H. F. No. 2726: A bill for an act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, Section 1.

H. F. No. 3023: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

H. F. No. 3038: A bill for an act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during certain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 1.

H. F. No. 3058: A bill for an act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; 11.19, Subdivision 2; 69.77, Subdivision 2; 69.775; 352D.03; and 352D.04, Subdivision 1; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

H. F. No. 3060: A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to the

executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivisions 2 and 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

H. F. No. 2280: A bill for an act relating to education; permitting school nicknames to be affixed to the sides of school buses.

H. F. No. 2458: A bill for an act relating to political subdivisions; conditioning authorization for expenditures in connection with membership in certain associations on the filing of financial statements; amending Minnesota Statutes 1971, Section 471.96, Subdivision 1; repealing Minnesota Statutes 1971, Section 471.96, Subdivision 2.

H. F. No. 2577: A bill for an act relating to courts; appointment of interpreters for handicapped parties to civil proceedings.

H. F. No. 2710: A bill for an act relating to mobile homes; restricting inclusion of certain devices in the advertised length of mobile homes by dealers and manufacturers; prescribing penalties.

H. F. No. 2799: A bill for an act relating to charitable organizations; exempting firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on the behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

H. F. No. 2833: A bill for an act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

H. F. No. 3077: A bill for an act relating to labor; public employees; contracts; amending Minnesota Statutes 1971, Section 179.70, Subdivision 2.

H. F. No. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

H. F. No. 2655: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes, 1973 Supplement, Section 169.86, Subdivision 1.

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 S. F. No. 2386 be now adopted. The motion prevailed.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2876: A bill for an act relating to the city of Mankato; veterans preference in employment in the police and fire departments.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 22 through 27, and insert in lieu thereof the following:

“Subd. 2. To the examination score or rating of any veteran who has passed the examination, there shall be added a credit of five points, and the name of the veteran with such augmented rating shall be placed on the list of eligibles with the names of other eligible persons.”

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. 2901: A resolution memorializing the President and Congress to abolish daylight savings time in Minnesota during the winter months.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike “to”

Page 1, line 14, strike “Minnesota”

Further amend the title on line 3, strike “in” and on line 4, strike “Minnesota”

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2821: A bill for an act relating to transportation; appropriating money to the public service commission for the purpose of contracting for railroad passenger service.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike “400,000” and insert in lieu thereof “ ,”

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report Adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 779: A bill for an act relating to highways; rest areas, tourist information centers and weigh stations along highways; amending Minnesota Statutes 1971, Section 160.28.

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. In order to encourage the use of highway user revenues for the purposes originally intended the number of rest areas and waysides on the state highway system shall be reduced to no more than 310 by December 1, 1978.”

Further amend the title as follows:

Strike lines 3 through 5 and insert the following: “waysides and the total number of such facilities which may exist on the state highway system.”

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. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, insert “motor” after “unit”

Page 1, line 10 insert “, except truck cranes which shall not exceed 45 feet,” after “vehicle”

Page 4, line 8, after “power” strike “and” and insert in lieu thereof “for”

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. 2594: A bill for an act relating to highway traffic regulations; prohibiting the use of lights or reflectors other than those colored blue for the purpose of marking driveways; prescribing penalties; amending Minnesota Statutes 1971, Chapter 169, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, strike “misdemeanor” and insert in lieu thereof “petty misdemeanor”

Page 1, after line 19, add a section to read:

"Sec. 2. This act is effective July 1, 1975."

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. 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.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2779: A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 17 and 18, strike the new language and restore the old language.

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3048: A bill for an act relating to crimes and criminals; contraband articles forbidden in state institutions and county jails; penalties; amending Minnesota Statutes 1971, Sections 243.55; and 641.165.

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 referred

S. F. No. 2911: A bill for an act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 16, add a section to read:

"Sec. 2. This act is effective the day following final enactment."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2858: A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, strike "*a graduate*" and insert "*have graduated from*"

Page 1, line 18, strike "*of*"

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. 852: A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; property used for parking ramps; repealing Minnesota Statutes 1971, Section 273.13, Subdivisions 13 and 14.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "Subdivisions" and insert "Subdivision"

Page 1, line 10, strike "and 14 are" and insert "is"

Page 1, line 12, after "levied in" strike "1973" and insert "1974"

Page 1, line 12, after "payable in" strike "1974" and insert "1975"

Further, amend the title as follows:

Line 4, strike "property"

Line 5, strike "used for parking ramps;"

Line 7, strike "Subdivisions" and insert "Subdivision"

Line 7, strike "and 14"

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. 2717: A bill for an act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement, Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and Laws 1973, Chapter 650, Article XXIV, Section 6.

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 referred

S. F. No. 2817: A bill for an act relating to elections; providing for the filing of nominating petitions; amending Minnesota Statutes 1971, Section 202.13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 10, add a section to read:

"Sec. 2. This act is effective the day following final enactment."

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 was referred

S. F. No. 2910: A bill for an act relating to elections; providing for the preparation, furnishing and disposition of election materials; amending Minnesota Statutes 1971, Sections 204.18, Subdivision 1; 204.24, Subdivision 1; and 204.25.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 8, add a section to read:

"Sec. 4. This act is effective the day following final enactment."

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 was referred

S. F. No. 2916: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivisions 1 and 3.

Reports the same back with the recommendation that the bill be amended as follows:

On page 2, line 9, strike "20" and insert in lieu thereof "21"

On Page 2, after line 19, add a section to read:

"Sec. 3. This act is effective the day following final enactment."

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 was referred

S. F. No. 2818: A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2386: A bill for an act relating to domestic relations; child support payments and the validity of certain marriages; amending Minnesota Statutes 1971, Sections 393.07, Subdivision 9; and Chapter 517, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "1971" and insert ", 1973 Supplement"

Page 1, line 16, strike ", except the Hennepin"

Page 1, line 17, strike "county welfare board,"

Page 2, line 19, strike the semicolon and insert "and"

Page 2, line 20, after "(b)" insert "One or"

Page 2, line 21, strike "; and" and insert a period

Page 2, strike lines 22-23

Page 3, strike lines 11-24

Further amend the title as follows:

Page 1, line 2, strike "domestic relations;" and insert "enforcement of"

Page 1, line 3, strike "payments" and insert "orders;"

Page 1, line 3, strike "and the validity of"

Page 1, line 4, strike "certain marriages;"

Page 1, line 5, strike "1971" and insert ", 1973 Supplement"

Page 1, line 5, strike "Sections" and insert "Section"

Page 1, line 6, strike the semicolon and insert a period

Page 1, line 6, strike "and Chapter 517, by"

Page 1, strike line 7

And when so amended the bill do pass.

Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2786: A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2825: A bill for an act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; and 11.19, Subdivision 2; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

Reports the same back with the recommendation that the bill be amended as follows:

Page 11, following line 5, insert:

"Sec. 10. Minnesota Statutes, 1973 Supplement, Section 69.77, Subdivision 2, is amended to read:

Subd. 2. Subdivision 1 does not apply to an association described in Subdivision 1 under the following circumstances:

(1) Each member of the association pays into the retirement funds of the association during his term of covered employment from and after January 1, 1970, a contribution for retirement and survivorship benefits of not less than six percent of the maximum rate of salary from which retirement and survivorship credits and amounts of benefits are determined, and that such contributions of a member are deducted from his salary by his governmental employer, transmitted to the association, and deposited to the credit of the proper fund thereof, provided that to avoid undue increase in the amount of employee contributions in any one year, any increase in the amount of contributions required by this section may be spread over several years, but the increase in rate of contribution in each year commencing in 1970 shall not be less than one percent until the appropriate levels of required employee contributions have been reached. This paragraph shall not apply to members who are volunteer firemen, provided that the local governing body shall have given their approval to the exemption following consideration of the most recent actuarial survey.

(2) The officers of the association determine on or before September 1 of each year commencing in 1970 the financial requirements and minimum obligation of the association for the following calendar year in accordance with the following requirements:

Until a later actuarial survey is prepared in accordance with sections 69.71 to 69.76, the association shall determine its financial requirements by basing the same on the actuarial survey prepared as of December 31, 1967, copies of which are on file with the legislative retirement study commission, the chief clerk of the house of representatives, and the secretary of the senate; thereafter the financial requirements are determined by the most recent actuarial survey prepared in accordance with sections 69.71 to 69.76.

The normal level cost expressed as a percent of covered payroll determined from the actuarial survey shall be applied to the estimated covered payroll of the membership for the following year to determine the dollar amount of normal cost for said following year.

To the dollar amount of normal cost thus determined shall be added the amount of one year's interest at five percent on the amount of the (deficit) unfunded liability found by the actuarial survey of the fund.

The total of these two amounts represents the financial requirements of the association for the following year.

Except as otherwise provided in this paragraph, the minimum obligation of the governmental subdivision shall be the financial requirements of the association less member contributions herein provided from covered salary and less one year's estimated receipts expected from the state of Minnesota through state collected insurance premium taxes or other state aids. The minimum obligation may, by vote of the governing body of the governmental subdivision, be reduced to the amount levied in the preceding year for purposes of the association, plus the following percentage of the difference between that levy and the amount of the minimum obligation determined without benefit of this sentence: for the levy made in 1971, 10 percent; in 1972, 20 percent; in 1973, 30 percent; in 1974, 40 percent; in 1975, 50 percent; in 1976, 60 percent; in 1977, 70 percent; in 1978, 80 percent; and in 1979, 90 percent. Commencing with the levy made in 1980, there shall be no reduction in the minimum obligation pursuant to this paragraph.

(3) The foregoing determination of the obligation of a governmental subdivision shall be submitted to its governing body not later than September 1 of each year so that it may ascertain if it has been prepared in accordance with law.

(4) The governmental subdivision shall provide and pay as promptly as funds are available to the association at least the amount of the minimum obligation each year. Any portion of this amount not paid to the association at the end of any calendar year shall be increased at the rate of six percent per annum until so paid. On September 1 of any year the unpaid amount subject to interest shall be added to the obligation of the governmental subdivision.

(5) The governmental subdivision shall provide in its annual

budget at least its minimum obligation and may levy taxes for the payment thereof without limitation as to rate or amount and irrespective of limitations imposed by other provisions of law upon the rate or amount of taxation when the balance of any fund of the association has attained a specified level; the levy of such taxes shall not cause the amount of other taxes levied or to be levied by the governmental subdivision, which are subject to any such limitation, to be reduced in any amount whatsoever. If the governmental subdivision does not include the full amount of the minimum obligation in its levy for any year, the association may certify that amount to the county auditor, who shall spread a levy in the amount of such obligation.

(6) Moneys paid by the governmental subdivision to the association in excess of the minimum amount so required shall be applied to the reduction in the unfunded liabilities of the association.

(7) The funds of the association shall be invested in securities which are proper investments for funds of the Minnesota state retirement system, except that up to \$10,000 may be invested in the stock of any one corporation in any account of such small size that the three percent stock limitation applicable to the Minnesota state retirement system would necessitate a lesser investment. Securities held by the association before July 1, 1971, which do not meet the requirements of this paragraph may be retained after that date if they were proper investments for the association on the date of enactment of this section. The governing board of the association may select and appoint investment agencies to act for and in its behalf or may certify funds for investment by the state board of investment under the provisions of section 11.21, provided that there be no limit to the amount which may be invested in the income share account described in section 11.18, subdivision 2, or in the fixed-return account described in section 4 of this act, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement fund may be invested in the growth share account described in section 11.18, subdivision 3.

(8) The association shall procure an actuarial survey showing the condition of its fund as of December 31, 1970, and not less frequently than each four years thereafter. Such survey shall be filed with the chief clerk of the house of representatives, the secretary of the senate, the governing body of the municipality in which the association is organized, and the secretary of any legislative committee or commission duly created and having within its jurisdiction the study of pension plans and pension funds, not later than June 1 of the following year in the manner described in sections 69.71 to 69.76.

Sec. 11. Minnesota Statutes, 1973 Supplement, Section 69.775, is amended to read:

69.775 [INVESTMENTS.] The special fund assets of the relief associations governed by sections 69.771 to 69.776 shall be invested in securities which are proper investments for funds of the Minnesota state retirement system, except that up to five percent

of the special fund assets, or a minimum of \$10,000, may be invested in the stock of any one corporation. Securities held by the associations before January 1, 1972, which do not meet the requirements of this section may be retained after that date if they were proper investments for the association on May 14, 1971. The governing board of the association may select and appoint investment agencies to act for and in its behalf or may certify funds for investment by the state board of investment under the provisions of section 11.21, provided that there be no limit to the amount which may be invested in the income share account described in section 11.18, subdivision 2, *or in the fixed-return account described in section 4 of this act*, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement fund may be invested in the growth share account described in section 11.18, subdivision 3.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 352D.03, is amended to read:

352D.03 [TRANSFER OF ASSETS.] A sum of money representing the assets credited to each employee exercising the option contained in section 352D.02, plus an equal employer contribution together with interest for the employment period at the actuarially assumed rates during this period, compounded annually, shall be used for the purchase of shares on behalf of each employee in the ~~two~~ accounts of the supplemental retirement fund established by section 11.18. Any employer's contribution to amortize the deficit in the state employee's retirement fund shall not, however, be used for the purchase of shares.

Sec. 13. Minnesota Statutes, 1973 Supplement, Section 352D.04, Subdivision 1, is amended to read:

352D.04 [INVESTMENT OPTIONS.] Subdivision 1. An employee exercising his option to participate in the retirement program provided by this chapter may elect to purchase shares in ~~either the income share account~~ *one or a combination of the income share account and*, the growth share account *or the fixed-return account* of the supplemental retirement fund in accordance with one of the following options:

- (1) 100 percent invested in the income share account;
- (2) 75 percent invested in the income share account and 25 percent invested in the growth share account; ~~or~~
- (3) 50 percent invested in the income share account and 50 percent invested in the growth share account ;
- (4) *100 percent invested in the fixed-return account; or*
- (5) *75 percent invested in the fixed-return account and 25 percent invested in the growth share account.*

Prior to July 1 of each year, each participant may indicate in writing on forms provided by the Minnesota state retirement system his choice of options for subsequent purchases of shares. For that year and thereafter until a different written indication is made by such participant the executive director shall purchase shares in the supplemental fund as selected by the participant. If

no initial option is chosen, 100 percent income shares shall be purchased for a participant."

Renumber the remaining section.

Further, amend the title in line 8, after "13;" by deleting "and" and in the same line, after "Subdivision 2;" by inserting "69.77, Subdivision 2; 69.775; 352D.03; and 352D.04, Subdivision 1;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3206: A bill for an act relating to education; establishing early identification and early educational childhood programs; prescribing powers and duties of the department of education; requiring certain information to be included in the school census; appropriating money; amending Minnesota Statutes 1971, Section 120.095, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "educational"

Page 1, line 16, strike "a means by which parents can develop the ability to" and insert "parents with programs which will"

Page 1, line 17, strike "by emphasizing measures designed" and insert "and develop maximum"

Page 1, strike line 18

Page 1, line 19, strike "which they possess"

Page 2, line 6, strike "educational"

Page 2, line 9, strike "Educational assessment" and insert "Identification of potential barriers to later learning which occur"

Page 2, line 10, strike " , consisting of the best assessment"

Page 2, line 11, strike "techniques available in current educational practice"

Page 2, line 12, strike "assessment is to make sure" and insert "identification is to assure"

Page 2, line 13, strike "some" and insert "any"

Page 2, line 16, strike "further and often"

Page 2, line 22, strike "as" and insert a period

Page 2, strike line 23

Page 2, line 24, after "toys" insert " , home activity kits"

Page 3, line 10, strike "activity kits" and insert "based programs"

Page 3, line 17, strike "educational"

Page 3, strike lines 26 through 28 and renumber the clauses accordingly

Page 4, line 20, strike "and" and insert "personnel must be certified by the teacher standards and certification commission. All"

Page 4, line 21, strike "early childhood education"

Page 4, line 26, strike "educational" and insert "childhood"

Page 5, strike lines 4 through 10

Page 5, line 12, strike "the consultant shall designate"

Page 5, line 13, strike "as participants" and insert "shall participate"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, strike "educational"

Page 1, line 6, strike "requiring"

Page 1, strike line 7

Page 1, line 8, strike "the school census;" and after "money" strike the semicolon and insert a period

Page 1, strike lines 9 and 10

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1628: A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; and 360.014.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "AND" and insert ".]"

Page 1, strike lines 14 to 17

Page 1, line 18, strike "*state of Minnesota can be better served, a*" and insert "*The*"

Page 1, line 22, strike "*It is intended that the planning*"

Page 1, strike lines 23 to 33

Page 2, strike lines 1 to 10

Page 2, after line 10, insert
"Sec. 2. [DEPARTMENT OF TRANSPORTATION; DUTIES.]"

Page 2, line 11, strike "*Subd. 2.*" and insert "*Subdivision 1.*"

Renumber the remaining subdivisions accordingly.

Page 2, line 13, after "*plan*" insert "*including bicycle paths, trails or walkways*"

Page 3, line 9, strike "*To facilitate the development of a regional*"

Page 3, strike line 10

Page 3, line 11, strike "*transportation shall*"

Page 3, line 11, strike "*a*"

Page 3, line 14, strike "*If such*"

Page 3, strike line 15

Page 3, line 16, strike "*of transportation, said plans*" and insert "*Plans so developed*"

Page 5, line 2, after "*Sec.*" strike "*2*" and insert "*3*" and renumber the remaining sections accordingly.

Page 5, line 26, strike "*shall*" and insert "*may*"

Page 6, line 1, strike "*and may appoint*"

Page 6, line 3, strike "*such*" and insert "*, one*"

Page 6, line 3, strike "*deputies*" and insert "*deputy*"

Page 6, line 5, after "*education*" insert a comma

Page 6, strike lines 19 to 21

Renumber the remaining subdivision

Page 6, line 23, after "*committee*" insert a period and strike the rest of the line

Page 6, strike line 24

Page 6, strike line 26 and insert "*of 25 members who*"

Page 6, line 27, strike "*advisory committee*"

Page 6, line 27, after "*governor*" insert a period

Page 6, line 27, strike "*who*"

Page 6, line 28, before "*shall*" insert "*The governor*"

Page 6, line 28, strike "*including*" and insert "*and shall appoint one public official from each regional development commission and one from the metropolitan council, with the remaining positions filled by public members, at least six of whom shall be from the metropolitan council area.*"

Page 7, strike line 1

Page 7, line 5, strike "*transportation*"

Page 7, strike lines 6 and 7

Page 7, strike line 9

Page 7, line 10, strike "*committee as deemed necessary.*"

Page 7, strike lines 14 to 28

Page 8, line 1, strike "*these committees*" and insert "*the transportation advisory committee*"

Page 11, line 2, after "*laws*" insert a comma, and after "*commissions*" strike the comma

Page 11, line 6, strike "*region*" and insert "*regions*"

Page 11, line 20, after "*improvements*" insert "*unless of statewide significance*"

Page 12, line 3, strike "*first*" and insert "*concurrently*"

Page 12, line 10, after "*(a)*" insert a comma

Page 12, line 11, strike "*that*"

Page 15, line 16, strike "*Funds appropriated pursuant to the*"

Page 15, strike lines 17 to 19

Page 15, line 22, strike "*as a party in behalf of the public*"

Page 16, line 2, after "*SERVICE.]*" strike the balance of the line and insert: "*All powers, duties and functions imposed upon or vested in the department of public service, the public service commission or the director of the department of public service by Minnesota Statutes, Sections 216A.10 to 216A.13 are hereby transferred to the department of transportation. All powers, duties and functions imposed upon or vested in the administrative branch of the department of public service or the director of the department of public service by Minnesota Statutes, Chapters 216 and 216A, with respect to the regulatory powers granted the department by Minnesota Statutes, Chapters 218, 219, and 222 and Minnesota Statutes, Sections 221.011 to 221.296 and 221.61 to 221.68 are hereby transferred to the department of transportation.*"

Page 16, strike lines 3 to 7

Page 16, line 10, strike "*regarding transportation*" and insert "*promulgated pursuant to Minnesota Statutes, Chapters 218, 219 and 222 and Minnesota Statutes, Sections 221.011 to 221.296 and 221.61 to 221.68*"

Page 16, line 11, strike "*authorized*"

Page 18, line 18, after "*may*" insert "*, at his option,*"

Page 18, line 20, strike "*abolishment*" and insert "*abolition*"

Page 18, line 22, after "*next*" insert "*and*"

Page 19, line 5, after "operation," insert "*which shall not be prior to July 1, 1975.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1788: A bill for an act relating to the practice of chiropractic; prohibiting certain types and forms of advertising by chiropractors; prescribing grounds for revocation or suspension of chiropractic licenses; amending Minnesota Statutes 1971, Section 148.10, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 24, strike "*personal representations that*" and insert "*any commercial representation or inducement other than his (a) name; (b) profession; (c) specialty; (d) professional affiliations; (e) business address; (f) telephone number; and (g) office hours;*"

Page 1, strike lines 25 to 31

Page 2, strike lines 1 to 6

Page 2, line 28, strike everything after "(7)" and insert:

"the inability to practice chiropractic with reasonable skill and safety to patients by reason of illness, senility, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. A chiropractor affected under this clause shall at reasonable intervals be afforded an opportunity to demonstrate that he can resume the competent practice of chiropractic with reasonable skill and safety to patients;"

Page 3, strike lines 1 through 8 and renumber the clauses 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 re-referred

S. F. No. 3052: A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 23, strike "the day following final" and insert "December 31, 1973"

Page 2, line 24, strike "enactment"

And when so amended the bill do pass and be placed on the

Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2690: A bill for an act relating to the supreme court; authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*The*" and insert in lieu thereof "*Notwithstanding any rule, however, the following statutes remain in full force and effect:*"

Page 1, strike lines 19 to 21

Page 1, line 23, after "624" insert ", *except for sections 609.115, 609.116, and 609.145*"

Page 1, line 25, strike "*Chapter 611, except*"; after "*sections*" insert "*611.01 to 611.033, 611.11 to 611.12, and 611.30 to 611.34 and Laws 1973, Chapter 317;*"

Page 1, strike line 26

Page 2, strike lines 3 and 4

Page 2, line 5, strike "*(g)*" and insert in lieu thereof "*(f)*"

Page 2, line 8, strike "*(h)*" and insert in lieu thereof "*(g)*"; strike "*trial,*"; strike the second comma

Page 2, line 9, strike "*Chapter 631*" and insert in lieu thereof "*Sections 631.20 to 631.21 and 631.40 to 631.51*"

Page 2, line 10, strike "*(i)*" and insert in lieu thereof "*(h)*"

Page 2, line 11, after "*Statutes,*" insert "*Sections 595.02 to 595.025 and*"

Page 2, line 13, after "*Whenever*" insert ", *pursuant to this section,*"

Page 2, line 14, strike "*pursuant to this section,*" and insert "*not enumerated above*"

Page 2, after line 16, insert:

"Sec. 2. This act is effective 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 was referred for proper reference under Rule 35,

S. F. No. 3134: A bill for an act relating to taxation; levy limitations; authorizing school tax levies in excess of limitations for certain purposes; amending Minnesota Statutes 1971, Sections 353.28, Subdivision 8; 355.299; Minnesota Statutes, 1973 Supplement, Sections 275.125, Subdivision 3; and 471.61, Subdivision 1.

Reports the same back with the recommendation that the bill 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 referred for proper reference under Rule 35,

S. F. No. 3131: A bill for an act relating to special assessments; assessment against governmental units; amending Minnesota Statutes 1971, Section 435.19.

Reports the same back with the recommendation that the bill 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 referred for proper reference under Rule 35,

S. F. No. 3106: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3104: A bill for an act relating to workmen's compensation; providing for compensation for certain suicides.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3093: A bill for an act relating to public records; defining "public records" and "governmental agency;" providing for citizen inspection and duties of custodians; providing for judicial review and remedies; and providing criminal penalties; amending Minnesota Statutes 1971, Section 15.17, as amended.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3137: A bill for an act relating to school district tax levies; transferring certain functions to the commissioner of education; amending Minnesota Statutes 1971, Section 275.125, Subdivision 7.

Reports the same back with the recommendation that the bill 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 referred for proper reference under Rule 35,

S. F. No. 3179: A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Education. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred appointment submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 85th day, reports the same back with the recommendation that said appointment be re-referred to the Committee on Health, Welfare and Corrections.

VETERANS HOME BOARD

John Bacich, 5321 Harriet Avenue South, Minneapolis, Hennepin County, appointed effective February 11, 1974, for a term expiring January 1, 1979.

Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2753: A bill for an act relating to taxation; assessment of property; classifying vacant, unimproved wild lands; 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 11, after "land" insert "*containing no structure and used exclusively for recreational purposes or in connection with a residence*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3170: A bill for an act relating to the Gillette hospital authority; appropriating money for construction of hospital facilities.

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 referred

S. F. No. 3063: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "for" insert "*supplemental security income for the aged, blind and disabled or*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3075: A bill for an act relating to public health, establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, after "to" insert "*support*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2715: A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into a single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 1902: A bill for an act relating to Itasca county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, Line 7, strike "12" and insert "five"

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. 2888: A bill for an act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

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. 2919: A bill for an act relating to Koochiching county; authorizing the issuance of additional on-sale intoxicating liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 2890: A bill for an act relating to the city of Benson; authorizing the issuance of on-sale liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1858, pursuant to the request of the Senate:

Messrs. Chmielewski; Willet; Olson, J. L.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1810, 2680, 2553, 3060, 2280, 2577, 2710, 2799, 2833 and 1866 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. 2280 to the Committee on Education.

H. F. No. 1866 to the Committee on Finance.

H. F. Nos. 3060 and 2799 to the Committee on Governmental Operations.

H. F. Nos. 2680, 2553, 2577 and 2833 to the Committee on Judiciary.

H. F. No. 2710 to the Committee on Labor and Commerce.

H. F. No. 1810 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.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2725, 3053, 3052, 1962, 3039, 3040 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.
2725	2595	1962	2257		
3053	2998	3040	3004		
3052	2996				
3039	3003				

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. 2200, 2937, 2935, 2862, 2911 and 1489 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.
1489	1477	2935	2805	2862	2644
2911	2799				
2937	2811				
2200	2379				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2200 be amended as follows:

Page 1, line 12, strike "village, borough,"

Page 1, line 15, delete "effective"

Page 1, lines 17 and 18, delete "are given the force and effect of law" and insert "shall become effective"

Page 2, line 1, delete "effective"

Page 2, lines 3 and 4, delete "are given the force and effect of law" and insert "shall become effective"

Page 2, line 20, strike "In cases of"

Page 2, strike lines 21 through 26

Page 2, line 27, strike "shall be in writing."

Page 2, line 27, delete "*The exception may be disapproved by*"

Page 2, delete line 28

Page 3, line 1, delete "*notification of such exception by the local authority.*"

And when so amended, H. F. No. 2200 will be identical to S. F. No. 2379 and further recommends that H. F. No. 2200 be given its second reading and substituted for S. F. No. 2379 and S. F. No. 2379 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2937 be amended as follows:

Page 7, line 28, delete "*order*" and insert in lieu thereof "*rule*"

And when so amended, H. F. No. 2937 will be identical to S. F. No. 2811 and further recommends that H. F. No. 2937 be given its second reading and substituted for S. F. No. 2811 and S. F. No. 2811 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2935 be amended as follows:

Page 1, line 12, strike "*utility*" and insert in lieu thereof "*utilities*"

And when so amended, H. F. No. 2935 will be identical to S. F. No. 2805 and further recommends that H. F. No. 2935 be given its second reading and substituted for S. F. No. 2805 and S. F. No. 2805 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2862 be amended as follows:

Page 1, line 24, delete "to be 55 miles per"

Page 1, line 25, delete "hour"

Page 2, line 5, after "property" insert ", or who is convicted of a third or subsequent violation of the designated maximum speed, such violations being committed within a 12 month period,"

Page 2, after line 18, add a new section to read as follows:

"Sec. 3. This act and all actions taken pursuant to this act shall cease to be in effect on and after June 30, 1975."

And when so amended, H. F. No. 2862 will be identical to S. F. No. 2644 and further recommends that H. F. No. 2862 be given its second reading and substituted for S. F. No. 2644 and S. F. No. 2644 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2911 be amended as follows:

Page 2, line 4, delete "final"

And when so amended, H. F. No. 2911 will be identical to S. F. No. 2799 and further recommends that H. F. No. 2911 be given its second reading and substituted for S. F. No. 2799 and S. F. No. 2799 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1489 be amended as follows:

Page 1, lines 11 and 12, delete ", as provided in this act"

Page 2, lines 3 and 4, delete "by the commissioner of education" and insert in lieu thereof "pursuant to Minnesota Statutes, Section 123.03"

Page 2, line 12, delete "administer board policy and directives" and insert in lieu thereof "direct board activities"

Page 2, lines 21 and 22, delete "between one, two and three year terms with the remaining members" and insert in lieu thereof "with any difference"

Page 2, line 26, delete "within 90 days"

Page 4, line 2, delete "may" and insert in lieu thereof "shall"

Page 4, line 4, after "the" and before "board" insert "center"

Page 4, line 4, after "to" delete "the" and insert in lieu thereof "such"

Page 4, line 11, after "district" delete the comma

Page 5, line 11, after "subdivision 5" insert ", clause" and after "subdivision 4" insert ", clauses"

Page 5, lines 24 and 25, delete "with approval by the state board of vocational education"

Page 6, line 14, after "by" and before "majority" delete "the"

Page 7, lines 7 and 8 delete "may upon application to the commissioner of education become" and insert in lieu thereof "shall be"

Page 7, line 9, after "subdivision 1." insert the following: "Any changes in center agreements necessary to comply with this act shall be completed within six months after the effective date of this act and filed with the state board by the administrator of each center."

Page 7, line 11, delete the comma at the end of the line

And when so amended, H. F. No. 1489 will be identical to S. F. No. 1477 and further recommends that H. F. No. 1489 be given its second reading and substituted for S. F. No. 1477 and S. F. No. 1477 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2876, 779, 3108, 2594, 2779, 3048, 2911, 2858, 852, 2717, 2817, 2910, 2916, 2818, 2786, 2825, 1788, 3052, 2690, 2753, 3075, 2715 and 1902 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1292, 2888, 2919, 2890, 2725, 3053, 3052, 1962, 3039, 3040, 2937, 2200, 2935, 2862, 1489 and 2911 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. North moved that the name of Mr. O'Neill be added as chief author and the name of Mr. Novak be added as co-author to S. F. No. 2504. The motion prevailed.

Mr. North moved that the name of Mr. O'Neill be added as chief author and the name of Mr. Novak be added as co-author to S. F. No. 2505. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 3294 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Coleman moved that S. F. No. 3286 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Borden moved that S. F. No. 973 be taken from the table. The motion prevailed.

Mr. Borden moved that the Senate do not concur in the amendments by the House to S. F. No. 973 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Davies moved that the report from the Committee on Judiciary, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Davies moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Davies moved that in accordance with the report from the Committee on Judiciary, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

COMMISSION ON JUDICIAL STANDARDS

Gerald Dillon, 16 Park Lane, Minneapolis, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977.

Katherine Murphy, 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective July 19, 1973, for a term expiring July 19, 1977.

The motion prevailed. So the appointments were confirmed.

THIRD READING OF SENATE BILLS

S. F. No. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

Was read the third time 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:

Anderson	Doty	Keefe, J.	North	Schrom
Arnold	Dunn	Kleinbaum	Novak	Sillers
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	Milton	Perpich, A. J.	Wegener
Conzemius	Jensen	Moe	Purfeerst	Willet
Davies	Josefson	Nelson	Renneke	

Mr. Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2716: A bill for an act relating to game and fish; seasons for taking of moose; amending Minnesota Statutes 1971, Section 100.271, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 100.27, Subdivision 2.

Was read the third time 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Ogdahl	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoft	Solon
Bang	Frederick	Knutson	Olson, A. G.	Stassen
Berg	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Larson	O'Neill	Thorup
Borden	Hanson, R.	Laufenburger	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	Milton	Pillsbury	Willet
Conzemius	Jensen	Moe	Purfeerst	
Davies	Josefson	Nelson	Renneke	
Doty	Keefe, J.	North	Schrom	

Those who voted in the negative were:

Chenoweth	Hansen, Baldy	Novak	Spear	Tennessee
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So the bill passed and its title was agreed to.

S. F. No. 2055: A bill for an act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of revenue; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

Was read the third time 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.	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet
Doty	Keefe, J.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2668: A bill for an act relating to tax forfeited land sales; place of conducting sales in St. Louis and Koochiching counties; amending Minnesota Statutes 1971, Sections 282.01, Subdivision 4; 282.02; 282.16, Subdivision 1; and 282.222, Subdivision 1.

Was read the third time 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.	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet
Doty	Keefe, J.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2252: A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

Was read the third time 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	Dunn	Keefe, S.	Ogdahl	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lord	Patton	Thorup
Chmielewski	Hughes	Milton	Perpich, A. J.	Ueland
Coleman	Humphrey	Moe	Pillsbury	Wegener
Conzemius	Jensen	Nelson	Purfeerst	Willet
Davies	Josefson	North	Renneke	
Doty	Keefe, J.	Novak	Schrom	

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1868: A bill for an act relating to the practices of chiropractic; providing additional powers to the board of chiropractic examiners; amending Minnesota Statutes 1971, Section 148.04.

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 58 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Ogdahl	Sillers
Bang	Fitzsimons	Kleinbaum	Olhoft	Solon
Berg	Frederick	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Laufenburger	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lord	Patton	Thorup
Chmielewski	Hughes	Milton	Perpich, A. J.	Ueland
Coleman	Humphrey	Moe	Pillsbury	Wegener
Conzemius	Jensen	Nelson	Purfeerst	Willet
Davies	Josefson	North	Renneke	
Doty	Keefe, J.	Novak	Schrom	

Mr. Lewis voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2691: A bill for an act relating to elections; abolishing the use of social security numbers in voter registration; amending Minnesota Statutes, 1973 Supplement, Section 201.071, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 15, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, J.	Nelson	Perpich, A. J.
Bang	Dunn	Keefe, S.	North	Purfeerst
Bernhagen	Fitzsimons	Kleinbaum	Novak	Schrom
Borden	Gearty	Larson	Ogdahl	Sillers
Chenoweth	Hansen, Baldy	Laufenburger	Olhott	Solon
Chmielewski	Hansen, Mel	Lewis	Olson, A. G.	Spear
Coleman	Hansen, R.	Lord	Olson, H. D.	Stokowski
Conzemius	Hughes	Milton	Olson, J. L.	Tennessen
Davies	Humphrey	Moe	O'Neill	Wegener

Those who voted in the negative were:

Anderson	Frederick	Knutson	Pillsbury	Thorup
Berg	Jensen	Kowalczyk	Renneke	Ueland
Blatz	Josefson	Patton	Stassen	Willet

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2822: A bill for an act relating to cooperative associations; officers and directors thereof; amending Minnesota Statutes 1971, Section 308.11.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	Olhott	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hansen, R.	Lewis	O'Neill	Tennessen
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Conzemius	Frederick	Hughes
Arnold	Borden	Davies	Gearty	Humphrey
Bang	Chenoweth	Doty	Hansen, Baldy	Jensen
Berg	Chmielewski	Dunn	Hansen, Mel	Josefson
Bernhagen	Coleman	Fitzsimons	Hansen, R.	Keefe, J.

Keefe, S.	Lord	Olhoft	Pillsbury	Stassen
Kleinbaum	Milton	Olson, A. G.	Purfeerst	Stokowski
Knutson	Moe	Olson, H. D.	Renneke	Tennessee
Kowalczyk	Nelson	Olson, J. L.	Schrom	Thorup
Larson	North	O'Neill	Sillers	Ueland
Laufenburger	Novak	Patton	Solon	Wegener
Lewis	Ogdahl	Perpich, A. J.	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 2667: A bill for an act relating to taxation; reassessment of improperly valued property; amending Minnesota Statutes 1971, Section 270.18, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	Olhoft	Solon
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 2425: A bill for an act relating to municipalities; investments of municipal funds; amending Minnesota Statutes 1971, Sections 471.56, Subdivision 1; and 475.66.

Was read the third time 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	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	Milton	Pillsbury	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	

So the bill passed and its title was agreed to.

Mr. Milton moved that H. F. No. 543 be stricken from the Calendar and returned to the top of General Orders. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2886: A bill for an act relating to place of filing bonds of county officials; amending Minnesota Statutes 1971, Section 574.21.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	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	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3069: A bill for an act authorizing the city of Foley to acquire and develop certain land for industrial 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	Fitzsimons	Kleinbaum	Olhoft	Solon
Arnold	Frederick	Knutson	Olson, A. G.	Spear
Bang	Gearty	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	Milton	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	
Doty	Keefe, J.	Novak	Schrom	
Dunn	Keefe, S.	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2966: A bill for an act relating to labor and minimum wages; excluding legislative employees from the right to claim overtime; amending Minnesota Statutes, 1973 Supplement, Section 177.25, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	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	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3040: A bill for an act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	Milton	Pillsbury	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3119: A bill for an act relating to labor; public employees; grievances and arbitration; amending Minnesota Statutes 1971, Section 179.70, Subdivision 5, and Minnesota Statutes, 1973 Supplement, Section 179.72, Subdivision 9.

Was read the third time 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.	North	Schrom
Arnold	Dunn	Keefe, S.	Novak	Sillers
Bang	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bernhagen	Frederick	Knutson	Olhoff	Spear
Blatz	Gearty	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessee
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	Milton	Perpich, A. J.	Wegener
Conzenius	Jensen	Moe	Purfeerst	Willet
Davies	Josefson	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3115: A bill for an act relating to labor; public employees; powers and duties of the public employment relations board; amending Minnesota Statutes 1971, Section 179.72, Subdivision 4.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Renneke
Arnold	Dunn	Keefe, S.	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoff	Solon
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	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	Milton	Perpich, A. J.	Ueland
Conzenius	Jensen	Moe	Pillsbury	Wegener
Davies	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3037: A bill for an act relating to labor relations; political activity as grounds for removal from office of mediator; repealing Minnesota Statutes 1971, Section 179.03.

With the unanimous consent of the Senate, Mr. Thorup moved to amend S. F. No. 3037, the printed bill, as follows:

Page 1, line 21, strike "passage" and insert "enactment"

The motion prevailed. So the amendment was adopted.

S. F. No. 3037 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.	Ogdahl	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	Milton	Pillsbury	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	

So the bill, as amended, passed and its title was agreed to.

RECONSIDERATION

Mr. Thorup moved that the vote whereby S. F. No. 3040 was passed by the Senate on February 20, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Purfeerst in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Purfeerst reported that the committee had considered H. F. Nos. 1489 and 2911, which the committee recommends to pass.

S. F. No. 196, which the committee recommends to pass with the following amendment offered by Mr. Hansen, Mel:

Page 3, line 13, strike "and other traffic"

Page 3, line 13, after "lawfully" insert "*in position to enter the intersection or*"

Page 3, line 14, after "intersection" strike the rest of the line and insert "*and other traffic lawfully proceeding through the intersection or approaching so closely thereto as to constitute an immediate hazard.*"

Page 3, line 15, strike "*intersection.*"

Page 3, line 15, strike "*into*"

Page 3, strike lines 16 through 21 and insert "*from the right traffic lane or the lane immediately to the left of the right traffic lane if that lane is posted as a right turn lane. Any such right turn being made by a vehicle 250 inches in length or less shall be made only into the same lane of the roadway being entered as that from which the turn was initiated, and the vehicle must remain in that lane until the driver has lawfully signalled for change of lane.*"

Further, amend the title as follows:

Page 1, lines 4 and 5, strike "providing a penalty;"

S. F. No. 2857, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1971, Section 98.45, Subdivision 2, is amended to read:

Subd. 2. Every person to whom a license is issued shall have it upon his person while doing any act for which the license is required and while traveling to and from the grounds upon which such acts are performed, and upon the request of any conservation officer or peace officer shall exhibit the license issued to him. No receipt for license fees, copy of any license, or any evidence purporting to show the issuance of a license is valid evidence so as to entitle the holder to exercise the rights or privileges conferred by a license. *Every person who may take fish without a license by reason of his age being 65 years or over shall have on his person while taking fish and while traveling to and from the location where fish are taken a valid driver's license, nonqualification certificate, or other document showing proof of his age and residency, and upon the request of any conservation officer or peace officer shall exhibit the proof of age to him."*

Renumber the remaining sections

Further, amend the title in line 5, after "amending", by inserting "Minnesota Statutes 1971, Section 98.45, Subdivision 2; and "

S. F. No. 2627, which the committee recommends to pass with the following amendment offered by Mr. Hughes:

Page 1, line 27, strike "120.68" and insert "120.67"

Page 3, line 14, strike "*pursuant to Minnesota Statutes, 1973 Supplement,*" and insert "*to the extent required by the public employment labor relations act*"

Page 3, line 15, strike "*Chapter 179*" and further strike "*in good faith in an effort to*"

Page 3, line 16, strike "*reach agreement*"

Page 3, line 18, strike "*one open hearing*" and insert "*three informational meetings*"

Page 3, line 19, strike "*adequate*" and insert "*published*"

Page 3, line 23, after "TEACHERS.]" insert "*Subdivision 1.*"

Page 4, line 1, after the period insert:

"*Subd. 2.*"

Page 4, line 4, after "*program*" insert " (1) "

Page 4, line 8, strike the period and insert " ; (2) *in a period of the calendar year substantially different from the period in which he taught during the year preceding implementation of the flexible year program.*"

Page 4, after line 8, insert:

"Subd. 3. In no event shall a teacher's continuing contract rights to a position held the year preceding implementation of a flexible school year program or teaching experience earned during a probationary period the year preceding implementation be lost or impaired upon adoption of a flexible school year program. If the year of teaching preceding implementation was the end of a probationary period, the continuing contract right to a full year's contract which normally would be acquired for the next succeeding school year shall be acquired in the year of adoption of the flexible program.

Subd. 4. Any school district operating a flexible school year program shall enter into one contract governing the entire school year with each teacher employed in a flexible program. If individual teachers contract to teach less than a period of 175 days during a school year, each 175 days of employment accrued during any five year period after the adoption of a flexible year program shall be deemed consecutive and shall constitute a full year's employment for purposes of establishing and retaining continuing contract rights to a full school year position pursuant to section 125.12, subdivisions 3 and 4, and section 125.17, subdivisions 2 and 3. A teacher who has not been discharged or advised of a refusal to renew his contract by April 1 of the year in which he will complete the requisite number of days for securing a continuing contract shall have a continuing full school year contract with the district.

Subd. 5. Continuing contract rights established pursuant to this section shall not be impaired or lost by the termination of a flexible school year program."

Page 4, strike lines 9 through 21

Page 4, line 24, strike "120.66" and insert "120.65"

Page 5, line 14, strike "120.67" and insert "120.66"

Page 6, line 14, strike "120.68" and insert "120.67"

Page 8, line 3, strike " (1) "

Page 9, line 25, after "year" insert "program"

Page 10, strike lines 3 through 28

Strike all of page 11

Page 12, line 11, strike "and the calendar for the school year"

Renumber the sections accordingly

Further, amend the title as follows:

Page 1, line 7, strike "125.12,"

Page 1, strike line 8

Page 1, line 9, strike "adding a subdivision;"

And then, on motion of Mr. Purfeerst, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS—CONTINUED
CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Kowalczyk	Ogdahl	Spear
Bang	Dunn	Larson	Olhoft	Stassen
Bernhagen	Fitzsimons	Laufenburger	Olson, H. D.	Stokowski
Blatz	Gearty	Lewis	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Milton	O'Neill	Thorup
Brown	Hanson, R.	Moe	Perpich, A. J.	Ueland
Chenoweth	Hughes	Nelson	Pillsbury	Wegener
Chmielewski	Humphrey	North	Purfeerst	
Coleman	Kleinbaum	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate resolve itself into a Committee of the Whole. The motion prevailed.

GENERAL ORDERS—CONTINUED

The Senate resolved itself into a Committee of the Whole, with Mr. Purfeerst in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Purfeerst reported that the committee had considered S. F. Nos. 1569, 2631, 1679, 2264 and 2457, also H. F. No. 2827, which the committee recommends to pass.

H. F. No. 543 which the committee reports progress, subject to the following motions:

Mr. O'Neill moved to amend H. F. No. 543, the printed bill, as follows:

Page 1, line 5, after "No" insert "*instruments, articles, drugs or medicines for the prevention of conception or disease may be sold, offered for sale, distributed, or dispensed in any*"

Page 1, line 5, after "school" insert a period

Page 1, strike lines 6 through 10

The motion prevailed. So the amendment was adopted.

Mr. Olhoft moved to amend H. F. No. 543, the printed bill, as follows:

Page 1, line 4 after "except" insert "*hospitals or health care facilities*"

Page 1, lines 4 and 5, strike "*pursuant to rules or regulations promulgated by the state board of health*"

The motion prevailed. So the amendment was adopted.

The question being taken on the recommendation to pass H. F. No. 543,

And the roll being called, there were yeas 13 and nays 37, as follows:

Those who voted in the affirmative were:

Borden	Conzemius	Keefe, S.	Milton	Pillsbury
Chenoweth	Davies	Lewis	North	Spear
Coleman	Keefe, J.	Lord		

Those who voted in the negative were:

Anderson	Chmielewski	Jensen	Olson, H. D.	Stassen
Arnold	Doty	Kleinbaum	Olson, J. L.	Stokowski
Ashbach	Dunn	Kowalczyk	O'Neill	Thorup
Bang	Fitzsimons	Larson	Patton	Wegener
Berg	Frederick	Laufenburger	Purfeerst	Willet
Bernhagen	Gearty	Nelson	Schrom	
Blatz	Hanson, R.	Novak	Sillers	
Brown	Hughes	Olhoft	Solon	

The committee then progressed H. F. No. 543.

S. F. No. 1427, which the committee recommends to pass with the following amendment offered by Mr. Olson, H. D.:

Page 2, line 5, strike "or obsolete"

Pages 3 and 4, strike all of subdivision 3

Renumber the subdivisions in sequence

RECESS

Mr. Coleman moved that the committee do now recess until 1:20 o'clock p.m. The motion prevailed.

The hour of 1:20 o'clock p.m. having arrived, the Chairman called the committee to order.

S. F. No. 2842, which the committee recommends to pass with the following amendments offered by Mr. Kowalczyk:

Mr. Kowalczyk moved to amend S. F. No. 2842 as follows:

Page 1, line 10, strike "or other qualified person"

The motion prevailed. So the amendment was adopted.

Mr. Kowalczyk then moved to amend S. F. No. 2842 as follows:

Page 1, after line 17, insert:

"Sec. 2. This act shall not apply to any child who has been reared as an adherent of a religious denomination whose teachings are opposed to such health care procedures."

The motion prevailed. So the amendment was adopted.

S. F. No. 2944, which the committee recommends to pass with the following amendment offered by Mr. Ashbach:

Page 2, after line 7, insert:

"Sec. 2. This act is effective the day following its final enactment."

H. F. No. 2675, which the committee recommends to pass with the following amendments offered by Messrs. Olson, A. G.; Conzemius; Milton and Coleman:

Mr. Olson, A. G. moved to amend the amendment placed on H. F. No. 2675, under Rule 49 and adopted by the Senate February 18, 1974, as follows:

Page 5, line 20, strike "who" and insert "whom"

Page 20, line 16, strike "this appropriation" and insert "these appropriations"

Mr. Conzemius moved to amend the amendment placed on H. F. No. 2675, under Rule 49 and adopted by the Senate February 18, 1974, as follows:

Page 5, line 11, strike everything after the period

Page 5, strike line 12

Mr. Milton moved to amend the amendment placed on H. F. No. 2675 under Rule 49 and adopted by the Senate February 18, 1974, as follows:

Page 8, after line 24, insert new clauses to read:

(f) Design a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(g) Inform and educate the public about the ways in which persons can conserve energy.

(h) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact.

Reletter the clauses in sequence.

Mr. Coleman moved to amend the amendment placed on H. F. No. 2675, under Rule 49 and adopted by the Senate February 18, 1974, as follows:

Page 5, line 6, strike "two"

Page 5, line 6, strike "majority leader and" and insert "committee on committees"

Page 5, line 7, strike everything before "three" and insert a comma

Page 5, line 8, strike "two"

Page 5, line 9, strike everything before the comma

Mr. Pillsbury moved to amend the amendment placed on H. F. No. 2675 under Rule 49 and adopted by the Senate on February 18, 1974, as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [POLICY.] The legislature, in seeking a rational approach to the establishment of an energy policy and the handling of energy problems declares it necessary to create an inter-agency task force. The purpose of the task force shall be to study the energy crisis as it relates to Minnesota, to implement regulations and procedures they deem necessary through existing agencies and departments insofar as is practicable and consistent with their authority, to recommend appropriate actions outside the scope of their authority to the governor and the legislature, to inform the people of the state on the energy crisis and related conservation measures.

Sec. 2. [CREATION OF A TASK FORCE.] Subdivision 1. There is hereby created an inter-agency task force, consisting of a chairman, appointed by the governor, the director of the state planning agency, the director of the pollution control agency, the director of the office of civil defense, the director of the office of consumer services, the chairman of the public service commission, the commissioner of natural resources, the commissioner of agriculture, the commissioner of highways, and the commissioner of revenue.

Subd. 2. The committee on committees shall appoint two members of the senate and the speaker shall appoint two members of the house of representatives to serve on the task force in an advisory capacity. The legislators shall serve without a vote and at the pleasure of their appointing authorities.

Subd. 3. The governor shall appoint a recognized leader from the private sector to serve as chairman of the task force with the advice and consent of the senate whose term shall coincide with the term of the governor. A vacancy in the office shall be filled for the unexpired term.

Subd. 4. The chairman shall employ such staff, make such contracts, and take such action as is authorized by the task force in order to carry out its duties and responsibilities.

Sec. 3. [DUTIES.] Subdivision 1. The task force shall: (a) assess the energy crisis as it relates to Minnesota, its economy, businesses and jobs and to determine the facts as they relate thereto; (b) determine the role of the state and local units of government and their agencies in insuring adequate energy resources for the state; (c) enlighten the people of the state on energy matters and the conservation thereof; (d) study the impact of federal energy measures on the state and coordinate the implementation thereof; (e) promulgate rules, regulations and procedures and implement them through such participating agencies of government as it deems necessary to cope with the

current and future energy needs of the state; (f) recommend to the legislature and governor such action as it deems necessary.

Subd. 2. The task force may: (a) require all agencies and departments of state and local government to comply with its rules, regulations and procedures; (b) make all contracts and do all things necessary to cooperate with the federal government and its energy policy; (c) contract with the state's institutions of higher education, public and private and others for the necessary research; (d) enter into interstate compacts to conduct research, planning and programs with other states or the federal government where appropriate; (e) disseminate to the general public through whatever means it deems appropriate information pertinent to energy matters and the conservation thereof.

Sec. 4. Subdivision 1. The members of the task force other than the chairman, shall serve without compensation. The chairman shall be paid such compensation as is prescribed by the governor. All members shall be reimbursed for the expenses incurred in the performance of their duties, in the same manner and in the same amounts as prescribed for other state officers. This subdivision is inapplicable if reimbursement of expenses is otherwise provided for by law.

Subd. 2. Minnesota Statutes, Chapters 15 and 16 shall not apply to rules, regulations or procedures promulgated by the task force or to contracts which it may authorize.

Sec. 5. [REPORTS REQUIRED.] Subdivision 1. The task force shall transmit to the legislature, the governor, and the general public a preliminary report of its findings and recommendations 90 days after the effective date of this act.

Subd. 2. The preliminary report shall include, in addition to recommendations for action to be taken by the legislature and governor, such proposals for either the continuation or dissolution of the task force.

Sec. 6. [APPROPRIATIONS.] Subdivision 1. The sum of \$50,000, is appropriated from the general fund in the state treasury to the task force to carry out the terms of this act to be available until expended.

Subd. 2. The governor and the legislative advisory commission may supplement the appropriation made by this section from the general contingent fund.

Sec. 7. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

The question being taken on 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:

Bernhagen	Frederick	Keefe, J	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Knutson	O'Neill	Ueland
Brown	Hanson, R.	Kowalczyk	Patton	
Dunn	Jensen	Larson	Pillsbury	
Fitzsimons	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Ogdahl	Solon
Arnold	Doty	Laufenburger	Olhoff	Spear
Borden	Gearty	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Milton	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Moe	Purfeerst	Thorup
Coleman	Humphrey	North	Schaaf	Wegener
Conzemius	Keefe, S.	Novak	Schrom	Willet

The motion did not prevail. So the amendment was not adopted.

S. F. No. 3054, which the committee recommends to pass with the following amendment offered by Mr. Schrom:

Page 2, line 23, before the period insert “, provided that the person angling also possesses a license to spear”

And then, on motion of Mr. Purfeerst, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the name of Mr. Sillers be added as co-author to S. F. No. 2913. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. Nos. 3052, 3053, 2889 and 2200. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Friday, February 22, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-FIRST DAY

St. Paul, Minnesota, Friday, February 22, 1974.

The Senate met at 12:00 o'clock noon 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	Doty	Knutson	Ogdahl	Schrom
Ashbach	Dunn	Kowalczyk	Olhoft	Solon
Berg	Gearty	Larson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hanson, R.	Lord	O'Neill	Thorup
Chmielewski	Hughes	McCutcheon	Patton	Wegener
Coleman	Keefe, S.	Milton	Perpich, A. J.	Willet
Davies	Kirchner	Novak	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	Conzemius	Keefe, J.	Nelson	Renneke
Arnold	Davies	Keefe, S.	North	Schrom
Ashbach	Doty	Kirchner	Novak	Solon
Bang	Dunn	Kleinbaum	Ogdahl	Spear
Berg	Frederick	Knutson	Olhoft	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stokowski
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	Lord	Patton	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Willet
Coleman	Josefson	Milton	Purfeerst	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Fitzsimons; Jensen; Lewis; Moe; Perpich, G.; Pillsbury; Schaaf and Sillers were excused from the Session of today. Mr. Borden was excused from today's Session beginning at 12:30 o'clock p.m. Messrs. Olson, H. D. and Kowalczyk were excused from the Session of today beginning at 12:45 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 20, 1974

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. 2121, 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.

S. F. No. 2446, An act relating to the powers of the county board of commissioners; amending Minnesota Statutes 1971, Section 375.19.

S. F. No. 2248, An act relating to foods; regulating the packaging, labelling, and advertising of imitation honey; providing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding a section.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Conzemius and Lewis introduced—

S. F. No. 3309: A bill for an act authorizing the Minnesota higher education facilities authority to construct and finance health care facilities; changing its name and increasing its membership; amending Minnesota Statutes 1971, Sections 136A.25; 136A.28; 136A.36; and Minnesota Statutes, 1973 Supplement, Sections 136A.26; 136A.27; 136A.29, Subdivisions 1, 6, 9, 10, 14, 21, and 22; and 136A.41.

Which was read the first time and referred to the Committee on Education.

Mr. Schaaf introduced—

S. F. No. 3310: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; common carrier duties; fees for certain motor carrier certificates, registrations and permits; transfer of certain permits; inspection of commercial vehicles; enforcement; defining warehouseman and providing supervisory powers of the department of public safety over workhousemen; prescribing penalties; amending Minnesota Statutes 1971, Sections 218.031, Subdivision 2; 219.39; 221.071; 221.211; 221.221; 231.01, Subdivision 5; 231.02; 231.16; Minnesota Statutes, 1973 Supplement, Sections 221.131; 221.151, Subdivision 1, and by adding a subdivision; 221.291; and 221.64; repealing Minnesota Statutes, 1973 Supplement, Section 221.191.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Chenoweth, O'Neill and Coleman introduced—

S. F. No. 3311: A bill for an act relating to the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Solon, Kleinbaum and Lord introduced—

S. F. No. 3312: A bill for an act relating to public employees; insurance benefits for retired employees; amending Minnesota Statutes, 1973 Supplement, Section 471.61, Subdivision 2a.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Keefe, J.; Arnold and O'Neill introduced—

S. F. No. 3313: A bill for an act relating to motor fuel; requiring display of motor fuel retail prices and octane ratings on a sign so the prices and ratings are visible from adjacent highways, roads or streets; amending Minnesota Statutes, 1973 Supplement, Section 325.77, Subdivision 3.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius and Lewis introduced—

S. F. No. 3314: A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

Which was read the first time and referred to the Committee on Education.

Messrs. O'Neill, Blatz and Perpich, A. J. introduced—

S. F. No. 3315: A bill for an act relating to taxation; increasing personal credits against income tax; amending Minnesota Statutes 1971, Section 290.06, Subdivision 3c.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. O'Neill, Coleman and Krieger introduced—

S. F. No. 3316: A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Borden introduced—

S. F. No. 3317: A bill for an act relating to the claim of Knife Lake Sportsman's Club; arising from expenses incurred as a result of the destruction of Knife Lake dam due to high water elevations and loss of a federally funded second dam; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Olson, H. D.; Bernhagen and Purfeerst introduced—

S. F. No. 3318: A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Knutson introduced—

S. F. No. 3319: A bill for an act relating to the claim of Ralph A. Fredlund; arising from failure of Minnesota highway department sanding truck to properly operate its sander on interstate No. 35E; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Humphrey introduced—

S. F. No. 3320: A bill for an act relating to environmentally damaged property; providing credits for such property; providing for reimbursement by the metropolitan airports commission.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Jensen, Thorup and Humphrey introduced—

S. F. No. 3321: A bill for an act relating to courts; costs and disbursements allowed in district court; amending Minnesota Statutes 1971, Sections 549.02 and 549.04.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Kowalczyk, Hughes and Knutson introduced—

S. F. No. 3322: A bill for an act relating to condominiums; requiring local government approval; amending Minnesota Statutes 1971, Sections 515.15; and 515.16.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Novak, Fitzsimons and Moe introduced—

S. F. No. 3323: A bill for an act relating to the capitol area architectural and planning commission; appropriating money for a master plan implementation study.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Keefe, J. introduced—

S. F. No. 3324: A bill for an act relating to the city of Hopkins; 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.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Conzemius, Patton and Milton introduced—

S. F. No. 3325: A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Larson introduced—

S. F. No. 3326: A bill for an act relating to town roads; authorizing the establishment of certain cartways; amending Minnesota Statutes 1971, Section 164.08, Subdivision 2.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Humphrey and Schaaf introduced—

S. F. No. 3327: A bill for an act relating to human rights; extending protection to disabled persons using public services and public accommodations; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivisions 3 and 4, and by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Humphrey introduced—

S. F. No. 3328: A bill for an act relating to beauticians; changing certain regulating provisions; amending Minnesota Statutes 1971, Sections 155.02, Subdivision 2; 155.06, Subdivision 1; 155.08; 155.09, Subdivisions 3 and 5, and by adding a subdivision; 155.11, Subdivisions 1, 2 and 6.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Doty, Schrom and Willet introduced—

S. F. No. 3329: A bill for an act relating to education; providing the time for the commencement of the school day during the shortest days of the year.

Which was read the first time and referred to the Committee on Education.

Messrs. Doty and Solon introduced—

S. F. No. 3330: A bill for an act relating to the city of Duluth; redefining a subdivision; modifying the procedure for approval of plats by the planning commission; making certain state laws applicable to the city; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Solon and Doty introduced—

S. F. No. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Which was read the first time and referred to the Committee on Education.

Mr. Laufenburger, by request, introduced—

S. F. No. 3332: A bill for an act relating to intoxicating liquor; on-sale licenses in second class cities and statutory cities of over 20,000 population; amending Minnesota Statutes 1971, Section 340.11, Subdivision 6.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Kleinbaum introduced—

S. F. No. 3333: A bill for an act relating to railroads; requiring toilet facilities on certain motor vehicles; amending Minnesota Statutes, 1973 Supplement, Section 219.562, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Knutson introduced—

S. F. No. 3334: A bill for an act relating to the volunteer firemen's relief association of the city of Eagan.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Lewis and Coleman introduced—

S. F. No. 3335: A bill for an act relating to public welfare; providing nutritional supplements to needy women and children and appropriating moneys therefor.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Stokowski, Ogdahl and Spear introduced—

S. F. No. 3336: A bill for an act relating to the city of Minneapolis; providing for the position of assistant city comptroller to be in the unclassified service.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Schaaf and Keefe, S. introduced—

S. F. No. 3337: A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Hansen, Baldy introduced—

S. F. No. 3338: A bill for an act relating to commerce; banks

and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Hansen, Baldy introduced—

S. F. No. 3339: A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Hansen, Baldy introduced—

S. F. No. 3340: A bill for an act relating to Mower county; changing the controlling statute for planning and development; repealing Laws 1959, Chapter 101, as amended.

Which was read the first time and referred to the Committee on Local Government.

Mr. Hansen, Baldy introduced—

S. F. No. 3341: A bill for an act relating to municipalities; tort liability; providing that actual notice fulfill notice requirements; amending Minnesota Statutes 1971, Section 466.05, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Coleman, Krieger and Conzemius introduced—

S. F. No. 3342: A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minnesota Statutes, 1973 Supplement, Sections 3.303, by adding subdivisions; 3.304, Subdivision 2, and by adding a subdivision.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Hansen, Baldy introduced—

S. F. No. 3343: A bill for an act relating to the claim of John Sipple; arising from an injury sustained when an employee of the highway department struck a landowner while conversing about condemnation damages; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Chmielewski, Gearty and Wegener introduced—

S. F. No. 3344: A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1971, Sections 340.035, Subdivision 1; 340.355; 340.73, Subdivision 1; 340.731; 340.79; 340.80; and Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; and 340.81.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Jensen introduced—

S. F. No. 3345: A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

Which was read the first time and referred to the Committee on Education.

Mr. Perpich, A. J. introduced—

S. F. No. 3346: A bill for an act relating to workmen's compensation; requiring the employer to pay the employees' attorney fees if the employee receives a disability award.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Kleinbaum introduced—

S. F. No. 3347: A bill for an act relating to the organization and operation of state government; appropriating money to the governor for the use of the governor's advisory physical fitness committee.

Which was read the first time and referred to the Committee on Finance.

Messrs. Humphrey and Milton introduced—

S. F. No. 3348: A bill for an act relating to welfare; defining county of financial responsibility in medical assistance; amending Minnesota Statutes 1971, Section 256B.02, Subdivision 3.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. North and O'Neill introduced—

S. F. No. 3349: 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 St. Paul-Ramsey hospital; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. O'Neill and North introduced—

S. F. No. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Knutson introduced—

S. F. No. 3351: A bill for an act relating to the claim of Robert J. Ward; arising from state actions effectively denying him veterans benefits; 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. 3352: A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Lewis and Conzemius introduced—

S. F. No. 3353: A bill for an act relating to corrections; providing immediate parole eligibility for certain inmates serving sentences imposed prior to September 1, 1963.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Milton introduced—

S. F. No. 3354: A bill for an act relating to public health; health care facilities; certificates of need; amending Minnesota Statutes 1971, Sections 145.72, Subdivisions 2 and 3; 145.75; 145.78; 145.79; 145.80; 145.81; and Minnesota Statutes 1971, Chapter 145, by adding a section.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Laufenburger and Chmielewski introduced—

S. F. No. 3355: A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

Which was read the first time and 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. 2823, 2891, 2892, 2921 and 2967.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 20, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2804, 3047, 3119 and 1484.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 20, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2804: A bill for an act relating to Morrison and Todd counties; providing for increased compensation for county welfare boards, including county commissioners; amending Laws 1967, Chapter 818, Section 1, as amended.

H. F. No. 3047: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

H. F. No. 3119: A bill for an act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, Section 1.

H. F. No. 1484: A bill for an act relating to the city of Minneapolis; projects for capital improvements; requiring a public hearing and published notice prior to approval.

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. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "1971" and insert ", 1973 Supplement"

Page 2, strike lines 17 through 21 and insert:

"(2) [SEPARATION TO ASSUME FAMILY OBLIGATIONS.] If such individual voluntarily leaves employment because of pregnancy without availing herself of maternity leave rights provided by law, provided that such disqualification shall be removed by subsequent employment in insured work for a period of not less than six weeks."

Page 3, strike lines 13 through 28 and insert:

"(5) [LABOR DISPUTE.] If such individual has left or partially or totally lost his employment with an employer because of a strike or other labor dispute. Such disqualification shall prevail for each week during which such strike or other labor dispute is in progress at the establishment in which he is or was employed, except that such disqualification shall be for one week following commencement of the strike or other labor dispute for any employee who is not participating in or directly interested in the labor dispute which caused such individual to leave or partially or totally lose such employment. Failure or refusal of an individual to accept and perform available and customary work in the establishment constitute participation. For the purpose of this section the term "labor dispute" shall have the same definition as provided in the Minnesota labor relations act. Nothing in this subdivision shall be deemed to deny benefits to any employee:

(a) who becomes unemployed because of a strike or lockout caused by an employer's willful failure to observe the terms of the safety and health section of a union contract or failure to comply with an official citation for a violation other than a de minimis violation of federal and state laws involving occupational safety and health; provided, however, that benefits paid in accordance with this provision shall not be charged to the employer's experience rating account if, following official appeal proceedings, it is held that there was no willful failure on the part of the employer,

~~(a)~~ *(b) who becomes unemployed because of a lockout,*

~~(b)~~ *(c) who is dismissed during the period of negotiation in any labor dispute and prior to the commencement of a strike, or*

~~(c)~~ *(d) unless he is unemployed because of a jurisdictional dispute between two or more unions.*

Provided, however, that voluntary separation during the time that such strike or other labor dispute is in progress at such estab-

ishment shall not be deemed to terminate such individual's participation in or direct interest in such strike or other labor dispute for purposes of this subdivision.

Benefits paid to an employee who has left or partially or totally lost his employment because of a strike or other labor dispute shall not be charged to his employer's account unless the employer was a party to the particular strike or labor dispute."

Further amend title in line 2, by striking "1971" and inserting ", 1973 Supplement"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2547: A bill for an act relating to public assistance; providing for minimum allowances for clothing and personal needs for persons receiving categorical aids while confined in nursing homes; prescribing methods of payment and restriction on payments.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "categorical aid" and insert "medical assistance"

Page 1, line 12, after "home" insert "or board and care facility"

Page 1, strike lines 14 - 16

Page 1, line 17, after "home" insert ", the board and care facility,"

Page 1, after line 19, insert:

"Sec. 2. Any person receiving medical assistance while confined to a nursing home or a board and care facility may also retain all income earned from productive work."

Renumber the subdivisions and sections in sequence

Amend the title as follows:

Page 1, line 2, strike "assistance" and insert "welfare"

Page 1, line 5, strike "categorical aids" and insert "medical assistance"

Page 1, line 6, after "homes" insert "or board and care facilities"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 2745: A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in award-

ing contracts; amending Minnesota Statutes 1971, Section 471.345, 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. 3013: A bill for an act relating to the city of Beaver Bay; authorizing the issuance of 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 referred

H. F. No. 2717: A bill for an act relating to the city of Island View; authorizing issuance of two additional on-sale licenses 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. 2638: A bill for an act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses 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 were referred the following appointments:

DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT

Lawrence J. Anderson, 4905 Elliott Avenue, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring the first Monday of January, 1975.

COMMISSIONER OF THE BANKING DIVISION DEPARTMENT OF COMMERCE

Robert A. Mampel, 5650 Westbrook Road, Golden Valley, Hennepin County, appointed effective September 4, 1973, for a term expiring September 4, 1979.

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

J. Martell Rud, Manager, Northtown Shopping Center, 398 N. E. Northtown Drive, Edina, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Earl Gustafson, 700 First American National Bank Building, Duluth, St. Louis County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Dan Gustafson, Minneapolis Building Trades and Construction Trades Council, Room 400, 117 4th Street S. E., Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1979.

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Paul Larimore, Mayor, Albert Lea, Freeborn County, City Center, Albert Lea, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Alfred Erickson, Ellerbe Architects, 333 Sibley, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

James Miley, 60 East Fourth Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Leonard LaShomb, Minnesota AFL-CIO, 414 Auditorium Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

John Hauenstein, Peerliss Chain Company, Winona, Winona County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

William Westerberg, Continental Safety Equipment, 917 Grand Avenue, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Harvey Paulson, State Building and Trades, 404 East Main, Albert Lea, Freeborn County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Hugh Gallagher, Communications Workers of America, Meadowbrook Building, W-315, 6490 Excelsior Boulevard, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Helen Bender, G-25A, Highway Building, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Victor Lowe, Minnesota Compensation Rating Bureau, 523 Marquette Avenue, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Robert McElroy, Minnesota Mining, 900 Bush, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Hansen, Baldy moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3068: A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 29, strike "*uneconomically*" and insert "*economically*"

Page 5, line 14, strike "*subdivision 6*" and insert "*clause (6)*"

Page 5, line 14, strike "*section*" and insert "*subdivision*"

Page 6, line 6, after "*substandard*" insert the following "*; and provided further that the exercise of the power of eminent domain under section 462.445, subdivision 1, clause (7) shall be limited to real property which contains buildings and improvements which are vacated and substandard*"

Page 6, line 14, after "*constituting*" insert "*low or*"

Page 11, line 4, strike "*such*"

Page 11, line 14, strike "*exemption of low*"

Page 11, strike lines 15 through 22 and insert the following: "*concerning the enforcement of the applicable health, housing, building, fire prevention and housing maintenance code requirements as relates to residential dwelling structures which are being rehabilitated by low or moderate income persons pursuant to section 6 of this act for the period of time necessary to complete such rehabilitation, as determined by the authority.*"

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. 577: A bill for an act relating to agriculture; dairy products; creating a dairy products stabilization board within the department of agriculture to establish wholesale prices for selected dairy products; amending Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03, by adding a subdivision; 32A.04, Subdivisions 1 and 2; 32A.05, Subdivision 4; Chapter 32A, by adding sections; repealing Minnesota Statutes 1971, Sections 32A.07; 32A.08; and 32A.09, Subdivision 4.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 20, strike "*a subdivision*" and insert "*subdivisions*"

Page 2, after line 22, insert:

"Subd. 12b. "Consumer" means a person who is not, and never has been, employed in the dairy industry; who is not the spouse of any such person; and who does not, and never has had a material financial interest in the dairy industry."

Page 8, line 9, strike "seven" and insert "eleven"

Page 8, line 9, after "governor" insert "by and with the consent of the senate, one from each congressional district and three members at large"

Page 8, line 11, strike "One producer" and insert "Two producers"

Page 8, line 11, strike "one manufacturer" and insert "two manufacturers"

Page 8, line 12, strike "three" and insert "five"

Page 8, line 12, strike "otherwise"

Page 8, line 20, after "and" strike "the" and insert "one"

Page 8, line 20, after the semicolon strike "the" and insert "one consumer and one"

Page 8, line 21, after the semicolon strike "the" and insert "one consumer and one"

Page 8, line 22, after the first semicolon strike "the manufacturer" and insert "one consumer and two manufacturers"

Page 8, line 23, strike "two" and insert "one"

Page 8, line 23, strike "members" and insert "member"

Page 8, line 29, strike "Five" and insert "Seven"

Page 8, line 35, strike "plus" and insert "and his actual"

Page 8, line 35, after "and" and before "expenses" insert "necessary"

Page 8, line 35, strike "at the rate allowed Minnesota" and insert "in the manner of"

Page 8, line 35, strike "civil service"

Page 9, line 10, after "business" insert "pursuant to chapter 15"

Page 10, line 8, after the period insert "The hearing shall be conducted in accordance with Minnesota Statutes, Chapter 15."

Page 10, line 8, strike "Notice of the time, place and purpose of the hear."

Page 10, strike lines 9 to 17

Page 10, line 23, after the period insert "Any order of the board may be disapproved by the commissioner of agriculture."

Page 11, line 7, strike "Upon the establishing"

Page 11, strike lines 8 to 10

Page 12, strike lines 16 to 18

Renumber the sections in sequence

Page 12, line 20, after the period, insert "*Upon the establishing pursuant to section 7 of marketing areas and minimum wholesale prices within six months following the effective date of this act, section 32A.06 shall be repealed.*"

Page 12, line 23, strike "1977" and insert "1976"

Further, amend the title as follows:

Page 1, third line of the title, strike "a subdivision" and insert "subdivisions"

Page 1, last line of the title, after "Sections" insert "32A.06;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3079: A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

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 referred

S. F. No. 2747: A bill for an act relating to children; requiring the court to consider the best interests of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike "or" and insert a comma

Page 1, line 20, after "any" insert ", or culture"

Page 2, after line 3, insert "*(i) the cultural background of the child.*"

Reletter clauses in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3200: A bill for an act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

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 referred

H. F. No. 2085: A bill for an act relating to child welfare; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

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. 2728: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 5, line 31, strike the new language

Page 5, line 34, strike the new language

Page 10, line 13, after "be" insert "*and upon the person's receipt of the statement of reasons, the commissioner shall, if the person requests, bring the matter before the personnel board for determination pursuant to Minnesota Statutes, 1973 Supplement, Section 43.06*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3208: A bill for an act relating to administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; and 245A.18, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, after line 1, insert

"Sec. 4. Laws 1973, Chapter 650, Article XXI, Section 32, is amended to read:

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; *provided that these funds shall be prorated to the counties if this appropriation is not sufficient to pay 50 percent of the cost according to Minnesota Statutes, Section 245A.03, Subdivision 2. No county may reduce its grants to recipients as a result of/or anticipation of the proration of state funds.*"

Renumber the remaining section

Page 4, line 2, strike "as of" and insert "the day following final enactment; provided, however, that payments shall be made retroactive to"

Amend the title as follows:

Page 1, line 6, strike "and"

Page 1, line 6, after "Subdivision 2" and before the period, insert "; and Laws 1973, Chapter 650, Article XXI, Section 32"

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

S. F. No. 2851: A bill for an act relating to liquor; temporary licensing of clubs, charitable and religious associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 21, after "charitable" strike "or" and insert ";

Page 1, line 21, after "religious" insert ", or non-profit"

Page 1, line 23, after "on" insert "and off"

Page 1, line 23, after "in" insert "and out of"

Further, amend the title as follows:

Line 3, strike "and" and insert ";

Line 3, after "religious" insert ", or non-profit"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2809: A bill for an act relating to the creation of a state economic opportunity commission and community action agencies; appropriating money to the economic opportunity commission for the purposes of this act.

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. [POLICY; PURPOSE.] The legislature declares that it is in the public interest to better coordinate all available local, state, private and federal resources for programs and projects designed to aid low-income families and individuals throughout the state in obtaining basic education, health care, vocational training, employment opportunities and other services needed for the achievement of self sufficiency; to encourage the participation by the residents of a community served in the planning of community programs and projects; and to provide funding for the continuation of programs and projects that are now in danger of losing federal moneys. To that end, the legislature directs that community action agencies be developed and maintained and that a state economic opportunity agency be created to administer state funds appropriated for community action agencies.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purposes of this act, the following terms shall have the meanings given them.

Subd. 2. “Community action agency” shall mean a public agency or a private nonprofit corporation organized pursuant to Minnesota Statutes, Chapter 317, which is designated by a city, a county, counties, or region and the economic opportunity agency to perform the functions set forth in this act.

Subd. 3. “Community action program” shall mean a community based and operated program which includes a sufficient number of components to provide a range of services and activities having a reasonable and potentially major impact on causes of poverty in the community. Components of a community action program may be projects funded by the state under this act, or by other public or private sources. Projects may be either uniquely local in character or part of a state or federal program providing assistance to a particular kind of activity or individual.

Subd. 4. “Community” shall mean a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area, irrespective of boundaries or political subdivisions, which provides a suitable organizational base and possesses the commonality of interest needed for a community action program.

Sec. 3. [COMMUNITY ACTION AGENCIES; ORGANIZATION.] Subdivision 1. Each community action agency shall be governed by a board of directors, not to exceed 51 members, one-third of the members of the board shall be public officials from the local community, including the chief elected official or officials, or their representatives. One-third to one-half of the members shall be persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served. The remainder of the members shall be representatives of business, industry, labor, religious, welfare, education, or other major groups and interests in the community. Each mem-

ber of the board selected to represent a specific geographic area within a community must reside in the area he represents. Except for public officials of the local community, no person selected as a member of a board shall serve on such board for more than five consecutive years, or more than a total of ten years.

Subd. 2. Members of a board of directors shall serve without compensation but may be reimbursed for their out-of-pocket expenses incurred as a result of their participation on the board.

Subd. 3. A board shall be governed by the procedural rules and standards promulgated by the state economic opportunity agency.

Sec. 4. [COMMUNITY ACTION AGENCIES; DUTIES AND FUNCTIONS.] A community action agency shall:

(1) Receive and administer funds from any lawful private or public source, including local, state, and federal sources; however, any funds received under this section may be transferred to other agencies when consistent with the community action agency program;

(2) Plan, review, approve and evaluate all community action programs within the area served by the agency;

(3) Encourage cooperation and coordination of existing non-agency programs in applying for funds and in providing non-duplicative services;

(4) Initiate and sponsor projects to meet the needs of the poor of the community which are not being met under existing programs;

(5) Establish procedures by which the members of the community may participate actively in planning and implementing community action programs;

(6) Encourage business, labor, and other private investment and participation in the community;

(7) Establish and adopt rules relating to staff, public access to information and records of the community action agency, and other necessary procedures;

(8) Define the lawful duties of employees as advocates for the poor;

(9) Submit to the economic opportunity agency three months before each fiscal year a budget outlining its proposed activities and expenditures; and a quarterly report within 45 days of the end of each quarter on the expenditures of the previous quarter.

Sec. 5. [ECONOMIC OPPORTUNITY AGENCY; CREATION; MEMBERSHIP; VACANCIES.] Subdivision 1. [CREATION.] The economic opportunity agency is hereby established in the executive branch of the state government. The agency shall be composed of ten members, appointed by the governor with the advice and consent of the senate. The members of the council shall include representatives of the following interests: poor; urban; rural; male; female; minority; ethnic; labor; business; religious; education; welfare; health; and public officials. No

more than five members may be members of the same political party.

Subd. 2. [TERM OF OFFICE; VACANCIES.] The members of the agency first appointed by the governor shall be appointed to serve the following terms: five members for one year and five members for two years. Thereafter, each appointment shall be for two years. Each term shall terminate on the first day of January, except that it shall continue until a successor is appointed and qualified. The members of the council first appointed by the governor shall be appointed by August 1, 1974 and shall be subject to confirmation by the senate at the next regular session of the legislature. Vacancies shall be filled by the governor, with the advice and consent of the senate, for the unexpired term.

Subd. 3. [COMPENSATION; EXPENSES.] Members shall serve without compensation but shall be reimbursed for out of pocket expenses incurred as a result of participation in the agency.

Subd. 4. [MEETINGS.] The agency shall meet on the second Tuesdays in January, April, July and October of each year at the capitol. At the first regular meeting of each year, a chairman shall be elected from among the members of the agency. Special meetings may be held at such times and places as any three members of the agency shall appoint upon three days notice to other members by mail. A majority shall be a quorum; and any meeting may be adjourned from time to time.

Sec. 6. [DIRECTOR OF ECONOMIC OPPORTUNITY.] Subdivision 1. [APPOINTMENT; REMOVAL.] The agency shall select, with the advice and consent of the senate, a director of economic opportunity who shall serve as executive secretary to the agency and as its chief administrator. The director shall be selected without regard to residence and shall be an individual experienced in the administration of programs for the poor and in advocacy for the poor. The director may be removed by the agency for good cause shown after the submission of written charges and an opportunity to be heard.

Subd. 2. [POWERS AND DUTIES.] The executive director shall perform such duties as the law and the rules of the agency may provide; and shall be held responsible for the efficient administration of agency operations. The director shall be required to make recommendations to the agency and shall be charged with the execution of powers and duties the agency may prescribe to promote and insure the effectiveness of community action programs in the state; to safeguard the finances pertaining thereto; and to enable the agency to carry out the provisions of this act.

Sec. 7. [AGENCY; POWERS AND DUTIES.] Subdivision 1. In addition to selecting the director of economic opportunity the agency shall:

(a) administer funds appropriated by the state for community action agencies;

(b) develop and implement by November 1, 1974 a plan for the realignment of community action agencies conforming to the state economic development regions;

(c) act as special advocate for the poor in state government by mobilizing state resources and coordinating efforts of all state agencies in an attempt to make the poverty programs more responsive to the needs and desires of the poor;

(d) provide technical assistance, training and related services to communities, community action agencies, grantees and potential grantees of federal and state anti-poverty funds, and monitor federal and state funded programs in accordance with state and federal regulations;

(e) provide information and assistance to the governor, the legislature and state agencies with the objective of developing programs and seeking legislation for the benefit of the poor;

(f) apply for and receive available grants from federal and state sources in order to fulfill its missions;

(g) develop rules and regulations pertaining to the operation and administration of community action agencies; and

(h) report to the governor and the legislature by November 15 of each year on expenditures and activities of the economic opportunity agency and the community action agencies.

Sec. 8. [RESTRICTIONS AND DISBURSEMENTS.] Subdivision 1. Funds appropriated by the state shall be disbursed by the agency to community action agencies only in the event that federal funding for community action programs is less than 90 percent of the dollar amount that the community action agency received during the fiscal year of 1973 in its administration and community development accounts. Nothing in this subdivision shall be construed to prohibit the disbursement of state funds to community action agencies which received no federal funds during fiscal year 1973.

Subd. 2. Each fiscal year a sum of no more than five percent of the appropriation for all community action agencies shall be appropriated for the expenses of the economic opportunity agency.

Subd. 3. No community action agency shall be assessed or have deducted any sum for planning or evaluation purposes.

Subd. 4. The agency shall not provide state funds after January 1, 1975 to any community action agency which has not conformed to regional economic development boundaries by November 1, 1974. If federal money is available, the director shall encourage and assist the community action agencies in the implementation of the regionalization plan.

Subd. 5. If the federal government continues the funding of community action agencies at a level of 90 percent or more of the money received in fiscal year 1973, the \$300,000 appropriated to the commissioner of public welfare pursuant to Laws 1973,

Chapter 765, Section 8, Subdivision 1, or so much thereof as is unexpended on the effective date of this act, shall be used by the economic opportunity agency for funding the development of community action agencies in those areas in the state that currently are not served by a community action agency, including the counties of Hennepin, Dakota, Washington, Olmsted, Mower, Freeborn, and Faribault.

Sec. 9. The economic opportunity agency is the state agency to perform the functions, duties and powers afforded the state under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; and the agency shall comply with all state and federal laws and rules or regulations promulgated for any purposes related to the powers and duties of the economic opportunity agency.

Sec. 10. [APPROPRIATION.] The sum of \$4,225,000 is appropriated to the economic opportunity agency from the general fund for the purposes of this act."

Further, amend the title:

Page 1, line 3, strike "commission" and insert "agency"

Page 1, line 6, strike "commission" and insert "agency"

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2971: A bill for an act relating to health maintenance organizations; regulating the details of operation; amending Minnesota Statutes, 1973 Supplement, Sections 62D.02, Subdivisions 4 and 7; 62D.06, Subdivision 1; 62D.10, Subdivisions 2 and 4; 62D.11, Subdivision 1; 62D.12, Subdivisions 4 and 9; 62D.22, Subdivision 8; and 62D.28, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 13-23

Page 1, after line 32, add a new section to read:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Chapter 62D, Section 62D.08, Subdivision 2, is amended to read:

Subd. 2. Every health maintenance organization shall annually, on or before ~~March~~ April 1, file a verified report with the board and to the commissioner covering the preceding calendar year."

Page 3, line 27, after "organization" and before the period insert "*and related insurance matters*"

Page 4, line 8, strike ", except for health care consumers who"

Page 4, line 9, strike "*shall merely participate,*"

Page 4, line 9, strike "assume responsibility" and insert "cooperate with any area wide comprehensive health planning agency established pursuant to Minnesota Statutes, Section 145.72, Subdivision 5, and with other health care providers in the proposed area to be served by the organization in programs or studies"

Page 5, line 2, strike ". Health" and insert "or, with the prior approval of the board payments to enrollees for obligations incurred for non-elective emergency or out-of-area services received, or with prior approval direct payments to providers for out-of-area, non-elective emergency or referral medical, hospital or other health services rendered to enrollees."

Page 5, strike lines 3-5

Page 5, line 14, strike "and expenses to" and insert "or, when approved by the board as provided in section 62D.12, subdivision 4, direct payments to enrollees for obligations incurred for non-elective emergency or out-of-area services received, or with approval direct payments to providers for out-of-area, non-elective emergency or referral medical, hospital or other health services rendered to enrollees;"

Page 5, strike line 15

Page 6, line 1, strike "shall be elected"

Page 6, line 2, strike "by enrollees and"

Page 6, line 6, after the word "elected" insert "by the enrollees"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, strike "Subdivisions 4 and" and insert "Subdivision"

Page 1, line 7, after the semicolon insert "62D.08, Subdivision 2;"

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. 3076, 2746, 3038, 2726, 3077, 3074, 3023, 3058 and 2655 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.
3023	3006	3076	3118		
2655	2571	2746	3040		
3058	2825	3038	3030		
		2726	2638		
		3077	3116		
		3074	3117		

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. 3132 and 2458 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.
2458	2488	3132	3052		

Pursuant to Rule 49 the Committee recommends that H. F. No. 3132 be amended as follows:

Page 2, lines 23 and 24, strike "the day following final enactment" and insert in lieu thereof "December 31, 1973"

And when so amended, H. F. No. 3132 will be identical to S. F. No. 3052 and further recommends that H. F. No. 3132 be given its second reading and substituted for S. F. No. 3052 and S. F. No. 3052 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2458 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 40.07, is amended by adding a subdivision to read:

Subd. 16. A district may appropriate necessary funds to provide membership in state and national associations which have as their purpose the betterment and improvement of soil and water conservation district operations. A district is also authorized to participate through duly designated representatives in the meetings and activities of such associations, and is authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith, which expenses may be paid only upon the presentation and allowance of a properly verified itemized claim."

Further, strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to soil and water conservation districts; authorizing membership in state and national associations; amending Minnesota Statutes 1971, Section 40.07, by adding a subdivision."

And when so amended, H. F. No. 2458 will be identical to S. F. No. 2488 and further recommends that H. F. No. 2458 be given its second reading and substituted for S. F. No. 2488 and S. F. No. 2488 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2804, 3047 and 1484 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. 2804 to the Committee on Local Government.

H. F. Nos. 3047 and 1484 to the Committee on Metropolitan and Urban Affairs.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 3068, 3079, 2747, 3200, 3208, 2851 and 2971 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2745, 1136, 3013, 2717, 2638, 577, 2085, 2728, 3132, 2458, 3023, 2655, 3058, 3074, 3077, 2726, 3038, 2746 and 3076 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that the name of Mr. Olson, A. G. be added as co-author to S. F. No. 3300. The motion prevailed.

Mr. Hansen, Baldy moved that the name of Mr. Olson, A. G. be added as co-author to S. F. No. 3244. The motion prevailed.

Mr. Olson, A. G. moved that the name of Mr. Nelson be added as co-author to S. F. No. 3207. The motion prevailed.

Mr. Bernhagen moved that the name of Mr. Dunn be added as co-author to S. F. No. 3271. The motion prevailed.

Mr. Lord moved that S. F. No. 3125 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 2985 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2911, now on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Ogdahl moved that his name be stricken as co-author to S. F. No. 2427. The motion prevailed.

Mr. Chenoweth moved that S. F. No. 3311 be withdrawn from

the Committee on Governmental Operations and re-referred to the Committee on Metropolitan and Urban Affairs. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 2444, together with the Conference Committee Report thereon, be withdrawn from the Committee on Transportation and General Legislation and laid on the table. The motion prevailed.

Mr. Borden moved that S. F. No. 634, No. 7 on General Orders, be stricken and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Coleman moved that S. F. No. 806, No. 1 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Coleman moved that House Concurrent Resolution No. 14 be taken from the table. The motion prevailed.

House Concurrent Resolution No. 14: A house concurrent resolution relating to the adjournment of the House of Representatives on February 22, 1974.

Mr. Coleman moved the adoption of the foregoing House Concurrent Resolution. The motion prevailed. So the resolution was adopted.

Mr. Milton moved that S. F. No. 2991 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Conzemius moved that S. F. No. 3309 be withdrawn from the Committee on Education and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Conzemius moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE BOARD OF EXAMINERS IN BASIC SCIENCES

Dr. Raymond Bieter, 2015 Dayton Avenue, St. Paul, Ramsey County, appointed effective April 1, 1973, for a term expiring April 1, 1979.

Dr. Paul Winchell, 4100 Morrill Lane, Minneapolis, Hennepin County, appointed effective April 1, 1973, for a term expiring April 1, 1979.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Conzemius moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE EXAMINING COMMITTEE FOR PHYSICAL THERAPISTS

Thomas R. Garrett, 1842 N. W. 16th Street, Rochester, Olmstead County, appointed effective August 16, 1973, for a term expiring June 30, 1976.

Dr. Elmer Salovich, 5249 Lochloy Drive, Minneapolis, Hennepin County, appointed effective June 30, 1972, for a term expiring June 30, 1975.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, pertaining to the appointment of Joel Egertson, as Executive Director for the Commission on Alcohol Problems and as Director of the Drug Abuse Section, be taken from the table. The motion prevailed.

Mr. Conzemius moved that the foregoing report be now adopted. The motion prevailed.

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Conzemius moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

GILLETTE HOSPITAL AUTHORITY

Mrs. Marilyn Berg, 1865 Bayard Avenue, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Dr. Betty Green, 4377 Wooddale Avenue, St. Louis Park, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Dr. Ellen Fifer, Department of Health, University of Minnesota Campus, Minneapolis, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1978.

Judge Harold Schultz, 1176 Hawthorne Avenue East, St. Paul, Ramsey County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

Dr. Robert Winter, 1648 Dodd Road, Mendota Heights, Dakota County, appointed effective September 4, 1973, for a term expiring December 31, 1974.

Clifford Retherford, 7007 West Shore Drive, Edina, Hennepin County, appointed effective September 4, 1973, for a term expiring December 31, 1976.

John Buzzell, Department of Public Welfare, 4th floor, Centennial Office Building, St. Paul, Ramsey County, appointed effective September 4, 1973, for an indeterminate term.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Conzemius moved that the foregoing report be now adopted. The motion prevailed.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Keefe, S.	North	Renneke
Arnold	Davies	Kirchner	Novak	Schrom
Ashbach	Doty	Kleinbaum	Ogdahl	Solon
Bang	Dunn	Kowalczyk	Unort	Spear
Berg	Frederick	Krieger	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Lord	O'Neill	Thorup
Chenoweth	Hanson, R.	McCutcheon	Patton	Ueland
Chmielewski	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Conzemius moved to divide the appointments to the State Board of Health with respect to Dr. Maurice McCollar. So the question was divided.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE BOARD OF HEALTH

Marlys Wolf, Fingerhut Manufacturing, St. Cloud, Stearns County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Roberto Trevino, 1610 3rd Avenue South, Moorhead, Clay County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Elizabeth Kalisch, 5371 Hugo Road, White Bear Lake, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1975.

Robert Willmarth, 203 9th Avenue S.E., Rochester, Olmsted County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Bridget Coleman, 700 Linwood, St. Paul, Ramsey County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Patrick M. Daugherty, 3914 Bryant Avenue North, Minneapolis, Hennepin County, appointed effective October 12, 1973, for a term expiring January 1, 1977.

Roberta Williamson, 2021 Bluestone Lane, Eagan, Dakota County, appointed effective February 6, 1974, for a term expiring January 1, 1978.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Conzemius moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

Dr. Maurice McCollar, 3563 White Bear Avenue, White Bear Lake, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1978.

The question being taken on the adoption of the motion,

Mr. Krieger moved that those not voting be excused from voting. The motion did not prevail.

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 31 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Perpich, A. J.	Thorup
Arnold	Gearty	McCutcheon	Purfeerst	Wegener
Chenoweth	Hughes	Milton	Schrom	Willet
Chmielewski	Humphrey	Novak	Solon	
Coleman	Keefe, S.	Olhoft	Spear	
Conzemius	Kleinbaum	Olson, A. G.	Stokowski	
Davies	Laufenburger	Olson, H. D.	Tennessee	

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	North	Stassen
Bang	Frederick	Kirchner	Ogdahl	Ueland
Berg	Hansen, Baldy	Knutson	Olson, J. L.	
Bernhagen	Hansen, Mel	Krieger	O'Neill	
Blatz	Hanson, R.	Larson	Patton	
Brown	Josefson	Nelson	Renneke	

The motion prevailed. So the appointment was confirmed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate now take up the Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 196: A bill for an act relating to traffic regulations; traffic signals; regulating the right turn on a red semaphore signal; amending Minnesota Statutes 1971, Section 169.06, Subdivision 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Solon
Arnold	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Frederick	Knutson	Olhoft	Stassen
Bernhagen	Gearty	Krieger	Olson, A. G.	Stokowski
Brown	Hansen, Mel	Larson	Olson, H. D.	Thorup
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Ueland
Chmielewski	Hughes	Lord	O'Neill	Wegener
Coleman	Humphrey	McCutcheon	Patton	
Conzemius	Josefson	Milton	Perpich, A. J.	
Davies	Keefe, S.	Nelson	Renneke	

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Novak	Schrom	Willet
Blatz	Keefe, J.	Purfeerst	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 2457: A bill for an act relating to pollution control; regulating the display and distribution of certain lists setting forth the phosphorus content of certain products; amending Minnesota Statutes 1971, Section 116.28, 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 53 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Solon
Arnold	Davies	Kirchner	Novak	Spear
Ashbach	Doty	Kleinbaum	Ogdahl	Stassen
Bang	Dunn	Knutson	Olhoft	Stokowski
Berg	Frederick	Krieger	Olson, A. G.	Tennessen
Bernhagen	Gearty	Larson	Olson, H. D.	Thorup
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Ueland
Brown	Hanson, R.	Lord	O'Neill	Wegener
Chenoweth	Hughes	McCutcheon	Patton	Willet
Chmielewski	Humphrey	Milton	Perpich, A. J.	
Coleman	Keefe, J.	Nelson	Renneke	

Messrs. Hansen, Baldy; Josefson; Purfeerst and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2857: A bill for an act relating to wild animals; clarify certain provisions concerning fishing license exemptions and free fishing licenses; amending Minnesota Statutes 1971, Section 98.45, Subdivision 2; and Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivisions 1 and 8.

Was read the third time 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	Keefe, S.	Novak	Solon
Arnold	Doty	Kirchner	Ogdahl	Spear
Ashbach	Dunn	Kleinbaum	Olhoft	Stassen
Bang	Frederick	Knutson	Olson, A. G.	Stokowski
Berg	Gearty	Krieger	Olson, H. D.	Tennessen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Thorup
Blatz	Hansen, Mel	Laufenburger	O'Neill	Ueland
Brown	Hanson, R.	Lord	Patton	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2627: A bill for an act relating to education; authorizing school districts to adopt a flexible school year program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 126.12; Chapter 120, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3.

Was read the third time 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	Conzemius	Josefson	Milton	Purfeerst
Arnold	Davies	Keefe, J.	Nelson	Renneke
Ashbach	Doty	Keefe, S.	North	Schrom
Bang	Dunn	Kirchner	Novak	Solon
Berg	Frederick	Kleinbaum	Ogdahl	Spear
Bernhagen	Gearty	Knutson	Olhoft	Stassen
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Stokowski
Brown	Hansen, Mel	Larson	Olson, J. L.	Thorup
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Ueland
Chmielewski	Hughes	Lord	Patton	Wegener
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Willet

Mr. Olson, H. D. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1427: A bill for an act relating to contracts; providing, on the termination of certain contracts, for the repurchase of implements, machinery, attachments and parts held for retail sale.

Was read the third time 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	Keefe, S.	Novak	Solon
Arnold	Doty	Kirchner	Ogdahl	Spear
Ashbach	Dunn	Kleinbaum	Olhoft	Stassen
Bang	Frederick	Knutson	Olson, A. G.	Stokowski
Berg	Gearty	Krieger	Olson, H. D.	Tennessee
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Thorup
Blatz	Hansen, Mel	Laufenburger	O'Neill	Ueland
Brown	Hanson, R.	Lord	Patton	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 1569: A bill for an act relating to labor; removing prohibition on certain employment of females under 16 years of age; amending Minnesota Statutes 1971, Section 181.40.

Was read the third time 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	Berg	Chenoweth	Doty	Hansen, Baldy
Arnold	Bernhagen	Coleman	Dunn	Hansen, Mel
Ashbach	Blatz	Conzemius	Frederick	Hanson, R.
Bang	Brown	Davies	Gearty	Hughes

Humphrey	Larson	Ogdahl	Purfeerst	Thorup
Josefson	Laufenburger	Olhoft	Renneke	Ueland
Keefe, J.	Lord	Olson, A. G.	Schrom	Wegener
Keefe, S.	McCutcheon	Olson, H. D.	Solon	Willet
Kirchner	Milton	Olson, J. L.	Spear	
Kleinbaum	Nelson	O'Neill	Stassen	
Knutson	North	Patton	Stokowski	
Krieger	Novak	Perpich, A. J.	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 2944: A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Solon
Arnold	Doty	Kirchner	Novak	Spear
Ashbach	Frederick	Kleinbaum	Ogdahl	Stassen
Berg	Gearty	Knutson	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Brown	Hanson, R.	Laufenburger	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Coleman	Josefson	Milton	Renneke	
Conzemius	Keefe, J.	Nelson	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2631: A bill for an act relating to game and fish; opening of migratory waterfowl seasons; amending Minnesota Statutes 1971, Section 97.48, Subdivision 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 53 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Solon
Arnold	Doty	Kleinbaum	Ogdahl	Spear
Ashbach	Frederick	Knutson	Olson, A. G.	Stassen
Bang	Gearty	Krieger	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Thorup
Blatz	Hughes	Lord	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Josefson	Milton	Purfeerst	Willet
Chmielewski	Keefe, J.	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schrom	

Messrs. Hanson, R. and Olhoft voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3054: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

Was read the third time 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:

Anderson	Conzemius	Keefe, J.	Novak	Schrom
Arnold	Davies	Keefe, S.	Ogdahl	Solon
Ashbach	Doty	Kirchner	Olhoff	Spear
Bang	Frederick	Kleinbaum	Olson, A. G.	Stassen
Berg	Gearty	Knutson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	McCutcheon	Patton	Ueland
Chenoweth	Hughes	Milton	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Nelson	Purfeerst	Willet
Coleman	Josefson	North	Renneke	

Mr. Lord voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Was read the third time 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	Ogdahl	Spear
Arnold	Doty	Kleinbaum	Olhoff	Stassen
Ashbach	Frederick	Knutson	Olson, A. G.	Stokowski
Bang	Gearty	Krieger	Olson, H. D.	Tennessee
Berg	Hansen, Baldy	Larson	Olson, J. L.	Thorup
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Ueland
Blatz	Hanson, R.	Lord	Patton	Wegener
Brown	Hughes	McCutcheon	Perpich, A. J.	Willet
Chenoweth	Humphrey	Milton	Purfeerst	
Chmielewski	Josefson	Nelson	Renneke	
Coleman	Keefe, J.	North	Schrom	
Conzemius	Keefe, S.	Novak	Solon	

So the bill passed and its title was agreed to.

S. F. No. 1679: A bill for an act relating to the city of St. Cloud; contributions and benefits of members of the firemen's relief association.

Was read the third time 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	Ogdahl	Spear
Arnold	Doty	Kleinbaum	Olhoff	Stassen
Ashbach	Frederick	Knutson	Olson, A. G.	Stokowski
Bang	Gearty	Krieger	Olson, H. D.	Tennessee
Berg	Hansen, Baldy	Larson	Olson, J. L.	Thorup
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Ueland
Blatz	Hanson, R.	Lord	Patton	Wegener
Brown	Hughes	McCutcheon	Perpich, A. J.	Willet
Chenoweth	Humphrey	Milton	Purfeerst	
Chmielewski	Josefson	Nelson	Renneke	
Coleman	Keefe, J.	North	Schrom	
Conzemius	Keefe, S.	Novak	Solon	

So the bill passed and its title was agreed to.

S. F. No. 2842: A bill for an act relating to public health; authorizing school nurses and other qualified persons to take throat cultures for the purpose of detecting streptococcus infections.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	North	Schrom
Arnold	Doty	Keefe, S.	Novak	Solon
Ashbach	Dunn	Kirchner	Ogdahl	Spear
Bang	Frederick	Kleinbaum	Olhoff	Stassen
Berg	Gearty	Knutson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Brown	Hanson, R.	Laufenburger	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Conzemius	Josefson	Nelson	Renneke	

Messrs. Coleman and Olson, A. G. voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2862: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; 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 55 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	Solon
Bang	Frederick	Kleinbaum	Ogdahl	Spear
Berg	Gearty	Knutson	Olhoft	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Stokowski
Blatz	Hansen, Mel	Larson	Olson, H. D.	Tennessee
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hughes	Lord	O'Neill	Ueland
Chmielewski	Humphrey	McCutcheon	Patton	Wegener
Coleman	Josefson	Milton	Perpich, A. J.	Willet

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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, S.	North	Renneke
Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Frederick	Kleinbaum	Ogdahl	Solon
Bang	Gearty	Knutson	Olhoft	Spear
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Brown	Hughes	Lord	O'Neill	Thorup
Chenoweth	Humphrey	McCutcheon	Patton	Ueland
Chmielewski	Josefson	Milton	Perpich, A. J.	Wegener
Conzemius	Keefe, J.	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 1489: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Renneke
Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Frederick	Kleinbaum	Ogdahl	Solon
Bang	Gearty	Knutson	Olhott	Spear
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Brown	Hughes	Lord	O'Neill	Thorup
Chenoweth	Humphrey	McCutcheon	Patton	Ueland
Chmielewski	Josefson	Milton	Perpich, A. J.	Wegener
Conzemius	Keefe, J.	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 2911: A bill for an act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

With the unanimous consent of the Senate, Mr. Gearty moved that the amendment made to H. F. No. 2911 by the Committee on Rules and Administration in the report adopted February 20, 1974, pursuant to Rule 49, be stricken.

The motion prevailed. So the amendment was stricken.

H. F. No. 2911 was read the third time, 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, J.	North	Renneke
Arnold	Davies	Keefe, S.	Novak	Schrom
Ashbach	Doty	Kirchner	Ogdahl	Solon
Bang	Frederick	Kleinbaum	Olhott	Spear
Berg	Gearty	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 2827: A bill for an act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Renneke
Arnold	Davies	Kirchner	Novak	Schrom
Ashbach	Doty	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoft	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, J. L.	Thorup
Brown	Hanson, R.	Laufenburger	O'Neill	Ueland
Chenoweth	Hughes	Lord	Patton	Wegener
Chmielewski	Josefson	McCutcheon	Perpich, A. J.	Willet
Coleman	Keefe, J.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

H. F. No. 2675: A bill for an act relating to energy; establishing an intergovernmental agency on energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; and appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 34 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoft	Stassen
Chenoweth	Hansen, Baldy	Laufenburger	Olson, A. G.	Stokowski
Chmielewski	Hansen, Mel	Lord	Olson, H. D.	Tennessee
Coleman	Hughes	McCutcheon	O'Neill	Thorup
Conzemius	Humphrey	North	Perpich, A. J.	Wegener
Davies	Keefe, S.	Novak	Solon	Willet
Doty	Kirchner	Ogdahl	Spear	

Those who voted in the negative were:

Arnold	Brown	Knutson	Olson, J. L.	Ueland
Bang	Frederick	Kowalczyk	Patton	
Berg	Hanson, R.	Krieger	Purfeerst	
Bernhagen	Josefson	Larson	Renneke	
Blatz	Keefe, J.	Nelson	Schrom	

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate now take up the Calendar of Ordinary Matters. The motion prevailed.

Mr. Ueland moved that S. F. No. 2779 be returned to the top of General Orders. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 3048: A bill for an act relating to crimes and criminals; contraband articles forbidden in state institutions and county jails; penalties; amending Minnesota Statutes 1971, Sections 243.55; and 641.165.

Was read the third time 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	Spear
Arnold	Dunn	Kleinbaum	Olhoff	Stassen
Ashbach	Frederick	Knutson	Olson, A. G.	Stokowski
Bang	Gearty	Krieger	Olson, J. L.	Tennessee
Berg	Hansen, Baldy	Larson	O'Neill	Thorup
Bernhagen	Hansen, Mel	Laufenburger	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Purfeerst	Willet
Chmielewski	Humphrey	Nelson	Renneke	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, S.	Novak	Solon	

So the bill passed and its title was agreed to.

S. F. No. 2817: A bill for an act relating to elections; providing for the filing of nominating petitions; amending Minnesota Statutes 1971, Section 202.13.

Was read the third time 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	Davies	Keefe, J.	North	Schrom
Arnold	Doty	Keefe, S.	Novak	Solon
Ashbach	Dunn	Kirchner	Ogdahl	Spear
Bang	Frederick	Kleinbaum	Olhoff	Stassen
Berg	Gearty	Knutson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Larson	O'Neill	Thorup
Brown	Hanson, R.	Laufenburger	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Conzemius	Josefson	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2818: A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

Was read the third time 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	Conzemius	Josefson	Nelson	Schrom
Arnold	Davies	Keefe, J.	North	Solon
Ashbach	Doty	Keefe, S.	Novak	Spear
Bang	Dunn	Kirchner	Olhoft	Stassen
Berg	Frederick	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Gearty	Knutson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	Thorup
Brown	Hansen, Mel	Krieger	Patton	Ueland
Chenoweth	Hanson, R.	Larson	Perpich, A. J.	Willet
Chmielewski	Hughes	Lord	Purfeerst	
Coleman	Humphrey	McCutcheon	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 1962: A bill for an act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

Was read the third time 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, J.	Nelson	Renneke
Arnold	Davies	Keefe, S.	North	Schrom
Ashbach	Doty	Kirchner	Novak	Solon
Bang	Dunn	Kleinbaum	Ogdahl	Spear
Berg	Frederick	Knutson	Olhoft	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Blatz	Hansen, Baldy	Krieger	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Larson	O'Neill	Thorup
Chenoweth	Hanson, R.	Laufenburger	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Josefson	McCutcheon	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 3040: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

Was read the third time 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	Berg	Brown	Coleman	Doty
Ashbach	Bernhagen	Chenoweth	Conzemius	Dunn
Bang	Blatz	Chmielewski	Davies	Frederick

Gearty	Keefe, S.	Lord	Olson, J. L.	Spear
Hansen, Baldy	Kirchner	McCutcheon	O'Neill	Stassen
Hansen, Mel	Kleinbaum	Nelson	Patton	Stokowski
Hanson, R.	Knutson	North	Perpich, A. J.	Tennessee
Hughes	Kowalczyk	Novak	Purfeerst	Thorup
Humphrey	Krieger	Ogdahl	Renneke	Ueland
Josefson	Larson	Olhoft	Schrom	Wegener
Keefe, J.	Laufenburger	Olson, A. G.	Solon	Willet

So the bill passed and its title was agreed to.

H. F. No. 2935: A bill for an act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, 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 42 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Keefe, J.	Ogdahl	Spear
Bang	Davies	Keefe, S.	Olhoft	Stassen
Berg	Doty	Kirchner	Olson, A. G.	Stokowski
Bernhagen	Frederick	Kleinbaum	Olson, J. L.	Tennessee
Blatz	Gearty	Krieger	Patton	Ueland
Brown	Hansen, Mel	Lord	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	McCutcheon	Purfeerst	
Chmielewski	Hughes	North	Schrom	
Coleman	Humphrey	Novak	Solon	

Those who voted in the negative were:

Dunn	Josefson	Kowalczyk	Renneke
Hansen, Baldy	Knutson	O'Neill	Willet

So the bill passed and its title was agreed to.

H. F. No. 2889: A bill for an act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	North	Renneke
Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	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.	Tennessee
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Keefe, J.	Nelson	Purfeerst	Willet

Messrs. Brown and Josefson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2200: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

Was read the third time 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.	North	Renneke
Arnold	Doty	Keefe, S.	Novak	Schrom
Ashbach	Dunn	Kirchner	Ogdahl	Spear
Bang	Frederick	Kleinbaum	Olhoff	Stassen
Berg	Gearty	Knutson	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Tennessee
Blatz	Hansen, Mel	Larson	Olson, J. L.	Thorup
Brown	Hanson, R.	Laufenburger	O'Neill	Ueland
Chenoweth	Hughes	Lord	Patton	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Willet
Coleman	Josefson	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2916: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivisions 1 and 3.

With the unanimous consent of the Senate, Mr. Hansen, Mel moved to amend S. F. No. 2916, as follows:

Page 1, line 19, strike "20th" and insert "21st"

Page 2, line 9, strike "21" and insert "20"

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel moved that S. F. No. 2916 be returned to the top of General Orders. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Wednesday, February 27, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-SECOND DAY

St. Paul, Minnesota, Wednesday, February 27, 1974.

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	Doty	Kleinbaum	Ogdahl	Sillers
Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Ashbach	Gearty	Larson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hanson, R.	Lewis	O'Neill	Tennessee
Borden	Hughes	Lord	Patton	Thorup
Chenoweth	Humphrey	McCutcheon	Pillsbury	Willet
Chmielewski	Josefson	Milton	Purfeerst	
Coleman	Keefe, S.	Moe	Renneke	
Davies	Kirchner	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	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
Blatz	Hansen, Mel	Larson	Olson, H. D.	Stassen
Borden	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	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Perpich, A. J. was excused from the Session of today. Mr. Laufenburger was excused from the Session of today, beginning at

2:30 o'clock p.m. Mr. Laufenburger was excused from Friday's Session and Saturday's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 22, 1974

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. 2823, An act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; providing for adjustments in cost, benefits and contributions; amending Laws 1973, Chapter 133, Sections 8, Subdivision 2, as amended; 10, Subdivision 1; and 15, Subdivision 1, as amended.

S. F. No. 2891, An act relating to the city of Minneapolis; retirement; disability benefits for city employees; amending Laws 1973, Chapter 133, Section 18, Subdivisions 2, and 3 as amended.

S. F. No. 2892, An act relating to the city of Minneapolis; retirement; survivors benefits for dependents of city employees; amending Laws 1973, Chapter 133, Section 23, Subdivisions 2, 3, and 9.

S. F. No. 2921, An act relating to the city of Minneapolis; retirement; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivisions 1, 3, 5 as amended, 6, and by adding a subdivision; 9, Subdivision 2 as amended, and 3; 11, Subdivision 1; 12, Subdivision 2; 16, Subdivisions 1 and 8; 18, Subdivision 1; and 23, Subdivision 1; repealing Laws 1973, Chapter 133, Section 25.

Sincerely,
Wendell R. Anderson, Governor

February 25, 1974

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. 2736, An act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; amending Minnesota Statutes, 1973 Supplement, Sections 147.30; 147.31; and 147.32; and Laws 1973, Chapter 727, Section 4.

Sincerely,
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	482	61	February 20, 1974	February 21, 1974
	483	62	February 21, 1974	February 21, 1974
	952	63	February 20, 1974	February 21, 1974
	1309	64	February 21, 1974	February 21, 1974
	1764	65	February 20, 1974	February 21, 1974
	2332	66	February 21, 1974	February 21, 1974
	2502	67	February 20, 1974	February 21, 1974
	2735	68	February 20, 1974	February 21, 1974
	2902	69	February 20, 1974	February 21, 1974
2121		70	February 20, 1974	February 21, 1974
2248		71	February 20, 1974	February 21, 1974
2446		72	February 20, 1974	February 21, 1974

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

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
2823		73	February 22, 1974	February 22, 1974
2891		74	February 22, 1974	February 22, 1974
2892		75	February 22, 1974	February 22, 1974
2921		76	February 22, 1974	February 22, 1974

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

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
720		Res. No. 1		February 25, 1974
2736		77	February 25, 1974	February 25, 1974

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Solon, Krieger and Coleman introduced—

S. F. No. 3356: A bill for an act relating to corporations; requiring domestic corporations to file annual reports to the secretary of state; providing penalties; appropriating money; amending Minnesota Statutes 1971, Chapter 301, by adding a section.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. O'Neill, Dunn and Renneke introduced—

S. F. No. 3357: A bill for an act relating to education; the Minnesota gifted and talented student act; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1.

Which was read the first time and referred to the Committee on Education.

Mr. Renneke introduced—

S. F. No. 3358: A bill for an act relating to the district court in Sibley county; providing a continuous term; amending Minnesota Statutes 1971, Sections 2.722; and 484.09, Subdivision 8.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Milton and Kirchner introduced—

S. F. No. 3359: A bill for an act relating to welfare; duties of community mental health boards; amending Minnesota Statutes 1971, Section 245.68.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Krieger and Frederick introduced—

S. F. No. 3360: A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

Which was read the first time and referred to the Committee on Education.

Messrs. Hansen, Mel; Kirchner and Solon introduced—

S. F. No. 3361: A bill for an act relating to juveniles; juvenile corrections; a program for violent youth offenders; appropriating money therefor.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Kleinbaum and Chenoweth introduced—

S. F. No. 3362: A bill for an act relating to labor; public employment labor relations; providing that certain officers of the Minnesota highway patrol are supervisory employees; amending Minnesota Statutes, 1973 Supplement, Section 179.63, Subdivision 9a.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Kleinbaum introduced—

S. F. No. 3363: A bill for an act relating to motor vehicles; registration and taxation thereof; providing for the issuance of special number plates for certain disabled veterans; amending Minnesota Statutes 1971, Section 168.12, by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Brown and Josefson introduced—

S. F. No. 3364: A bill for an act relating to crimes and criminals; alteration or removal of manufacturer's identification numbers; providing penalties; amending Minnesota Statutes 1971, Section 609.655.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Chmielewski introduced—

S. F. No. 3365: A bill for an act relating to the drainage of waters on private land; amending Minnesota Statutes, 1973 Supplement, Sections 105.37, Subdivision 7; and 106.021, by adding a subdivision.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Purfeerst, Ashbach and Willet introduced—

S. F. No. 3366: A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Purfeerst, Ashbach and Willet introduced—

S. F. No. 3367: A bill for an act relating to aeronautics; appropriating and transferring certain funds.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Doty introduced—

S. F. No. 3368: A bill for an act relating to appropriations; appropriating money for the acquisition of certain land for game and fish management purposes.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Doty introduced—

S. F. No. 3369: A bill for an act relating to the Minnesota open meeting law, exempting committees of port authorities therefrom when exercising industrial development powers; amending Minnesota Statutes, 1973 Supplement, Section 471.705, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Knutson introduced—

S. F. No. 3370: A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Knutson introduced—

S. F. No. 3371: A bill for an act relating to Dakota county; authorizing aid to towns and municipalities for road and bridge purposes; amending Laws 1959, Chapter 457, Section 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Keefe, S. introduced—

S. F. No. 3372: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, S. introduced—

S. F. No. 3373: A bill for an act relating to elections; defining political parties and providing for the placement of their candidates on the partisan ballot; amending Minnesota Statutes 1971, Sections 200.02, Subdivision 7; and 203.33, by adding a subdivision; repealing Minnesota Statutes 1971, Section 203.33, Subdivision 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Keefe, S. introduced—

S. F. No. 3374: A bill for an act relating to licensing; providing for licensing and regulation of automatic fire sprinkler system designers, installers, maintenance and repairmen; inspection and testing of sprinkler and standpipe systems; providing penalties.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Krieger; Olson, J. L. and Novak introduced—

S. F. No. 3375: A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1971, Sections 340.035, Subdivision 1; 340.355; 340.73, Subdivision 1; 340.731; 340.79; 340.80; and Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; and 340.81.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Kowalczyk introduced—

S. F. No. 3376: A bill for an act relating to the city of Brooklyn Park; firemen's relief association benefits.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Bernhagen and Dunn introduced—

S. F. No. 3377: A bill for an act relating to Wright county; allocation of funds to Functional Industries, Incorporated.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Milton, Gearty and Keefe, J. introduced—

S. F. No. 3378: A bill for an act relating to the legislature; providing for the mandatory preparation of a fiscal note or a bill summary for each bill introduced.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Thorup introduced—

S. F. No. 3379: A bill for an act relating to education; safety education program; creating a Minnesota safety education committee; appropriating money; amending Minnesota Statutes 1971, Chapter 126, by adding a section.

Which was read the first time and referred to the Committee on Education.

Messrs. Solon, Kleinbaum and Keefe, S. introduced—

S. F. No. 3380: A bill for an act relating to taxation; sales tax; excluding fuels and electricity used for home heating; amending Minnesota Statutes 1971, Section 297A.01, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Bang, Laufenburger and Hansen, Baldy introduced—

S. F. No. 3381: A bill for an act relating to certain counties; authorizing one or more bonds or undertakings to be furnished in lieu of individual bonds required to be furnished by county employees; amending Minnesota Statutes 1971, Section 382.154.

Which was read the first time and referred to the Committee on Local Government.

Mr. Dunn introduced—

S. F. No. 3382: A bill for an act relating to the claim of Don Lambert; arising from damage done to books when a frozen water pipe at North Hennepin Community College thawed and burst, flooding an entire office complex; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Gearty, Borden and Ashbach introduced—

S. F. No. 3383: A bill for an act relating to civil service; act not applicable to the university of Minnesota; amending Minnesota Statutes, 1973 Supplement, Section 43.09, Subdivision 6.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Stokowski introduced—

S. F. No. 3384: A bill for an act relating to the claim of David J. Byrne; arising from dental work performed on an inmate of the Minnesota state prison; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Gearty introduced—

S. F. No. 3385: A bill for an act relating to the claim of Richard A. Odden; arising from an injury sustained while an inmate at the St. Cloud State Reformatory; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Hansen, Mel; Ashbach and Perpich, A. J. introduced—

S. F. No. 3386: A bill for an act appropriating money to the commissioner of administration for the state's share in constructing and equipping a nursing care unit at the Minnesota veterans home; authorizing the disposal of buildings to be replaced by the nursing care unit.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Borden introduced—

S. F. No. 3387: A bill for an act relating to the claim of Lyle Aarsvold; arising from expenses incurred when an automobile and items of personal property were stolen by escapees from Brainerd state hospital; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Keefe, S. and Stassen introduced—

S. F. No. 3388: A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Fitzsimons introduced—

S. F. No. 3389: A bill for an act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

Which was read the first time and referred to the Committee on Local Government.

Mr. Milton introduced—

S. F. No. 3390: A bill for an act relating to the city of Little Canada; providing that a certain special census taken for the city be effective to establish the population of the city for the purposes of distribution of certain highway aids.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Wegener, Schrom and Olson, A. G. introduced—

S. F. No. 3391: A resolution memorializing the United States Congress to take actions in respect to reorganization of field offices of the United States Department of Agriculture.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Olhoft introduced—

S. F. No. 3392: A bill for an act authorizing the city of Fergus Falls 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.

Which was read the first time and referred to the Committee on Local Government.

Mr. O'Neill introduced—

S. F. No. 3393: A bill for an act relating to the public employees retirement association; amending Minnesota Statutes, 1973 Supplement, Section 353.29, Subdivision 2.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Hansen, Baldy introduced—

S. F. No. 3394: A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Bernhagen and Olson, A. G. introduced—

S. F. No. 3395: A bill for an act relating to labor relations; allowing area vocational technical institute teachers to become an appropriate bargaining unit; amending Minnesota Statutes 1971, Section 179.63, Subdivision 17.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Olhoft introduced—

S. F. No. 3396: A bill for an act relating to the claim of Verle Crumpton; arising from an injury sustained by his daughter in a fall on a steep embankment the public access to which is owned by the state; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Mr. Conzemius introduced—

S. F. No. 3397: A bill for an act relating to aeronautics; prohibiting airplane training exercises at lakes located within municipi-

palities; amending Minnesota Statutes 1971, Section 360.075, Subdivision 1.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Moe introduced—

S. F. No. 3398: A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

Which was read the first time and referred to the Committee on Finance.

Mr. Moe introduced—

S. F. No. 3399: A bill for an act relating to appropriations made for the operation of the Crookston and Waseca technical colleges; removing a certain restriction therefrom; amending Laws 1973, Chapter 768, Section 4, Subdivision 5.

Which was read the first time and referred to the Committee on Finance.

Messrs. Purfeerst and Bang introduced—

S. F. No. 3400: A bill for an act relating to taxation; inheritance taxes; exemptions; amending Minnesota Statutes, 1973 Supplement, Section 291.05.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Humphrey introduced—

S. F. No. 3401: A bill for an act relating to pharmacists; requiring the pharmacy posted drug lists to contain generic drug names; amending Minnesota Statutes, 1973 Supplement, Section 151.06, Subdivision 2a.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum, Chenoweth and Ogdahl introduced—

S. F. No. 3402: A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee contributions therefrom and transfer such contributions to the highway patrolmen's retirement fund.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Perpich, A. J.; Olson, A. G. and Coleman introduced—

S. F. No. 3403: A bill for an act relating to taxation; providing for computation of special fuel and gasoline tax without deduction for shrinkage; amending Minnesota Statutes 1971, Sections 296.12, Subdivision 4; 296.14, Subdivision 1; and 296.18, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Stassen and O'Neill introduced—

S. F. No. 3404: A bill for an act relating to elections; the nomination and election of presidential electors; nominating petitions; amending Minnesota Statutes 1971, Sections 202.09, Subdivision 1; 202.10; 202.11; 208.03; 208.04; 208.05; 208.06; and 208.08; repealing Minnesota Statutes 1971, Section 208.07.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Schaaf introduced—

S. F. No. 3405: A bill for an act relating to courts; providing for district judges to act in the place of interested supreme court judges in certain cases; amending Minnesota Statutes, 1973 Supplement, Section 2.724, Subdivision 2.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Kirchner and Coleman introduced—

S. F. No. 3406: A bill for an act relating to historic sites; designating additional historical sites; amending Minnesota Statutes 1971, Sections 138.53, by adding subdivisions; 138.54, by adding a subdivision; and 138.58, by adding subdivisions.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Wegener introduced—

S. F. No. 3407: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1971, Section 18.022, Subdivision 1, and by adding a subdivision; and Chapter 18 by adding a section.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Keefe, S. and Brown introduced—

S. F. No. 3408: A bill for an act relating to elections; providing

for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Moe introduced—

S. F. No. 3409: A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Nelson, McCutcheon and Gearty introduced—

S. F. No. 3410: A bill for an act relating to crimes and criminals, burglary; defining terms; prescribing penalties; amending Minnesota Statutes 1971, Section 609.58.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Nelson, McCutcheon and Thorup introduced—

S. F. No. 3411: A bill for an act relating to crimes and criminals; bringing stolen goods into the state; receiving stolen goods; prescribing penalties; amending Minnesota Statutes 1971, Section 609.525; and Minnesota Statutes, 1973 Supplement, Section 609.53.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Nelson introduced—

S. F. No. 3412: A bill for an act relating to the city of Robbinsdale; firemen's relief benefits; amending Laws 1969, Chapter 1105, Sections 1, 2, 3 and 4.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Nelson, Schaaf and Solon introduced—

S. F. No. 3413: A bill for an act relating to crimes and criminals; establishing a crime victim's compensation system in the department of public safety; prescribing powers and duties of the director administering the system; and appropriating money.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Brown; Olson, J. L. and Blatz introduced—

S. F. No. 3414: A bill for an act relating to taxation; providing an inflation adjustment for the cost of residences for income tax purposes; amending Minnesota Statutes 1971, Section 290.13, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Brown; Olson, J. L. and Stassen introduced—

S. F. No. 3415: A bill for an act relating to the executive council; eliminating the lieutenant governor from membership on the executive council; amending Minnesota Statutes, 1973 Supplement, Section 9.011, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Lewis, Spear and Milton introduced—

S. F. No. 3416: A bill for an act relating to corrections; prohibiting the use of isolation cells at the Minnesota state prison, the state reformatory for men and the Minnesota correctional institution for women.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Chenoweth introduced—

S. F. No. 3417: A bill for an act relating to state lands; directing conveyance of a portion of the Gillette Children's Hospital property to the city of St. Paul.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Chenoweth introduced—

S. F. No. 3418: A bill for an act relating to the authority of the board of trustees of the public employees retirement association to invest the assets of the public employees retirement association; amending Minnesota Statutes, 1973 Supplement, Section 353.06; and Chapter 353, by adding a section.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Chenoweth introduced—

S. F. No. 3419: A bill for an act relating to retirement; miscel-

aneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Borden introduced—

S. F. No. 3420: A bill for an act relating to game and fish, license exemption for senior citizens; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 1.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Thorup introduced—

S. F. No. 3421: A bill for an act relating to athletics; authorizing boxing exhibitions on Sunday; amending Minnesota Statutes 1971, Sections 341.07 and 624.02.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. North, O'Neill and Milton introduced—

S. F. No. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Nelson, Brown and Kowalczyk introduced—

S. F. No. 3423: A bill for an act relating to crimes and criminals; powers and duties of the Minnesota corrections authority; providing public access to parole records and proceedings; amending Minnesota Statutes 1971, Section 243.05; and Chapter 243, by adding a section.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Nelson introduced—

S. F. No. 3424: A bill for an act relating to crimes and crimi-

nals; providing that persons convicted of crime shall not be disqualified from public employment positions or occupations requiring licensing solely on the basis of their criminal record.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Conzemius questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Hanson, R. introduced—

S. F. No. 3425: A bill for an act relating to the city of Detroit Lakes; expanding the definition of "project" under Minnesota Statutes 1971, Chapter 474, to include a vocational school facility.

Which was read the first time and referred to the Committee on Education.

Mr. Conzemius introduced—

S. F. No. 3426: A bill for an act relating to hospitals, nursing homes and related medical facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section.

Which was read the first time and referred to the Committee on Local Government.

Messrs. North, O'Neill and Chenoweth introduced—

S. F. No. 3427: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sections 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Chenoweth, McCutcheon and Novak introduced—

S. F. No. 3428: A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Willet introduced—

S. F. No. 3429: A bill for an act relating to Hubbard county; authorizing issuance of additional on-sale intoxicating liquor licenses.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Willet introduced—

S. F. No. 3430: A bill for an act relating to motor vehicles; license plates; providing for special license plates for executives of commercial radio stations; amending Minnesota Statutes 1971, Chapter 168, by adding a section.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Willet introduced—

S. F. No. 3431: A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1971, Section 100.273.

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. 21, 2537, 2952 and 3032.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 22, 1974

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. 1060: A bill for an act relating to highway traffic regulations; bicycle regulations; pedestrian rules; prohibiting certain soliciting; requiring certain precautions when opening certain vehicle doors; amending Minnesota Statutes 1971, Sections 169.01, Subdivision 51; 169.21, Subdivisions 3 and 5; 169.22; 169.221, Subdivisions 1 and 6; and Chapter 169, by adding a section.

Senate File No. 1060 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 22, 1974

Mr. Purfeerst moved that the Senate do not concur in the amendments by the House to S. F. No. 1060 and that a Conference Committee of 3 members be appointed by the Committee on

Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 1174 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 22, 1974

CONCURRENCE AND REPASSAGE

Mr. Hughes moved that the Senate do now concur in the amendments by the House to S. F. No. 1174 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1174: A bill for an act relating to corrections; study and diagnosis of children and youth committed to the commissioner of corrections; amending Minnesota Statutes 1971, Sections 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, 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	Dunn	Keefe, S.	Nelson	Schrom
Arnold	Fitzsimons	Kirchner	North	Sillers
Ashbach	Frederick	Kleinbaum	Novak	Solon
Bernhagen	Gearty	Knutson	Ogdahl	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Mel	Larson	Olson, H. D.	Tennessee
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Chmielewski	Hughes	Lewis	O'Neill	Ueland
Coleman	Humphrey	Lord	Patton	Wegener
Conzemius	Jensen	McCutcheon	Pillsbury	Willert
Davies	Josefson	Milton	Purfeerst	
Doty	Keefe, J.	Moe	Renneke	

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. 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.

Senate File No. 767 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 22, 1974

CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate do now concur in the amendments by the House to S. F. No. 767 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 767 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	Fitzsimons	Kirchner	Nelson	Schrom
Arnold	Frederick	Kleinbaum	North	Sillers
Ashbach	Gearty	Knutson	Novak	Solon
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Spear
Blatz	Hansen, Mel	Krieger	Olson, A. G.	Stassen
Borden	Hanson, R.	Larson	Olson, H. D.	Tennessen
Chenoweth	Hughes	Laufenburger	Olson, J. L.	Thorup
Coleman	Humphrey	Lewis	O'Neill	Ueland
Conzemius	Jensen	Lord	Patton	Wegener
Davies	Josefson	McCutcheon	Pillsbury	
Doty	Keefe, J.	Milton	Purfeerst	
Dunn	Keefe, S.	Moe	Renneke	

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. 1591: A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivision 2, and by adding a subdivision.

Senate File No. 1591 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 22, 1974

CONCURRENCE AND REPASSAGE

Mr. Bernhagen moved that the Senate do now concur in the amendments by the House to S. F. No. 1591 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1591: A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivisions 2 and 3; and by adding a subdivision; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a.

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 1, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Nelson	Sillers
Ashbach	Frederick	Kleinbaum	North	Solon
Bernhagen	Gearty	Knutson	Novak	Spear
Blatz	Hansen, Mel	Krieger	Ogdahl	Stassen
Chenoweth	Hanson, R.	Larson	Olson, H. D.	Stokowski
Chmielewski	Hughes	Laufenburger	Olson, J. L.	Tennessee
Coleman	Humphrey	Lewis	O'Neill	Thorup
Conzemius	Jensen	Lord	Patton	Ueland
Davies	Josefson	McCutcheon	Pillsbury	Wegener
Doty	Keefe, J.	Milton	Purfeerst	Willet
Dunn	Keefe, S.	Moe	Renneke	

Mr. Hansen, Baldy voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the following amendment to the Joint Rules of the Senate and House of Representatives for the Sixty-Eighth Session, in which amendment the concurrence of the Senate is respectfully requested:

Amend Joint Rule 20 by adding a paragraph as follows:

“Except for reports from the Senate Committees on Finance and Taxes and Tax Laws, and the House Committees on Appropria-

tions and Taxes, committee reports on bills in the house of origin received after March 2, 1974, for the second year of the biennium, and committee reports on bills originating in the other house received after March 16, 1974, for the second year of the biennium, shall be referred by the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition."

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1974

Mr. Coleman moved that the amendment to the Joint Rules be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2589, 2607, 2704, 2914, 3086, 1952, 2349, 2853, 2926, 2837, 2854, 2908, 2909, 2980, 3048, 3242, 1795, 2194, 2764, 2876, 3002, 3003, 3020, 2182, 3015 and 2812.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 636:

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.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Berg, Salchert, Menke, Bell and Norton have been appointed as such committee on the part of the House.

House File No. 636 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 February 22, 1974

Mr. North moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 636, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on 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.

H. F. No. 835 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted February 22, 1974

Mr. Spear moved that H. F. No. 835 and the Conference Committee Report thereon be laid on the table. The motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 2589: A bill for an act relating to professional corporations; including podiatrists and psychologists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

H. F. No. 2607: A bill for an act relating to taxation; declaration of illegally untaxed cigars as contraband in certain circumstances; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigars; amending Minnesota Statutes 1971, Chapter 297, by adding sections.

H. F. No. 2704: A bill for an act relating to the department of natural resources; appropriating money for the improvement of a certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

H. F. No. 2914: A bill for an act relating to state and community colleges; providing for access to records by state college employees; amending Minnesota Statutes 1971, Chapter 136, by adding a section.

H. F. No. 3086: A bill for an act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

H. F. No. 1952: A bill for an act relating to the construction, maintenance and repair of county ditches in Ramsey county; repealing Laws 1957, Chapter 682.

H. F. No. 2349: A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

H. F. No. 2853: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law concerning the department of corrections, youth conservation, adult conservation, custody of mentally deficient or epileptic persons, county home schools, detention homes, county jails, lockups, and work-farms; amending Minnesota Statutes 1971, Sections 241.02, Subdivision 1; 241.07; 241.22; 241.23; 241.27, Subdivision 2; 242.19, Subdivision 1, as amended; 242.22; 242.47; 242.48; 242.51; 243.05; 243.17, Subdivision 1; 243.18; 243.20; 243.21; 243.211; 243.25; 243.26; 243.51, Subdivision 2; 243.54; 243.55; 243.57; 243.58; 243.59; 243.62; 243.66, as amended; 243.68; 243.84; 243.85; 243.90; 243.91; 243.92; 252.07; 260.094; 260.101; 641.07; 641.38; 642.08; 643.08; 643.15; 643.19; repealing Minnesota Statutes 1971, Sections 242.52; and 643.14.

H. F. No. 2926: A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

H. F. No. 2837: A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

H. F. No. 2854: A bill for an act relating to eminent domain proceedings; court appointed commissioners; amending Minnesota Statutes 1971, Section 117.075.

H. F. No. 2908: A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

H. F. No. 2909: A bill for an act relating to liquor; temporary licensing of clubs, charitable, religious, or non-profit associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

H. F. No. 2980: A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

H. F. No. 3048: A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioners; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

H. F. No. 3242: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

H. F. No. 1795: A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

H. F. No. 2194: A bill for an act relating to unemployment compensation; payments by nonprofit organizations; amending Minnesota Statutes 1971, Section 268.06, Subdivision 28.

H. F. No. 2764: A bill for an act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method of payment of such obligations.

H. F. No. 2876: A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

H. F. No. 3003: A bill for an act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017, Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

H. F. No. 3020: A bill for an act relating to insurance; authorizing insurers of personal property in case of loss to deduct for depreciation only in certain circumstances.

H. F. No. 2182: A bill for an act relating to education; prescribing tax levies; and authorizing school districts to levy to offset certain real estate tax delinquencies; amending Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3.

H. F. No. 3015: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

Which were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 2812: A bill for an act relating to environment; solid waste user fee study; amending Laws 1973, Chapter 748, by adding a section; repealing Laws 1973, Chapter 748, Section 7.

Which was read the first time.

SUSPENSION OF RULES

Mr. Lord 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. 2812 and that the rules of the Senate be so far suspended as to give H. F. No. 2812 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2812 was read the second time.

H. F. No. 2812: A bill for an act relating to environment; solid waste user fee study; amending Laws 1973, Chapter 748, by adding a section; repealing Laws 1973, Chapter 748, Section 7.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Stassen
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Thorup
Borden	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, G.	Wegener
Chmielewski	Humphrey	McCutcheon	Pillsbury	Willet
Coleman	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schaaf	

Messrs. Keefe, S.; North and Spear voted in the negative.

So the bill passed and its title was agreed to.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of those pertaining to appointments be now adopted. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2984: A bill for an act relating to workmen's compensation; excluded employments, amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, reinstate the old language

Page 1, line 13, strike "*members of the farmer*"

Page 1, strike line 14

Page 1, line 15, strike "*according to the rules of civil law;*" and insert "*, parents and children, regardless of their age, of a farmer employer, employed by him or on a family farm incorporated or otherwise*"

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

S. F. No. 1963: A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "\$1,800" and insert "\$1,500"

Page 3, line 17, strike "\$1,800" and insert "\$1,500"

Page 3, line 21, strike "\$1,800" and insert "\$1,500"

Page 3, line 22, strike "1973" and insert "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

S. F. No. 2084: A bill for an act relating to public utilities; regulating the filing by certain public utilities of mortgages or deeds of trust along with instruments already required to be filed under the provisions of the uniform commercial code; amending Minnesota Statutes 1971, Chapter 300, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2298: A bill for an act relating to professional associations; authorizing licensed insurance agents to form and join together in such associations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "Laws 1973, Chapter 40, Section 2" and insert "Minnesota Statutes, 1973 Supplement, Section 319A.02"

Page 1, line 13, strike "174.29" and insert "147.29"

Further, amend the title as follows:

Line 5, strike "Laws 1973,"

Line 6, strike "Chapter 40, Section 2" and insert "Minnesota Statutes, 1973 Supplement, Section 319A.02"

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

S. F. No. 3272: A bill for an act relating to the legislature; authorizing group hospital and medical benefits coverage for retired members; amending Minnesota Statutes 1971, Section 43.491, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 18, add the following:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following final enactment."

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

S. F. No. 3024: A bill for an act relating to special assessments; amending Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1; and Minnesota Statutes 1971, Section 429.101, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "council" and insert "*governing body*"

Page 2, after line 15, add the following:

"Sec. 3. [EFFECTIVE DATE.] This act shall be effective the day following final enactment."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3152: A bill for an act relating to the county of Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike "dump"

Page 1, line 31, after "property" insert "or any other revenues received in connection with the use of any of the properties or facilities described in section 1"

Page 2, line 5, strike "and the debt limitations of chapter 475, shall not"

Page 2, line 6, "apply to such bonds"

Page 2, line 6, after "any" insert "revenues,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2995: A bill for an act relating to municipal industrial development; financing of telephone facilities; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1; and Minnesota Statutes 1971, Sections 474.02, Subdivision 2, and by adding a subdivision; and 474.13.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, strike "*The term "project" shall also*"

Page 2, strike lines 5 through 9

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 re-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 printed bill be amended as follows:

Page 1, line 2, strike "2a" and insert "1a"

Page 1, line 6, after the period insert: "*The provisions of this subdivision shall not apply to municipalities located in whole or in part in the metropolitan area as defined in Section 473B.02.*"

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

S. F. No. 3060: A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforcement; amending Minnesota Statutes 1971, Sections 463.151; 463.17, Subdivisions 1 and 3; 463.21; and Chapter 463, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike all of Section 1 and insert the following:

“Section 1. Minnesota Statutes 1971, Section 463.151, is amended to read:

463.151 [REMOVAL BY MUNICIPALITY; CONSENT; COST.] The governing body of any city, ~~village, or town, or borough~~ may remove or raze any hazardous building upon obtaining the consent in writing of all owners of record, occupying tenants, and all lien holders of record; the cost shall be charged against the real estate as provided in section 463.21, except the governing body may provide that the cost so assessed may be paid in not to exceed five equal annual installments with interest thereon, at ~~five~~ *eight* percent per annum.”

Page 1, line 31, strike “*five*” and insert “*eight*”

Page 1, line 31, strike the semi-colon and insert a period

Page 1, line 31, strike “*or may acquire the building and*”

Page 2, strike lines 1 through 3

Page 2, after line 3, insert a new section as follows:

“Sec. 3. [EXERCISE OF EMINENT DOMAIN.] Subdivision 1. [PURPOSE, PUBLIC INTEREST.] In order to maintain a sufficient supply of adequate, safe, and sanitary housing and buildings used for living, commercial, industrial, or other purposes or any combination of purposes, it is found that the public interest requires that municipalities be authorized to acquire buildings, and real estate on which buildings are located, which are found to be hazardous within the meaning of section 463.15, subdivision 4, and the acquisition of such buildings and real estate is hereby declared to be a public purpose.

Subd. 2. [ACQUISITION; PROCEDURE.] In furtherance of the public policy declared in subdivision 1 of this section, the governing body of any city or town may acquire any hazardous building and real estate on which any such building is located by eminent domain in the manner provided by Minnesota Statutes, Chapter 117.”

Renumber the sections accordingly.

Page 2, line 11, restore the stricken language

Page 2, line 11, after "district" insert "or"

Page 2, line 18, restore the stricken language

Page 2, line 18, after "district" insert "or"

Page 2, after line 28, insert a new section as follows:

"Sec. 6. Minnesota Statutes 1971, Section 463.20, is amended to read: 463.20 [CONTESTED CASES.] If an answer is filed and served as provided in section 463.18, further proceedings in the actions shall be governed by the rules of civil procedure for the ~~district~~ *courts of the court hearing the action*, except that the action has priority over all pending civil actions and shall be tried forthwith. If the order is sustained following the trial, the court shall enter judgment and shall fix a time after which the building shall be destroyed or repaired, as the case may be, in compliance with the order as originally filed or modified by the court. If the order is not sustained, it shall be annulled and set aside. The clerk of the court shall cause a copy of the judgment to be mailed forthwith to the persons upon whom the original order was served."

Renumber the sections accordingly.

Page 3, line 7, strike "*the exercise of*"

Page 3, line 8, strike "*the power of*"

Page 3, after line 17 insert a new section as follows:

"Sec. 8. Minnesota Statutes 1971, Chapter 463, is amended by adding a section to read:

[463.261] [RELOCATION BENEFITS.] *Notwithstanding the provisions of Minnesota Statutes, Section 117.56, or any other law to the contrary, all acquisitions of buildings and real estate upon which buildings are located by governmental subdivisions pursuant to the exercise of the power of eminent domain as provided in sections 2 and 6 of this act shall be acquisitions for the purposes of Minnesota Statutes, Sections 117.50 to 117.56."*

Amend the title as follows:

Page 1, line 6, after "3;" add "463.20;"

Page 1, line 7, strike "a section" and insert "sections"

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

S. F. No. 2220: A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

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. 1735: A bill for an act relating to the 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:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Laws 1971, Chapter 677, Section 2, is amended to read:

Sec. 2. [AUTHORITY GRANTED.] Each of the cities of Minneapolis and Robbinsdale may, after recommendation from its planning agency and after public hearings, notice of which shall have been published for two successive weeks in a newspaper of general circulation, adopt development districts within the boundaries of the cities of Minneapolis and Robbinsdale. Within said districts, the city may adopt a development program consistent with which the city may acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote developments aimed at improving the physical facilities, quality of life and quality of transportation. The city may acquire land or easements through negotiation, *and in addition the city of Minneapolis may acquire land or easements by eminent domain.* The city council may adopt ordinances regulating traffic in pedestrian skyway systems, underground pedestrian concourses, public parking structures, and other facilities constructed within the development district. The city council may pass ordinances regulating access to pedestrian skyway systems and underground pedestrian concourses, and the conditions under which such access is allowed. Traffic regulations may include, but shall not be limited to, direction and speed of traffic, policing of pedestrianways, hours that pedestrianways are open to the public, kinds of service activities that will be allowed in arcades, parks and plazas, fares to be charged on the people movers, and rates to be charged in the parking structures. The city shall have the power to require private developers to construct buildings so as to accommodate and support such pedestrian systems, which are part of the program for the development district. When the city requires the developer to construct columns, beams or girders with greater strength than required for normal building purposes, the city shall reimburse the developer for the added expense. The city shall have the authority to install special lighting systems, special street signs and street furniture, special landscaping of streets and public property. The city shall have the authority to install special snow removal systems. The city shall have the power to acquire property for any and all purposes outlined in the development program for the district. The city shall have the power to lease air rights over public buildings and to spend public funds for constructing the foundations and columns in the public buildings strong enough to support the buildings to be constructed on air rights. The city shall have the authority to lease all or portions of basement, ground and second

floor of the public buildings constructed in the district. The city shall have the authority to negotiate the sale or lease of property for private development if such development is consistent with the development program for the district.

Sec. 2. This act shall become effective upon approval by a majority of all of the members of the Minneapolis City Council and compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, line 4, after "Chapter 677," add "Section 2."

Page 1, strike lines 5 to 7

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. 3129: A bill for an act relating to the state arts council; providing the lieutenant governor shall be an ex-officio member of the governing board in lieu of the governor; amending Minnesota Statutes 1971, Section 139.02.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2865: A bill for an act relating to courts; providing for the salary of county court judges of St. Louis county; amending Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2796: A bill for an act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

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

S. F. No. 2828: A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance

is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

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. 2324: A bill for an act relating to manpower services; unemployment compensation; administration fund; amending Minnesota Statutes 1971, Section 268.15, 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 referred

S. F. No. 2997: A bill for an act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017, Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

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 referred

S. F. No. 2641: A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes 1971, Section 169.72, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "1971" and insert ", 1973 Supplement"

Page 1, line 27, after "." insert: "*Except, a person whose regular place of employment is within the state or who is a student at an educational institution located within the state, shall not operate a vehicle, regardless of its place of registration, upon any highway within the state if such vehicle is equipped with tires which would be unauthorized were the vehicle registered in this state.*"

Further, amend the title, page 1, line 7, strike "1971" and insert ", 1973 Supplement"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 978: A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

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 466.07, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding any other law to the contrary, the governing body of each county shall defend, save harmless and indemnify any town not exercising the powers of a statutory city under the provisions of Minnesota Statutes, Section 368.01, located within the county, to the extent of the liability imposed by this chapter, against any tort claim or demand, arising out of an alleged act or omission regardless of whether the town is engaged in either governmental or proprietary activities. Any action brought against a county in accordance with this subdivision shall be brought pursuant to this chapter and subject to all the defenses, statutes of limitations, and requirements of notice contained in this chapter. The governing body of each county may procure insurance against liability of the county arising from this subdivision.

Sec. 2. This act is effective July 1, 1974.”

Further, amend by striking the title and inserting:

“A bill for an act relating to tort liability of counties; requiring counties to defend, save harmless and indemnify certain towns and authorizing counties to procure insurance; amending Minnesota Statutes 1971, Section 466.07, by adding a subdivision.”

And when so amended the bill do pass. 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

Mrs. Sandra Hale, 1833 Girard Avenue South, Minneapolis, Hennepin County, appointed effective August 3, 1973, for a term expiring April 1, 1977.

Mrs. Alvina O'Brien, 480 Grand Hill, St. Paul, Ramsey County, appointed effective April 25, 1973, for a term expiring April 1, 1977.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred the following appointment:

REAL ESTATE ADVISORY COMMISSION

Ray S. Jambor, 635 South Cleveland Avenue, St. Paul, Ramsey County, appointed effective June 30, 1973, for a term expiring June 30, 1978.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred the following appointment:

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Jack West, S. J. Grove and Sons, 1972 Malvern Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred the following appointment:

WORKMEN'S COMPENSATION COMMISSIONER

Charles C. Reischel, 1711 Fremont Avenue, St. Paul, Ramsey County, appointed effective November 8, 1973, for a term expiring September 14, 1979.

Reports the same back with the recommendation that the appointment not be confirmed.

MINORITY REPORT

We, the undersigned, members of the Committee on Labor and Commerce, to which was referred the Governor's appointment to the Workmen's Compensation Commission, as a minority report, do hereby report the same back with the recommendation that the report of the majority be disapproved and that the report of the minority be that the appointment of Charles C. Reischel to the Workmen's Compensation Commission be confirmed.

(Signed) Jack Davies; S. Keefe; Roger Laufenburger; E. Novak; Allan H. Spear

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3159: A bill for an act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties; providing remedies.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, strike "includes the following:" and insert "means"

Page 2, line 6, after the semicolon insert "or"

Page 2, line 8, after the semicolon insert "or"

Page 2, line 21, strike "is merchantable"

Page 2, line 22, strike "and"

Page 2, line 24, strike "where the seller has reason to know" and insert "by implied warranties of merchantability"

Page 2, strike lines 25 through 27

Page 2, line 28, strike "implied warranty of" and insert "and"

Page 2, line 28, strike "is implied in the contract"

Page 2, line 28, after "for" insert "particular purpose."

Page 3, strike line 1

Page 3, line 10, after "any" insert "rights under the"

Page 3, line 11, strike "of merchantability or fitness" and insert "guaranteed by section 2"

Page 3, line 14, strike "or" and insert "and"

Page 3, line 15, strike "or both" and insert ", jointly and severally"

Page 3, line 15, after "repair" insert "within a reasonable time"

Page 3, line 16, after "warranty" insert ", express or implied,"

Page 3, line 17, strike "provided in section 2"

Page 3, line 17, after "breached" insert "provided the buyer permits reasonable opportunity for repair or service."

Page 3, line 17, strike "and the buyer gives notice"

Page 3, strike lines 18 and 19

Page 3, line 20, strike "duration of the"

Page 3, line 20, strike "warranty of" and insert "warranties"

Page 3, line 21, strike "merchantability and the implied warranty of fitness" and insert "guaranteed by section 2"

Page 3, line 21, after "shall" strike "," and insert "be for a period of one year from the date of delivery. Notice of breach of any implied warranty shall be given in writing no later than ninety days after the expiration of the warranty."

Page 3, strike lines 22 through 28

Page 4, strike lines 1 through 9

Further, amend the title, page 1, line 6, by striking "; providing remedies"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 884: A bill for an act relating to crimes and criminals; providing compensation for victims of violent crimes; imposing fines; 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 the following:

"Section 1. [TITLE.] This act shall be known as the Minnesota Crime Victims Reparations Act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

- (e) workmen's compensation;
- (f) wage continuation programs of any employer;
- (g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;
- (h) a contract providing prepaid hospital and other health care services, or benefits for disability; or
- (i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

- (5) (a) "Crime" means conduct that
- (i) occurs or is attempted in this state,
 - (ii) poses a substantial threat of personal injury or death, and
 - (iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

- (i) the conduct was intended to cause personal injury or death, or
- (ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

(b) a dependent who has incurred economic loss;

(c) the estate of a deceased victim if the estate has incurred economic loss;

(d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a), (i) and (a), (ii) for a victim;

(e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

(a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;

(b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;

(c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise require in a particular case;

(d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or

(e) no claim was filed with the board within one year of victim's injury or death.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;

(2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims; and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$15,000 plus attorney fees authorized by this act.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the executive branch the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be 6 years except that of the members first appointed one each shall serve for terms of 6, 4, and 2 years. Any person appointed to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental and physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;

(g) appoint independent hearing officers who are admitted to the bar of this state to conduct hearings, take testimony, and report findings of fact, conclusions of law and the basis therefor to the board for a final determination;

(h) determine and award reasonable attorneys fees to a claimant;

(i) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(j) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A

claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within thirty days after receipt of the report of the decision of the board member to whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within thirty days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or pro-rated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion, may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is, or if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical,

mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 14. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply of all forms necessary for the preparation and presentation of claims.

Sec. 15. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 16. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted after the day following final enactment of this act.

Sec. 17. [APPROPRIATIONS.] The sum of \$. is appropriated annually from the general fund in the state treasury to the crime victims reparations board for the payment of claims and operating expenses under this act."

Further amend the title as follows: Line 4, strike "imposing fines" and insert "providing a penalty"

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which were re-referred the following appointments:

**ENVIRONMENTAL QUALITY COUNCIL CITIZENS
ADVISORY COMMITTEE**

Kenneth RockVam, 315 South Pearl Street, Mankato, Blue

Earth County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Dayton, 11947 Hilloway Road, Minnetonka, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Lyman L. Huntley, 803 Second Ave. NW, Grand Rapids, Itasca County, appointed effective January 23, 1974, for a term expiring December 31, 1974.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred the following appointment:

MINNESOTA WATER RESOURCES BOARD

Bruce Fleming, 3680 Centerwood Road, Lexington Village, Anoka, Anoka County, appointed effective October 1, 1973, for a term expiring October 5, 1977.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3151: A bill for an act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2.

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 367.05, Subdivision 2, is amended to read:

Subd. 2. [OFFICERS.] The following town officers shall be entitled to compensation for each days service necessarily rendered:

Supervisors and clerks not more than \$16 per day; as established at a town meeting when the service is rendered within or without the town; and mileage at a rate not to exceed ten cents per mile for each mile necessarily traveled on official business within or without the town as established by a town meeting; but not exceeding \$120 for such mileage for any one town officer in any year; but no supervisor shall receive more than \$1,000 as compensation in any one year; provided, that in any town containing over 50, but not more than 55, sections the salary of the

supervisors, in addition to mileage herein allowed, shall be not more than \$17, per day, as established at a town meeting when the service is rendered within or without the town but no supervisor in any such town shall receive more than \$1,000 as compensation in any one year; provided further, that in any town in this state situated in any county having a population of 550,000 or more, except as otherwise provided by law embraced within the provisions and having the powers and authority pursuant to section 368.01, upon the approval of the annual town meeting, the compensation and salary, in addition to mileage herein allowed may be not more than \$16 per day, as established at a town meeting, for services rendered within or without the town, but no supervisor in any such town shall receive more than \$1,000 as compensation in any one year, exclusive of mileage compensation;

For the following services the clerk shall receive fees, and not a per diem:

- (1) Certifying each notice of election 25 cents;
- (2) Posting notices, each 25 cents and ten cents for each mile necessarily traveled;
- (3) Filing each paper, ten cents;
- (4) Recording orders and other instruments, ten cents per folio;
- (5) Copying and certifying any record or instrument recorded or filed in his office, ten cents per folio, to be paid by the person applying therefor.

At the annual town meeting the electors of any town shall by majority vote establish such compensation for supervisors as the electors deem proper, any other law notwithstanding. The town board of any town shall establish compensation for the clerk as the town board deems proper, any other law notwithstanding.

In addition to such compensation as shall be provided pursuant to this subdivision, supervisors and clerks shall be entitled to mileage at a rate not to exceed 15 cents per mile for each mile necessarily traveled on official business within or without the town as established by a town meeting.

The voters at any town meeting, after reading and disposing of the annual report, may by resolution fix the scale of wages and hours of employment of the road overseer and of any other person employed by any town on any town road.

Nothing herein contained shall be construed to repeal any law wherein any towns are classified for the purpose of fixing salaries, or maximum salaries, of any of their officers.

This subdivision shall not apply to any county containing a city of the first class.

Sec. 2. [REPEALER.] Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08 are repealed.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Further, amend the title as follows:

Page 1, line 5, before the period insert “; repealing Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08”

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2576: A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.21, Subdivision 1; 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 5, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.08 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivision 6; 394.28, Subdivisions 1 and 3; 394.30. Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike all of Section 1

Page 4, line 2, strike “47” and insert “46”

Page 4, line 6, strike “and” and insert “*public land and facilities and other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities.*”

Page 4, strike lines 7 and 8

Page 4, before line 9 insert:

“Sec. 9. Minnesota Statutes 1971, Section 394.22 is amended by adding subdivisions to read:

Subd. 13. “Essential services” means overhead or underground electric, gas, steam or water transmission or distribution systems or structures used by public utilities or governmental departments or commissions.

Subd. 14. “Transmission services” means services such as electric power lines of a voltage of 35 Kv or greater, or bulk gas or fuel being transferred by pipe-line and not intended for en route consumption.”

Page 5, line 3, reinstate the stricken language

Page 5, line 4, strike "may"

Page 5, line 18, after "federal" insert "or state"

Page 5, line 19, after the period insert "*The provisions of this subdivision shall not apply in the metropolitan area as described in Minnesota Statutes, Section 473B.01.*"

Page 6, line 1, after "or" and before "water" insert "*the use of*"

Page 6, line 1, after "water" and before "for" insert "*pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32*"

Page 6, line 3, after "conservation," and before "surface" insert "*and, with the assistance and subject to the approval of the commissioner of natural resources,*"

Page 6, line 6, after "sewage disposal," insert "*preservation of prime agricultural lands, protection of ground water recharge areas, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers, protection of slopes, soils, unconsolidated materials or bedrock from potentially damaging development, preservation of forests, woodlands, and essential wild-life habitat, reclamation of non-metallic mining lands*"

Page 6, line 6, after "or" insert "of"

Page 6, line 7, after "water" insert "*pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32*"

Page 7, line 10, after "maps" insert "*as defined in section 7 of this act.*"

Page 7, line 10, strike "*establishing the*"

Page 7, strike lines 11 through 26

Page 8, line 14, strike "*ordinance*" and insert "*reference*"

Page 9, line 25, after "*commission*" strike the comma and insert a period.

Page 9, line 25, strike "*if there is one,*"

Page 9, strike lines 26 through 28

Page 10, strike line 1

Page 15, line 8, strike "*yield an*"

Page 15, line 9, strike "*equitable return*" and insert "*be put to a reasonable use*"

Page 15, line 12, strike "*rated*" and insert "*granted*"

Page 15, line 14, strike "*an*" and insert "*a*"

Page 15, line 15, strike "*economic*" and insert "*reasonable*"

Page 17, line 23, strike everything after the period and insert in lieu thereof:

"No more than one member of the commission shall be an officer or employee of the county."

Page 17, strike lines 24 and 25

Page 17, line 26, strike *"the board."*

Page 17, line 28, strike *"voting"*

Page 18, line 8, strike *"may be paid a fixed annual compensation"* and insert *"may be compensated"*

Page 22, line 8, after the period insert *"After the county adopts official controls for areas within a municipality, the county shall enforce the controls unless the county and municipality provide otherwise by agreement. A municipality may at any time, by resolution of its governing body, take over planning functions, including adoption and enforcement of official controls, with respect to areas within its corporate limits for which a county has adopted official controls."*

Page 22, line 19, restore the stricken *"Nothing in this"*

Page 22, restore the stricken language on lines 20 through 22

Page 24, strike all of Sec. 44.

Page 24, after line 25 insert:

"Sec. 46. Minnesota Statutes 1971, Chapter 394 is amended by adding a section to read:

[394.251] [ESSENTIAL SERVICES] Essential services and transmission services are permitted uses in all zoning districts subject only to those restrictions or conditions specifically imposed upon such services by official controls."

Page 26, line 26, strike *"yield a reasonable return"* and insert *"be put"*

Page 26, line 27, before *"the"* insert *"a reasonable use by"*

Page 29, line 1, strike *"or amended"*

Page 29, line 3, strike *"or amendment"*

Page 29, line 4, strike *"or amendment"*

Page 29, line 5, strike *"or amended"*

Page 29, line 9, strike *"or amendments"*

Page 29, line 11, strike *"or amendments"*

Page 29, line 12, strike *"and"*

Page 29, line 13, strike *"amendments thereto"*

Page 29, line 15, strike *"or amendments"*

Page 29, line 21, strike *"or amendment"*

Page 29, line 22, strike *"or amendment"*

Page 29, line 25, strike *"or amendment"*

Page 29, line 28, strike "or"

Page 30, line 1, strike "amendment"

Page 30, line 2, strike "or amendment"

Page 30, line 6, strike "or amendment"

Page 30, line 9, strike "or amendment"

Page 30, line 12, strike "or amendment"

Page 30, line 17, strike "or amendment"

Page 30, line 27, strike "or amendment"

Page 30, line 28, strike "or amendments"

Page 31, line 1, strike "or amendment"

Page 31, line 2, strike "or amendment"

Page 31, line 3, strike "or amendment"

Page 31, line 4, strike "or"

Page 31, line 5, strike "amendment"

Page 31, line 8, strike "or amendments"

Page 31, line 9, strike "or amendment"

Page 31, line 10, strike "or amendment"

Page 31, line 11, strike "or amendment"

Page 31, line 18, strike "or amendment"

Page 32, line 12, after "394.25," strike "Subdivision" and insert "Subdivisions 5 and"

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 8, strike "394.21, Subdivision 1;"

Page 1, line 13, strike "5,"

Page 1, line 20, strike "Subdivisions" and insert "Subdivision"

Page 1, line 21, strike "and 2"

Page 1, line 28, strike "Subdivision" and insert "Subdivisions 5 and"

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

S. F. No. 2931: A bill for an act relating to natural resources; appropriating money for land acquisition within the Whitewater Wildlife Management Area; control of roads therein; declaring a moratorium upon development therein.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 15, insert:

"Sec. 2. No lands or interests in lands may be acquired for the Whitewater Wildlife Management Area by eminent domain proceedings, notwithstanding the provisions of Minnesota Statutes, Section 97.48, Subdivision 13, nor any other law, to the contrary."

Renumber the remaining sections

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3085: A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 4, strike "notwithstanding" and insert "however,"

Page 4, line 5, strike "to"

Page 4, line 6, strike "the contrary"

Page 4, line 6, strike "would otherwise require" and insert "requires"

Page 4, line 8, after "Owatonna" and before the period insert "shall apply"

Page 4, line 10, strike "passage" and insert "enactment"

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

S. F. No. 2846: A bill for an act relating to pollution control; exemption of certain livestock feedlots from permit requirements.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "feedlot" insert ", poultry lot or other animal lot"

Page 1, line 12, after "1971" and before "." insert "; provided that expansion of a lot that was in operation on June 8, 1971, by more than 25 percent of its capacity on June 8, 1971, shall not be exempt from the permit requirement. An agency permit shall not be required in order to obtain the income tax credit provided for in Minnesota Statutes, Section 290.06, Subdivision 9"

Amend the title in line 3, after "feedlots" by inserting ", poultry lots and other animal lots"

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

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 25, strike "1974" and insert "1975"

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

S. F. No. 2694: A bill for an act relating to the department of natural resources; appropriating money for the improvement of a certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "\$10,400" and insert "\$6,400"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3257: A bill for an act relating to highway traffic regulations; requiring certain motor vehicles to be equipped with safety belts; requiring operators and certain passengers of such motor vehicles to use safety belts with certain exceptions; prescribing penalties; suspending Minnesota Statutes 1971, Section 169.685, Subdivisions 1, 2 and 3 for a specified period of time.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, strike lines 14, 15 and 16 and insert in lieu thereof:

"(c) Any persons who have been issued by the Department of Public Safety a certificate pursuant to rules and regulations which certifies that this section does not apply to the person when the Department is satisfied that because of medical unfit-

ness or physical disability, it is impracticable, undesirable or inexpedient that the person wear a seat belt.”

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

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

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

S. F. No. 3084: A bill for an act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau county.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3018: A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 2872: A bill for an act relating to the environmental impact; reduction, reuse and recycling of solid waste; eliminating the user fee levied on solid waste disposal at certain disposal facilities; repealing Minnesota Statutes, 1973 Supplement, Section 116F.07.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 9, insert:

“Section 1. The Minnesota pollution control agency shall conduct a study of alternative methods for future financing of grants in aid specified in Minnesota Statutes, 1973 Supplement, Section 116F.03, including but not limited to solid waste user fees and surcharges. The agency shall submit findings and recommendations to the governor and the legislature no later than December 31, 1974.”

Renumber the remaining sections

Amend the title as follows:

Page 1, line 4, after “waste;” insert “requiring a study of methods of financing grants in aid;”

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. 1800: A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

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. 2611: A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands in Carlton county.

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

S. F. No. 2812: A bill for an act relating to state parks; authorizing the commissioner of natural resources to transfer administration and control of the Fort Snelling chapel to another state agency or to lease it to a nonprofit organization.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 30, strike “may” and insert “shall”

Page 1, line 31, strike “another agency of state”

Page 2, strike line 1 and insert “the Minnesota”

Page 2, line 2, after “society” strike the rest of the line

Page 2, strike lines 3 and 4

Page 2, line 5, strike "to exceed ten years"

Page 2, line 5, strike "any" and insert "the"

Page 2, line 6, strike "or to lease,"

Page 2, line 13, strike "or"

Page 2, line 14, strike "lessee"

Page 2, line 15, after "transferee" strike "or"

Page 2, line 16, strike "lessee"

Page 2, line 17, strike "or lessee" and insert "; (4) the chapel will be operated for historical purposes and maintained as a memorial to Minnesotans who have died in war, and not for religious services"

Page 2, after line 17, insert:

"Sec. 2. The commissioner of administration shall transfer from the amount appropriated to the commissioner of natural resources by Laws 1973, Chapter 720, Section 35, to the Minnesota historical society for the operation and maintenance of the Fort Snelling chapel the sum of \$11,000.

Sec. 3. The transfers of property and appropriations herein provided shall be made January 1, 1975.

Sec. 4. This act shall not take effect unless approved by the governing board of the Minnesota historical society before July 1, 1974."

Amend the title as follows:

Page 1, line 5, strike "another"

Page 1, strike lines 6 and 7 and insert: "the Minnesota historical society; transferring money."

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

S. F. No. 3031: A bill for an act relating to wild animals; altering certain provisions regarding commercial fishing in Lake Superior; amending Minnesota Statutes 1971, Sections 98.46, Subdivision 12; 102.28, Subdivisions 2 and 4; repealing Laws 1963, Chapter 70, Section 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, after "the license" insert "fee"

Page 1, line 23, strike "not to" and insert "each"

Page 1, strike line 24 and insert "1,000 feet of gill net, \$15;"

Page 1, strike line 25

Page 2, line 7, after "chubs," insert "common whitefish,"

Page 2, line 18, strike "1974" and insert "1975"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 1124: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 1, 23 and 24; providing for congressional and legislative apportionments by a commission.

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. The following amendment to the Minnesota Constitution, Article IV, Sections 1, 23 and 24, is proposed to the people. If the amendment is adopted, Article IV, Sections 1, 23 and 24 will read as indicated by Subdivisions 1, 2 and 3.

Subdivision 1. Article IV, Section 1, will read as follows:

Section 1. The legislature shall consist of the Senate and the House of Representatives. The senate shall be composed of members elected for a term of four years and the house of representatives shall be composed of members elected for a term of two years by the qualified voters at the general election, *except that there shall be an entire new election of all the senators at the election of representatives next succeeding each new districting provided for in this article. At the new election of representatives next succeeding the new districting, senators from odd numbered districts shall be elected for a term of two years, and senators from even numbered districts shall be elected for a term of four years. Thereafter, the term for all senators shall be four years except when prevented by new districting.*

The legislature shall meet at the seat of government in regular session in each biennium at the time prescribed by law for not exceeding a total of 120 legislative days. The legislature shall not meet in regular session, nor in any adjournment thereof, after the first Monday following the third Saturday in May of any year. After meeting at a time prescribed by law, the legislature may adjourn to another time. “Legislative day” shall be defined by law.

A special session of the legislature may be called as otherwise provided by this constitution.

Subd. 2. Article IV, Section 23, will read as follows:

Sec. 23. ~~The legislature shall have the power to provide by law for an enumeration of the inhabitants of this State, and also have the power at their first session after each enumeration of the inhabitants of this state made by the authority of the United States, to prescribe the bounds of congressional, senatorial and representative districts, and to apportion anew the senators and representatives among the several districts according to the provisions of section second of this article. The state shall be divided into as many separate congressional, senatorial, and representa-~~

tive election districts as there are congressmen, senators and representatives. No representative district shall be divided in the formation of a senate district. The congressional, senatorial and representative districts, shall be separately numbered in a regular series.

Congressional, senatorial and representative districts shall be composed of compact and contiguous territory and shall be apportioned equally throughout the state on the basis of population.

Subd. 3. Article IV, Section 24, will read as follows:

Sec. 24. *The senators shall also be chosen by single districts of convenient contiguous territory; at the same time that members of the house of representatives are required to be chosen, and in the same manner; and no representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The terms of office of senators and representatives shall be the same as now prescribed by law until the general election of the year one thousand eight hundred and seventy eight (1878), at which time there shall be an entire new election of all senators and representatives. Representatives chosen at such election, or at any election thereafter, shall hold their office for the term of two years, except it be to fill a vacancy; and the senators chosen at such election by districts designated as odd numbers shall go out of office at the expiration of the second year, and senators chosen by districts designated by even numbers shall go out of office at the expiration of the fourth year; and thereafter senators shall be chosen for four years, except there shall be an entire new election of all the senators at the election of representatives next succeeding each new apportionment provided for in this article. (a) In a year preceding the first year in which senators are to stand for election following each official reporting of the federal decennial census, or after a court order requiring a new districting, the districting commission created under this section shall prescribe anew the bounds of the congressional, senatorial and representative districts in the state. The commission shall also prescribe anew the bounds of senatorial or representative districts whenever the number of members who compose the senate or house has been altered by law. The commission shall be guided by the standards set forth in section 23 and shall assure all persons fair representation.*

(b) Not later than January 15 in a year preceding the first year in which senators are to stand for election following each official reporting of the federal decennial census, or within 30 days after a court order requiring a new districting, the persons designated shall appoint the members of the districting commission.

(c) The districting commission shall consist of the members appointed pursuant to this section and the concurrence of two more than a majority shall be required to adopt a final plan of districting.

The speaker and minority leader of the house of representatives shall be members. The majority and minority leaders of the senate shall be members. The speaker and the minority leader of the house and the majority leader and the minority leader of the

senate each may appoint a member of his legislative body to serve on the districting commission in his place. In addition, the speaker and the minority leader of the house and the majority leader and the minority leader of the senate shall each appoint one member of his body of the legislature to the districting commission. The governor and the state executive committee of each political party other than that to which the governor belongs whose candidate for governor received 20 percent of the votes at the most recent gubernatorial election shall each appoint four citizens of the state who are not members of the legislature or United States congress to the districting commission. The appointing authorities shall give due consideration to the representation of the various geographical areas of the state.

Members of the commission shall hold office until the new districting in which they participated becomes effective. Any vacancies shall be filled within five days in the manner provided for the original appointment. Except for the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate and their appointees, they shall not be eligible for election to congress or the state legislature until the general election following the first one under the districting in which they participated.

(d) Not later than ten months after the commission has been constituted, the commission shall file its final districting plans and maps of the districts with the governor.

(e) Not later than 14 calendar days after the districting plan has been filed with the governor, the governor shall present the plan to the legislature. If the legislature is not in session, the governor shall call the legislature into special session for the sole purpose of considering the districting plan. The legislature shall, within 14 calendar days, approve or reject the districting commission's plan. The legislature may amend the plan and approve it. The legislature shall not enact any districting plan except during the 14 day period established by this clause. After 55 percent of the members of each house has approved the plan it shall become law without the governor's signature.

(f) If the commission fails to adopt a plan or the legislature fails to enact a plan into law, the speaker and the minority leader of the house and the majority and minority leader of the senate shall, within 14 calendar days, meet with the chief justice to select a court commission.

The chief justice shall certify to the speaker and minority leader of the house and the majority and minority leaders of the senate a list containing the names of all of the judges of district court in the state. The speaker of the house, the minority leader of the house, the majority leader of the senate and the minority leader of the senate shall in this order take turns striking names from the list of judges until the names of only three judges remain. These three judges shall be the members of the court commission.

The court commission shall, within 60 days of its appointments, prescribe anew the bounds of the congressional, senatorial and representative districts in the state, and this plan shall have the force and effect of law.

(g) *Within 30 days after any districting plan has been adopted pursuant to this article, any qualified voter may petition the state supreme court to review the plan. The state supreme court shall have original jurisdiction to review the plan, exclusive of all other courts of this state.*

If a petition for review is filed, the supreme court shall determine whether the plan complies with the requirements of this constitution and the United States Constitution. If the supreme court determines that the plan complies with constitutional requirements, it shall dismiss the petition within 45 days of the filing of the original petition. If the supreme court determines that the plan does not comply with constitutional requirements, the supreme court, within 45 days of the filing of the original petition shall modify the plan to comply with constitutional requirements.

Sec. 2. The proposed amendment shall be submitted to the people at the 1974 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended to provide for apportionment of congressional and legislative districts by the legislature after recommendation by a commission?”

Yes
No”

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2789: A bill for an act relating to the compensation of members of the tax court; amending Minnesota Statutes 1971, Section 271.01, Subdivision 4a.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 13, add a new section as follows:

“Sec. 2. [APPROPRIATION.] There is appropriated from the general fund in the state treasury to the tax court, for the biennium ending June 30, 1975, a sum of money sufficient to pay the increased salaries provided for in section 1.”

Further, amend the title, line 3, after “court;” insert “appropriating money;”

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 referred

S. F. No. 3047: A bill for an act relating to taxation; school district tax levy; levy adjustments; amending Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3; and Minnesota Statutes 1971, Section 275.125, Subdivision 7.

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. [POST SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] The purpose of this section is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.

Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. These payments shall not exceed by more than fourteen percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Beginning July 1, 1976, all vocational aid payments to the extent funds are available shall be made based on the approved budget for the current fiscal year.

Subd. 3. [BUDGETS.] Before May 1, 1974, and before January 1 of each year thereafter area vocational-technical institute budgets for the following fiscal year shall be submitted to the state board for vocational education. The commissioner, subject to the approval of the state board for vocational education, shall approve the overall budget for each district prior to June 15, 1974 and May 15 of each year thereafter. The total amount of reimbursement payments approved shall not exceed by more than fourteen percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Inflation and expansion occurring in fiscal year 1976 shall be incorporated into the fiscal year 1976 budget request. No district shall increase its indebtedness during fiscal year 1976 unless authorized by the state board for vocational education. The state board for vocational education shall before October 1, 1974 promulgate rules and regulations which establish the approval criteria of budgets including but not limited to the following: responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which the local school districts shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1974 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before January 1, 1975 and January 1 of each year thereafter.

Sec. 2. [EARLY IDENTIFICATION AND EARLY CHILDHOOD PROGRAMS.] Subdivision 1. The board of any inde-

pendent or special district may provide early identification and early childhood programs in one or more elementary school areas within the district and may receive state aids for such programs. In the 1974-75 school year such aids shall be provided for no more than 11 pilot program centers. The aids for such pilot programs shall be distributed in accordance with Minnesota Statutes, Sections 124.17 and 124.212.

Subd. 2. Each district providing such programs shall establish and maintain an account separate from all other district accounts for the receipt and disbursement of all funds related to such early identification and early childhood programs.

Subd. 3. Each district providing early identification and early childhood programs shall coordinate their services with any early identification and early childhood services provided in the district by other governmental agencies. A district may develop cooperative programs with private agencies providing early identification and early childhood services. All governmental agencies shall cooperate with the school district in these coordination efforts. Any district which provides early identification and early childhood programs but does not coordinate its efforts with other governmental agencies shall submit an explanatory report to the commissioner within one year after the implementation of its early identification and early childhood programs and each year thereafter in which such coordination is not established.

Subd. 4. A school district providing early identification and early childhood programs shall be eligible to receive funds for early identification and early childhood services from other government agencies and from private sources where such funds are available.

Subd. 5. A district may charge reasonable fees for early identification and early childhood services; however, a district shall waive such charge or fee if any pupil, his parent or guardian is unable to pay it.

Sec. 3. [TRANSITIONAL YEAR.] Subdivision 1. Notwithstanding any law to the contrary, in districts which have established an approved early identification and early childhood program, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to Minnesota Statutes, Section 124.212, plus that portion of the allowable foundation aid amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under Minnesota Statutes, Section 275.125, Subdivision 3 (5) shall continue to be earned by the district. All such transitional year funds shall be permanently transferred from the general fund to the early identification and early childhood account to provide for early identification and early childhood programs. Monies so received shall be used only for purposes of the early identification and early childhood program.

Subd. 2. The commissioner shall promulgate rules and regulations setting forth the standards for application for and approval of this early graduation procedure.

Sec. 4. Minnesota Statutes 1971, Section 121.21, Subdivision 5 is amended to read:

Subd. 5. The commissioner with the approval of the state board for vocational education is authorized to apportion and distribute funds to the local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts; *provided however that in fiscal years 1975 and 1976 no district shall receive reimbursement for any costs in excess of those approved by the state board for vocational education; provided however further that those school districts enrolling more than the state average of resident students shall receive nonresident aids based on the average percentage of nonresident attendance for the preceding school year for the state in area vocational-technical schools.*

Sec. 5. Minnesota Statutes 1971, Section 123.37, Subdivision 1, is amended to read:

123.37 [INDEPENDENT SCHOOL DISTRICTS, CONTRACTS.] Subdivision 1. No contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws, or for the construction or repair of school houses, the estimated cost or value of which shall exceed: (a) \$3,000 for school districts with an enrollment of students in grades 1 to 12 of less than 10,000, or (b) \$5,000 for all other school districts, shall be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. Such notice shall state the time and place of receiving bids and contain a brief description of the subject matter.

Such additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract shall be awarded to the lowest responsible bidder, duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance, and otherwise conditioned as required by law. A record shall be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid shall be rejected unless the alteration or erasure is corrected as herein provided. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only

a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district shall be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts shall not exceed two years with an option on the part of the district to renew for an additional two years. Provided that in the case of purchase of perishable food items except milk for school lunches and vocational training programs a contract of any amount may be made by direct negotiation by obtaining two or more quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

Every contract made without compliance with the provisions of this section shall be void. Provided, that in case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

Firm bid contracts for the purchase of milk and ice cream negotiated or renegotiated between September 1, 1973 and July 1, 1974 which provide for a price increase or decrease based upon a demonstrable industrywide or regional increase in the vendor's costs are not void under this subdivision, provided that the adjustment shall not exceed the increase or decrease authorized in the federal marketing order for raw milk between the dates of September 1, 1973 and July 1, 1974 for sales made between February 1, 1974 and July 1, 1974.

Sec. 6. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1a. [AUTHORITY TO PURCHASE.] The board may authorize its superintendent or business manager to lease, purchase, and contract for goods and services within the budget as approved by the board, provided that any transaction in an amount exceeding the minimum amount for which bids are required must first be specifically authorized by the board and must fulfill all other applicable requirements in section 123.37, subdivision 1.

Sec. 7. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1b. Notwithstanding the provisions of subdivision 1, a contract for the transportation of school children may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the school district

shall, by published notice, request quotations for the service to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1.

Sec. 8. Minnesota Statutes 1971, Section 123.39, Subdivision 1, is amended to read:

123.39 [INDEPENDENT SCHOOL DISTRICTS, TRANSPORTATION.] Subdivision 1. The board may provide for the free transportation of pupils to and from school, and to schools, in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year as it may deem advisable, and subject to its rules. Every driver shall possess all the qualifications required by the rules of the state board of education. In any district which at the time of the adoption of this code was a consolidated district or enjoyed the privileges of a consolidated district, the board shall arrange for the attendance of all pupils living two miles or more from the school, through suitable provision for transportation or for the boarding and rooming of such pupils as may be more economically and conveniently provided for by such means. The district is authorized to provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by such means or where pupils attend school in a building rented or leased by a district within the confines of an adjacent district.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 124.04 is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount not to exceed \$65 per pupil unit and not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year; and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of 6 mills not to exceed \$65 per pupil unit in 1974. The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to equip, re-equip, repair and improve buildings and permanent attached fixtures. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 10. Minnesota Statutes 1971, Section 124.13 is amended to read:

124.13 [LIMIT ON STATE AID.] The total amount of aid paid by the state to any district for *any purpose* in any year shall not exceed the total amount expended by the district for education of resident pupils for *such purpose* for such year.

Sec. 11. Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) *In an early identification and early childhood program approved by the state board, one-tenth pupil unit for each child served by the program. Any child prior to entering kindergarten or below age 6 may qualify for early identification and early childhood programs and aids provided that either the child or his parent or guardian is served by the program.*

~~(1)~~ (2) 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)~~ (3) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle school~~ *any public school, including middle schools and elementary schools, in districts maintaining high schools, or those which will maintain a high school by the 1974-1975 school year*, shall be counted as secondary pupils. *Such aids will be paid for the 1973-1974 school year to districts now qualifying which previously were not eligible to receive the increased pupil weighting.*

~~(3)~~ (4) In area vocational-technical schools one and one-half pupil units.

(4) (5) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil in *clauses (2) and (3)* 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)~~ (6) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~ten~~ *nine* percent of the total actual pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional 35/100 of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ~~ten~~ *nine* percent of the total pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), 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)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighing shall be in addition to the weighing provided in clauses (1), (2), (3), (4) and ~~(4)~~ (5) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses ~~(4)~~ (5) and ~~(5)~~ (6) to primary grade programs and services, particularly to programs and services that involve participation of parents.

~~(5)~~ (7) 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 *be increased by .7 times the difference between the units as computed in clauses (2) and (3) for the two years.*

~~(7)~~ (8) Where the actual number of pupil units has increased from the prior year by more than ~~four~~ *three* percent, a number of pupil units equal to one fourth of the difference between the units as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3) for the two years shall be added to the other units for the district.

~~(8)~~ (9) Only pupil units in clauses ~~(1)~~, (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 12. Minnesota Statutes 1971, Section 124.17, Subdivision 2 is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve, for pupils in area vocational-technical schools and for handicapped pre-kindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days

said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction. A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student.

Sec. 13. Minnesota Statutes 1971, Section 124.17 is amended by adding a subdivision to read:

Subd. 2a. Notwithstanding subdivision 2, pupils granted transitional year status shall continue to be counted as members on the current roll of the school for the remainder of the school year. Pupils enrolled in an early childhood program shall be counted for membership on the current roll of the school from the time of enrollment until the end of the school year if either the pupil or his parent or guardian is served by the program. For purposes of computing average daily membership transitional year pupils and early childhood pupils shall be considered to be enrolled every day school is in session.

Sec. 14. Minnesota Statutes, 1973 Supplement, Section 124.20 is amended to read:

124.20 [AID COMPUTATION FOR SUMMER SCHOOL AND YEAR-ROUND CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and intersession classes of year-round programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term; *provided that beginning June 1, 1974 no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs.*

Sec. 15. Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 10 is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of ~~taxation~~ revenue, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of ~~taxation~~ revenue to ascertain the market value of such property, and adjust such values as required by law to determine the ad-

justed assessed valuation. The department of ~~taxation~~ *revenue* shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of ~~taxation~~ *revenue* is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before ~~May 1~~ *March 15*, annually, the department of ~~taxation~~ *revenue* shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 1 is amended to read:

124.222 [TRANSPORTATION AID ENTITLEMENT.] Subdivision 1. [COMPUTATION.] For the 1974-1975 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either

(a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year times the number of eligible pupils transported during the 1975 fiscal year; or

(b) 110 118 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1974;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ten percent per year of the net cost of the fleet.

Sec. 17. Minnesota Statutes, 1973 Supplement, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually

attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;

(2) Transportation to or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;

(5) Transportation of resident handicapped ~~children~~ *persons who fulfill the eligibility requirements of Minnesota Statutes, Section 252.23 (1) to licensed daytime activity centers attended by the these children persons;*

(6) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(7) Services described in clauses (1) to (6) when provided in conjunction with a state board approved summer school program.

Sec. 18. Minnesota Statutes 1971, Section 124.28, Subdivision 1 is amended to read:

124.28 [GROSS EARNINGS REFUND.] Subdivision 1. When the properties of any district are made up, to the extent of at least 20 percent in value of property which is exempt from local taxation because taxes thereon are paid into the state treasury under the provisions of the gross earnings tax law, such district shall receive annually a refund from such gross earnings taxes in the amount that would be produced by a tax on such exempt property at *three times* the current tax rate for school purposes in the district including the rate for nonresident high school children levied by the county provided that any district which has 15 percent in value of such exempt property and presently receiving gross earnings refund shall continue to receive it until June 30, 1963. For the purpose of determining the amount of this refund, the value of such exempt property shall be set at 30 percent of its full and true value except that in no case shall the assessed value of said exempt property for this purpose exceed such an amount as when added to the assessed value of all other property in the district exceed \$3,000 per resident pupil unit. In the determination of the amounts to which districts shall be entitled in the distribution of any state aids that are based upon total valuation per pupil this valuation shall be included.

Sec. 19. Minnesota Statutes 1971, Section 270.11, Subdivision 2 is amended to read:

Subd. 2. [COUNTY AUDITOR'S REPORTS OF ASSESSMENT FILED WITH COMMISSIONER.] The commissioner of ~~taxation~~ revenue shall require the auditor of each county in the state to file with him, on or before August 1, each year, complete abstracts of all real and personal property in the county, as equalized by the county board of equalization, and itemized by assessment districts, accompanied by a printed or typewritten copy of the proceedings of the county board of equalization, and it shall be the duty of the county auditor to so report to the commissioner of ~~taxation~~ revenue.

The final abstract of assessments after adjustments by the state board of equalization and inclusion of any omitted property shall be submitted to the commissioner of revenue on or before January 1 of each calendar year.

Sec. 20. Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3 is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a, a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation; *and provided further that beginning with the levy certified in 1975, a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid because of extraordinary traffic hazards but for which no state aid was received for the previous fiscal year pursuant to Section 124.223, clause (1).*

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that cause. 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 *the sum of the amount per pupil unit permitted under clause (3) above and the amount per pupil unit equal to the district's reimbursement aid per pupil unit in average daily membership for 1970-1971 school year programs for handicapped children*, reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. *No district in any year shall increase its levy as a result of the addition of the reimbursement aid for 1970-1971 programs for handicapped children by an amount greater than the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year.* Provided, however, that a district within 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.

(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 124.212, subdivision 8a, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors ~~any errors made in 1971 and 1972 in general and special purpose levy amounts~~ the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 as well as adjustments to final pupil unit counts.

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

The county auditor is authorized to adjust the 1973 levy to correct for the errors shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years.

(11) The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be pro-rated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

Sec. 21. Minnesota Statutes 1971, Section 275.125, Subdivision 7, is amended to read:

Subd. 7. By November 1 of each year ~~(December 1, in 1971 only)~~ each district shall submit to the commissioner of education and the commissioner of taxation a certificate of compliance with the levy limitations of this section and of section 124.04. The commissioner of ~~taxation~~ education shall prescribe the form of this certificate.

Sec. 22. [APPROPRIATION.] There is appropriated from the general fund of the state treasury to the department of education the following sums for the year ending June 30, 1975 and for the purposes indicated:

(1) Foundation Aid	\$ 1,660,000
(2) Foundation Aid for Early Childhood Education	460,000
(3) Transportation Aid	4,480,000

(4) Educational television \$325,000

The amount appropriated in (4) shall be made available to the Minnesota member stations of Midwestern Educational Television, Inc. by the commissioner.

Sec. 23. Sections 1, 5, 7, 10, and 14 of this act shall be effective the day following final enactment."

Further, amend the title by striking it in its entirety and inserting the following:

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, Subdivision 3."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 2661: A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 27, strike "*The right to remain in the*" and insert in lieu thereof "*Employees who remain in the classified service of the state under the provisions of this section, may do so as long as they continue to occupy the position occupied on the effective date of this act. If such an employee at a subsequent date is appointed, transferred, promoted, or demoted to a different position under the authority, that position and employee shall be in the unclassified service.*"

Page 2, strike line 28

Page 3, strike lines 1, 2 and 3

Page 3, line 4, strike "*be in the classified service.*"

Page 3, line 11, after "system" and before the comma, insert "for classified employees"

Page 4, after line 2, add a new Sec. 4 to read:

"Sec. 4. Any unexpended balance remaining in the Gillette state hospital site determination study appropriated by Laws 1971, Chapter 964, Section 2, Subdivision 15, Clause (2), is hereby re-appropriated to the Gillette hospital authority as established by Minnesota Statutes, 1973 Supplement, Section 250.05."

Renumber the remaining section

Further amend the title as follows:

Page 1, line 6, after "property;" insert "reappropriating money from the site determination study to the authority;"

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. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

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. [CATEGORICAL AID PROGRAMS; PROVISION FOR CONTINUING PAYMENTS.] Subdivision 1. Commencing January 1, 1974, the commissioner of public welfare shall certify to each county the amount of aid each eligible county resident received per pay period prior to December 31, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974, each county shall advance to the commissioner of public welfare one half of the amount by which aid paid to the county resident by the county, the state, and the United States prior to January 1, 1974 exceeds the amount of aid paid to the individual after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1382. The commissioner of public welfare shall forward all such sums received from the counties, together with an equal state share, to the appropriate department of the United States for disbursement.

Subd. 2. [OPTIONAL FISCAL PROCEDURE.] The commissioner of public welfare may, by rule and regulation, establish alternate fiscal procedures by which the amount of individual county liability established under this section may be deducted from the state liability to the county incurred under any other public assistance program authorized by law.

Subd. 3. [PROVISIONS FOR RE-CALCULATIONS OF SUP-

PLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.] An individual who is eligible for supplemental aid under this section may, if his or her circumstances change substantially after January 1, 1974, have the amount of his or her supplemental aid recalculated by the county welfare board in accordance with the standards in effect for the appropriate categorical aid program in December, 1973. Any increase in the individual's supplemental aid which results from a recalculation shall be administered pursuant to the provisions of section 2.

Sec. 2. [NEW APPLICANTS AND ENROLLEES; PROVISION FOR SUPPLEMENTS.] Subdivision 1. For all applicants or recipients of supplemental security income provided by the United States pursuant to 42 U.S.C. Section 1382 and were not enrolled in any categorical aid program referred to in section 1 on December 31, 1973 and who make application to the appropriate county welfare board, each county welfare board shall determine whether the recipient meets the eligibility criteria in effect December 31, 1973 for the appropriate categorical aid program. For any applicants or recipient who meets the relevant eligibility criteria in effect December 31, 1973, the county welfare board shall certify to the commissioner of public welfare the amount which the individual would have received in accordance with the standards in effect for the appropriate categorical aid program in December, 1973. From and after the first of the month in which a successful application was filed, the state shall advance to the county one half of the amount by which the amount certified by the county exceeds the amount of aid paid to the recipient after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1382. The county shall forward each sum received, together with an equal county share, to the appropriate recipient.

Subd. 2. In computing the amount of supplemental assistance there shall be deducted from the gross amount of the recipient's needs as thus determined all income subject to criteria in effect on December 31, 1973 which the individual is receiving.

Sec. 3. No recipient of supplemental aid granted pursuant to this act shall experience a decrease in the amount of his or her supplement as a result of any increase authorized or effective on or after January 1, 1974, in the amount of aid paid to the recipient by the United States pursuant to 42 U.S.C. Section 1382.

Sec. 4. The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act.

Sec. 5. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by any order or determination by the county welfare board may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 6. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effec-

tive date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor relief, general assistance, aid to dependent children, *county share of county and state supplementation of supplemental security income recipients*, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 8. This act shall be effective the day following enactment; provided, however, that payments authorized under section 1 shall be made retroactive to January 1, 1974."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063."

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. 2222: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues; amending Minnesota Statutes 1971, Sections 287.05, Subdivision 1; and 287.12.

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. [FINDINGS AND DECLARATION OF POLICY.] It is hereby found and determined that: The conditions found to exist by the municipal housing and redevelopment act as amended continue to exist throughout the state and in the area in which the metropolitan council established by Minnesota Statutes, Chapter 473B, has jurisdiction; substandard, slum and blighted areas exist in the metropolitan area which cannot be redeveloped without government assistance; there is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low and moderate income at rentals or prices they can afford; many municipalities in the metropolitan area are unable adequately to provide the financing and staff necessary to an effective municipal housing and redevelopment authority; for each such municipality to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to enable the metropolitan council to make available to the municipalities in the metropolitan area those services provided for in the municipal housing and redevelopment act.

Sec. 2. [DEFINITIONS.] Subdivision 1. Unless the context clearly indicates otherwise, the following terms, for the purposes of this act, shall have the meanings ascribed to them in this section.

Subd. 2. The terms defined in the municipal housing and redevelopment act shall, for the purposes of this act, have the meanings given them in that act.

Subd. 3. "Council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Metropolitan area" means the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 5. "Comprehensive development guide" means that document prepared by the council pursuant to Minnesota Statutes, Section 473B.06, Subdivision 5.

Sec. 3. [POWERS.] Subdivision 1. In addition to, and not in limitation of, all other powers invested in it by law, the council, and the members thereof, shall have, throughout the metropolitan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. The provisions of Minnesota Statutes, Sections 462.411 to 462.711 and of all other laws relating to housing and redevelopment authorities shall be applicable to the council when functioning as an authority, except as herein provided or as clearly indicated otherwise from the context of such laws. Minnesota Statutes, Section 462.425 shall have no application to the council nor to any municipality or county and the governing bodies of any municipality of county, within and for which the council undertakes a project shall have all the powers, authority and obligations granted to municipalities and counties by the provisions of Minnesota Statutes, Sections

462.411 to 462.711 and all other laws relating to housing and redevelopment authorities. The council may plan and propose projects within the boundaries of any municipality, and may otherwise exercise the powers of an authority at any time; provided, however, that the council shall not implement any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality or county without the prior approval of the governing body of the municipality or county in which any such project is to be located; and provided further that the council shall not propose any project to the governing body of a municipality or county having an active authority created pursuant to Minnesota Statutes, Section 462.425, or pursuant to special legislation, without first submitting the proposed project to the municipal or county authority for its review and recommendations; and provided further that as to any project proposed by the council and approved by the municipality or county, the council shall not undertake the project if within 60 days after it has been proposed, the municipality or county agrees to undertake the project. All plans and projects of the council shall be consistent with the comprehensive development guide.

Subd. 2. [TECHNICAL ASSISTANCE.] The council may provide technical assistance to existing municipal or county housing and redevelopment authorities at the request of such authorities.

Subd. 3. [COOPERATION WITH OTHER GOVERNMENT AGENCIES.] The council may cooperate with or act as agent for the federal government, the state government, or any agencies or instrumentalities thereof, in carrying out the provisions of any federal or state legislation relating to the general purposes of the municipal housing and redevelopment act.

Subd. 4. [CITIZEN PARTICIPATION.] The council shall, as part of any project proposal to a municipality, propose a means for citizens substantially affected by the proposed project to participate in the formulation and carrying out of projects undertaken by the council pursuant to the terms of this act.

Subd. 5. [PROJECTS; REPORTS.] The council shall prepare a detailed report on the progress of any project it undertakes. The report shall be filed with the legislature not later than January 15 of each year.

Sec. 4. [EFFECT UPON MUNICIPAL AND COUNTY HOUSING AND REDEVELOPMENT AUTHORITIES.] Nothing in this act shall be construed to impair the powers and obligations of municipal, county or multi-county housing and redevelopment authorities within the metropolitan area.

Sec. 5. [FINANCES.] Subdivision 1. The council shall allocate the net unreimbursed costs of any project which it undertakes to the municipality or group of municipalities or county for which the project is undertaken. The governing body of each such municipality or county shall impose taxes or other revenue measures to provide funds necessary to pay the allocated costs, and the govern-

ing body of each such municipality or county shall have all the powers, authority and obligation granted to authorities by Minnesota Statutes, Section 462.545 and all other provisions of law regarding the financing of such projects, provided that the council shall have the powers of an authority for purposes of applying for and receiving federal grants in connection with all projects which it undertakes.

Subd. 2. The council may expend for the purposes of this act any of the revenue derived pursuant to section 7 of this act, and any revenues derived pursuant to Minnesota Statutes, Section 473B.08.

Sec. 6. Minnesota Statutes 1971, Section 287.05, is amended by adding a subdivision to read:

Subd. 3. In addition to the tax imposed in subdivision 1, a tax of 5 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 situated 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. The proceeds of this tax paid to the treasurers of the seven counties under the provisions of sections 287.01 to 287.12 shall be apportioned to the council.

Sec. 7. This act is effective on the day following final enactment."

Further, amend the title by striking in its entirety and inserting in lieu thereof the following:

"A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area; imposing a tax on mortgages in the seven-county metropolitan area; amending Minnesota Statutes 1971, Section 287.05, by adding a subdivision."

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. 2975: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for county road and bridge purposes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "bridges." insert "The bonds shall not be issued until the county board has established a plan based upon the needs of each area of the county for the development of county state-aid highways and county highways and bridges."

Page 1, line 20, after "shall" strike the remainder of the line.

Page 1, strike all of lines 21 to 23 and insert the following: "not

exceed an amount equal to one-third mill times the assessed value of taxable property in the county, as most recently determined before the issuance of that series, and shall be deducted from the amount which may be levied for other road and bridge purposes within the limitation provided in Minnesota Statutes, Sections 398.32 to 398.36.”

Page 1, after line 23, insert the following language:

“Sec. 3. No road or portion of a road that runs through a city within the county shall be constructed or improved unless the city agrees to contribute to the construction or improvement in an amount that the county board determines to be fair and equitable and in no case to be more than ten percent of the cost of the construction or improvement.”

Re-number 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

S. F. No. 2780: A bill for an act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

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

S. F. No. 3216: A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

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. 3001: A bill for an act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 23.

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

S. F. No. 3053: A bill for an act relating to the determination of the frontage assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

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

S. F. No. 3025: A bill for an act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, Section 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, strike the period and insert a semicolon

Page 1, line 15, strike "*any such*" and insert "*the*"

Page 1, line 16, after "*against*" insert "*non governmental*"

Page 1, line 16, strike "*not subject to*" and insert "*exempt from*"

Page 1, line 17, strike "*assessed*" and insert "*levied as a special assessment*"

Page 1, line 17, strike "*such*" and insert "*the*"

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

S. F. No. 1253: A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein; amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike "*11*" and insert "*12*"

Page 1, line 27, after "*the*" insert "*then most recently determined*"

Page 1, line 27, after "*all*" insert "*or so much of the*"

Page 1, line 28, after "*as*" strike "*then most recently*"

Page 1, line 29, strike "*determined*" and insert "*is identified by legal description in the request*"

Page 1, line 32, after "*against*" strike "*the*" and insert "*such*"

Page 2, line 5, strike "*to 4*" and insert "*and 3*"

Page 2, line 7, strike "*industrial development district*" and insert "*such property district*"

Page 2, line 11, after "*fully*" strike "*paid, and the*"

Page 2, line 12, strike "*port authority has been fully*"

Page 2, line 13, strike "*for any principal and interest on general*"

Page 2, line 14, strike "*obligation bonds which it has issued to pay such cost*"

Page 2, line 18, strike "*project area*" and insert "*property*"

Page 2, line 20, after "*part*" strike "*of*" and insert "*or*"

Page 2, line 21, strike "*increments may*" and insert "*, if so directed by the city council, shall*"

Page 2, line 22, strike "*such*" and insert "*any*"

Page 2, line 22, after "*bonds*" insert "*of the port authority*"

Page 2, line 22, strike "*Property constituting the*" and insert "*Increases in the value of such property, subsequent to certification of the base for computing the tax increment therefrom, shall not be included in the assessed valuation of any taxing district for the purpose of computing any debt or levy limitation or the amount of any state or federal aid to the taxing district, so long as the tax increment therefrom is segregated under the provisions of this section.*"

Page 2, line 22, strike "*Property constituting the*"

Page 2, strike lines 23 to 28

Page 2, after line 28, add a new section to read as follows:

"Sec. 3. Minnesota Statutes 1971, Section 458.192, is amended by adding a subdivision to read:

Subd. 12. The total acreage of land zoned for industrial use included in any one industrial development district by a port authority shall not exceed 3 percent of the total acreage of the municipality which is zoned for industrial use. At no time shall the total current acreage of the land zoned for industrial use included by a port authority within development districts for which unrecovered costs remain exceed 10 percent of the total acreage of the municipality zoned for industrial use."

Further amend the title as follows:

Page 1, line 9, strike "a subdivision" and insert "subdivisions"

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. 3185: A bill for an act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and not subject to the provisions of Minnesota Statutes, Section 475.58, to provide the local funds needed to match state or federal grant funds.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "state" insert ", private,"

Page 1, line 16, strike the word "not"

Page 1, line 17, after "Statutes," strike the remainder of the line and insert "Chapter 475, provided that no election shall be required, except as provided in the Duluth city charter."

Page 1, line 19, strike "65" and insert in lieu thereof ": 80"

Page 1, line 20, after "cost" insert "where the local share is used to match private grants; 60 percent of the total project cost where the local share is used to match state or federal grants; or 70 percent of the total project cost where the local share is used to match a combination of government and private grants"

Further amend the title as follows:

Page 1, line 3, strike "in excess of"

Page 1, strike lines 4 to 6

Page 1, line 7, strike all of the line before the word "to" and insert "without an election, except where required by the city charter,"

Page 1, line 9, after "state" insert ", private,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2830: A bill for an act relating to St. Louis county; authorizing the issuance of additional on-sale liquor licenses.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Education, to which were referred the following appointments:

STATE BOARD OF COMMUNITY COLLEGES

Hugh V. Plunkett, III, 304 22nd Street Southwest, Austin, Mower County, appointed effective July 1, 1973, for a term expiring July 1, 1976.

John Sontorovich, 519 4th Avenue, International Falls, Koochiching County, appointed effective November 16, 1973, for a term expiring July 1, 1978.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Coleman moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2794: A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "Section 124.22" and insert "1973 Supplement, Section 124.222"

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. 2913: A bill for an act relating to education; creating an advisory commission to study school district cooperation and efficiency and giving certain powers to the state board of education to implement its recommendations; 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 the following:

"Section 1. [DECLARATION OF POLICY.] It is hereby declared to be in the best interest of the people of the state to study the impact of declining enrollments and its consequential effect on the quality of education.

Sec. 2. [ADVISORY COMMISSION ON DECLINING SCHOOL ENROLLMENTS; CREATION.] There is hereby created an advisory commission to the legislature and the state board of education which shall be known as the advisory commission on declining school enrollments, hereinafter referred to as the commission.

Sec. 3. [MEMBERSHIP; TERMS; COMPENSATION.] Subdivision 1. [MEMBERSHIP.] The commission shall be composed of eleven members to be appointed by the governor with the advice and consent of the senate within 30 days of the effective date of this act, and shall consist of:

- (a) One certified elementary or secondary education school teacher;
- (b) One certified special education school teacher;
- (c) One elementary or secondary school administrator;
- (d) One superintendent of schools;
- (e) One representative of the Minnesota state high school league;
- (f) One current member of a school board; and
- (g) Five public members, two of whom shall have demonstrated expertise in the field of school finance.

No two commission members shall reside in the same school district.

Subd. 2. [EX OFFICIO MEMBERS.] One designee of the chairman of the senate committee on education, one designee of the chairman of the house of representatives committee on education and one designee of the state board shall serve as nonvoting members of the commission.

Subd. 3. [TERMS.] All members shall serve a term of three years; however, every member shall continue in office until his successor has been duly named and qualified. When a vacancy occurs, it shall be filled within 30 days in the manner of the original appointment and all subsequent appointees must be qualified in the manner of the members they succeed.

Subd. 4. [COMPENSATION; EXPENSES.] Commission members shall be paid compensation of \$35 per day for each day spent in performance of their duties, plus ordinary and necessary expenses in the same amount and manner as state employees.

Subd. 5. [EXPIRATION.] Unless specifically renewed by the legislature, the authorization for this commission shall expire on June 30, 1979.

Sec. 4. [POWERS AND DUTIES OF THE COMMISSION.] Subdivision 1. The commission shall meet and organize within 30 days of its appointment. It shall elect from its membership a chairman and such other officers as it deems necessary.

Subd. 2. The commission shall examine, by whatever means it deems appropriate, the impact of declining school enrollments and its consequential effect on the quality of education.

Subd. 3. [INVESTIGATIONS.] The commission shall make any investigations and conduct any hearings necessary to accomplish its purposes.

Subd. 4. [STAFF.] The commission may employ such professional, clerical, and technical assistants as it deems necessary in order to accomplish its purposes.

Subd. 5. [STATE OFFICIALS AND DEPARTMENTS; CO-OPERATION.] In carrying out its objectives, the commission

shall have the right to confer with state officials and other governmental units, and to have access to such records as are necessary to obtain needed information. The commission shall also have the right to call upon and receive from various state departments, agencies, and institutions such technical advice and service as are reasonably needed to fulfill the purposes of the commission.

Subd. 6. [REPORT.] Before March 15, 1977, the commission shall present to the legislature and the state board its preliminary findings and recommendations regarding incentives for additional cooperation among school districts, the optimal size of regional units of cooperation and appropriate teacher-pupil ratios. The commission shall present its final report to the legislature and the state board before February 1, 1979.

Subd. 7. Recommendations of the commission shall be given to all school boards and school districts at the time they are presented to the legislature and the state board.

Sec. 5. [POWERS AND DUTIES OF THE STATE BOARD.] Subdivision 1. The state board shall review the findings and recommendations of the commission.

Subd. 2. The state board may promulgate rules, regulations, and plans to implement the commission's recommendations as approved or modified. The board shall have the power:

(a) To develop pilot programs which implement the commission's recommendations as approved or modified;

(b) To recommend the optimal size of regional units of cooperation;

(c) To promulgate minimum standards for building utilization and construction.

Sec. 6. [APPROPRIATION.] There is hereby appropriated from the general fund the sum of \$50,000 for use by the commission to carry out the purposes of this act.

Sec. 7. [EFFECTIVE DATE.] This act shall be effective on June 1, 1974."

Further amend the title as follows:

Page 1, line 3, strike "school" and insert "declining school enrollment and"

Page 1, strike line 4

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. 3213: A bill for an act relating to the distribution of taxes accruing to the statutory city of Cooley under Minnesota Statutes, Sections 298.24 and 298.32.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "Greenway," insert "and the taconite municipal aid paid to Cooley pursuant to Minnesota Statutes 1971, Section 298.282,"

Page 2, line 5, after "1975" strike "," and insert "."

Page 2, strike lines 6 through 10

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 2347: A bill for an act relating to taxation; county legal assistance; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after the period add a sentence to read as follows: "This levy shall be subject to the levy limits established by Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.59."

Page 1, after line 12, add a section to read as follows:

"Sec. 2. Any two or more contiguous counties may by concurrent resolution of their county boards combine their appropriations to a single nonprofit corporation to serve the purpose of section 1 in their counties."

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. 3136: A bill for an act relating to taxes on and measured by net income; credits against tax; amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

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. 3139: A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5, strike "taxation" and insert "revenue"

Page 3, line 12, strike "taxation" and insert "revenue"

Page 11, line 15, after "368.42;" insert "and"

Page 11, line 15, after "373.24" strike "and 295.38." and insert ","

Page 11, after line 15, insert the following:

"(6) Fifty percent of the fiscal year 1973 (July 1, 1972 to June 30, 1973) inheritance tax distribution to county governments pursuant to Minnesota Statutes 1971, Section 291.33."

Further, amend the title as follows:

Page 1, line 5, after "aids" insert "and inheritance tax distributions"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3287: A bill for an act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Statutes, 1973 Supplement, Sections 402.05, Subdivision 2; and 402.08.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2670: A bill for an act relating to economic development; restrictions upon public relations expenditures by the department of economic development; amending Laws 1973, Chapter 720, Section 31, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike the new language and insert: "*No expenditure may be made for the purchase of public relations services from an independent consultant or public relations firm during fiscal 1975.*"

Strike lines 15 to 17

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2924: A bill for an act relating to municipalities; requiring the Minnesota municipal commission to deny a petition for annexation if the major reason for the petition is to allow a municipality to acquire open iron ore pits for revenue purposes;

amending Minnesota Statutes 1971, Section 414.031, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 1, strike "*major*" and insert "*underlying*"

Page 4, after line 12, add a new section to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its enactment."

Further, amend the title as follows:

Page 1, line 4, strike "the" and insert "an"

Page 1, line 5, strike "*major*" and insert "*underlying*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

S. F. No. 3179: A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "by" insert a colon

Page 1, line 13, strike "development of" and insert "developing"

Page 1, line 15, after "interns" insert a comma and after "teachers" insert a semicolon

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2820: A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

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. 3089: A bill for an act relating to the city of Detroit Lakes; authorizing the issuance of an on-sale liquor license.

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 re-referred

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

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. [DEVELOPMENT PROGRAM; PURPOSE.] It is found that there is a need for new development in areas of a municipality which are already built up to provide employment opportunities to improve the tax base and to improve the general economy of the state. Therefore, municipalities are authorized to develop a program for improving a district of the municipality to provide impetus for commercial development; to increase employment; to protect pedestrians from vehicle traffic and inclement weather; to provide the necessary linkage between peripheral parking facilities and places of employment and shopping; to provide off-street parking to serve the shoppers and employees of the district; to provide open space relief within the district; and to provide other facilities as are outlined in the development program adopted by the governing body. It is hereby declared by the legislature of the state of Minnesota that the actions required to assist the implementation of these development programs are a public purpose and that the execution and financing of the programs are a public purpose.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 10, the terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. “Municipality” means any city, however organized.

Subd. 3. A “development district” is a specific area within the corporate limits of any municipality which has been so designated and separately numbered by the governing body. No less than 60 percent of the area of any district shall consist of land which has been platted and developed. The area of a district shall not be enlarged after three years following the date of designation

of the district. At the time of the designation of the first development district in any municipality, the governing body of that municipality shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, that municipality must use the same option for all succeeding development districts.

(a) The total acreage included in any one development district 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 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) No development district shall exceed six acres. At no time shall another development district be designated by the governing body of the municipality until all cost of bonds for the previously designated district has been paid.

Subd. 4. "Substantially residential development district" means any development district in which 40 percent or more of the area, exclusive of streets and open space, is used for residential purposes at the time the district is designated by the governing body.

Subd. 5. A "development program" is a statement of objectives of the municipality for improvement of a development district which shall contain a complete statement as to the public facilities to be constructed within the district, the open space to be created, the environmental controls to be applied, the proposed reuse of private property, and the proposed operations of the district after the capital improvements within the district have been completed.

Subd. 6. "Pedestrian skyway system" means any system of providing for pedestrian traffic circulation, mechanical or otherwise, elevated aboveground, within and without the public right of way, and through or above private property and buildings, and includes overpasses, bridges, passageways, walkways, concourses, hallways, corridors, arcades, courts, plazas, malls, elevators, escalators, heated canopies and accesses and all fixture, furniture, signs, equipment, facilities, services, and appurtenances which in the judgment of the governing body of the municipality will enhance the movement, safety, security, convenience and enjoyment of pedestrians and benefit the municipality and adjoining properties. The use of a public street or public right of way for pedestrian travel only constitutes a public use and shall not require a vacation of the street or right of way.

Subd. 7. "Special lighting system" means lights or light displays of any type located within or without the public right of way.

Subd. 8. "Parking structure" means any building the principal use of which is designed for and intended for parking of motor vehicles. Open air parking on parking lots shall also be construed as parking structures for the purpose of this act.

Subd. 9. "Maintenance and operation" means all activities necessary to maintain facilities after they have been developed and all activities necessary to operate the facilities including but not limited to informational and educational programs, and safety and surveillance activities.

Sec. 3. [AUTHORITY GRANTED.] A municipality may after consultation with its planning agency or planning department and after public hearings, notice of which shall have been published in the official newspaper of the municipality, or if the municipality has no official newspaper, in a newspaper of general distribution and after provision for relocation has been made pursuant to section 11, and after consultation with the advisory board created by section 10, designate development districts within the boundaries of the municipality. Within these districts the municipality may adopt a development program consistent with which the municipality may acquire, construct, reconstruct, improve, alter, extend, operate, maintain, or promote developments aimed at improving physical facilities, quality of life and quality of transportation. The municipality may acquire land or easements through negotiation or through powers of eminent domain. The municipal council may adopt ordinances regulating traffic in pedestrian skyway systems, public parking structures, and other facilities constructed within the development district. The municipal council may pass ordinances regulating access to pedestrian skyway systems and the conditions under which such access is allowed.

Traffic regulations may include but shall not be limited to direction and speed of traffic, policing of pedestrianways, hours that pedestrianways are open to the public, kinds of service activities that will be allowed in arcades, parks and plazas, fares to be charged on the people movers, and rates to be charged in the parking structures. The municipality shall have the power to require private developers to construct buildings so as to accommodate and support pedestrian systems which are part of the program for the development district. When the municipality requires the developer to construct columns, beams or girders with greater strength than required for normal building purposes, the municipality shall reimburse the developer for the added expense from development district funds. The municipality shall have the authority to install special lighting systems, special street signs and street furniture, special landscaping of streets and public property; to install special snow removal systems; to acquire property for the district; to lease air rights over public buildings and to spend development district funds for constructing the foundations and columns in the public build-

ings strong enough to support the buildings to be constructed on air rights; to lease all or portions of basement, ground and second floors of the public buildings constructed in the district; to negotiate the sale or lease of property for private development if the development is consistent with the development program for the district.

Sec. 4. [TAX STATUS.] The pedestrian skyway system, underground pedestrian concourse, the people mover system, and publicly owned parking structures are all declared to be public property to be used for essential public and governmental purposes which shall be exempt from all taxes and special assessments of any city, town, county, state, or any political subdivision thereof. Taxes do not include charges for utilities and special services such as heat, water, electricity, gas, sewage disposal, or garbage removal.

Sec. 5. [GRANTS.] A municipality may accept grants or other financial assistance from the government of the United States or any other entity to do studies, construct and operate the pedestrian skyway system, underground pedestrian concourses, people mover systems, and other public improvements authorized by sections 1 to 10.

Sec. 6. [ISSUANCE OF BONDS.] The governing body of the municipality may 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 these bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and the bonds shall not be included when computing the municipality's net debt.

Sec. 7. [TAX INCREMENTS TO PAY CAPITAL IMPROVEMENT COSTS.] A municipality, if it exercises the powers of sections 1 to 10, shall certify to the county auditor each development district created under the act, giving the following information: (a) legal description; (b) total cost of bonds issued to develop the district; (c) interest rate on bonds.

If the development program is carried out in stages, the municipality may amend the statement on bonds issued and interest rate being paid from time to time as required.

The county auditor shall distribute taxes from the affected property to each of the taxing authorities as follows:

(a) If the current taxable value is less than or the same as the original taxable value at the time the district was created, taxes as determined by the current levy;

(b) If the current taxable value exceeds the original taxable value at the time the district was created, taxes shall be distrib-

uted in the proportion that the original taxable value bears to the current taxable value;

(c) The residue of taxes as collected, referred to herein as the tax increment if any, shall be paid by the county auditor to the municipality. These payments shall be kept in a special account for the development district involved. Payments to the development district fund shall continue until the total costs as indicated above have been paid into the fund. When the total costs have been paid into the department district fund, taxes shall be distributed according to the then current levies.

Sec. 8. [MAINTENANCE AND OPERATION.] Maintenance and operation of the pedestrian systems, special lighting systems, parking structures, and other public improvements constructed under provisions of sections 1 to 10 shall be under the supervision of the administrator as designated in section 9. The cost of maintenance and operation of the nonrevenue facilities together with the excess costs of operation and maintenance of revenue producing facilities, if any, shall be charged against the development district in which it is located. The amount of assessment against each property within the district shall be in proportion to the benefit to the several properties within the district. By July 1 of each year the administrator of the development district shall submit to the governing body of the municipality the maintenance and operating budget for the following year, and the prorata share of the budget to be charged to each property in the district. The governing body of the municipality shall certify such assessments to the county auditor for collection.

Sec. 9. [ADMINISTRATION.] The governing body of a municipality shall create a department or designate an existing department or office to administer all districts authorized under the act. The head of this department shall pursuant to rules as may be adopted by the governing body of the municipality have the following powers:

- (a) To acquire property or easements through negotiation;
- (b) To enter into operating contracts on behalf of the municipality for operation of any of the facilities authorized to be constructed under the terms of this act;
- (c) To lease space to private individuals or corporations within the buildings constructed under the terms of this act;
- (d) To lease or sell land and to lease or sell air rights over structures constructed under the authority of this act;
- (e) To enter into contracts for construction of the several facilities or portion thereof authorized under this act;
- (f) Contract with the housing and redevelopment authority of the municipality for relocation services;
- (g) Certify to the governing body of the municipality for acquisition through eminent domain property that cannot be acquired by negotiation, but is required for implementation of the development program;

(h) Certify to the governing body of the municipality the amount of funds, if any, which must be raised through sale of bonds to finance the program for development districts;

(i) Apply for grants from the United States of America;

(j) Apply for grants from other sources.

Sec. 10. [ADVISORY BOARD.] Subdivision 1. The governing body of the municipality shall create an advisory board. Except as provided in subdivision 2, a majority of the members shall be owners or occupants of real property located in the development district which they serve. The advisory board shall advise the governing body and the administrator on the planning, construction and implementation of the development program, and maintenance and operation of the district after the program has been completed.

Subd. 2. In a substantially residential development district the board shall be comprised of owners or occupants of real property located within or adjacent to the district's boundaries. The board may be appointed or elected (except in the cities of Minneapolis and St. Paul where the board shall be elected) according to guidelines established by the governing body.

Subd. 3. The governing body shall by resolution delineate the respective powers and duties of the advisory board and the planning staff or agency. The resolution shall establish reasonable time limits for approval by the advisory board of the phases of the development program, and provide a mechanism for appealing to the governing body for a final decision when conflicts arise between the advisory board and the planning staff or agency, regarding the development program in its initial and subsequent stages.

Sec. 11. [RELOCATION.] Unless they desire otherwise, provision must be made for relocation of all persons who would be displaced by a proposed development district prior to displacement. In addition to the requirements of Minnesota Statutes, 1973 Supplement, Sections 117.50 to 117.56, the governing body of a municipality shall, prior to undertaking any relocation of displaced persons, insure that housing and other facilities of comparable quality be made available to the persons to be displaced. All such housing and other facilities shall be in addition to any other governmentally supported programs providing such housing and facilities."

Further, amend the title by striking it in its entirety and inserting in lieu thereof:

"A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the 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."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3335: A bill for an act relating to public welfare, providing nutritional supplements to needy women and children and appropriating moneys therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "mortality" strike "and" and insert "or"

Page 1, line 15, strike "disproportionalty" and insert "disproportionately"

Page 1, line 27, after "any" insert "public or"

Page 1, line 27, strike the comma

Page 1, after line 29, insert:

"Subd. 3. "Lactating woman" shall mean any individual who presents competent evidence of having been delivered of a surviving child within the twelve months immediately preceding the filing of an application for nutritional supplements."

Renumber subsequent subdivisions

Page 2, line 1, strike "medical" and insert "health"

Page 2, line 19, after "pregnant" insert "or lactating"

Page 2, line 20, strike "or" and insert "and"

Page 2, strike lines 21-23

Reletter clauses in sequence

Page 2, line 25, after "law" and before the semicolon insert "and is determined by the local health agency to be a nutritional risk"

Page 3, line 2, strike "for women 12 months after termination of pregnancy; or" and insert "upon the recommendation of the local health agency, but in no case later than

(a) for women twelve months after the birth of a surviving child; or"

Page 3, line 3, before "for" insert "(b)"

Page 3, line 3, after "children" insert a comma

Page 3, line 3, strike "or when the" and insert "for any"

Page 3, line 3, after "individual" insert ", when he or she"

Page 3, line 14, after "existing" insert "public or"

Page 3, line 14, strike the comma

Page 3, line 19, strike "such"

Page 3, line 20, after "techniques" insert ", such"

Page 3, line 21, after "television" insert a comma

Page 4, line 3, after "pregnant" insert "or lactating"

Page 4, line 7, after "year" insert "on the expenditures and activities of the local health agencies for the preceding fiscal year"

Page 4, line 10, after "pregnant" insert "or lactating"

Page 4, line 12, after "pregnant" insert "or lactating"

Page 4, line 14, after the period insert "This program shall not be a replacement or substitute for any program administered by the department of welfare."

Page 4, line 19, strike "nonfortified" and insert "iron fortified"

Further amend the title as follows:

Page 1, line 2, strike "welfare" and insert "health"

Page 1, line 3, strike "needy" and insert "high risk"

Page 1, line 4, strike "moneys" and insert "money to the department of health for purposes of this act."

Page 1, strike line 5

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3293: A bill for an act relating to the state building code; adopting the uniform fire code.

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. [UNIFORM FIRE CODE; ADOPTION.] Subdivision 1. The commissioner of public safety through the division of fire marshall may promulgate a uniform fire code and make amendments thereto in accordance with the administrative procedure act, Minnesota Statutes, Chapter 15.

Subd. 2. (a) Unless otherwise specifically listed, wherever in the text of the uniform code reference is made to a national

fire protection association pamphlet, the date of issue of that pamphlet shall be the one listed in the 1972-73 edition of the national fire codes, as promulgated by the national fire protection association.

(b) Wherever in the text of the uniform fire code reference is made to the electrical code, it shall be the national electrical code, 1971 edition.

Subd. 3. The commissioner shall adopt rules and regulations, in accordance with Minnesota Statutes, Chapter 15, as may be necessary to administer and enforce the code, specifically including but not limited to rules and regulations for inspection of buildings and other structures covered by the code and conforming the code to the governmental organization of Minnesota state agencies, political subdivisions and local governments.

Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its enactment."

Further, delete the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to public safety; authorizing the commissioner of public safety to promulgate a uniform fire code; adopting the uniform fire code, 1971 edition, promulgated by the international conference of building officials and the western fire chiefs association, until the commissioner promulgates a code."

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

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 1192: A bill for an act relating to utilities; private and publicly owned companies; providing for regulations as to customer deposits.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 7, after "deposits" insert "in excess of \$20"

Page 1, line 7, strike "five" and insert "six"

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

S. F. No. 1205: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties.

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. [LEGISLATIVE FINDING.] It is hereby declared to be in the public interest that public utilities be regulated as hereinafter provided in order to provide the retail consumers of natural gas and electric service in this state with adequate and reliable services at reasonable rates, consistent with the financial and economic requirements of public utilities and their need to construct facilities to provide such services or to otherwise obtain energy supplies, to avoid unnecessary duplication of facilities which increase the cost of service to the consumer and to minimize disputes between public utilities which may result in inconvenience or diminish efficiency in service to the consumers. Because municipal utilities are presently effectively regulated by the residents of the municipalities which own and operate them, it is deemed unnecessary to subject such utilities to regulation under this act except as specifically provided herein.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. “Corporation” includes a private corporation, a public corporation, a municipality, an association, a cooperative whether incorporated or not, a joint stock association, a business trust, or any political subdivision or agency.

Subd. 3. “Person” includes a natural person, a partnership, or two or more persons having a joint or common interest, and a corporation as hereinbefore defined.

Subd. 4. “Public utility” includes persons, corporations or other legal entities, their lessees, trustees, and receivers, now or hereafter operating, maintaining, or controlling in this state equipment or facilities for furnishing at retail natural, manufactured or mixed gas or electric service to or for the public or its members, or engaged in the production and retail sale thereof but does not include a municipality producing or furnishing natural, manufactured or mixed gas or electric service. Except as otherwise provided, the provisions of this act shall not be applicable to any sale of natural gas or electricity by a public utility to another public utility for resale. No person shall be deemed to be a public utility if it presently furnishes its services only to tenants in buildings owned, leased or operated by such person. No person shall be deemed to be a public utility if it presently furnishes service to occupants of a mobile home or trailer park owned, leased, or operated by such

person. No person shall be deemed to be a public utility if it presently produces or furnishes service to less than 25 persons.

Subd. 5. "Rate" means and includes every compensation, charge, fare, toll, tariff, rental and classification, or any of them, demanded, observed, charged, or collected by any public utility for any service and any rules, regulations, practices, or contracts affecting any such compensation, charge, fare, toll, rental, tariff, or classification.

Subd. 6. "Service" means and includes natural, manufactured or mixed gas and electricity; the installation, removal, or repair of equipment or facilities for delivering or measuring such gas and electricity.

Subd. 7. "Commission" shall refer to and mean the public service commission of the department of public service.

Subd. 8. "Department" shall refer to and mean the department of public service of the state of Minnesota.

Subd. 9. "Municipality" means any city however organized, and any village or borough.

Sec. 3. [REASONABLE RATE.] Every rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable. Rates shall not be unreasonably preferential, unreasonably prejudicial or discriminatory, but shall be sufficient, equitable and consistent in application to a class of consumers. Any doubt as to reasonableness should be resolved in favor of the consumer. For rate making purposes a public utility may treat two or more municipalities served by it as a single class wherever the populations are comparable in size or the conditions of service are similar.

Sec. 4. [STANDARD OF SERVICE.] Every public utility shall furnish safe, adequate, efficient, and reasonable service; provided that service shall be deemed adequate if made so within 90 days after a person requests service. Upon application by a public utility, and for good cause shown, the commission may extend such period for not to exceed another 90 days.

Sec. 5. [PUBLISH SCHEDULES; REGULATIONS; FILES; JOINT RATES.] Subdivision 1. Every public utility shall file with the commission schedules showing all rates, tolls, tariffs and charges which it has established and which are in force at the time for any service performed by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.

Subd. 2. Every public utility shall file with and as a part of such schedule all rules and regulations that, in the judgment of the commission, in any manner affect the service or product, or the rates charged or to be charged for any service or product, as well as any contracts, agreements or arrangements relating to the service or product or the rates to be charged for any service or product to which the schedule is applicable as the commission may by general or special order direct.

Subd. 3. Every public utility shall keep copies of such schedules open to public inspection under such rules and regulations as the commission may prescribe.

Sec. 6. [RECEIVING DIFFERENT COMPENSATION.] No public utility shall directly or indirectly, by any device whatsoever, or in any manner, charge, demand, collect, or receive from any person a greater or less compensation for any service rendered or to be rendered by such utility than that prescribed in the schedules of rates of such public utility applicable thereto then filed in the manner provided in this act, nor shall any person knowingly receive or accept any service from a public utility for a compensation greater or less than that prescribed in such schedules, provided that all rates being charged and collected by a public utility upon the effective date of this act may be continued until schedules are filed. Nothing in this act shall prevent a cooperative association from returning to its patrons the whole, or any part of, the net earnings resulting from its operations in proportion to their purchases from or through the association.

Sec. 7. [RATE PREFERENCE PROHIBITED.] No public utility shall, as to rates or service, make or grant any unreasonable preference or advantage to any person or subject any person to any unreasonable prejudice or disadvantage.

Sec. 8. [DUTIES OF COMMISSION.] The commission is hereby vested with the powers, rights, functions, and jurisdiction to regulate in accordance with the provisions of this act every public utility as defined herein. The exercise of such powers, rights, functions, and jurisdiction is prescribed as a duty of the commission. The commission is authorized to make rules and regulations in furtherance of the purposes of this act.

Sec. 9. [STANDARDS; CLASSIFICATIONS; REGULATIONS; PRACTICES.] The commission, after hearing upon reasonable notice had upon its own motion or upon complaint, may ascertain and fix just and reasonable standards, classifications, regulations, or practices to be observed and followed by any or all public utilities with respect to the service to be furnished; ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of such service; prescribe reasonable regulations for the examination and testing of such service and for the measurement thereof; establish or approve reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters, instruments and equipment used for the measurement of any service of any public utility. Any standards, classifications, regulations, or practices now or hereafter observed or followed by any public utility may be filed by it with the commission, and the same shall continue in force until amended by the public utility or until changed by the commission as herein provided.

The commission may require the filing of all rates, including rates charged to and by public utilities. The commission is empowered to appear before the Federal Power Commission to offer

evidence and to seek appropriate relief in any case in which the rates charged consumers within the state of Minnesota may be affected.

Sec. 10. [ACCOUNTING SYSTEM.] Subdivision 1. The commission shall establish a system of accounts to be kept by public utilities subject to its jurisdiction. A public utility which maintains its accounts in accordance with the system of accounts prescribed by a federal agency or authority shall be deemed to be in compliance with the system of accounts prescribed by the commission. Where optional accounting is prescribed by a federal agency or authority, the commission may prescribe which option is to be followed.

Subd. 2. Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of natural gas or electric service shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all such other business, in which case all the provisions of this act shall apply to the books, accounts, papers and records of such other business.

Subd. 3. Every public utility is required to keep and render its books, accounts, papers and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to such books, accounts, papers and records.

Subd. 4. The commission may require any public utility to file annual reports in such form and of such content, having regard for the provisions of this section, as the commission may require, and special reports concerning any matter about which the commission is authorized to inquire or to keep itself informed. The commission may require such reports to be verified. The basic financial statements in the annual report of a public utility may, at the direction of the public service commission, be examined by an independent certified public accountant and his opinion thereof included in such annual report filed with the commission.

Subd. 5. [AUDIT AND INSPECTION.] The commission may require the examination and audit of all accounts, and all items shall be allocated to the accounts in the manner prescribed by the commission.

Subd. 6. The term public utility as used in this section includes municipal utility.

Sec. 11. [DEPRECIATION RATES AND PRACTICES.] The commission shall fix proper and adequate rates and methods of depreciation, amortization, or depletion in respect of utility property, including utility property owned by a municipally owned gas or electric utility, and every public and every municipally owned gas and electric utility shall conform its depreciation, amortization or depletion accounts to the rates and methods fixed by the commission.

Sec. 12. [RIGHT OF ENTRANCE; INSPECTION.] Subdivision 1. The commissioners and the duly authorized officers and em-

ployees of the department, during business hours, may enter upon any premises occupied by any public utility for the purpose of making examinations and tests and to inspect the accounts, books, papers, and documents of any public utility for the purpose of exercising any power provided for in this act, and may set up and use on such premises any apparatus and appliance necessary therefor. Such public utility shall have the right to be represented at the making of such examinations, tests, and inspections. Such public utility, its officers and employees, shall facilitate such examinations, tests, and inspections by giving every reasonable aid to the commissioners and any person or persons designated by the department for the duties aforesaid.

Subd. 2. The term public utility as used in this section includes municipal utility.

Sec. 13. [PRODUCTION OF RECORDS.] Subdivision 1. The commission may require, by order served on any public utility in the manner provided herein for the service of orders, the production within this state at such reasonable time and place as the commission may designate, of any books, accounts, papers, or records of the public utility relating to its business or affairs within the state, pertinent to any lawful inquiry and kept by said public utility in any office or place within or without this state, or, at its option, verified or photostatic copies in lieu thereof, so that an examination thereof may be made by the commission or under its direction.

Subd. 2. The term public utility as used in this section includes municipal utility.

Sec. 14. [INVESTIGATION.] The commission upon complaint or upon its own initiative and whenever it may deem it necessary in the performance of its duties may investigate and examine the condition and operation of any public utility or any part thereof. In conducting such investigations the commission may proceed either with or without a hearing as it may deem best, but it shall make no order without affording the parties affected thereby a hearing.

Sec. 15. [HEARINGS; EXAMINER.] The commission may, in addition to the hearings specifically provided for by this act, conduct such other hearings as may reasonably be required in the administration of the powers and duties conferred upon it by this act. The commission may designate one of its members to act as an examiner for the purpose of holding any hearing which the commission has the power or authority to hold or in the event parties to the hearing so stipulate the commission may designate a qualified commission employee as such examiner. Reasonable notice of all such hearings shall be given the persons interested therein as determined by the commission.

Sec. 16. [RATE CHANGES; PROCEDURES; HEARING.] Subdivision 1. Unless the commission otherwise orders, no public utility shall change any rate which has been duly established under this act, except after 30 days notice to the commission, which notice shall include statements of facts, expert conclusions, sub-

stantiating documents, and exhibits, supporting the change requested, and further shall state the change proposed to be made in the rates then in force, and the time when the modified rates will go into effect. The commission shall give written notice of the proposed change to the governing body of each municipality and county in the area affected. All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon schedules on file and in force at the time.

Subd. 2. Whenever there is filed with the commission any schedule modifying or resulting in a change in any rate or rates then in force, together with the filed statements of facts, expert conclusions, substantiating documents, and exhibits, supporting the changes requested, the commission shall upon complaint or may upon its own motion, upon reasonable notice to the governing bodies of municipalities affected, enter upon a hearing to determine whether such rates are unjust or unreasonable; and pending such hearing and the decision thereon, the commission, upon filing with such schedule of rate or rates and delivering to the utility affected thereby a statement in writing of its reasons therefor at any time before they become effective, may suspend the operation of such schedule of rate or rates.

Subd. 3. Notwithstanding any order of suspension of a proposed increase in rates, the public utility may put the suspended schedule into effect on the date when it would have become effective if not suspended, or any date subsequent thereto within such suspension period, by filing with the commission a bond in an amount approved by the commission with sureties approved by the commission, conditioned upon the refund, in a manner to be prescribed by order of the commission, of the excess in increased rates, including interest thereon which shall be at the current rate of interest as determined by the commission, collected during the period of the suspension if the schedule so put into effect is finally disallowed by the commission. There may be substituted for such bond other arrangements satisfactory to the commission for the protection of persons affected. If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and is authorized to recover in behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. However, no public utility shall put a suspended rate schedule into effect as provided by this subdivision until at least 90 days after the commission has made a determination concerning any previously filed change of said rate schedule or the change has otherwise become effective under subdivision 2.

Subd. 4. The burden of proof to show that any such rate change is just and reasonable shall be upon the public utility seeking the change.

Subd. 5. If, after such hearing, the commission finds any such rate or rates to be unjust or unreasonable or discriminatory, the commission shall determine the level of rates to be charged or applied by the utility for the service in question and shall fix the same by order to be served upon the utility; and such rates are thereafter to be observed until changed, as provided by this act. In no event shall such rates exceed the level of rates requested by the public utility, except that individual rates may be adjusted upward or downward.

Subd. 6. The commission, in the exercise of its powers under this act to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing such service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each, to offsets in the nature of capital provided by sources other than the investors, and any other factors or evidence material and relevant thereto.

Subd. 7. Notwithstanding any other provision of this act, the commission may permit a public utility to file rate schedules containing provisions for the automatic adjustment of charges for public utility service in direct relation to changes in federally regulated wholesale rates for energy delivered through interstate facilities or fuel used in generation of electricity or the manufacture of gas.

Sec. 17. [COMPLAINTS.] Subdivision 1. On its own motion or upon a complaint made against any public utility by the governing body of any political subdivision, by another public utility, or by any 50 consumers of the particular utility that any of the rates, tolls, tariffs, charges, or schedules or any joint rate or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of natural gas or electricity or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with notice, to make such investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Subd. 2. The commission shall, prior to any formal hearing, notify the public utility complained of that a complaint has been made, and ten days after such notice has been given the commission may proceed to set a time and place for a hearing and an investigation as hereinafter provided.

Subd. 3. The commission shall give the public utility and the complainant, ten days notice of the time and place when and where such hearing will be held and such matters to be considered and determined. Both the public utility and complainant shall be entitled to be heard and be represented by counsel.

Subd. 4. Notice shall also be given to the governing bodies of affected municipalities and counties, and to such other persons as the commission shall deem necessary.

Subd. 5. The notice provided for in subdivisions 2 and 3 may be combined but if combined the notice shall not be less than ten days.

Subd. 6. The commission shall have the power to hear, determine and adjust complaints made against any municipally owned gas or electric utility with respect to rates and services upon petition of ten percent of the non-resident consumers of such municipally owned utility or 25 such non-resident consumers whichever is less. The hearing of such complaints shall be governed by subdivisions 1 through 5 of this section.

Subd. 7. Minnesota Statutes, Section 15.0419, shall be applicable to all contested cases before the commission.

Sec. 18. [SERVICE OF NOTICE.] Service of notice of all hearings, investigations and proceedings pending before the commission and of complaints, reports, orders and other documents shall be made personally or by mail as the commission may direct.

Sec. 19. [JOINT HEARINGS AND INVESTIGATIONS.] In the discharge of its duties under this act, the commission may cooperate with similar commissions of states and any federal agency and may hold joint hearings and make joint investigations with such commissions.

Sec. 20. [SEPARATE RATE HEARINGS.] The commission may, in its discretion, when complaint is made of more than one rate or charge, order separate hearings thereon, and may consider and determine the several matters complained of separately and at such times as it may prescribe.

Sec. 21. [SUMMARY INVESTIGATIONS.] Subdivision 1. Whenever the commission shall believe that any rate or charge may be unreasonable or unjustly discriminatory or that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any public utility should for any reason be made, it may on its own motion summarily investigate the same with or without notice.

Subd. 2. If, after making such summary investigation, the commission becomes satisfied that sufficient grounds exist to warrant a formal hearing being ordered as to the matters investigated, it shall set a time and place for a hearing.

Subd. 3. Notice of the time and place for such hearing shall be made as provided in section 18 of this act.

Sec. 22. [LAWFUL RATES; REASONABLE SERVICE.] Subdivision 1. Whenever upon an investigation made under the provisions of this act, the commission shall find rates, tolls, charges, schedules or joint rates to be unjust, unreasonable, insufficient or unjustly discriminatory or preferential or otherwise unreasonable or unlawful, the commission shall determine and by order fix reasonable rates, tolls, charges, schedules or joint rates to be imposed, observed and followed in the future in lieu of those found to be unreasonable or unlawful.

Subd. 2. Whenever the commission shall find any regulations, measurements, practices, acts or service to be unjust, unreasonable, insufficient, preferential, unjustly discriminatory or otherwise unreasonable or unlawful, or shall find that any service which can be reasonably demanded cannot be obtained, the commission shall determine and by order fix reasonable measurements, regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of those found to be unreasonable, inadequate or otherwise unlawful, and shall make such other order respecting such measurement, regulation, act, practice or service as shall be just and reasonable.

Subd. 3. A copy of such order shall be served upon the person against whom it runs or his attorney, and notice thereof shall be given to the other parties to the proceedings or their attorneys.

Sec. 23. [CONSTRUCTION OF FACILITIES; COMMISSION APPROVAL.] Subdivision 1. The words "major utility facility" shall mean: (1) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of 50 megawatts or more; (2) an electric transmission line and associated facilities of a design capacity of 125 kilovolts or more; and (3) a gas transmission line and associated facilities designed for, or capable of, transporting gas at pressures in excess of 125 pounds per square inch; provided, however, that the words "major utility facility" shall not include electric or gas distribution lines and gas gathering lines and associated facilities as defined by the commission.

Subd. 2. Under such rules and regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, plans showing any contemplated construction of major utility facilities.

Subd. 3. The provisions of this section shall apply to the construction of major utility facilities by a municipally owned gas or electric utility.

Sec. 24. [CHANGE; AMENDMENT; RECISION OF ORDERS.] The commission may at any time, on its own motion or upon motion of an interested party, and upon notice to the public utility and after opportunity to be heard, rescind, alter or amend any order fixing rates, tolls, charges or schedules, or any other order made by the commission, and may reopen any case following the issuance of an order therein, for the taking of further evidence or for any other reason. Any order rescinding, altering,

amending or reopening a prior order shall have the same effect as an original order.

Sec. 25. [ORDERS; EFFECTIVE DATE.] Every decision made by the commission constituting an order or determination shall be in force and effective 20 days after the same has been filed and has been served by personal delivery or by mailing a copy thereof to all parties to the proceeding in which such decision was made or to their attorneys, unless the commission shall specify a different date upon which the same shall be effective.

Sec. 26. [REHEARINGS BEFORE COMMISSION; CONDITION PRECEDENT TO JUDICIAL REVIEW.] Subdivision 1. Within 20 days after the service by the commission of any decision constituting an order or determination, any party to the proceeding and any other person, aggrieved by such decision and directly affected thereby, may apply to the commission for a rehearing in respect to any matters determined in said decision. The commission may grant and hold such rehearing on said matters, or upon such of them as it may specify in the order granting such rehearing, if in its judgment sufficient reason therefor exists.

Subd. 2. The application for a rehearing shall set forth specifically the ground or grounds on which the applicant contends said decision to be unlawful or unreasonable. No cause of action arising out of any decision constituting an order or determination of the commission or any proceeding for the judicial review thereof shall accrue in any court to any person or corporation unless the plaintiff or petitioner in such action or proceeding within 20 days after the service of said decision, shall have made application to the commission for a rehearing in the proceeding in which such decision was made. No person or corporation shall in any court urge or rely on any ground not so set forth in said application for rehearing.

Subd. 3. Applications for rehearing shall be governed by such general rules as the commission may establish. In case a rehearing is granted the proceedings thereupon shall conform as nearly as may be to the proceedings in an original hearing, except as the commission may otherwise direct. If in the commission's judgment, after such rehearing, it shall appear that the original decision, order or determination is in any respect unlawful or unreasonable, the commission may reverse, change, modify or suspend the same accordingly. Any decision, order or determination made after such rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination. Only one rehearing shall be granted by the commission; but this shall not be construed to prevent any party from filing a new application or complaint. No order of the commission shall become effective while an application for a rehearing or a rehearing shall be pending and until ten days after such application for a rehearing is either denied, expressly or by implication, or the commission has announced its final determination on rehearing.

Subd. 4. Any application for a rehearing not granted within 20 days from the date of filing thereof, may be taken to be denied.

Subd. 5. It is hereby declared that the legislative powers of the state, insofar as they are involved in the issuance of orders and decisions by the commission, have not been completely exercised until the commission has acted upon an application for rehearing, as provided for by this section and by the rules of the commission, or until such application for rehearing has been denied by implication, as above provided for.

Sec. 27. [SUBPOENA; WITNESSES; FEES; AND MILEAGE.] The commission and each commissioner, or the secretary of the commission may issue subpoenas and all necessary processes in proceedings pending before it; and each process shall extend to all parts of the state and may be served by any person authorized to serve processes of courts of record. Each witness who shall appear before the commission, or at a hearing before one of the individuals designated by it as provided in section 15 of this act, or whose deposition is taken, shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record.

Sec. 28. [OATHS; CONTEMPT; EXAMINER'S POWERS.] The commission and each of the commissioners or authorized examiner, for the purpose mentioned in this act, may administer oaths and examine witnesses. In case of failure on the part of any person to comply with any subpoena, or in the case of the refusal of any witness to testify concerning any matter on which he may be interrogated lawfully, any court of record of general jurisdiction or a judge thereof, on application of the commission, may compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Sec. 29. [DEPOSITIONS.] The commission or any party to the proceedings may, in any investigation or hearing before the commission, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Sec. 30. [TESTIMONY AND PRODUCTION OF RECORDS; PERJURY.] No person shall be excused from testifying or from producing any book, document, paper, or account in any investigation, or inquiry by, or hearing before, the commission or any commissioner, or person designated by it to conduct hearings, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to any forfeiture or penalty for or on account of any act, transaction, matter, or thing concerning which he shall have been compelled under oath to testify or produce documentary evidence; provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

Sec. 31. [COPIES OF DOCUMENTS AS EVIDENCE.] Copies of official documents and orders filed or deposited according to law in the office of the commission, certified by a commissioner or

by the secretary under the official seal of the commission to be true copies of the original shall be evidence in like manner as the originals, in all matters before the commission and in the courts of this state.

Sec. 32. [ORDERS AND FINDINGS IN WRITING.] Every order, finding, authorization, or certificate issued or approved by the commission under any provisions of this act shall be in writing and filed in the office of the secretary of the commission. A certificate under the seal of the commission that any such order, finding, authorization, or certificate has not been modified, stayed, suspended, or revoked, shall be received as evidence in any proceedings as to the facts therein stated.

Sec. 33. [PUBLIC RECORDS.] All decisions, transcripts, and orders of the commission shall be public records.

Sec. 34. [TRANSCRIBED RECORD TO BE KEPT.] A full and complete record shall be kept of all proceedings at any formal hearing had before the commission or any commissioner or hearing examiner and all testimony shall be taken down by a reporter appointed by the commission. A copy of such transcript shall be furnished on demand to any party to the proceedings upon payment of reasonable costs of reproduction.

Sec. 35. [FRANCHISES CONTINUED.] Any public utility furnishing the utility services enumerated in this act or occupying streets, highways, or other public property within a municipality may be required to obtain a license, permit, right or franchise in accordance with the terms, conditions, and limitations of regulatory acts of the municipality, including the placing of distribution lines and facilities underground, and under such license, permit, right, or franchise, the utility may be obligated by any municipality, home rule or statutory, to pay to the municipality fees to raise revenue or defray increased municipal costs accruing as a result of utility operations, or both, including but not limited to a sum of money based upon gross operating revenues or gross earnings from its operations in such municipality so long as such public utility shall continue to operate in such municipality, unless upon request of the public utility it is expressly released from such obligation at any time by such municipality. All existing licenses, permits, franchises and other rights acquired by any public utility or municipality prior to the passage of this act including the payment of existing franchise fees, shall not be impaired or affected in any respect by the passage of this act, except with respect to matters of rate and service regulation and service area assignments that have been vested to the jurisdiction of the commission by this act. However, in the event that a court of competent jurisdiction determines, or the parties by mutual agreement determine, that an existing license, permit, franchise or other right has been abrogated or impaired by this act, or its execution, the municipality affected shall impose and the public utility shall collect an excise tax on the utility charges which from year to year yields an amount which is reasonably equivalent to that amount of revenue which then would be due as a fee,

charges or other thing or service of value to the municipality under the franchise, license or permit. Such authorization shall be over and above taxing limitations including, but not limited to those of section 477A.01, subdivision 18. Franchises granted pursuant to this section shall be exempt from the provisions of Laws 1973, Chapter 612.

Sec. 36. [ASSIGNED SERVICE AREAS; ELECTRIC UTILITIES.] Subdivision 1. [LEGISLATIVE POLICY.] It is hereby declared to be in the public interest that, in order to encourage the development of coordinated statewide electric service at retail, to eliminate or avoid unnecessary duplication of electric utility facilities, and to promote economical, efficient, and adequate electric service to the public, the state of Minnesota shall be divided into geographic service areas within which a specified electric utility will provide electric service to customers on an exclusive basis.

Sec. 37. [DEFINITIONS.] For the purpose of sections 36 through 43 only, the following definitions shall apply:

Subdivision 1. "Person" means a natural person, a partnership, private corporation, a public corporation, a municipality, an association, a cooperative whether incorporated or not, a joint stock association, a business trust, any political subdivision or agency, or two or more persons having joint or common interest.

Subd. 2. "Customer" means a person contracting for or purchasing electric service at retail from an electric utility.

Subd. 3. "Electric service" means electric service furnished to a customer at retail for ultimate consumption, but does not include wholesale electric energy furnished by an electric utility to another electric utility for resale.

Subd. 4. "Electric line" means lines for conducting electric energy at a design voltage of 25,000 volts phase to phase or less used for distributing electric energy directly to customers at retail.

Subd. 5. "Electric utility" means persons, their lessees, trustees, and receivers, separately or jointly, now or hereafter operating, maintaining or controlling in Minnesota equipment or facilities for providing electric service at retail and which fall within the definition of "public utility" in section 2, subdivision 4, and includes such facilities owned by a municipality.

Subd. 6. "Assigned service area" means the geographical area in which the boundaries are established as provided in section 38 hereof.

Subd. 7. "Municipality" shall mean and include any city, however organized, and any village or borough.

Sec. 38. [ASSIGNED SERVICE AREAS.] Subdivision 1. On or before six months from the effective date of this act, or, when requested in writing by an electric utility and for good cause shown, such further time as the commission may fix by order, each electric utility shall file with the commission a map or maps

showing all its electric lines outside of incorporated municipalities as they existed on the effective date of this section. Each electric utility shall also submit in writing a list of all municipalities in which it provides electric service on the effective date of this act. Where two or more electric utilities serve a single municipality, the commission may require each such utility to file with the commission a map showing its electric lines within such municipality.

Subd. 2. On or before 12 months from the effective date of this section, the commission shall after notice and hearing establish the assigned service area or areas of each electric utility and shall prepare or cause to be prepared a map or maps to accurately and clearly show the boundaries of the assigned service area of each electric utility.

Subd. 3. To the extent that it is not inconsistent with the legislative policy stated in subdivision 1 of section 36, the boundaries of each assigned service area, outside of incorporated municipalities, shall be a line equidistant between the electric lines of adjacent electric utilities as they exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, highways, waterways, railways, major bluffs, and ravines and shall be modified to take account of the contracts provided for in subdivision 4; and provided further that at any time after the effective date of the section, the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing as provided for in section 17.

Subd. 4. Contracts between electric utilities, which are executed on or before 12 months from the effective date of this section, designating service areas and customers to be served by such electric utilities when approved by the commission shall be valid and enforceable and shall be incorporated into the appropriate assigned service areas. The commission shall approve such a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected and will promote the efficient and economical use and development of the electric systems of the contracting electric utilities.

Subd. 5. Where a single electric utility provides electric service within a municipality on the effective date of this section, that entire municipality shall constitute a part of the assigned service area of the electric utility in question, where two or more electric utilities provide electric service in a municipality on the effective date of this section, the boundaries of the assigned service areas shall conform to those contained in municipal franchises with such electric utilities on the effective date of this section. In the absence of such franchises, the boundaries of the assigned service areas within an incorporated municipality shall be a line equidistant between the electric lines of the electric utilities as they

exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, major streets or highways, waterways, railways, major bluffs and ravines and shall be modified to take account of the contracts provided for in subdivision 4.

Subd. 6. In those areas where, on the effective date of this section, the existing electric lines of two or more electric utilities are so intertwined that subdivisions 2 through 5 cannot reasonably be applied, the commission shall determine the boundaries of the assigned service areas for the electric utilities involved as will promote the legislative policy in section 36, subdivision 1.

Sec. 39. [EXCLUSIVE SERVICE RIGHTS.] Each electric utility shall have the exclusive right to provide electric service at retail to each and every present and future customer in its assigned service area and no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless said electric utility consents thereto in writing except as provided in section 41; provided that any electric utility may extend its facilities through the assigned service area of another electric utility if such an extension is necessary to facilitate such electric utility connecting its facilities or customers within its own assigned service area.

Sec. 40. [EFFECT OF INCORPORATION, ANNEXATION, OR CONSOLIDATION.] After the effective date of this section, the inclusion by incorporation, consolidation, or annexation of any part of the assigned service area of an electric utility within the boundaries of any municipality shall not in any respect impair or affect the rights of such electric utility to continue and extend electric service at retail throughout such parts of its assigned service area unless a municipality which owns and operates an electric utility elects to purchase the facilities and property of such electric utility as provided in section 43 of this act.

Sec. 41. [SERVICE EXTENSIONS IN CERTAIN SITUATIONS.] Subdivision 1. Notwithstanding the establishment of assigned service areas for electric utilities provided for in section 38, customers located outside municipalities and who require electric service with a connected load of 2,000 kilowatts or more shall not be obligated to take electric service from the electric utility having the assigned service area where such customer is located if, after notice and hearing, the commission so determines after consideration of following factors:

- (a) the electric service requirements of the load to be served;
- (b) the availability of an adequate power supply;
- (c) the development or improvement of the electric system of the utility seeking to provide the electric service, including the economic factors relating thereto;
- (d) the proximity of adequate facilities from which electric service of the type required may be delivered;

(e) the preference of the customer;

(f) any and all pertinent factors affecting the ability of the utility to furnish adequate electric service to fulfill customers' requirements.

Subd. 2. Notwithstanding the provisions in section 38, any electric utility may extend electric lines for electric service to its own utility property and facilities.

Sec. 42. [HEARINGS; COMPLAINTS.] Upon the filing of an application under section 41 or upon complaint by an affected utility that the provisions of sections 38 through 41 have been violated, the commission shall hold a hearing, upon notice, within 15 days after the filing of such application of complaint, and shall render its decision within 30 days after said hearing.

Sec. 43. [SERVICE EXTENSIONS IN ANNEXED AREAS; MUNICIPAL PURCHASE.] Notwithstanding the provisions of sections 40 through 42 sections 37 and 38 of this act, whenever a municipality which owns and operates an electric utility extends its corporate boundaries through annexation or consolidation, such municipality shall thereafter furnish electric service to the annexed area unless the area is already receiving electric service from an electric utility, in which event, the annexing municipality may purchase the facilities of the electric utility serving the annexed area. The municipality acquiring the facilities shall pay to the utility formerly serving the annexed area the appropriate value of its properties within such area which payment may be by exchange of other electric utility property outside the municipality on an appropriate basis giving due consideration to revenue from and value of the respective properties. In the event the municipality and the electric utility involved are unable to agree as to the terms of the payment or exchange, the municipality or the electric utility may file an application with the commission requesting that the commission determine the appropriate terms for the exchange or sale. After notice and hearing, the commission shall determine appropriate terms for an exchange, or in the event no appropriate properties can be exchanged, the commission shall fix and determine the appropriate value of the property within the annexed area, and the transfer shall be made as directed by the commission. In making that determination the commission shall consider the original cost of the property, less depreciation, loss of revenue to the utility formerly serving the area, expenses resulting from integration of facilities, and other appropriate factors. Until the determination by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the electric utility being displaced, serving the annexed area, shall not extend service to any additional points of delivery within the annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that the extension is not in the public interest.

When property of a public utility located within an area annexed to a municipality which owns and operates a public utility is

proposed to be acquired by such municipality, ratification by the electors is not required.

Sec. 44. [MUNICIPAL PURCHASE OF PUBLIC UTILITY.] Any public utility operating in a municipality under a license, permit, right or franchise shall be deemed to have consented to the purchase by the municipality, for just compensation, of its property operated in such municipality under such license, permit, right or franchise. The municipality, subject to the provisions of this act, may purchase such property upon notice to the public utility as herein provided. Whenever the commission is notified by the municipality or the public utility affected that the municipality has, pursuant to law, determined to purchase the property of the public utility, and that the parties to the purchase and sale have been unable to agree on the amount to be paid and received therefor, the commission shall set a time and place for a public hearing, after not less than 30 days notice to the parties, upon the matter of just compensation or the matter of the property to be purchased. Within a reasonable time the commission shall, by order, determine the just compensation for the property to be purchased by the municipality. In determining just compensation, the commission shall consider the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities and other appropriate factors. The order of the commission may be reviewed as hereinafter provided in this act. Commission expenses arising out of the exercise of its jurisdiction under this section shall be assessed to the municipality.

Sec. 45. [MUNICIPAL PROCEDURE; NOTICE; ELECTION.] Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 37 of this act may determine to do so by resolution of the governing body of such municipality taken after a public hearing of which at least 30 days published notice shall be given as determined by the governing body. Such determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of such municipality.

Sec. 46. [ACQUISITION BY EMINENT DOMAIN.] Nothing in this act shall be construed to preclude a municipality from acquiring the property of a public utility by eminent domain proceedings; provided that damages to be paid in eminent domain proceedings shall include the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities, and other appropriate factors.

Sec. 47. [RELATIONS WITH AFFILIATED INTERESTS.] Subdivision 1. "Affiliated interests" with a public utility means and includes the following:

(a) Every corporation and person owning or holding directly or indirectly five percent or more of the voting securities of such public utility.

(b) Every corporation and person in any chain of successive ownership of five percent or more of voting securities.

(c) Every corporation five percent or more of whose voting securities is owned by any person or corporation owning five percent or more of the voting securities of such public utility or by any person or corporation in any such chain of successive ownership of five percent or more of voting securities.

(d) Every person who is an officer or director of such public utility or of any corporation in any chain of successive ownership of five percent or more of voting securities.

(e) Every corporation operating a public utility or a servicing organization for furnishing supervisory, construction, engineering, accounting, legal and similar services to utilities, which has one or more officers or one or more directors in common with such public utility, and every other corporation which has directors in common with such public utility where the number of such directors is more than one-third of the total number of the utility's directors.

(f) Every corporation or person which the commission may determine as a matter of fact after investigation and hearing is actually exercising any substantial influence over the policies and actions of such public utility even though such influence is not based upon stockholding, stockholders, directors or officers to the extent specified in this section.

(g) Every person or corporation who or which the commission may determine as a matter of fact after investigation and hearing is actually exercising such substantial influence over the policies and actions of such public utility in conjunction with one or more other corporations or persons with which or whom they are related by ownership or blood relationship or by action in concert that together they are affiliated with such public utility within the meaning of this section even though no one of them alone is so affiliated.

Subd. 2. Provided, however, that in subdivision 1 of this section the term "person" shall not be construed to exclude trustees, lessees, holders of beneficial equitable interest, voluntary associations, receivers and partnerships.

Subd. 3. No contract or arrangement providing for the furnishing of management, supervisory, construction, engineering, accounting, legal, financial or similar services, and no contract or arrangement for the purchase, sale, lease or exchange of any property, right, or thing, or for the furnishing of any service, property, right, or thing, other than those above enumerated, made or entered into after the effective date of this act between a public utility and any affiliated interest as defined in this act, shall be valid or effective unless and until such contract or arrangement has received the written approval of the commission. It shall be the duty of every public utility to file with the commission a verified copy of any such contract or arrangement, or a verified summary of any such unwritten contract or arrangement, and also of all such contracts and arrangements, whether written or unwritten,

entered into prior to said date and in force and effect at that time. The commission shall approve such contract or arrangement made or entered into after said date only if it shall clearly appear and be established upon investigation that it is reasonable and consistent with the public interest. No such contract or arrangement shall receive the commission's approval unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the services or of furnishing the property or service described herein to each public utility. No proof shall be satisfactory within the meaning of the foregoing sentence unless it includes the original (or verified copies) of the relevant cost records and other relevant accounts of the affiliated interest, or such abstract thereof or summary taken therefrom as the commission may deem adequate, properly identified and duly authenticated, provided, however, that the commission may, where reasonable, approve or disapprove such contracts or arrangements without the submission of such cost records or accounts. The burden of proof to establish the reasonableness of any such contract or arrangement shall be on the public utility.

Subd. 4. The provisions of this section requiring the written approval of the commission shall not apply to transactions with affiliated interests where the amount of consideration involved is not in excess of \$10,000 or five percent of the capital equity of the utility whichever is smaller; provided, however, that regularly recurring payments under a general or continuing arrangement which aggregate a greater annual amount shall not be broken down into a series of transactions to come within the aforesaid exemption. Such transactions shall be valid or effective without commission approval under this section. However, in any proceeding involving the rates or practices of the public utility, the commission may exclude from the accounts of such public utility any payment or compensation made pursuant to such transaction unless the public utility shall establish the reasonableness of such payment or compensation.

Subd. 5. In any proceeding, whether upon the commission's own motion or upon application or complaint, involving the rates or practices of any public utility, the commission may exclude from the accounts of such public utility any payment or compensation to an affiliated interest for any services rendered or property or service furnished, as above described, under existing contracts or arrangements with such affiliated interest unless such public utility shall establish the reasonableness of such payment or compensation.

Subd. 6. The commission shall have continuing supervisory control over the terms and conditions of such contracts and arrangements as are herein described so far as necessary to protect and promote the public interest. The commission shall have the same jurisdiction over the modifications or amendment of contracts or arrangements as are herein described as it has over such original contracts or arrangements. The fact that the commission shall have approved entry into such contracts or arrangements as described herein shall not preclude disallowance or disapproval of payments made pursuant thereto, if upon actual experience under such con-

tract or arrangement it appears that the payments provided for or made were or are unreasonable.

Subd. 7. The provisions of this section shall not apply to cooperative electric associations.

Franchises granted pursuant to this section shall be exempt from the provisions of Laws 1973, Chapter 612.

Sec. 48. [SECURITIES.] Subdivision 1. For the purpose of this section, "security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; assumption of any obligation or liability as a guarantor, endorser, surety, or otherwise in the security of another person; certificate of interest or participation in any profit sharing agreement; collateral trust certificate; preorganization certificate or subscription; transferable shares; investment contract; voting trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas or mining right; title or lease or in payments out of production under such a right, title or lease; or, in general, any interest or instrument commonly known as a security, or any certificate for, receipt for guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing.

Subd. 2. For the purpose of this section, "capital structure" is the total capitalization of the public utility including, but not limited to, all outstanding common stock, preferred stock, and the permanent financing of said public utility represented by long term debt, and shall further include retained earnings and paid in surplus in excess of par values.

Subd. 3. It shall be unlawful for any public utility organized under the laws of this state to offer or sell any security or, if organized under the laws of any other state or foreign country, to subject property in this state to an encumbrance for the purpose of securing the payment of any indebtedness unless the capital structure of said public utility shall first be approved by the commission. Approval by the commission shall be by formal written order.

Subd. 4. Upon the application of a public utility for approval of its capital structure prior to the issuance of any security or the encumbrance of any property for the purpose of securing the payment of any indebtedness, the commission may make such inquiry or investigation, hold such hearings, and examine such witnesses, books, papers, documents, or contracts, as in its discretion it may deem necessary. Prior to approval the commission shall ascertain that the amount of securities of each class which any public utility may issue shall bear a reasonable proportion to each other and to the value of the property, due consideration being given to the nature of the business of the public utility, its credit and prospects, the possibility that the value of the property may change from time to time, the effect which such issue shall have upon the management and operation of the public utility, and other considerations which the commission as a matter of fact shall find to be relevant. If the commission shall find that the proposed capital structure is reasonable and proper and in the

public interest and will not be detrimental to the interests of the consumers and patrons affected thereby, the commission shall by written order grant its permission for the proposed public financing.

Subd. 5. The requirements of this section are in addition to any other requirements of law and, specifically, the requirements of Chapter 451 of the Laws of Minnesota, 1973, and the rules and regulations promulgated pursuant thereto.

Subd. 6. The provisions of this section shall not apply to cooperative electric associations.

Sec. 49. [ACQUIRING PROPERTY; MERGER.] Subdivision 1. No public utility shall sell, acquire, lease, or rent any plant as an operating unit or system in this state for a total consideration in excess of \$100,000, or merge or consolidate with another public utility operating in this state, without first being authorized so to do by the commission. Upon the filing of an application for the approval and consent of the commission thereto the commission shall investigate the same, with or without public hearing, and in case of a public hearing upon such notice as the commission may require, and if it shall find that the proposed action is consistent with the public interest it shall give its consent and approval by order in writing. In reaching its determination the commission shall take into consideration the reasonable value of the property, plant, or securities to be acquired or disposed of, or merged and consolidated. The provisions of this section shall not be construed as applicable to the purchase of units of property for replacement or to the addition to the plant of the public utility by construction.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Laws 1973, Chapter 331.

Sec. 50. [STOCK PURCHASE.] Subdivision 1. No public utility shall purchase voting stock in another public utility doing business in Minnesota without first having made application to and received the consent of the commission in writing or by order.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Laws 1973, Chapter 331.

Sec. 51. [APPEALS.] Subdivision 1. Any party to a proceeding before the commission or any other person, aggrieved by such decision and order and directly affected thereby, shall be entitled to appeal from such decision and order of the commission. Such proceedings shall be instituted by serving a notice of appeal personally or by registered mail upon the commission or one of its members or upon its secretary, and by filing such notice in the

office of the clerk of the district court of the county of Ramsey or of the county in which the appellant resides or maintains his principal place of business, all within 30 days after the service of the order and decision of the commission or in cases where a rehearing is requested within 30 days after service of the order finally disposing of the application for such rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The notice shall state the nature of the appellant's interest, the facts showing that the appellant is aggrieved and directly affected by the decision, and the grounds upon which the appellant contends that the decision should be reversed or modified. Copies of the notice shall be served, personally or by registered mail, not later than 30 days after the institution of the appeal, upon all parties who appeared before the commission in the proceeding in which the order sought to be reviewed was made. The commission and all parties to the proceeding before it, shall have the right to participate in the appeal. The court, in its discretion, may permit other interested parties to intervene.

Subd. 2. Every person served with a notice of appeal as provided in this section and who desires to participate in the appeal thereby instituted shall serve upon the appellant, within 20 days after the service of the notice upon such person, a notice of appearance stating his position with reference to the affirmation, vacation, or modification of the order or decision under appeal. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service thereof, with the clerk of the reviewing court within ten days after such service. Service of all subsequent papers or notices in such appeal need be made only upon the appellant and such other persons as have served and filed the notice as herein provided or have been permitted to intervene in said proceeding, as parties thereto, by order of the court.

Subd. 3. Within 30 days after service of the notice of appeal upon the commission, or within such further time as the court may allow, the commission shall transmit to the court the original or a certified copy of the entire record of the proceedings in which the decision under appeal was made, including all pleadings, notices, testimony, exhibits, findings, decisions, orders, and exceptions, therein; but by stipulation of all parties to the appeal the record may be shortened by eliminating any portion thereof. The cost of preparing the transcript of the testimony, objections, rulings thereon, and exceptions, shall be paid by the appellant to the official reporter of the commission. Any party, other than the commission, refusing to stipulate to limit the record may be taxed by the court for the additional costs.

Subd. 4. The appeal shall be conducted by the court without a jury and shall be confined to the record, arguments and brief, except that in cases of alleged irregularities in procedure before the commission testimony thereon may be taken in the court. The court may affirm the decision of the commission or may reverse or modify it.

Subd. 5. Any party, including the commission, may secure a review of the final judgment of the district court by appeal to the

supreme court. Such appeal shall be taken in the manner provided by law for appeals from the district court in other civil cases, except that the time for appeal shall be limited to 30 days from the notice of entry of the judgment.

Sec. 52. [SUSPENSION OF COMMISSION ORDERS.] The pendency of proceedings on appeal shall not of itself stay or suspend the operation of the order of the commission, but during the pendency of such proceedings the court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order on such terms as it deems just, and in accordance with the practice of courts exercising equity jurisdiction, but no such stay shall be granted without notice to the parties and opportunity to be heard by the court. Any party shall have the right to secure from the court in which an appeal of an order of the commission is sought an order suspending or staying the operation of an order of the commission, pending an appeal of such order, but no commission order relating to rates or rules and regulations shall be stayed or suspended absent a finding that great or irreparable damage would otherwise result to the party seeking the stay or suspension, and any order staying or suspending a commission order shall specify the nature of the damage.

In case the order of the commission is stayed or suspended, the court shall require a bond with good and sufficient surety, conditioned that the public utility petitioning for review shall answer for all damages caused by the delay in enforcing the order of the commission, and for all compensation for whatever sums for transmission or service any person shall be compelled to pay pending review proceedings in excess of the sum such person or corporation would have been compelled to pay had the commission's order not been stayed or suspended. The court may, in addition or in lieu of the bond, require such other further security for the payment of such excess damages or charges as it may deem proper.

Sec. 53. [ACTIONS BY COMMISSION; ATTORNEY GENERAL TO INSTITUTE.] Whenever the commission shall be of the opinion that any person or public utility is failing or omitting or is about to fail or omit to do anything required of it by this act or by any order of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, contrary to or in violation of this act or of any order of the commissioner, it may direct the attorney general to commence an action or proceeding in the district court of Ramsey County, in the name of the state of Minnesota, for the purpose of having such violations stopped and prevented by injunction. The attorney general shall thereupon begin such action or proceeding by petition to such court alleging the violation or threatened violation complained of, and praying for appropriate relief by way of injunction. It shall thereupon be the duty of the court to specify a time, not exceeding 20 days after the service of the copy of the petition, within which the public utility or person complained of must plead, and in the meantime said public utility or person may for good cause shown be restrained. In case of default, the court shall immediately inquire into the

facts and circumstances of the case. Such corporations or persons as the court may deem necessary or proper to be joined as parties, in order to make its judgment, order, or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that an injunction issue or be made permanent as prayed for in the petition, or in such modified or other form as will afford appropriate relief. An appeal upon the record may be taken as in other civil actions.

Sec. 54. [PRIORITY OF ACTION.] All actions and proceedings under this act, and all actions or proceedings to which the commission or the state of Minnesota may be parties, and in which any question arises under this act, or under or concerning any order or decision of the commission, shall be preferred over all other civil causes, except election causes, irrespective of position on the calendar.

Sec. 55. [BURDEN OF PROOF.] In all proceedings before the commission in which the modification or vacation of any order of the commission is sought, the burden of proof shall be on the person seeking such modification or vacation.

Sec. 56. [PENALTIES.] Any person who knowingly and intentionally violates any provision of this act, or who knowingly and intentionally fails, omits, or neglects to obey, observe, or comply with any lawful order, or any part or provision thereof, of the commission is subject to a penalty of not less than \$100 nor more than \$1,000 for each violation.

Sec. 57. [ACTS; OMISSIONS; FAILURE; CONSTRUCTION THEREOF.] In construing and enforcing the provision of this act relating to penalties, the act, omission, or failure of any officer, agent or employee of any person acting within the scope of his official duties of employment shall in every case be deemed to be also the act, omission, or failure of such person.

Sec. 58. [CONTINUING VIOLATIONS.] Every violation of the provisions of this act or of any lawful order of the commission, or any part or portion thereof by any person, is a separate and distinct offense, and in case of a continuing violation after a first conviction thereof each day's continuance thereof shall be deemed to be a separate and distinct offense.

Sec. 59. [PENALTIES CUMULATIVE.] All penalties accruing under this act shall be cumulative, and a suit for the recovery of one penalty shall not be a bar to or affect the recovery of any other penalty or forfeiture or be a bar to any criminal prosecution against any public utility or any officer, director, agent, or employee thereof or any person.

Sec. 60. [ACTIONS TO RECOVER PENALTIES.] Actions to recover penalties under this act shall be brought in the name of the state of Minnesota in the district court of Ramsey County.

Sec. 61. [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATIONS; OBJECTIONS.] Subdivision 1. Immediately after the passage and adoption of this act, the commis-

sion shall assess to all public utilities subject to the provisions of this act in proportion to their respective gross operating revenues, as hereinafter defined, during the preceding calendar year, the sum of \$300,000. Such assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by registered mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof.

Subd. 2. Whenever the commission, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed by this act, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, such public utility shall pay the expenses reasonably attributable to such investigation, appraisal, or service. The commission shall ascertain such expenses, and the department shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of said assessment and demand of payment thereof. The amount of such bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which any public utility shall become liable, by reason of costs incurred by the commission within such calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by such public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of such gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3 of this section, but shall be paid out of the general appropriation to the department. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining the limitation set herein.

Subd. 3. The department shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures to the performance of its duties relating to public utilities under this act, and shall deduct therefrom all amounts chargeable to public utilities under subdivision 2 of this section. The remainder shall be assessed by the commission to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. Such assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of such public utilities during such calendar year from retail sales of gas or electric service within the state.

Subd. 4. Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which said bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. Such order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. A public utilities account is hereby created in the state treasury. All moneys deposited in the state treasury pursuant to the provisions of this act shall be credited to such account. All moneys in such account are hereby appropriated annually to carry out the provisions of this act. None of the moneys in such account shall cancel but at all times shall be available for purposes herein expressed.

Sec. 62. [INTEREST ON ASSESSMENTS.] The amounts assessed against any public utility not paid after 30 days after the mailing of a notice advising the public utility of the amount assessed against it, shall draw interest at the rate of six percent per annum, and upon failure to pay the same the attorney general shall proceed by action in the name of the state against such public utility to collect the amount due, together with interest and the cost of the suit.

Sec. 63. [ATTORNEY GENERAL TO REPRESENT COMMISSION.] The attorney general of the state shall, upon request of the commission, represent and appear for the commission in all actions and proceedings involving any question under this act, and shall aid in any investigation or hearing had under the provisions hereof. The attorney general shall perform such duties and services in connection with this act and the enforcement thereof as the commission may require. He shall also bring all actions to collect penalties herein provided. Nothing in this section shall prohibit the commission from employing counsel other than the attorney general to represent the public interest in any proceeding.

Sec. 64. Minnesota Statutes 1971, Section 216A.03, Subdivision 1, is amended to read:

216A.03 [COMMISSION.] Subdivision 1. [MEMBERS.] As of ~~May 26, 1967~~ *January 1, 1975* the public service commission shall consist of ~~the three members elected to the Minnesota railroad and warehouse commission; and each shall serve out the term for which he was elected as railroad and warehouse commissioner and shall, in accordance with applicable statutes, be eligible for re-election for one six year term.~~ *five members, three of whom shall be the members then serving, who shall continue to serve for the balance of their elective or appointive terms. There shall be two additional commissioners appointed by the governor with the advice and consent of the senate, one for a term expiring December 31, 1975, and one for a term expiring December 31, 1977. Thereafter the terms of all subsequent members of the commission shall be six five years and until their successors have been appointed and qualified. Each commissioner shall be appointed by the gov-*

ernor by and with the advice and consent of the senate. Not more than ~~two~~ *three* commissioners shall belong to the same political party. The governor in his selection of commissioners shall give consideration to persons learned in the law or persons who have engaged in the profession of engineering, public accounting or property and utility valuation as well as being representative of the general public.

Sec. 65. [DEPARTMENT TO EMPLOY NECESSARY STAFF.] The department may employ such experts, engineers, statisticians, accountants, inspectors, clerks, attorneys and employees as it deems necessary to carry out the provisions of this act.

Sec. 66. [SEVERABILITY.] If any provision of this act, or any severable provision of a section of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the act, or section thereof, and the application of such provision to persons and circumstances other than those as to which it is held invalid, shall not be affected.

Sec. 67. [CONSTRUCTION.] This act is complete in itself and other Minnesota statutes are not to be construed as applicable to the supervision or regulation of public utilities by the commission. All acts and parts of acts in conflict with this act are repealed insofar as they pertain to the regulation of public utilities as defined herein.

Sec. 68. [AUTHORITY PRIOR TO EFFECTIVE DATE OF ACT.] The commission is authorized, upon the passage and adoption of this act, and prior to its effective date, to promulgate rules and regulations as provided herein; to take the steps necessary for the setting up of proper records and forms and the department is authorized to make necessary staff and clerical appointments as provided by law, and to do all things required for the effective and orderly administration of the duties imposed upon the commission pursuant hereto.

Sec. 69. [TITLE.] This act may be cited as the Minnesota public utilities act.

Sec. 70. [EFFECTIVE DATE.] This act shall become effective on January 1, 1975, except that sections 35 through 43, and section 61 shall become effective upon its passage."

Further, amend the title as follows:

Page 1, line 7, after "penalties" insert "; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2985 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:

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.
		2985	2911		

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. 2837, 2980, 3048, 3242, 1795, 2194, 2764, 3002, 3020, 2589, 2607, 2704, 2914, 3086, 1952, 2349, 2853, 2926, and 3015 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. 2704 to the Committee on Finance.

H. F. Nos. 3048 and 2764 to the Committee on Governmental Operations.

H. F. Nos. 2980, 1795, 2589, 2914, 2853 and 3015 to the Committee on Judiciary.

H. F. Nos. 2837, 2194, 3020 and 2349 to the Committee on Labor and Commerce.

H. F. Nos. 3242 and 1952 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2607 and 2926 to the Committee on Taxes and Tax Laws.

H. F. Nos. 3002 and 3086 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. 2984, 1963, 2084, 2298, 3272, 3024, 3152, 2995, 3060, 2220, 1735, 3129, 2865, 2796, 2828, 2997, 2641, 3159, 3151, 2576, 3085, 2846, 2501, 3257, 3064, 3084, 3105, 2872, 1800, 2611, 2812, 3031, 2661, 2222, 2975, 2780, 3216, 3001, 3053, 3025, 1253, 3185, 2830, 2794, 3213, 2347, 3136, 3139, 3287, 2924, 2820, and 3293 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2065, 2324, 978, 1866, 3089, 1810, 1192 and 2985 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lord moved that the names of Messrs. Olson, A. G. and Willet be added as co-authors to S. F. No. 2872. The motion prevailed.

Messrs. O'Neill, Coleman and Krieger introduced—

Senate Resolution No. 36: A senate resolution congratulating Macalester College on the One Hundredth Anniversary of the granting of the charter of Macalester College by the Legislature of the State of Minnesota.

Which was referred to the Committee on Rules and Administration.

Mr. Wegener moved that S. F. No. 2879 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Bang moved that S. F. No. 3381 be withdrawn from the Committee on Local Government and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Humphrey moved that the name of Mr. Schaaf be added as co-author to S. F. No. 3320. The motion prevailed.

Mr. Borden moved that S. F. No. 3308 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Ueland moved that S. F. No. 2876, No. 70 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Hansen, Baldy moved that H. F. No. 2148 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2220, now on General Orders. The motion prevailed.

Mr. Hansen, Baldy moved that the name of Mr. Schrom be added as co-author to S. F. No. 3394. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Berg moved to revert to Introduction of Bills. The motion prevailed.

INTRODUCTION OF BILLS

Mr. Berg introduced—

S. F. No. 3432: A bill for an act relating to the West Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

Which was read the first time and referred to the Committee on Local Government.

**MOTIONS AND RESOLUTIONS—CONTINUED
RECONSIDERATION**

Mr. Laufenburger moved that the vote whereby H. F. No. 2862 was passed by the Senate on February 22, 1974, be now reconsidered. The motion prevailed.

With the unanimous consent of the Senate, Mr. Laufenburger moved to amend the amendment placed on H. F. No. 2862 under Rule 49 and adopted by the Senate on February 20, 1974, as follows:

Strike the part of the amendment which reads as follows:

“Page 2, after line 18, add a new section to read as follows:

“Sec. 3. This act and all actions taken pursuant to this act shall cease to be in effect on and after June 30, 1975.”

The motion prevailed. So the amendment was adopted.

H. F. No. 2862: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; providing penalties.

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:

Anderson	Dunn	Keefe, S.	Moe	Purfeerst
Arnold	Fitzsimons	Kirchner	Nelson	Renneke
Bang	Frederick	Kleinbaum	North	Schaaf
Berg	Gearty	Knutson	Novak	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Solon
Blatz	Hansen, Mel	Krieger	Olhoft	Spear
Chenoweth	Hanson, R.	Larson	Olson, A. G.	Stassen
Chmielewski	Hughes	Laufenburger	Olson, H. D.	Stokowski
Coleman	Humphrey	Lewis	Olson, J. L.	Thorup
Conzemius	Jensen	Lord	O'Neill	Ueland
Davies	Josefson	McCutcheon	Patton	Wegener
Doty	Keefe, J.	Milton	Pillsbury	Willett

Mr. Schrom voted in the negative.

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Lewis moved that the name of Mr. Knutson be added as co-author to S. F. No. 3335. The motion prevailed.

Mr. Lewis moved that the name of Mr. Nelson be added as chief author to S. F. No. 2580. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters:

S. F. Nos. 3079 and 3200. The motion prevailed.

Mr. Thorup moved that H. F. No. 3077, No. 9 on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 3017: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

Was read the third time 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	Knutson	Ogdahl	Solon
Arnold	Frederick	Kowalczyk	Olhoft	Spear
Ashbach	Gearty	Krieger	Olson, A. G.	Stassen
Bang	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Berg	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessen
Bernhagen	Hanson, R.	Lewis	O'Neill	Thorup
Blatz	Hughes	Lord	Pattson	Ueland
Chmielewski	Humphrey	McCutcheon	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2910: A bill for an act relating to elections; providing for the preparation, furnishing and disposition of election materials; amending Minnesota Statutes 1971, Sections 204.18, Subdivision 1; 204.24, Subdivision 1; and 204.25.

Was read the third time 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	Chmielewski	Doty	Gearty
Arnold	Bernhagen	Coleman	Dunn	Hansen, Baldy
Ashbach	Blatz	Conzemius	Fitzsimons	Hansen, Mel
Bang	Chenoweth	Davies	Frederick	Hanson, R.

Hughes	Kowalczyk	Nelson	Patton	Stassen
Humphrey	Krieger	North	Pillsbury	Stokowski
Jensen	Larson	Novak	Purfeerst	Tennessee
Josefson	Laufenburger	Ogdahl	Renneke	Thorup
Keefe, J.	Lewis	Olhoft	Schaaf	Ueland
Keefe, S.	Lord	Olson, A. G.	Schrom	Willet
Kirchner	McCutcheon	Olson, H. D.	Sillers	
Kleinbaum	Milton	Olson, J. L.	Solon	
Knutson	Moe	O'Neill	Spear	

So the bill passed and its title was agreed to.

H. F. No. 3052: A bill for an act relating to the interstate compact on juveniles; amending Minnesota Statutes 1971, Sections 260.53 and 260.55.

Was read the third time 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	Schrom
Arnold	Fitzsimons	Kleinbaum	Novak	Sillers
Ashbach	Frederick	Knutson	Ogdahl	Solon
Bang	Gearty	Kowalczyk	Olhoft	Spear
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hughes	Lewis	O'Neill	Ueland
Chmielewski	Humphrey	Lord	Patton	Wegener
Coleman	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.

H. F. No. 3053: A bill for an act relating to the interstate compact for the supervision of parolees and probationers; amending Minnesota Statutes 1971, Section 243.16, 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	Fitzsimons	Kleinbaum	Novak	Sillers
Arnold	Frederick	Knutson	Ogdahl	Solon
Ashbach	Gearty	Kowalczyk	Olhoft	Spear
Bang	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Berg	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Bernhagen	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Blatz	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Moe	Renneke	
Doty	Keefe, S.	Nelson	Schaaf	
Dunn	Kirchner	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2726: A bill for an act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, 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 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Novak	Sillers
Arnold	Frederick	Knutson	Ogdahl	Solon
Ashbach	Gearty	Kowalczyk	Olhoft	Spear
Bang	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Berg	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Bernhagen	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Blatz	Hughes	Lewis	O'Neill	Thorup
Borden	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Willet
Coleman	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Doty	Keefe, S.	Nelson	Schaaf	
Dunn	Kirchner	North	Schrom	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 3038: A bill for an act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during certain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, 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 64 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	Sillers
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Kowalczyk	Olhoft	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
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 3074: A bill for an act relating to labor; public employees; definitions; amending Minnesota Statutes 1971, Section 179.63, 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 64 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	Sillers
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Kowalczyk	Olhoft	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
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 3076: A bill for an act relating to labor; public employees; negotiation procedures; amending Minnesota Statutes, 1973 Supplement, Section 179.69, Subdivisions 3 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 64 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	Sillers
Bang	Frederick	Knutson	Ogdahl	Solon
Berg	Gearty	Kowalczyk	Olhoft	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
Chenoweth	Hughes	Lewis	O'Neill	Thorup
Chmielewski	Humphrey	Lord	Patton	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Moe	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 2746: A bill for an act relating to public employees; submission of disputes to arbitration; amending Minnesota Statutes 1971, Section 179.69, Subdivision 5, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Novak	Schrom
Bang	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoff	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Mel	Larson	Olson, H. D.	Stassen
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lewis	O'Neill	Tennessen
Chmielewski	Humphrey	Lord	Patton	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Josefson	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 3132: A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

Was read the third time 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	Doty	Keefe, S.	Nelson	Renneke
Arnold	Dunn	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Novak	Schrom
Bang	Frederick	Knutson	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoff	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Mel	Larson	Olson, H. D.	Stassen
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Hughes	Lewis	O'Neill	Tennessen
Chmielewski	Humphrey	Lord	Patton	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Josefson	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Pillsbury in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Pillsbury reported that the committee had considered S. F. Nos. 2916, 2977, 2970, 2128, 2449, 2948, 2957, 1713, also H. F. Nos. 3077, 713, 2655, 2043, 995 which the committee recommends to pass.

S. F. No. 2676 which the committee recommends to pass, after the following motion:

Mr. Schrom moved that S. F. No. 2676 be re-referred to the Committee on Natural Resources and Agriculture.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Keefe, J.	Nelson	Schrom
Berg	Hansen, Baldy	Kirchner	Ogdahl	Stassen
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Ueland
Blatz	Hanson, R.	Kowalczyk	O'Neill	Wegener
Dunn	Jensen	Larson	Patton	
Fitzsimons	Josefson	Laufenburger	Renneke	

Those who voted in the negative were:

Anderson	Davies	Lord	Olson, H. D.	Spear
Arnold	Gearty	Milton	Perpich, G.	Stokowski
Borden	Hughes	Moe	Pillsbury	Tennessee
Chenoweth	Humphrey	North	Purfeerst	Willet
Chmielewski	Keefe, S.	Novak	Schaaf	
Coleman	Kleinbaum	Olhoft	Sillers	
Conzemius	Lewis	Olson, A. G.	Solon	

The motion did not prevail.

The question being taken on the committee recommendation to pass S. F. No. 2676,

And the roll being called, there were yeas 33 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Milton	O'Neill	Spear
Arnold	Hughes	Moe	Perpich, G.	Stokowski
Borden	Humphrey	North	Pillsbury	Tennessee
Chenoweth	Keefe, S.	Novak	Purfeerst	Wegener
Coleman	Kleinbaum	Olhoft	Schaaf	Willet
Conzemius	Lewis	Olson, A. G.	Sillers	
Davies	Lord	Olson, H. D.	Solon	

Those who voted in the negative were:

Ashbach	Chmielewski	Hanson, R.	Kowalczyk	Patton
Bang	Fitzsimons	Jensen	Larson	Renneke
Berg	Frederick	Josefson	Laufenburger	Schrom
Bernhagen	Hansen, Baldy	Kirchner	Nelson	Stassen
Blatz	Hansen, Mel	Knutson	Olson, J. L.	Ueland

So the committee recommended S. F. No. 2676 to pass.

S. F. No. 2779, which the committee recommends to pass with the following amendment offered by Mr. Ueland:

Page 1, strike lines 17 and 18

Page 1, line 19, strike "(c)" and insert "(b)"

Page 1, line 21, before the semicolon insert ", and during the five-year period the person has not been convicted of a felony or gross misdemeanor"

Page 1, line 22, strike "(d)" and insert "(c)"

S. F. No. 2939, which the committee recommends to pass with the following amendment offered by Mr. Coleman:

Pages 3 and 4, strike all of section 4

Renumber the remaining section

Further, amend the title as follows:

Page 1, line 5, strike "Subdivision 2c,"

Page 1, line 6, strike "and"

S. F. No. 2393, which the committee recommends to pass with the following amendment offered by Mr. Stassen:

Page 1, line 17, after the period insert "*Display of parking lights shall not be deemed to comply with requirements for lighting for moving vehicles on a highway.*"

S. F. No. 967, which the committee recommends to pass with the following amendment offered by Mr. Bang:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 33.171, is amended to read:

33.171 [PENALTY.] Any person violating any of the provisions of sections ~~33.10 to 33.15, or any rule or regulation prescribed by the commissioner of taxation thereunder~~ *section 33.111*, shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not more than 30 days in the county jail; and such violation shall be cause for the immediate cancellation of any license issued to such person by the commissioner of taxation.

Sec. 2. Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12; 33.13; 33.14; 33.15; 33.17; and 270.051, Subdivision 1, are repealed."

Further, strike the title and insert:

"A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 27, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, J.	Nelson	Renneke
Bang	Frederick	Kirchner	Ogdahl	Sillers
Berg	Hansen, Mel	Knutson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Kowalczyk	O'Neill	Ueland
Blatz	Jensen	Krieger	Pillsbury	Wegener
Brown	Josefson	Larson	Purfeerst	

Those who voted in the negative were:

Chenoweth	Humphrey	Moe	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	North	Schaaf	Thorup
Coleman	Kleinbaum	Novak	Schrom	Willet
Conzemius	Lewis	Olhoft	Solon	
Davies	McCutcheon	Olson, A. G.	Spear	
Hansen, Baldy	Milton	Olson, H. D.	Stokowski	

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved that S. F. No. 967 be re-referred to the Committee on Finance.

The question being take on adoption of the motion,

And the roll being called, there were yeas 14 and nays 42, as follows:

Those who voted in the affirmative were:

Berg	Kleinbaum	Novak	Olson, H. D.	Wegener
Chmielewski	McCutcheon	Olhoft	Schrom	Willet
Coleman	Moe	Olson, A. G.	Thorup	

Those who voted in the negative were:

Ashbach	Fitzsimons	Keefe, J.	North	Solon
Bang	Frederick	Keefe, S.	Ogdahl	Spear
Bernhagen	Gearty	Kirchner	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Knutson	O'Neill	Stokowski
Brown	Hansen, Mel	Kowalczyk	Pillsbury	Tennessee
Chenoweth	Hanson, R.	Krieger	Purfeerst	Ueland
Conzemius	Humphrey	Larson	Renneke	
Davies	Jensen	Lewis	Schaaf	
Dunn	Josefson	Nelson	Sillers	

The motion did not prevail.

The question being taken on the committee recommendation to pass S. F. No. 967,

And the roll being called, there were yeas 49 and nays 12, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	North	Schaaf
Bang	Gearty	Knutson	Novak	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Solon
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Spear
Brown	Hanson, R.	Larson	O'Neill	Stassen
Chenoweth	Humphrey	Lewis	Patton	Stokowski
Conzemius	Jensen	McCutcheon	Perpich, G.	Tennessee
Davies	Josefson	Milton	Pillsbury	Thorup
Doty	Keefe, J.	Moe	Purfeerst	Ueland
Fitzsimons	Keefe, S.	Nelson	Renneke	

Those who voted in the negative were:

Berg	Coleman	Olhoft	Olson, H. D.	Wegener
Borden	Dunn	Olson, A. G.	Schrom	Willet
Chmielewski	Kleinbaum			

So the committee recommended S. F. No. 967 to pass as amended.

S. F. No. 2885, which the committee recommends to pass with the following amendments offered by Messrs. North and Knutson:

Mr. North moved to amend S. F. No. 2885 as follows:

Page 5, strike all of section 8

Renumber the sections in sequence

Mr. Knutson moved to amend S. F. No. 2885 as follows:

Page 5, line 15, strike everything after "LEVIES.]"

Page 5, strike lines 16 to 26

Page 5, line 27, strike "Subd. 2."

S. F. No. 1759, which the committee recommends to pass with the following amendments offered by Mr. Chenoweth:

Page 17, line 11, after "bonds" insert "in an amount not to exceed \$40,000,000"

Mr. Chenoweth then moved to amend S. F. No. 1759 as follows:

Page 5, line 22, after "majority of" insert "all"

Mr. Chenoweth then moved to amend S. F. No. 1759 as follows:

Page 18, strike all of subdivision 6 and insert:

"Subd. 6. [TAX LEVIES.] The commission may levy taxes in any year upon all taxable property in the metropolitan area to provide funds for the purposes of sections 1 to 9 as follows:

(a) For administrative purposes, not to exceed 1/20 of a mill;

(b) For debt service on bonds issued pursuant to subdivision 3, not to exceed .5 of a mill. The amount of taxes in any year levied under this clause shall be 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 taxes collected by the state;

(c) For development purposes consistent with an approved recreation open space development program, not to exceed .15 of a mill.

The tax shall be levied and collected in the manner provided by Minnesota Statutes, Section 473.08."

And then, on motion of Mr. Pillsbury, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

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. [PUBLIC POLICY.] It is hereby declared to be the public policy of the state of Minnesota that:

(1) Public confidence in the integrity of government is a prerequisite of representative democracy. The public interest is best served when full disclosure is made of the identity and expenditures of persons who engage in substantial efforts to persuade governmental officials to take specific actions;

(2) Public officials should not use their official positions to obtain financial gain for themselves, their households or any organizations with which they are associated in a manner which violates the public trust;

(3) Major political campaign contributions and expenditures should be fully disclosed to the public;

(4) Disclosure of major political campaign contributions and expenditures serves the public interest by (a) preventing undue influence and (b) revealing the sources of campaign financing to the public as well as thereby facilitating future informed decisions regarding alternative methods of public and private financing;

(5) Although small individual contributions to a candidate are unlikely to have an undue influence, a number of small contributions from an individual or small contributions from a number of associated individuals may when cumulated have an undue influence. Thus there is a compelling state interest in requiring the disclosure of all contributions of more than \$50 in the case of legislative campaigns and more than \$100 in the case of campaigns for statewide office;

(6) Limitations upon campaign expenditures are necessary to control the spiraling amount of money required to campaign for public office and to ensure that no individual is denied the opportunity to run for public office for financial reasons;

(7) Candidates for public office and elected officials should not be under the influence of those persons who make large contributions to political campaigns.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 36, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. “Association” means business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons which includes more than an immediate family acting in concert.

Subd. 3. “Business with which he is associated” means any business, corporation, partnership, proprietorship, labor union, or association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any

month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 4. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a judicial office or a federal office for which candidates are required to report under federal laws. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, or has 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. 5. "Commission" means the state ethics commission.

Subd. 6. "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 candidate to office;

(b) A transfer of funds between political committees or political funds; or

(c) The payment, by any person other than a candidate, political committee or political fund, of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund.

Subd. 7. "Depository" means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 8. "Election" means a general, special, primary or special primary election, or a convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 9. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds.

"Expenditure" does not include: (a) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund; or (b) expenses incurred by a member of the legislature or a person holding constitutional office in the executive branch, in perform-

ing services for constituents. The commission shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision.

Subd. 10. "Lobbyist" means:

(a) Any individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials; or

(b) Officially designated representatives of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials.

"Lobbyist" does not include:

(a) A public official or employee of the state or any of its political subdivisions acting in his official capacity;

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch;

(c) Individuals in the course of selling goods or services to be paid for by public funds;

(d) News media or their employees or agents, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action; or

(e) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding.

For purposes of this subdivision "administrative action" means an action of a quasi-legislative policy making nature by any board, commission or agency of the executive branch, and a non-ministerial action by an official of the executive branch.

Subd. 11. "Major political party" means those political parties defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 12. "Minor political party" means any party other than a major political party which ran a candidate on the statewide or legislative ballot in the last general election or files a petition with the secretary of state which contains the names of 2,000 persons registered to vote in Minnesota and which provides that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as the major political parties. For the purposes of this act prior to the general election in 1974, all persons who are eligible to vote in areas where there is no registration shall be considered registered voters.

Subd. 13. "Political committee" means any political party, association or person other than an individual which has as its

major purpose to support or oppose any candidate or to influence the nomination for election or election of a candidate.

Subd. 14. "Political fund" means any accumulation of voluntary donations by an association other than a political committee collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 15. "Political party" means both major political party and minor political party.

Subd. 16. "Public official" means:

(a) Members of the legislature;

(b) Persons who hold constitutional office in the executive branch and their chief administrative deputies;

(c) Members of state boards and commissions who have rule making authority;

(d) Persons employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, and researcher or attorney of the office of legislative research;

(e) Persons who are employed by the executive branch whose positions are specified in Minnesota Statutes, Section 15A.081; and

(f) Persons employed as chairmen of the metropolitan council, metropolitan transit commission, metropolitan sewer board and metropolitan airports commission.

Sec. 3. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of the senate. No more than half of the governor's appointees shall support the same political party.

Subd. 2. The appointments shall be for a term of four years. Of the six original appointees, two shall serve a two-year term, two shall serve a three-year term, and two shall serve a four-year term, as determined by lot. Each of the original terms shall begin on the effective date of this act. All appointments to terms subsequent to the original terms, except one made to fill a vacancy, shall be for terms of four years. All appointments shall be made within 60 days of the date on which a vacancy occurs.

Subd. 3. Four members of the commission shall constitute a quorum and a vacancy in the membership of the commission shall not impair the right of the remaining members to exercise all of the powers of the commission.

Subd. 4. The commission shall hold an organizational meeting within 30 days after the effective date of this act at which time the members of the commission shall elect from among their members a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the commis-

sion. Meetings of the commission shall be at the call of the chairman or at the call of any four members of the commission acting together.

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 1 to 36, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. All administrative services such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state.

Subd. 6. Members of the commission shall receive \$35 for each day spent in the performance of their duties, and necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 7. All members and employees of the commission shall be subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the commission shall be a candidate for, or holder of, (a) a national, state, congressional district, legislative district or county office in a political party, or (b) an elected public office for which party designation is required by statute. A member or employee may be elected as a delegate to a caucus or convention of a political party for the purpose of endorsing a candidate.

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year and may indicate apparent abuses and make appropriate recommendations to the legislature for their resolution;

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 36 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding, and cross-indexing system consistent with the purposes of sections 1 to 36;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) Preserve reports and statements for a period of six years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate;

(h) Prepare and publish reports as it may deem appropriate; and

(i) Prescribe as necessary, pursuant to Minnesota Statutes, Chapter 15, rules and regulations to carry out the purposes of sections 1 to 36.

Subd. 9. The executive director of the commission or his staff shall inspect all material filed with the commission as promptly as is necessary to comply with the provisions of sections 1 to 36. The executive director shall immediately notify the person required to file a document with the commission if a written complaint is filed with the commission by any registered voter alleging, or it otherwise appears, that a document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 36 or that a person has failed to file a document required by sections 1 to 36.

Subd. 10. The commission may make audits and investigations with respect to statements and reports which are filed or which should have been filed under the provisions of sections 1 to 36. In all matters relating to its official duties, the commission shall have the power to issue subpoenas and cause them to be served. If a person does not comply with a subpoena, the commission may apply to the district court of Ramsey county for issuance of an order compelling obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is reasonable cause to conclude that a violation of this act or other campaign laws has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor.

Subd. 12. The commission may, upon request, issue and publish advisory opinions on the requirements of sections 1 to 36 based upon real or hypothetical situations. Applications for an advisory opinion may be made only by those who wish to use the opinion to guide their own conduct. The commission shall issue written opinions on all such questions submitted to it within 14 days after taking the matter under consideration.

Subd. 13. The commission may form committees to discharge the duties established by sections 1 to 36.

Subd. 14. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission.

Sec. 4. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within 14 days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the full name and complete address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the full name and complete address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears, and (d) a general description of the subject or subjects on which the lobbyist expects to lobby. If the lobbyist lobbies on behalf of an association, the registration form shall include the name and address of the officers of the association, the approximate number of members and an outline of the procedure by which the association adopts policy positions.

Sec. 5. [LOBBYING REPORTS.] Subdivision 1. Each lobbyist shall file reports of his activities with the commission as long as he lobbies.

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the commission by the following dates:

- (a) February 15
- (b) April 15
- (c) June 15
- (d) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 4 to 7 to the lobbyist no later than five days before the prescribed filing date.

Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to: the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) Each honorarium, gift or loan, excluding contributions to a candidate, equal in value to \$50 or more, paid to any public official by the lobbyist or any employer of the lobbyist; and

(c) Each original source of funds in excess of \$1,000 used for the purpose of lobbying. The list shall include the name and address of each payer of funds in excess of \$1,000.

Subd. 5. The commission shall notify by registered mail any lobbyist who fails within 14 days after a filing date imposed by section 4 or 5 to file a report or statement required by section 4

or 5. A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 6. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 5, the executive director of the commission shall report to the governor, the secretary of the senate and the chief clerk of the house of representatives, the names of the lobbyists registered who were not previously reported, the names of the persons or associations whom they represent as lobbyists and the subject or subjects on which they are lobbying. This report shall be incorporated into the journal of each body of the legislature.

Sec. 7. [CONTINGENT FEES PROHIBITED.] No person shall employ a lobbyist for compensation which is dependent upon the result or outcome of any legislative or administrative action. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

Sec. 8. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an official action which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, he shall deliver a copy of the statement to the secretary of the senate or the chief clerk of the house; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a legislator, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible, in a manner prescribed by the commission from influence over the action or decision in question. If the public official is a legislator, the body of which he is a member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 9. [REPRESENTATION DISCLOSURE.] Any public official who represents a client for a fee before any board or commission which has rule making authority in a hearing con-

ducted under Minnesota Statutes, Chapter 15, shall disclose his participation in the action to the commission within 14 days after his appearance.

Sec. 10. [STATEMENTS OF ECONOMIC INTEREST.] Subdivision 1. An individual shall file a statement of economic interest with the commission:

(a) Within 60 days of accepting employment as a public official; or

(b) Within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or

(c) In the case of a public official requiring senate confirmation, prior to the submission of his name to the senate for confirmation, and in any event, within 60 days after he undertakes the duties of his office.

Subd. 2. The secretary of state or the appropriate county auditor upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public official required by this section to file a statement of economic interest, shall notify the commission of the name of the individual required to file a statement and the date of the affidavit, petition or nomination.

Subd. 3. The commission shall notify the secretary of state or the appropriate county auditor and, when necessary in the case of appointive office, the secretary or chief clerk of the body that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interest with the commission and the date on which the statement was filed.

Subd. 4. The commission shall notify by registered mail any candidate for elective office who fails within 14 days after filing for office to submit a statement of economic interest required by this section. A candidate who knowingly fails to submit a statement of economic interest within seven days after receiving notice from the commission is guilty of a misdemeanor.

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) Real property within the state in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500, excluding homestead property. The filing shall indicate the county and municipality, if any, wherein the property is located.

Subd. 6. Each individual who is required to file a statement of economic interest shall file a supplementary statement on April 15 of each year.

Subd. 7. All public officials in office on the effective date of this act shall file with the commission a statement of economic interest within 60 days after the date the commission issues statement of economic interest forms.

Subd. 8. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so by the prescribed deadline may be suspended without pay by the commission and the personnel board in the manner prescribed by Minnesota Statutes, Section 43.06, in the case of a public official in the classified service of the state, and by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15, in the case of any other public official.

Sec. 11. [PENALTY FOR FALSE STATEMENTS.] A report or statement to be filed by sections 3 to 11 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Sec. 12. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer.

Subd. 2. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of treasurer.

Subd. 3. The treasurer of a political committee may appoint as many deputy treasurers as necessary and shall be responsible for their accounts.

Subd. 4. The treasurer of a political committee may designate not more than two depositories in each county in which a campaign is conducted.

Subd. 5. No funds of a political committee shall be commingled with any personal funds of officers, members or associates of the committee.

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund a political committee shall be financed solely through voluntary donations by natural persons or political funds.

Subd. 7. Any person knowingly violating the provisions of this section is guilty of a misdemeanor.

Sec. 13. [POLITICAL FUNDS.] Subdivision 1. No association shall make a transfer of funds to a candidate or political committee or make an expenditure which has as its purpose the influencing of the nomination for election or election of a candi-

date unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund. The political fund shall have the following characteristics:

- (a) The political fund shall be financed solely through voluntary donations by natural persons;
- (b) The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund;
- (c) Each association which has a political fund shall elect or appoint a treasurer of the political fund; and
- (d) No donations to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Subd. 2. Notwithstanding subdivision 1, a labor organization as defined in Minnesota Statutes, Section 179.01, may transfer money from its treasury to its political fund. The name and address of a dues paying member of the labor union need not be disclosed pursuant to section 21, subdivision 3, clauses (b) and (c), as to his contributions to the political fund from his dues of \$50 or less.

Subd. 3. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 14. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep an account of:

- (a) The sum of all contributions except any contribution in kind valued at less than \$20 made to or for the political committee or political fund;
- (b) The full name and mailing address, if any, of any person making a contribution in excess of \$20, and the date and amount thereof; and
- (c) All expenditures made by or on behalf of the committee or fund.

Any person violating any provision of this subdivision is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee or political fund of over \$100, and for any expenditure in a lesser amount if the aggregate amount of lesser expenditures to the same person during a year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 15. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the commission by filing a statement of organization no later than 14 days after the date upon which the committee or fund has re-

ceived contributions or made expenditures in excess of \$100. However, in the first year of this act, treasurers shall file within 14 days after the commission issues political committee or political fund registration forms.

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name, address and position of the custodian of books and accounts;

(e) The name and address of the chairman, the treasurer, and any other principal officers including deputy treasurer, if any;

(f) The name, address, office sought, and party affiliation, if any, of each candidate whom the committee or political fund is supporting or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

(h) A listing of all depositories or safety deposit boxes used; and

(i) A statement as to whether the committee is a principal campaign committee.

Subd. 3. Any change in information required in subdivision 2 shall be forwarded to the commission by the chairman or treasurer of the political committee or political fund within 14 days of the change.

Subd. 4. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file such a statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Sec. 16. [CONTRIBUTIONS.] Subdivision 1. Anonymous contributions in excess of \$20 shall not be retained by any political committee or political fund, but shall be forwarded to the commission and deposited to the general account of the state elections campaign fund.

Subd. 2. Every person who receives a contribution in excess of \$20 for a political committee or political fund shall, on demand of the treasurer, and in any event within 14 days after receipt of the contribution, inform the treasurer of the amount, the name and the address, if known, of the person making the contribution and the date it was received.

Subd. 3. All monetary contributions received by or on behalf of any candidate or political committee or political fund shall

within five days after the receipt thereof, Sundays and holidays excepted, be deposited in a designated depository in an account designated "Campaign Fund of . . . (name of committee or fund)".

Subd. 4. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 17. [EARMARKING.] Any person, political committee or political fund which receives contributions or transfers of funds from any person or association with the condition, express or implied, that those funds or any part of them be directed to a particular candidate shall disclose to the ultimate recipient of such funds and in the reports required by section 21, the original source of the funds, the fact that the funds were earmarked and the candidate to whom they are directed. The ultimate recipient of any funds so earmarked shall also disclose by report to the commission the original source of the funds, and the person, political committee, or political fund through which they were directed. This section applies only to those contributions required to be disclosed by section 21. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 18. [EXPENDITURES.] Subdivision 1. All expenditures including the transfer of funds between political committees or political funds shall be authorized by the treasurer or deputy treasurer of the committee or fund making that expenditure.

Subd. 2. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 26 and 28. All such expenditures shall be counted against the spending limitations of the candidate.

Subd. 3. The treasurer or deputy treasurer of a political committee may make an authorization for petty cash in any reporting period of not more than \$100 per week for statewide elections and \$20 per week in legislative elections to be used for miscellaneous expenditures.

Subd. 4. Each authorization shall state the amount and purpose of the expenditure and shall be signed by the treasurer or deputy treasurer of the committee making the expenditure and by the individual making the expenditure.

Subd. 5. Any political committee, political fund or person who solicits or accepts contributions or makes expenditures on behalf of any candidate without the written authorization of the candidate shall publicly disclose its lack of authorization. In all written communications with those from whom it solicits or accepts con-

tributions or to whom it makes expenditures, the committee, fund or person shall state in writing and in conspicuous type that it is not authorized by the candidate and that the candidate is not responsible for its activities. A similar oral statement shall be included in all oral communications. A similar written statement shall be included in conspicuous type on the front page of all literature and advertisements published or posted and a similar oral statement included at the end of all broadcast advertisements by the committee, fund or person in connection with the candidate's campaign.

Subd. 6. Any violation of the provisions of subdivisions 1, 2, 3, and 5 of this section is a misdemeanor. Any person who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 19. [BILLS WHEN RENDERED AND PAID.] Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. The willful failure to so present the bill, charge or claim is a misdemeanor.

Sec. 20. [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. A candidate may at any time without cause remove and replace the chairman, treasurer, deputy treasurer or any other officer of the candidate's principal campaign committee.

Sec. 21. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section if it receives contributions or makes expenditures in excess of \$100 in that year. Each treasurer shall make a good faith effort to ascertain and provide the information required by subdivision 3.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7; and
- (2) June 7;

(b) In years in which any candidate being supported does stand for election;

- (1) January 7;
- (2) June 7;
- (3) August 7;
- (4) Five days before any primary election in which the candidate stands for election;
- (5) October 7;

(6) Five days before any general election in which the candidate stands for election; and

(7) 30 days after the general election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

(1) 30 days before the election; and

(2) Five days before the election.

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year to a candidate's political committee in an aggregate amount or value in excess of \$50 in the case of a candidate for legislative office or in excess of \$100 in the case of a candidate for statewide office including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(c) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$100 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution within the year in an aggregate amount or value in excess of \$100 to a candidate for statewide office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(d) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$50 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution within the year in an aggregate amount or value in excess of \$50 to a candidate for legislative office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(e) The total sum of all receipts by or for the political committee or political fund during the reporting period;

(f) The full name and mailing address, if known, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an

aggregate amount in excess of \$100, the amount, date and purpose of each expenditure;

(g) The sum of individual expenditures which are not otherwise reported under clause (d);

(h) The sum of expenditures made by the political committee or political fund during the reporting period; and

(i) The amount and nature of debts.

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. Every person, other than a political committee or political fund, who makes expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the commission a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed.

Subd. 6. If no contribution is received or expenditure made by or on behalf of a candidate, political fund or political committee during a reporting period, the treasurer of the committee or fund shall file with the commission at the times required by this section a statement to that effect.

Subd. 7. Any person who fails to file a report required by this section is guilty of a petty misdemeanor. The commission shall notify within seven days after a filing date by registered mail any person who fails to file a report or statement required by this section. A person who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Subd. 8. The commission shall exempt any person, association, or any of its members or contributors from the provisions of this section if disclosure would expose that person or any or all of the members or contributors of or to an association to:

- (a) Economic reprisals;
- (b) Loss of employment; or
- (c) Threat of physical coercion.

An association may seek an exemption for all of its members or contributors only if it proves by clear and convincing evidence that a substantial number of its members or contributors would suffer a restrictive effect on their freedom of association if members were required to seek exemption individually.

Subd. 9. A political committee or a political fund or any of its members or contributors shall have standing to seek an exemption. All applications for exemption shall be treated as contested cases within the meaning of Minnesota Statutes, Chapter 15. The commission by rule shall establish a procedure so that any individual

seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 8 were he to reveal his identity for the purposes of the hearing.

Subd. 10. No person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contributions or political activity. This subdivision shall not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 22. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be filed with the county auditor of each county in which the legislative district lies.

Subd. 2. The copies of reports filed with the county auditor need not be certified copies.

Subd. 3. Statements and reports filed with county auditors shall be available to the public in the manner prescribed by section 3, subdivision 8, clause (e), and retained until four years after the election to which they pertain.

Sec. 23. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 12 to 36 to be filed by a treasurer of a political committee or political fund, or by any other person, shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Subd. 2. Each contribution in kind shall be valued at fair market value and reported on the appropriate schedule of receipts, identified as to its nature and listed as "contribution in kind". The total amount of goods and services contributed in kind shall be deemed to have been consumed in the reporting period in which received. Each contribution in kind shall be declared as an expenditure at the same fair market value and reported on the appropriate expenditure schedule, identified as "contribution in kind". A candidate may refuse to accept any contribution in kind. For purposes of this subdivision "contribution in kind" means any contribution except money.

Subd. 3. In determining the aggregate of a person's contributions, the treasurer shall list contributions from the same donor under the same name. In each instance when a contribution received from a person in a reporting period is added to previously reported unitemized contributions from the same contributor and the aggregate exceeds the disclosure threshold of section 21, the name and address of that contributor shall then be listed on the prescribed reporting forms. A candidate may refuse to accept any contribution.

Subd. 4. A political committee or political fund making an expenditure, other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 5. Each person required to file any report or statement shall maintain records on the matters required to be reported, including vouchers, cancelled checks, bills, invoices, worksheets, and receipts, which will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness, and he shall keep the records available for audit, inspection, or examination by the commission or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections thereto. Any person violating any provisions of this subdivision is guilty of a misdemeanor.

Subd. 6. The treasurer of a political committee or political fund shall not accept a contribution of more than \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement which lists the sources of the contribution in a manner which meets the disclosure requirements imposed by section 21, subdivision 3, clauses (b), (c) and (d). These statements shall be certified as true and correct by an officer of the contributing committee or political fund. The provisions of this subdivision shall not apply when the national affiliate of any political party in this state transfers money to its state affiliate and that money is expended by the state political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation if that conversation mentions three or more candidates.

Subd. 7. The secretary of state shall cause one certified copy of each report or statement filed with him under section 309 of the federal election campaign act of 1971 to be delivered to the commission within 24 hours of the time he receives such report or statement.

Sec. 24. [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report shall be reported in writing to the commission in the next report following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who willfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 25. [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts and filed a termination report. The termination report

shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Sec. 26. [LIMITS ON CAMPAIGN EXPENDITURES.] Subdivision 1. For the purposes of sections 26 to 36 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate, and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate, political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which results in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts:

- (a) For governor and lieutenant governor, running jointly, 15 cents per capita;
- (b) For attorney general, four cents per capita;
- (c) For secretary of state, state treasurer and state auditor, separately, $1\frac{1}{4}$ cents per capita;
- (d) For state senator, 25 cents per capita;
- (e) For state representative, 25 cents per capita.

Subd. 3. Notwithstanding subdivision 2, a candidate for party endorsement at the convention of a political party may spend five percent of the amount in subdivision 2, prior to the time of endorsement. The money actually spent for endorsement shall be in addition to the money which may be expended pursuant to subdivision 2.

Subd. 4. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to the effective date of this act shall not be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a contested race in a primary election receives less than 70 percent of the vote cast in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one fourth of the applicable amount as set forth in subdivision 2 of this section, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. On or before January 31 of each election year, the commission shall determine and cause to be published generally the per capita amounts specified in subdivision 2. In determining the per capita amounts, the commission shall use:

- (a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total population of the state;

(b) In the case of the elections for state senator, 1/67 of the total population of the state;

(c) In the case of elections for state representative, 1/134 of the total population of the state.

Subd. 7. On or before January 15 of each election year, the secretary of state shall certify to the commission the estimated total population of the state as of January 1 of that year.

Subd. 8. An expenditure is made in the year in which the goods or service for which it was made are used or consumed.

Sec. 27. [TRANSFERS OF FUNDS EXCEPTED.] A transfer of funds from any political committee or political fund other than a political party to the principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee or political fund.

Sec. 28. [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of 40 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 26, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's official organization within congressional districts, counties, legislative districts, municipalities, wards and precincts, and party organizations within a legislative body.

Sec. 29. [PRICE ADJUSTMENT.] At the beginning of each year, the commission shall obtain from the secretary of labor of the United States information as to the percent difference between the national price index for the 12 months preceding the beginning of the year and the price index for the base period which shall be 1973. Each amount determined under section 26 shall be increased by the percent difference. Each amount so increased after being rounded off to the nearest \$10 shall be the amount in effect for the year. For the purpose of this section, the term "price index" means the average over a 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 section 26 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 for the preceding general election.

Sec. 30. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 26 and 28 shall be subject to a fine equal to three times the amount by which its expenditure exceeded the limit. If the commission, a county attorney or the attorney general has reason to believe that a person or association has made such excess expenditures, it or he shall bring an action in the district court of Ramsey county or in the case of a legislative candidate a district court of a county within the legislative district, to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of the state elections campaign fund.

Sec. 31. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 12 to 30 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 32. [STATE ELECTIONS CAMPAIGN FUND.] Subdivision 1. There is hereby established an account within the general fund of the state, to be known as the "state elections campaign fund".

Subd. 2. Within the state elections campaign fund account there shall be maintained separate accounts for the candidates of each political party and a general account.

Sec. 33. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual whose income tax liability after personal credit for the taxable year is \$1 or more may designate that \$1 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability of \$2 or more, each spouse may designate that \$1 shall be paid.

Subd. 2. The taxpayer may designate that the \$1 be paid into the account of a political party or into the general account.

Subd. 3. The 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. If you are filing a joint return you may allocate \$1 each." The form shall state that each \$1 on a joint return may be allocated independently.

(b) The form shall then contain a line stating: "I hereby direct \$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) the name of any minor party which has either appeared on the ballot on a statewide election in the last previous general election or submitted a petition which contains the names of 2,000 persons registered to vote in Minnesota to the secretary of state by June 1 of that taxable year; 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 shall be annually appropriated for distribution as set forth in subdivisions 5, 6, 7 and 8.

Subd. 5. 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. The remaining 90 percent of the money in each party account, and all of the moneys in the general fund shall be distributed in accordance with subdivisions 6, 7 and 8.

Subd. 6. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast for the office for which he was a candidate.

Subd. 7. (a) In each fiscal year, 20 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of 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 the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast for the office for which he was a candidate.

Subd. 8. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for state representative.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast for the office for which he was a candidate.

Sec. 34. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 26 and 28.

Subd. 2. No candidate shall be entitled to receive from the state elections 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 receives from the state elections campaign fund.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for statewide office, state representative or state senator, the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Sec. 35. [APPLICATION.] The provisions of sections 32 to 34 shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions, and caucuses of a political party.

Sec. 36. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 1 to 36 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. The commission, the attorney general or the county attorney may seek an injunction in the district court to enforce the provisions of sections 1 to 36.

Subd. 3. Unless otherwise provided, a violation of sections 1 to 36 is not a crime.

Sec. 37. [APPROPRIATION.] There is hereby appropriated to the state ethics commission from the general fund \$. for the purposes of this act.

Sec. 38. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 11. Effective for taxable years commencing after December 31, 1973, in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (c), a taxpayer may take a credit against the tax due under chapter 290 of 50 percent, but not more than \$12.50, of his contributions to a political party or candidate. A married couple, filing jointly, may take a similar credit of not more than \$25.

Sec. 39. Minnesota Statutes 1971, Section 210.20, is amended to read:

210.20 [FAILURE BY CANDIDATE TO FILE STATEMENT.] Every candidate for nomination or election to any elective office *except governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative*, who *intentionally* fails to make and file the verified statement of moneys contributed, disbursed, expended, or promised by him, or by any other person, committee, or organization for him, so far as he can learn, in the manner, within the time, and with the details required by ~~law~~ *chapter 211*, or who enters upon the duties of any such office, or receives any salary or emolument therefrom, *with knowledge that before he has so filed such statement has not been filed*, and every officer who issues a commission or certificate of election to any person ~~before with knowledge that such statement shall have has not been so filed, shall be~~ *is* guilty of a gross misdemeanor.

Sec. 40. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read:

Subd. 3. "Candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. *In sections 211.06, 211.16, 211.17, 211.19, 211.20, 211.21, 211.22, 211.25 and 211.32, "candidate" does not mean a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, for governor, state officer, state senator, or membership in the house of representatives.*

Sec. 41. Minnesota Statutes 1971, Section 211.06, is amended to read:

211.06 [EXPENDITURES, LIMIT.] No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by any candidate or his personal campaign committee for any office under the ~~constitution~~ or laws of this state, or under the ordinance of any municipality of this state in his campaign for nomination and election, which shall be in the aggregate in excess of the amounts herein specified:

(a) For governor, \$7,000, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;

(b) For other state officers, \$3,500, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;

(c) For state senator, \$300, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;

(d) For member of house of representatives, \$600, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;

(e) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

(f) (b) The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.

Sec. 42. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election, as follows:

(a) When the committee is organized to support a candidate for a federal or state wide office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate

for a legislative, judicial district, or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 43. [EFFECTIVE DATE.] This act shall take effect the day following final enactment. The commission shall be appointed within 30 days of the effective date of this act and shall promulgate the rules within 30 days of its appointment. No statement or report required to be filed by this act need be filed until 30 days after the commission adopts and makes available the forms for the statements or reports.

Sec. 44. Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92 are repealed."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

And when so amended the bill do pass and be re-referred to the Committee on Taxes & Tax Laws.

February 12, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Jensen to further amend H. F. No. 951 as follows:

Page 37, after line 16, insert a new section to read:

"Sec. 43. Minnesota Statutes 1971, Section 210.21, is amended to read:

210.21 [CONTRIBUTIONS BY CORPORATIONS AND LABOR ORGANIZATIONS; PENALTIES.] It shall be unlawful for any corporations organized for pecuniary profit that are the subjects of public supervision or labor organizations as defined in section 179.01 to make a contribution of moneys from ~~its cooperation~~ *their funds* to any political committee or to any person for the purpose of aiding in carrying on any political canvass for the nomination or election of any person or persons to any office whatever. Any officer, stockholder, agent or employee of any such corporation or labor organization who shall take part in or consent to the making of a contribution of moneys or of any other thing of value contrary to the provisions of chapter 211 shall be fined not exceeding \$1,000 or be imprisoned in the state prison not exceeding one year, or both fined and imprisoned in the discretion of the court."

Renumber the remaining sections

Further, amend the title as follows:

Page 53, line 7, after "Sections," insert "210.21;"

There were yeas 3 and nays 9, as follows:

Those who voted in the affirmative were:

Messrs. Jensen, O'Neill and Pillsbury.

Those who voted in the negative were:

Messrs. Anderson; Davies; Doty; Humphrey; McCutcheon; Novak; Perpich, G.; Schaaf and Tennessen.

The amendment was not adopted.

February 12, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. O'Neill to further amend H. F. No. 951 as follows:

Page 28, after line 20, insert:

"Sec. 22. Any candidate who seeks nomination for election to any statewide office, state representative office, or state senate office in 1976, and the treasurer of each political committee or political fund of such candidate shall file in accordance with section 23 with the commission all records insofar as they exist on the effective date of this act of the source and the amount of each contribution received by the candidate or by the political committee or political fund since the date of the last election in which that person was elected to that particular office to which the candidate is seeking."

Renumber the remaining sections

Strike "to 37" wherever it appears and insert in lieu thereof "to 38"

Correct the cross references to the section numbers

There were yeas 6 and nays 8, as follows:

Those who voted in the affirmative were:

Messrs. Blatz, Jensen, Knutson, McCutcheon, O'Neill and Pillsbury.

Those who voted in the negative were:

Messrs. Anderson; Davies; Doty; Humphrey; Novak; Perpich, G.; Schaaf and Tennessen.

The amendment was not adopted.

February 12, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Jensen to further amend H. F. No. 951 as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. "Candidate" means an individual who files for election

in any primary or general election for the office of senator or representative in congress, a constitutional office of this state, the office of state senator or state representative, county offices, or municipal offices in municipalities having more than 20,000 inhabitants.

Subd. 3. "Contribution" means:

(a) A gift, subscription, advance, deposit of money or anything of value. Loans of money shall be considered as contributions for reporting purposes;

(b) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution;

(c) A transfer of funds between political committees; or

(d) Any amounts paid to any person for services performed, or to be performed, in connection with the election of a candidate.

Sec. 2. [REPORTS BY CANDIDATES OF TOTAL CONTRIBUTIONS.] Each candidate shall make a report of contributions which shall disclose:

(a) The total dollar amount of contributions made to the candidate and to all committees promoting the election of the candidate. The candidate filing the report shall include all contributions to himself and to all committees known to the candidate to be working in his behalf whether or not they are personal campaign committees. If a committee working on behalf of the candidate refuses to disclose this information to the candidate he shall state this fact in his report; and

(b) The name and address and amount of each person or organization who made a contribution of more than \$50 to the candidate or any committee working in his behalf.

Sec. 3. [REPORT OF DISBURSEMENTS.] Each candidate shall make a report of disbursements which shall disclose the name of the person to whom the disbursement is made, the purpose for which it was made, the date when made and the total disbursements. The report shall also include an itemized list of unpaid commitments.

Sec. 4. [SIGNING AND FILING REPORTS.] Reports of contributions and disbursements shall be signed by the candidate and filed with the secretary of state on or before October 20 of the year in which the general election is held, and on January 5 of each year following the general election. The report due on October 20 shall include contributions and disbursements made from January 1 to October 15 of the year of the general election. The report due on January 5 of each year thereafter shall include all contributions received or disbursements made during the preceding year. Such reports shall be filed by both the successful candidate and the defeated candidate until the end of that term of office for which the person filed.

Sec. 5. [REPORTS OF ORGANIZATIONS.] Any organization of any kind making contributions to any candidate as defined herein, political party, or other organization for the purpose of influenc-

ing or supporting the election of any candidate or group of candidates shall report the contributions made to the organization during each calendar year. The report shall be filed on or before January 5. The report shall include the name of the organization, the officers, and the persons who made the decisions as to the distribution of funds to candidates or organizations. The report shall indicate what organization it is affiliated with, the method by which the funds were obtained, and the name and address of each person who made a contribution. The report shall include the amount of each contribution made to any candidate or committee and the date the contribution was made. Any organization making disbursements on behalf of or in opposition to any candidate shall include in the report an itemized statement of such disbursements.

Sec. 6. [FILING REPORTS.] Each report required herein shall be made on forms provided by the secretary of state, shall be filed with the secretary of state during the hours in which the office of the secretary of state is open for business, and shall be filed on or before the date on which the report is due. Whenever a reporting date falls on a day on which the office of the secretary of state is closed, the report shall be due on the next day on which that office is open for business. All reports required herein shall be in addition to other reports required by law.

Sec. 7. [VIOLATIONS.] Any person violating any provisions of this act shall be guilty of a gross misdemeanor. The filing officer of any candidate shall refuse to accept the filing for election or reelection in any subsequent year by any person who has failed to file any past reports required herein.

Sec. 8. [REPORTS; DUE DATE.] The first reports required by state senators, United States senators, and organizations covered by sections 1 to 7 shall be those due January 5, 1975. The first reports by all other candidates or other officeholders covered by sections 1 to 7 shall be those due October 20, 1974.

Sec. 9. [EFFECTIVE DATE.] This act shall take effect on the day following final enactment.

Sec. 10. Minnesota Statutes 1971, Sections 211.06, 211.16, 211.17, 211.20, 211.25, are repealed."

Further amend the title by striking it and inserting in lieu thereof:

"A bill for an act relating to elections; disclosure of campaign contributions and expenditures; providing penalties; repealing Minnesota Statutes 1971, Sections 211.06; 211.16; 211.17; 211.20; and 211.25."

There were yeas 3 and nays 10, as follows:

Those who voted in the affirmative were:

Messrs. Blatz, Jensen and Pillsbury.

Those who voted in the negative were:

Messrs. Anderson; Davies; Doty; Humphrey; McCutcheon; Novak; O'Neill; Perpich, G.; Schaaf and Tennesen.

The amendment was not adopted.

February 19, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Keefe, J. to further amend H. F. No. 951 as follows:

Page 18, line 7, strike "dues or"

Page 18, line 20, strike "dues or"

There were yeas 5 and nays 8, as follows:

Those who voted in the affirmative were:

Messrs. Blatz; Jensen; Keefe, J.; O'Neill and Pillsbury.

Those who voted in the negative were:

Messrs. Anderson, Davies, Doty, Humphrey, Lord, Novak, Schaaf and Tennesen.

The amendment was not adopted.

February 19, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Jensen to further amend H. F. No. 951 as follows:

Page 53, after line 17, add a new Section 44 as follows:

"Sec. 44. Minnesota Statutes 1971, Section 210.21, is amended to read:

210.21 [CONTRIBUTIONS BY CORPORATIONS AND LABOR ORGANIZATIONS; PENALTIES.] It shall be unlawful for any corporations organized for pecuniary profit that are the subjects of public supervision or labor organizations as defined in section 179.01 to make a contribution of moneys from its ~~corporation~~ *their* funds to any political committee or to any person for the purpose of aiding in carrying on any political canvass for the nomination or election of any person or persons to any office whatever. Any officer, stockholder, agent or employee of any such corporation or organization who shall take part in or consent to the making of a contribution of moneys or of any other thing of value contrary to the provisions of chapter 211 shall be fined not exceeding \$1,000 or be imprisoned in the state prison not exceeding one year, or both fined and imprisoned in the discretion of the court."

Number the remaining sections accordingly

Further amend the title as follows:

Page 54, line 7, after "Sections" insert "210.21;"

There were yeas 5 and nays 8, as follows:

Those who voted in the affirmative were:

Messrs. Blatz; Jensen; Keefe, J.; O'Neill and Pillsbury.

Those who voted in the negative were:

Messrs. Anderson, Davies, Doty, Humphrey, Lord, Novak, Schaaf and Tennesen.

The amendment was not adopted.

February 19, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Anderson to further amend H. F. No. 951 as follows:

Page 24, line 5, strike everything after "\$100" and before "together"

Page 27, line 6, strike "in the"

Page 27, strike line 7

Page 27, line 8, strike "a legislative candidate"

Page 28, line 10, strike everything after "\$100" and before the period

There were yeas 4 and nays 8, as follows:

Those who voted in the affirmative were:

Messrs. Anderson, Davies, Novak and Tennessen.

Those who voted in the negative were:

Messrs. Blatz; Doty; Humphrey; Jensen; Keefe, J.; Lord; O'Neill and Pillsbury.

The amendment was not adopted.

February 19, 1974

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Humphrey to further amend H. F. No. 951 as follows:

Page 18, line 35, strike "\$10" and insert in lieu thereof "\$20"

Page 19, line 2, strike "\$10" and insert in lieu thereof "\$20"

Page 20, line 20, strike "\$10" and insert in lieu thereof "\$20"

Page 20, line 25, strike "\$10" and insert in lieu thereof "\$20"

There were yeas 7 and nays 6, as follows:

Those who voted in the affirmative were:

Messrs. Anderson, Davies, Doty, Humphrey, Novak, Schaaf and Tennessen.

Those who voted in the negative were:

Messrs. Blatz; Jensen; Keefe, J.; Lord; O'Neill and Pillsbury.

The amendment was adopted.

Mr. Coleman moved that the foregoing committee report be adopted. The motion prevailed. Amendments adopted. Report adopted.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the amendment to the Joint Rules be taken from the table. The motion prevailed.

Amend Joint Rule 20 by adding a paragraph as follows:

“Except for reports from the Senate Committees on Finance and Taxes and Tax Laws, and the House Committees on Appropriations and Taxes, committee reports on bills in the house of origin received after March 2, 1974, for the second year of the biennium, and committee reports on bills originating in the other house received after March 16, 1974, for the second year of the biennium, shall be referred by the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.”

Mr. Coleman moved the adoption of the foregoing amendment. The motion prevailed. So the amendment to the Joint Rules was adopted.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon Friday, March 1, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-THIRD DAY

St. Paul, Minnesota, Thursday, February 28, 1974.

The House of Representatives met on Thursday, February 28, 1974, which was the Ninety-Third Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

NINETY-FOURTH DAY

St. Paul, Minnesota, Friday, March 1, 1974.

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:

Arnold	Gearty	Lewis	Olson, J. L.	Spear
Ashbach	Hansen, Baldy	Lord	O'Neill	Stassen
Bernhagen	Hansen, Mel	McCutcheon	Patton	Stokowski
Brown	Hanson, R.	Milton	Perpich, A. J.	Tennessee
Coleman	Hughes	Moe	Perpich, G.	Thorup
Conzemius	Humphrey	Nelson	Pillsbury	Ueland
Davies	Keefe, S.	Novak	Purfeerst	Wegener
Doty	Kowalczyk	Olhoft	Schaaf	Willet
Fitzsimons	Larson	Olson, H. D.	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.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	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
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Berg, Borden and Laufenburger were excused from the Session of today. Mr. Lord was excused from the Session of today beginning at 1:00 o'clock p.m. Mr. Kowalczyk was excused from the Session of today beginning at 1:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	2812	78	February 27, 1974	February 27, 1974

Sincerely,

Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Messrs. Lewis, Conzemius and Knutson introduced—

S. F. No. 3433: A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Willet, Fitzsimons and Keefe, S. introduced—

S. F. No. 3434: A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Sections 201.061, by adding a subdivision; and 201.071, Subdivisions 1 and 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Schaaf introduced—

S. F. No. 3435: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

Which was read the first time and referred to the Committee on Education.

Messrs. Lord and Renneke introduced—

S. F. No. 3436: A bill for an act relating to public welfare; medical assistance for needy persons; review by county before payment; providing for hearings pursuant to Minnesota Statutes, Chapter 15; amending Minnesota Statutes, 1973 Supplement, Section 256B.041, Subdivision 3; and Minnesota Statutes 1971, Section 256B.10.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Humphrey introduced—

S. F. No. 3437: A bill for an act relating to elections; providing that the statutory precinct caucuses be held in public places; providing that school facilities should be made available; amending Minnesota Statutes 1971, Section 202.23, by adding a subdivision.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Knutson and Stassen introduced—

S. F. No. 3438: A bill for an act relating to elections; providing for the terms of officers elected after the adoption of the uniform municipal election day by a municipality; amending Minnesota Statutes 1971, Section 205.20, Subdivisions 3 and 4.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Milton introduced—

S. F. No. 3439: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. I 94.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Milton, Ogdahl and Perpich, G. introduced—

S. F. No. 3440: A bill for an act relating to health; establishing the right of a patient and certain relatives to examine his medical records; amending Minnesota Statutes 1971, Chapter 144, by adding a section; amending Minnesota Statutes, 1973 Supplement, Section 144.651.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Laufenburger, Fitzsimons and Olson, A. G. introduced—

S. F. No. 3441: A bill for an act relating to commerce; requiring fuel information reporting; providing penalties; amending Minnesota Statutes, 1973 Supplement, Sections 325.811, Subdivision 2, and by adding subdivisions; 325.812, and by adding subdivisions.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Keefe, S. and Spear introduced—

S. F. No. 3442: A bill for an act relating to commerce; certain real estate transactions; disclosure of substantial defects at time of sale; providing civil liabilities; appropriating money; and prescribing penalties.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Hansen, Mel; Hughes and O'Neill introduced—

S. F. No. 3443: A bill for an act relating to education; providing for pilot preschool assessment programs; appropriating money.

Which was read the first time and referred to the Committee on Education.

Mr. Spear introduced—

S. F. No. 3444: A bill for an act relating to the city of Minneapolis; providing residency requirements for employees thereof.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Hansen, Mel; Keefe, S. and Olhoft introduced—

S. F. No. 3445: A bill for an act relating to elections; providing for a more certain identification of the parties of election judges;

amending Minnesota Statutes 1971, Section 203.21, Subdivision 1; repealing Minnesota Statutes 1971, Section 203.21, Subdivision 2.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. O'Neill, McCutcheon and Milton introduced—

S. F. No. 3446: A bill for an act relating to indigent patients; providing for medical treatment at St. Paul-Ramsey hospital or university of Minnesota hospitals; amending Minnesota Statutes 1971, Chapter 158, by adding a section.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Keefe, J. and Arnold introduced—

S. F. No. 3447: A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. O'Neill, Novak and Knutson introduced—

S. F. No. 3448: A bill for an act relating to courts; jurisdiction and utilization of referees in the family court division of the district court in Ramsey county; amending Minnesota Statutes 1971, Section 484.64, Subdivision 2, and by adding subdivisions.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 3449: A bill for an act relating to the organization and operation of state government; transferring administrative responsibility for the Iron Range Trail from the commissioner of natural resources to the commissioner of iron range resources and rehabilitation; amending Minnesota Statutes 1971, Section 93.45, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Section 298.22, by adding a subdivision.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Keefe, S. introduced—

S. F. No. 3450: A bill for an act relating to highway traffic regulations; allowing the transportation of hockey sticks on school

buses; amending Minnesota Statutes 1971, Section 169.44, by adding a subdivision.

Which was read the first time and referred to the Committee on Education.

Messrs. Kleinbaum and Hansen, Baldy introduced—

S. F. No. 3451: A bill for an act relating to the game of bingo; associations permitted to conduct the game of bingo; increasing the compensation of persons rendering service during bingo sessions; amending Minnesota Statutes 1971, Section 349.03, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 3452: A bill for an act relating to corrections; appropriating money for the conduct of a training program for certain positions within the department of corrections.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Arnold introduced—

S. F. No. 3453: A bill for an act relating to the fire department relief association of the city of Grand Rapids; amending Laws 1971, Chapter 233, Section 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Arnold introduced—

S. F. No. 3454: A bill for an act relating to Itasca county; proceeds from sale or rental of forfeited land; increasing the expenditure allowed for certain purposes; amending Laws 1965, Chapter 326, Section 1, Subdivision 5.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Arnold introduced—

S. F. No. 3455: A bill for an act relating to taxation; exemption of certain taconite plant construction materials from the sales tax; amending Minnesota Statutes 1971, Section 297A.251.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Lewis and Keefe, J. introduced—

S. F. No. 3456: A bill for an act relating to open meetings of public bodies; amending Minnesota Statutes, 1973 Supplement, Section 471.705, by adding a subdivision.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Schrom introduced—

S. F. No. 3457: A bill for an act relating to the cities of Albany and Avon in the county of Stearns; authorizing an increase in the per capita expenditure for local government.

Which was read the first time and referred to the Committee on Local Government.

Mr. Stokowski introduced—

S. F. No. 3458: A bill for an act relating to valuation of property; amending Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivision 2.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. O'Neill introduced—

S. F. No. 3459: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

Which was read the first time and referred to the Committee on Judiciary.

Mr. O'Neill introduced—

S. F. No. 3460: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Borden introduced—

S. F. No. 3461: A bill for an act relating to appropriations; revenue department for development of computer assisted assessment methods to be available to political subdivisions; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Arnold introduced—

S. F. No. 3462: A bill for an act relating to game and fish; prohibiting certain restrictions on commercial fishing on Rainy lake.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Willet introduced—

S. F. No. 3463: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Olson, H. D.; Renneke and Moe introduced—

S. F. No. 3464: A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Kleinbaum introduced—

S. F. No. 3465: A bill for an act relating to taxation; providing for retroactive classification of property purchased by a non-profit corporation; amending Minnesota Statutes, 1973 Supplement, Section 275.28, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Thorup, Ogdahl and Bang introduced—

S. F. No. 3466: A bill for an act relating to savings and loan associations; records and investments; amending Minnesota Statutes 1971, Sections 51A.19, Subdivision 4; and 51A.35.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Doty introduced—

S. F. No. 3467: A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

Which was read the first time and referred to the Committee on Education.

Mr. Keefe, S. introduced—

S. F. No. 3468: A bill for an act relating to commerce; real estate brokers and salesmen; licensure; trust account requirements; amending Minnesota Statutes, 1973 Supplement, Sections 82.18; 82.19, Subdivision 3; 82.24, by adding a subdivision; and 82.28.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Keefe, S. introduced—

S. F. No. 3469: A bill for an act relating to franchises; definitions; application for registration of certain franchises; amending Minnesota Statutes, 1973 Supplement, Sections 80C.01, Subdivision 4; and 80C.04, by adding a subdivision.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Milton and Olson, A. G. introduced—

S. F. No. 3470: A bill for an act relating to civil defense; abolishing the civil defense advisory council; repealing Minnesota Statutes 1971, Section 12.12.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Dunn introduced—

S. F. No. 3471: A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

Which was read the first time and referred to the Committee on Local Government.

Mr. Willet introduced—

S. F. No. 3472: A bill for an act relating to Beltrami county; veterans land purchases.

Which was read the first time and referred to the Committee on Local Government.

Mr. Perpich, A. J. introduced—

S. F. No. 3473: A bill for an act relating to taxation; providing for reduction of tax of certain homesteads; amending Minnesota Statutes 1971, Section 273.135, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Ueland, Moe and Knutson introduced—

S. F. No. 3474: A resolution memorializing federal authorities to issue a Norwegian American 1975 Sesquicentennial Commemorative Postage Stamp.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Berg introduced—

S. F. No. 3475: A bill for an act relating to the city of Appleton; authorizing issuance of an on-sale intoxicating liquor license.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Frederick introduced—

S. F. No. 3476: A bill for an act relating to the city of Stewartville; authorizing the issuance of two on-sale liquor licenses.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Anderson; Keefe, J. and Blatz introduced—

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721,

Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 3478: A bill for an act relating to veterans; residency for purposes of entitlement to the Vietnam veterans bonus; amending Minnesota Statutes, 1973 Supplement, Section 197.971, Subdivision 9.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Olson, A. G.; Conzemius and Borden introduced—

S. F. No. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Olson, A. G. and Conzemius introduced—

S. F. No. 3480: A bill for an act relating to local water and related land resources management; granting municipalities authority to construct flood prevention or control facilities on certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Section 459.20.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Purfeerst introduced—

S. F. No. 3481: A bill for an act relating to public safety; defining peace officers; providing for a certificate of oath; amending Minnesota Statutes 1971, Sections 37.20; 38.01; 203.12; 203.42; 242.46, Subdivision 1; 260.311, Subdivision 3; 382.27; 398.35, Subdivision 2; 471.44; 493.01, Subdivision 2; 629.40; amending Minnesota Statutes, 1973 Supplement, Sections 176.011, Subdivision 9; 412.101; 352E.01, Subdivisions 2 and 4; 352E.02; 352E.04; 352E.05; repealing Minnesota Statutes 1971, Sections 169.123, Subdivisions 1, 4, 5, 6, 7, and 8; 200.02, Subdivision 13; 253A.02, Subdivision 15; 315.43; 340.91; 360.0751, Subdivision 1; 626.05, Subdivision 2; 626.76, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 169.123, Subdivisions 2 and 3.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Gearty introduced—

S. F. No. 3482: A bill for an act relating to energy conservation; providing for regulations to reduce wasteful and inefficient energy use; providing for energy conservation, education, and technical assistance; providing penalties.

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. 2718, 2682 and 2684.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 28, 1974

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. 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.

There has been appointed as such committee on the part of the House:

Prahl; Pavlak, R. and Anderson, I.

Senate File No. 1858 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 28, 1974

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. 1530: A bill for an act relating to education; authorizing and prohibiting fees for public educations.

Senate File No. 1530 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 28, 1974

Mr. Doty moved that the Senate do not concur in the amendments by the House to S. F. No. 1530 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 1421, 2703, 2762, 3125, 3009, 3142, 3245, 3248, 3293, 3356 and 3054.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 28, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 1421: 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.

H. F. No. 2703: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

H. F. No. 2762: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

H. F. No. 3125: A bill for an act relating to education; general powers of independent school districts; empowering school boards to authorize superintendents and business managers to enter into certain transactions; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

H. F. No. 3009: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

H. F. No. 3142: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

H. F. No. 3245: A bill for an act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and without an election except where required by the city charter to provide the local funds needed to match state, private, or federal grant funds.

H. F. No. 3248: A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

H. F. No. 3293: A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

H. F. No. 3356: A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

H. F. No. 3054: A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide free admission for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, Subdivision 1.

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. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2561: A bill for an act relating to state agencies; providing for payment of child care costs by the state for certain members of state boards and commissions.

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, 1973 Supplement, Section 15A.211 is amended to read:

15A.211 [TRAVEL EXPENSES AND CHILD CARE; BOARDS AND COMMISSIONS.] Notwithstanding the provi-

sions 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~~ *the following expenses:*

(a) both in state and out-of-state *travel expenses* in accordance with the rules and regulations promulgated by the commissioner of ~~administration~~ *personnel* governing the travel of state officers and employees; ; and

(b) *reasonable expenses not to exceed \$20 per day actually incurred by members who are not public employees, for child care in accordance with the rules and regulations which shall be promulgated by the commissioner of personnel.*

Sec. 2. This act shall take effect the day following its enactment."

Further, amend by striking the title and inserting:

"A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes, 1973 Supplement, Section 15A.211."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2669: A bill for an act relating to the legislature; establishing the office of state demographer; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE.] The legislature finds that competent demographic estimates and projections are basic tools for operating all units of government and planning for their future development. Therefore the effective operation of the state planning agency requires the appointment of a state demographer.

Sec. 2. Minnesota Statutes 1971, Section 4.11 is amended by adding a subdivision to read:

Subd. 8. Within the organization of the state planning agency, the position of state demographer shall be appointed by and serve under the supervision and control of the director of planning. The state demographer shall be professionally competent in the field of demography and shall possess demonstrated ability, based upon experience and past performance.

Sec. 3. Minnesota Statutes 1971, Section 4.12, is amended by adding subdivisions to read:

Subd. 6. The director of planning shall:

(1) *Employ personnel with qualifications as are needed to perform the duties prescribed in this section. To the greatest extent practicable, the director of planning shall limit the permanent demographic staff and shall contract for basic research, employ consultants, and use the existing facilities of state departments, other agencies, and the state educational institutions, and*

(2) *Utilize the computer facilities of the state or educational institutions for the research data necessary for periodic population projections.*

Subd. 7. The director of planning or his designee:

(1) *Shall continuously gather and develop demographic data within the state;*

(2) *Shall design and test methods of research and data collection;*

(3) *Shall have the power to call upon any agency of the state or political subdivision for data as may be available, and the agencies and political subdivisions shall cooperate to the fullest extent possible;*

(4) *Shall annually prepare population projections for designated regions and for the state and may periodically prepare projections for each county, or other political or geographic division;*

(5) *Shall review, comment, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies or nongovernmental persons, institutions or commissions;*

(6) *Shall serve as the state representative to the federal bureau of census and shall coordinate his activities with federal demographic activities to the fullest extent possible;*

(7) *Shall compile an annual study of population estimates on the basis of county, regional or other political or geographic divisions as necessary to carry out the purposes of this act; and*

(8) *Shall, on or before January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections.*

Sec. 4. Each state agency shall submit to the director of planning for his comment all population estimates and projections prepared by it prior to:

(a) Submitting those estimates and projections to the state legislature or federal government to obtain appropriations or grants,

(b) The issuance of bonds based upon those estimates and projections, and

(c) Releasing any plan based upon those estimates and projection.

Sec. 5. On or before March 1, 1975, the state demographer shall report to the legislature on his progress in carrying out the powers and duties enumerated in section 2 of this act.

Sec. 6. On or before January 1, 1976, the state demographer shall submit a report to the legislature on the feasibility and potential uses of a periodic official census, and of periodic population estimates and projections.

Sec. 7. The sum of \$ is appropriated to the state planning agency from the general fund for the purposes of this act. This appropriation shall expire June 30, 1975.

Sec. 8. This act is effective on the day following its final enactment."

Further, amend the title as follows:

Strike the title and insert in lieu thereof the following:

A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred.

S. F. No. 3311: A bill for an act relating to the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 1, add a new section to read:

"Sec. 3. This act shall be effective on the day next following its final enactment."

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 re-referred

H. F. No. 3047: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

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. 2605: A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "four" and insert "three"

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

S. F. No. 2332: A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

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 referred

S. F. No. 3190: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

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. [LEGISLATIVE PURPOSE.] The legislature finds and determines that it is in the best interest of the state to establish supplemental public transit aid and public transit demonstration programs. It is the purpose of these programs to preserve, improve and develop supplemental public transit operations throughout the state with financial aid. It is the goal of these programs to reduce energy consumption and afford the benefits of an effective public transit system to those persons who would not have available an alternative source of transportation. It is the intent of this legislation that the funds be used on a statewide basis, and that the relative financial needs of all potential recipients be considered.

Sec. 2. [CITATION.] This act may be cited as the Minnesota Supplemental Transit Aid Program Act of 1974.

Sec. 3. [DEFINITIONS.] Subdivision 1. "Eligible recipients" means any legislatively established public transit commission or public transit authority, county, or municipality providing financial assistance to, or operating a public transit system or any combination of such units.

Subd. 2. "Total operating deficits" means the amount by which the total prudent operating expenses incurred in the operation of the public transit system exceeds the amount of operating revenue derived therefrom.

Subd. 3. "Public transit system" means a transit system, either publicly or privately owned, which provides to the public general or specific service on a regular and continuing basis.

Sec. 4. [SUPPLEMENTAL PUBLIC TRANSIT AID PROGRAM.] Subdivision 1. [CREATION.] A supplemental public transit aid program is hereby created to provide state financial assistance to eligible recipients.

Subd. 2. [PURPOSE.] The purpose of this program is to preserve and improve public transit operations in approved areas of the state.

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the supplemental public transit aid program include counties, municipalities, and legislatively established public transit authorities or commissions, or combinations of such units. Applications for financial assistance shall be made through the regional development commissions.

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in areas other than the metropolitan transit area and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors.

(d) Determine the operating deficit of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, the agency shall consider all increases in expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all of any such increases or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this

section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Subd. 5. [APPROPRIATION.] There is hereby appropriated from the general fund the sum of \$5,500,000 to the state planning agency for the purposes of carrying out the provisions of this section. Four million five hundred thousand dollars of these funds shall be appropriated for use by the metropolitan transit commission to carry out the provisions of the commission's petroleum emergency program. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 5. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.] Subdivision 1. [CREATION.] A public transit demonstration program is hereby created which will provide state financial assistance to eligible recipients.

Subd. 2. [PURPOSE.] The purpose of this program is to demonstrate the effects of improving public transit service on reducing vehicular travel and meeting transportation needs at a minimal cost.

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A. Applications for financial assistance shall be made through the regional development commissions.

Subd. 4. [LIMITATIONS.] It is the intent of this legislation that the funds be used on a statewide basis. In order to carry out this policy, no more than 20 per cent of the funds appropriated in subdivision 6 shall be granted to any single recipient during the first six months of the program. At the end of the six-month period, unobligated funds shall be made available without such restriction.

Subd. 5. [ORGANIZATION.] The state planning agency shall administer the public transit demonstration program and shall have the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Insure that grant applications specify how the proposed project will result in improvements in accessibility for public transportation, improvements in the quality of public transit service to passengers, improvements in the economic performance of the public transit system and in reducing adverse impacts of vehicular transportation on the environment.

(c) Make and execute contracts with eligible recipients. Grants of up to 75 per cent of the cost of the public transit demonstration projects may be made.

Subd. 6. [APPROPRIATIONS.] There is hereby appropriated from the general fund to the state planning agency the sum of \$500,000 for the purpose of carrying out the provisions of this section. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 6. After 12 months from the date of final enactment, funds remaining unobligated under sections 4 and 5 may be allocated for either of the purposes described in sections 4 and 5.

Sec. 7. [ADMINISTRATIVE COST.] There is hereby appropriated from the general fund to the state planning agency the sum of \$75,000 for the purposes of administering the provisions of this act. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 8. [EFFECTIVE DATE.] This act shall take effect upon final enactment."

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

S. F. No. 3123: A bill for an act relating to health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

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. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 6, the terms defined in this section have the meanings given them.

Subd. 2. "Club" means any health club, social referral club or buying club.

Subd. 3. "Contract" means any agreement by which one becomes a member of a club.

Subd. 4. "Health club" means any corporation, partnership, unincorporated association or other business enterprise organized for profit having the primary purpose of engaging in instruction, training, encouragement or assistance in physical fitness, body building, exercising, reducing, figure development or any other such activities, or furnishing the use of facilities for such activities.

Subd. 5. "Social referral club" means any corporation, partnership, unincorporated association or other business enterprise or-

ganized for profit with the primary purpose of matching members of the opposite sex, by the use of computer or any other means, to facilitate dating or general social contact.

Subd. 6. "Buying club" means any corporation, partnership, unincorporated association or other business enterprise organized for profit with the primary purpose of providing benefits to members from the cooperative purchase of services or merchandise.

Subd. 7. "Member" means a status by which any natural person is entitled to any of the benefits of a club.

Subd. 8. "Prepayment" means any payment over \$25 for service or merchandise made before the service is rendered or the merchandise is received. It is not a prepayment if a payment for service is made on the same day the service is rendered.

Sec. 2. [RIGHT OF CANCELLATION.] Any person who has elected to become a member of a club may cancel such membership by giving written notice of cancellation any time before midnight of the third business day following the date on which membership was attained. Notice of cancellation may be given personally or by mail. If given by mail, the notice is effective upon deposit in a mailbox, properly addressed and postage prepaid. Notice of cancellation need not take a particular form and is sufficient if it indicates, by any form of written expression, the intention of the member not to be bound by the contract. Cancellation shall be without liability on the part of the member and the member shall be entitled to a refund, within ten days after notice of cancellation is given, of the entire consideration paid for the contract. Rights of cancellation may not be waived or otherwise surrendered.

Sec. 3. [NOTICE TO MEMBERS.] Subdivision 1. A copy of every contract shall be delivered to the member at the time the contract is signed. Every contract must be in writing, must be signed by the member, must designate the date on which the member signed the contract and must state, clearly and conspicuously in bo'd face type of a minimum size of fourteen points, the following:

"MEMBERS' RIGHT TO CANCEL"

"If you wish to cancel this contract, you may cancel by delivering or mailing a written notice to the club. The notice must say that you do not wish to be bound by the contract and must be delivered or mailed before midnight of the third business day after you sign this contract. The notice must be delivered or mailed to: *(insert name and mailing address of club)*. If you cancel, the club will return, within ten days of the date on which you give notice of cancellation, any payments you have made."

Subd. 2. Every contract which does not contain the notice specified in subdivision 1 may be cancelled by the member at any time by giving notice of cancellation by any means.

Sec. 4. [LIMITATION ON MEMBERSHIP PERIOD.] No contract shall be valid for a term longer than two years from the date upon which the contract is signed. However, a club may allow

a member to convert his contract into a contract for a period longer than two years after the member has been a member of the club for a period of at least six months. The duration of the contract shall be clearly and conspicuously disclosed in the contract in bold face type of a minimum size of 14 points.

Sec. 5. [BOND.] Subdivision 1. Every buying club shall maintain a bond issued by a surety company admitted to do business in this state the principal sum of which shall at all times be at least as great as the sum of (a) the total amount of prepayment received for all contracts of membership in force and (b) the total of all deposits being held on merchandise ordered or purchased through the club.

Subd. 2. Every health club or social referral club shall maintain a bond issued by a surety company admitted to do business in this state the principal sum of which shall be at all times at least as great as the total amount of prepayment received for all contracts of membership in force.

Subd. 3. In no event shall any bond required by this section be less than \$25,000.

Subd. 4. The bond required by this section shall be in favor of the state for the benefit of any person who, after entering into a contract with a club, is damaged by any illegal act or violation of contract. A copy of the bond shall be filed with the attorney general. Any person claiming against the bond may maintain an action at law against the club and the surety.

Subd. 5. The aggregate liability of the surety to all persons for all breaches of the conditions of the bonds provided herein shall in no event exceed the amount of the bond.

Subd. 6. This section does not apply to any club which files a declaration, executed under penalty of perjury by the owner or manager of such club, with the attorney general stating that the club does not require or in the ordinary course of business receive prepayment for services or merchandise.

Sec. 6. [DUTIES OF ATTORNEY GENERAL; PENALTIES; REMEDIES.] Subdivision 1. The attorney general shall investigate violations of sections 1 to 6, and when from information in his possession he has reasonable ground to believe that any person has violated or is about to violate any provision of sections 1 to 6, or that any club is insolvent, he shall be entitled on behalf of the state (a) to sue for and have injunctive relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law: (b) to sue for and recover for the state, from any person who is found to have violated any provision of sections 1 to 6, a civil penalty, in an amount to be determined by the court, not in excess of \$25,000; and in case the club has failed to maintain the bond required by sections 1 to 6, or is insolvent or in imminent danger of insolvency, to sue for and have an order appointing a receiver to wind up its affairs. All civil penalties recovered under this subdivision shall be deposited in the general fund of the state treasury.

Subd. 2. In addition to the remedies otherwise provided by law, any person injured by a violation of any of the provisions of sections 1 to 6, may bring a civil action and recover damages, together with costs and disbursements, including reasonable attorney's fees, and receive other equitable relief as determined by the court."

Further, amend the title as follows:

Page 1, line 2, after "relating to" insert "commerce; regulating".

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

S. F. No. 2850: A bill for an act relating to St. Louis county; authorizing issuance of additional seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike "additional"

Further, amend the title as follows:

Line 3, strike "additional"

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. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, after line 7, insert:

"(3) No judgment creditor or other claimant may levy upon any securities held on deposit with, or for the account of, the commissioner. Upon the entry of an order by a court of competent jurisdiction for the rehabilitation, liquidation or conservation of any depositing company as provided in Minnesota Statutes, Chapter 60B, that company's deposit together with any accrued income thereon shall be transferred to the commissioner as rehabilitator, liquidator, or conservator."

Page 2, line 15, strike "*After July 1, 1974*" and insert "*No later than July 1, 1975*"

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. 2685: A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; and appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, after "crime" insert "and members from the various regional development districts"

Page 3, after line 6, insert:

"Subd. 6. If any of the appointment procedures of this section are held invalid for any reason the governor shall make subsequent appointments to and fill vacancies in the positions affected by the holding of invalidity in the manner prescribed by this section for gubernatorial appointments."

Page 3, line 17, after "for" insert "necessary and reasonable"

Page 3, line 18, after "duties" insert "in the same manner and amount as state employees"

Page 3, line 21, after "members" insert "of the whole commission"

Page 4, line 12, after "and" insert "to assist"

Page 5, strike lines 6 to 9 and insert:

"Sec. 9. The unencumbered balance of all funds appropriated to the criminal justice contingent account by Laws 1973, Chapter 720, Section 2, Subdivision 12, and of all funds appropriated to the governor's commission on crime prevention and control by Laws 1973, Chapter 720, Section 5, are hereby transferred and reappropriated to the Minnesota criminal justice commission for the purposes of this act. Notwithstanding any other law this appropriation shall lapse and the funds so appropriated shall revert to the general fund of the state treasury on February 1, 1975, unless the governor by executive order, on or before that date designates the Minnesota criminal justice commission as the state planning agency for the purposes of the omnibus crime control act of 1968, 82 Stat. 197 and acts amendatory thereto."

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. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, by adding a subdivision.

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, 1973 Supplement, Section 16.027, Subdivision 8, is amended to read:

Subd. 8. (1) At the request of an officer or employee of the state of Minnesota *or any political subdivision thereof*, the appointing authority shall, by payroll deduction, defer the payment of such part of the compensation of the officer or employee as provided in a written agreement between the officer or employee and the state of Minnesota *or political subdivision* in such a manner as will qualify the deferred amount for benefits afforded under federal and state tax laws, regulations, and rulings.

(2) The amount of compensation so deferred shall be used to purchase shares in the Minnesota supplemental retirement fund established in section 11.18. The shares so purchased shall stand in the name of the state of Minnesota for the officer or employee whose deferred compensation purchased said shares until distributed to said officer or employee in a manner agreed upon by the appointing authority and the employee. Nothing in this subdivision shall be construed as to authorize an employer contribution, nor shall the state be responsible for any loss which may result from investment of the deferred compensation.

(3) The provisions of this subdivision, except clause (2), shall be administered by the Minnesota state retirement system pursuant to the provisions of clause (4).

(4) The commissioner of administration shall establish rules, regulations, and procedures to carry out the provisions of this subdivision including allocation of administrative costs against the assets accumulated under this subdivision. Funds to pay such costs are hereby appropriated from the fund or account in which the assets accumulated under this subdivision are placed.

Sec. 2. This act shall take effect on the day following its enactment."

Further, amend the title in line 5 by striking "1971" and inserting "1973 Supplement" and by striking line 6 and inserting "Subdivision 8."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2781: A bill for an act relating to the office of the dis-

strict court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

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 referred

S. F. No. 2161: A bill for an act relating to mobile homes; establishing a section on mobile homes; providing for licensing of certain activities relating to mobile homes; 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 the following:

"Section 1. Minnesota Statutes 1971, Section 327.31, Subdivision 3, is amended to read:

Subd. 3. "Code" means the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, and the provisions of the National Fire Protection Association and identified as NFPA 501B, and further revisions adopted by the commissioner.

Sec. 2. Minnesota Statutes 1971, Section 327.31, is amended by adding subdivisions to read:

Subd. 9. "Support system" means any device placed beneath a mobile home at the site of occupancy for the purpose of providing support.

Subd. 10. "Ground anchoring system" is any device connected to a mobile home and designed for the purpose of securing the mobile home to the ground.

Subd. 11. "Mobile home installer" means any person who, within any consecutive twelve month period, installs for others three mobile homes at site of occupancy by making necessary service connections or attaching support systems or ground anchoring systems.

Subd. 12. "Installation seal" means a device or insignia issued by the commissioner to be displayed on the mobile home to evidence compliance with the commissioner's rules and regulations pertaining to support systems and ground anchoring systems.

Sec. 3. Minnesota Statutes 1971, Section 327.32, Subdivision 5, is amended to read:

Subd. 5. No mobile home which bears a seal as provided herein shall be required by any agency or political subdivision of this state to comply with any other building, plumbing, heating, or

electrical code or any construction standards other than the code as defined in sections 327.31 to 327.34 nor be subject to any other state or local building inspection, except as the commissioner shall, by rule, provide in the case of alterations. *No mobile home which bears an installation seal as provided herein shall be required by any agency or political subdivision of this state to comply with any other mobile home installation code other than a code promulgated by the commissioner.*

Sec. 4. Minnesota Statutes 1971, Section 327.32, is amended by adding a subdivision to read:

Sub. 6. After September 1, 1974, no person shall install or connect to any mobile home a support system or ground anchoring system which is in violation of any rules and regulations promulgated by the commissioner which pertain to support systems and ground anchoring systems. The commissioner shall issue installation seals to any dealer or mobile home installer upon application supported by such evidence as the commissioner deems necessary to establish that the seals will be affixed only to those mobile homes where the support system and ground anchoring system comply with the commissioner's rules and regulations.

Sec. 5. Minnesota Statutes 1971, Section 327.33, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall by rule establish reasonable fees for seals, ~~or installation seals and inspection or both~~ which are sufficient to cover all costs incurred in the administration of sections 327.31 to 327.34. All fees received by the commissioner shall be deposited in the state treasury and credited to the general fund.

Sec. 6. Minnesota Statutes 1971, Section 327.34, Subdivision 1, is amended to read:

327.34 [PENALTIES.] Subdivision 1. It shall be a misdemeanor for any person,

(a) to sell, or offer to sell, any mobile home manufactured after July 1, 1972 which does not comply with the code or if manufactured after July 1, 1972 which does not bear a seal as required by sections 327.31 to 327.34;

(b) to affix a seal or installation seal, or cause a seal or installation seal to be affixed, to any mobile home which does not comply with the code or the commissioner's rules and regulations pertaining to support systems and ground anchoring systems;

(c) to alter a mobile home in a manner prohibited by sections 327.31 to 327.34;

(d) to fail to correct a code violation in a mobile home owned, manufactured, or sold by him within 90 days of being ordered to do so in writing by an authorized representative of the commissioner; or

(e) to interfere with, obstruct, or hinder any authorized representative of the commissioner in the performance of his duties ; ;
or

(f) to fail to correct a violation in installation of a support system or ground anchoring system in a mobile home owned, manufactured, or sold by him within 90 days of being ordered to do so in writing by an authorized representative of the commissioner.

Sec. 7. Minnesota Statutes 1971, Section 327.34, Subdivision 3, is amended to read:

Subd. 3. *Seals and installation seals* remain the property of the department of administration and may be removed by the commissioner from any mobile home which is in violation of the code.

Sec. 8. Minnesota Statutes 1971, Section 327.34, is amended by adding a subdivision to read:

Subd. 4. *It shall be a misdemeanor for any manufacturer, dealer or mobile home installer to install in any mobile home at the site of occupancy a support system or ground anchoring system after September 1, 1974, which does not comply with the commissioner's rules and regulations or to install a support system or ground anchoring system without affixing an installation seal to the mobile home immediately upon completion of installation.*

Sec. 9. Minnesota Statutes 1971, Section 168.011, Subdivision 4, is amended to read:

Subd. 4. "Motor vehicle" means any self-propelled vehicle not operated exclusively upon railroad tracks and any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires but not operated upon rails, except snowmobiles *and mobile homes*.

Sec. 10. Minnesota Statutes 1971, Section 168.27, Subdivision 1, is amended to read:

168.27 [MANUFACTURERS AND DEALERS.] Subdivision 1. [LICENSE.] No person, copartnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling motor vehicles ~~or mobile homes~~, new or used, or shall offer to sell, solicit or advertise the sale of motor vehicles ~~or mobile homes~~, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as the registrar may require, upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the registrar of the following:

(1) That the applicant has an established place of business; an established place of business when used in this section, means a permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and selling of motor vehicles ~~or mobile homes~~ will be carried on as such in good faith and not for the purpose of evading this section, and

at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement;

(2) That if the applicant desires to sell, solicit or advertise the sale of both new and used motor vehicles or mobile homes, he must have a bona fide contract or franchise in effect with a manufacturer or distributor of the new motor vehicle or mobile home, or new motor vehicles or mobile homes, he proposes to deal in; he shall also have adequate space in the building or structure wherein his business is conducted for the display of motor vehicles, not including house trailers and mobile homes, and, unless he proposes to engage only in the sale of house trailers or mobile homes, shall also provide for the repair and servicing of motor vehicles and the storage of parts and accessories in the city or village where his business is located and conducted, such service may be provided through contract with bona fide operators actually engaged in such service. But nothing herein contained shall require an applicant for a dealer's license who proposes to deal in new and unused motor vehicle bodies to have a bona fide contract or franchise in effect with the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted;

(3) That if the applicant desires only to sell, solicit or advertise the sale of used motor vehicles, he shall have adequate space for the display of motor vehicles either in the building or structure wherein his business is conducted or on a lot adjacent thereto. The registrar in his discretion may authorize the use of a building or lot for display purposes not adjacent to but in close proximity to the building wherein the business is conducted if such use is made in good faith and not for the purpose of evading the requirements of this section.

Sec. 11. Minnesota Statutes 1971, Chapter 327, is amended by adding a section to read:

[327.181] [MANUFACTURERS AND DEALERS.] *Subdivision 1. [LICENSE.] No person, copartnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling or manufacturing mobile homes, new or used, or shall offer to sell, solicit or advertise the sale of mobile homes, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the commissioner, shall be in writing, and duly verified by oath. The applicant shall submit such information as the commissioner may require, upon blanks provided by the commissioner for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the commissioner of the following:*

(1) *That the applicant has an established place of business; an established place of business when used in this section, means a*

permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and selling of mobile homes will be carried on as such in good faith and not for the purpose of evading this section, and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement;

(2) That if the applicant desires to sell, solicit or advertise the sale of both new and used mobile homes, he must have a bona fide contract or franchise in effect with a manufacturer or distributor of the new mobile home, or mobile homes, he proposes to deal in; he shall also have adequate space in the building or structure wherein trailers and mobile homes are sold, and, unless he proposes to engage only in the sale of mobile homes, shall also provide for the repair and servicing of mobile homes and the storage of parts and accessories in the city or village where his business is located and conducted, such service may be provided through contract with bona fide operators actually engaged in such services. But nothing herein contained shall require an applicant for a dealer's license who proposes to deal in new and unused mobile home bodies to have a bona fide contract or franchise in effect with the manufacturer or distributor of any mobile home chassis upon which the new and unused mobile home body is mounted;

(3) That the applicant has secured a surety bond executed by the applicant as principal and issued by a surety company admitted to do business in this state, which shall be in the amount of \$10,000, and be conditioned upon the faithful compliance by the applicant with all of the laws and rules and regulations of this state pertaining to such business. Any third party sustaining injuries within the terms of the bond may proceed against the principal and surety without making the state a party to such proceedings. Provided, however, that the aggregate liability of the surety to all such persons for all such losses or damages shall in no event exceed the amount of such bond.

Subd. 2. [PREMISES FOR DISPLAY OF MOBILE HOMES.]

If a license is granted, the licensee may be permitted to use unimproved lots and premises for sale, storage, and display of mobile homes.

If the licensee desires to remove from the established place of business occupied when the license is granted, to a new location, he shall first secure from the commissioner permission to do so. He shall be required to furnish proof satisfactory to the commissioner that the premises to which he proposes to remove conform to the requirements of subdivision 1.

Subd. 3. [LICENSES, WHEN GRANTED.] The commissioner shall grant or deny the application for such license within 60 days after the filing of the application. If the application is granted, the commissioner shall license the applicant as a mobile home dealer for the remainder of the calendar year, and issue a certificate of

license therefor as the commissioner may provide upon which shall be placed a distinguishing number of identification of such dealer. Each application for such license, and application for the renewal thereof, shall be accompanied by the sum of \$44, which shall be paid into the state treasury and credited to the general fund. Such license, unless sooner revoked, as hereinafter provided, shall, upon the furnishing of proof as in the initial application herein provided for, satisfactory to the commissioner, be renewed by the commissioner annually upon application by the dealer and upon the making of all listings, registrations, notices, and reports required by the commissioner, and upon the payment of all taxes, fees, and arrears due from such dealer.

Subd. 4. [LICENSES; REVOCATION.] Such license may be revoked by the commissioner upon proof satisfactory to him of either of the following:

- (1) Violations of any of the provisions of this chapter;
- (2) Violation of or refusal to comply with the requests and order of the commissioner;
- (3) Failure to make or provide to the commissioner all listings, notices, and reports required by him;
- (4) Failure to pay to the commissioner all taxes, fees, and arrears due from and by such dealer;
- (5) Failure to duly apply for renewal of license provided for herein;
- (6) Revocation of previous license, of which the records of the commissioner relating thereto shall be prima facie evidence of such previous revocation;
- (7) Failure of continued occupancy of an established place of business;
- (8) Sale of a new and unused current model mobile home other than the make of mobile home described in the franchise or contract filed with the original application or renewal thereof without permission from the commissioner;
- (9) Sale of a new and unused current model mobile home to anyone except for consumer use, or to a dealer duly licensed to sell the same make of mobile home; or
- (10) Material misstatement or misrepresentation in application for license or renewal thereof.

Subd. 5. [REVOCATION; HEARING.] The commissioner, upon his own motion or upon the complaint of another, shall prepare and cause to be served upon the licensee complained of, a written notice or complaint setting forth, in substance, the violations charged, and shall require the licensee to appear at the time and place fixed therein before the commissioner or authorized deputy, and show cause why his license should not be revoked.

The commissioner shall, at the time and place fixed in the notice, proceed to hear and determine the matter on its merits. If

the commissioner shall find the existence of any of the causes for revocation as set forth in subdivision 4 and determine that the licensee's license should be revoked, he shall make a written order to that effect, and a copy of such order shall be served upon such licensee in the manner provided by law for the service of summons in a civil action. Upon such revocation, if it be a mobile home dealer, he shall immediately return to the commissioner all number plates, including any "in transit" plates, in his possession.

Subd. 6. The provisions of Minnesota Statutes, Chapter 15, shall apply to appeals from an order by the commissioner.

Sec. 12. The provisions of this act shall be effective January 1, 1975."

Further amend the title by striking it in its entirety and inserting the following:

"A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section."

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

S. F. No. 3039: A bill for an act relating to courts; prescribing requirements for decisions of courts of record; prescribing penalties; amending Minnesota Statutes 1971, Section 546.27.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "judge" insert "*of district, county, probate or municipal court*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2740: A bill for an act relating to county courts; terms of judges in certain counties.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 5, after "judges" insert "*holding office by appointment pursuant to Minnesota Statutes, Section 487.01, Subdivision 9 (2),*"

Page 1, strike line 8

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2814: A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2639: A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3038: A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

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

S. F. No. 2918: A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; 546.27; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2640: A bill for an act relating to courts; allowance of costs and disbursements in the supreme court; amending Minnesota Statutes 1971, Section 607.01, Subdivision 1.

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. Notwithstanding any rule promulgated by the supreme court to the contrary, the supreme court shall allow costs and disbursements in any appeal to the supreme court to any public employee who prevails in an action for wrongfully denied or withheld employment benefits or rights in the same manner as the court allows costs and disbursements to any prevailing party.”

Further, amend the title as follows:

Line 3, strike the semicolon and insert in lieu thereof a period

Strike lines 4 and 5

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. 1048: A bill for an act creating the office of ombudsman and prescribing the powers and duties thereof; prescribing the duties of other state agencies in connection with the office of ombudsman; appropriating money.

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. [CITATION.] This act may be cited as “the ombudsman act.”

Sec. 2. [PURPOSE.] Continuous legislative review of the effect of delegations of authority to agencies, and public funding and licensure of agencies required in the public interest to enable the enactment of appropriate legislation.

Sec. 3. [DEFINITIONS.] Subdivision 1. “Administrative action” means every act, omission, decision, recommendation, practice, procedure or program of an agency.

Subd. 2. “Agency” means (a) any permanent governmental agency, department, organization, board or institution, and any officer, employee, or member thereof acting or purporting to act in the exercise of his official duties, and (b) any private agency, department, organization, board or institution which

receives any public funds, and any officer, employee, or member thereof acting or purporting to act in the exercise of his duties.

Subd. 3. "Commission" means the ombudsman supervisory commission established by this act.

Subd. 4. "Ombudsman" means any member of the office of ombudsman established by this act.

Sec. 4. [OMBUDSMAN SUPERVISORY COMMISSION ESTABLISHED.] Subdivision 1. A legislative commission to be known as the ombudsman supervisory commission is hereby established. The commission shall consist of four senators, two to be appointed by the majority leader of the senate and two to be appointed by the minority leader of the senate, and four members of the house of representatives, two to be appointed by the speaker of the house of representatives and two to be appointed by the minority leader of the house of representatives. The 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 off 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.

Subd. 2. 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 additional compensation but shall be reimbursed for their reasonable expenses as members of the legislature. The commission may exercise the powers prescribed by section 3.153.

Sec. 5. [OMBUDSMAN; OFFICE ESTABLISHED; APPOINTMENT.] Subdivision 1. The office of ombudsman is established in the legislative branch.

Subd. 2. The office of ombudsman shall be under the jurisdiction and control of the ombudsman supervisory commission of the legislature, and the commission shall appoint the ombudsman. The ombudsman shall serve for a term of six years, and may be reappointed but may not serve for more than three terms. The commission may remove or suspend the ombudsman from office, but only for malfeasance, misfeasance or nonfeasance of duty. The ombudsman shall serve as the executive secretary of the commission.

Subd. 3. No person may serve as the ombudsman while he is a candidate for or holds any other state office or employment, or while he is engaged in any other occupation for reward or profit.

Subd. 4. The compensation of the ombudsman shall be fixed by the legislature. The compensation of the ombudsman shall not be diminished during his term of office, unless by general law applying to all salaried officers of the state.

Sec. 6. [ORGANIZATION; ASSISTANT; STAFF; DELEGATION.] The ombudsman pursuant to regulation of the commission may appoint and fix the salary of a first assistant, and such

other officers and employees as may be necessary to carry out this act. Such employees shall serve in the unclassified service. The ombudsman and his full time staff shall be members of the state employees retirement association. The ombudsman may delegate to his appointees any of his duties except those specified in sections 14 and 15.

Sec. 7. [PROCEDURE.] The ombudsman shall establish procedures for receiving and processing complaints, conducting investigations, and reporting his findings. No fees shall be charged for the submission or investigation of complaints. The commission may promulgate such rules and regulations as are necessary to carry out the purposes of this act.

Sec. 8. [JURISDICTION.] The ombudsman has jurisdiction to investigate administrative actions and may exercise his powers without regard to the finality of any administrative action.

Sec. 9. [INVESTIGATION OF COMPLAINTS.] The ombudsman shall investigate any complaint from any resident of this state or nonresident visitor to this state, whether made on his own behalf or on behalf of another which the ombudsman determines to be an appropriate subject for investigation under section 11. The ombudsman may investigate on his own motion if he reasonably believes that an appropriate subject for investigation under section 11 exists.

Sec. 10. [NOTICE TO COMPLAINANT AND AGENCY.] If the ombudsman decides not to investigate, he shall inform the complainant of that decision and shall state his reasons. If the ombudsman decides to investigate, he shall notify the complainant, the affected agency, and all other interested parties of his decision.

Sec. 11. [APPROPRIATE SUBJECTS FOR INVESTIGATION.] Subdivision 1. An appropriate subject for investigation is an administrative action which may:

- (a) Be contrary to law;
- (b) Be unreasonable, unfair, oppressive, or unnecessarily discriminatory, even though in accordance with law;
- (c) Be based on a mistake of fact;
- (d) Be based on improper or irrelevant grounds;
- (e) Be unaccompanied by an adequate statement of reasons;
- (f) Be performed in an inefficient manner;
- (g) Involve unnecessary duplication or repetition;
- (h) Cause children and youth to be unable to benefit from administrative remedies for a problem, as afforded to any adult citizen of the state;
- (i) Result in an inappropriate placement of a person in any state institution;
- (j) Be otherwise inappropriate for a person of the class to whom the action applies;
- (k) Result in a lack of coordination of services;

- (l) Result in a lack of continuity of care;
- (m) Result in an omission of services; or
- (n) Be otherwise erroneous.

Subd. 2. The ombudsman may decline to entertain a complaint or undertake an investigation if in his opinion:

- (a) There is presently available an adequate remedy for the grievance stated in the complaint;
- (b) Further investigation of the facts is unnecessary;
- (c) The complaint is trivial, frivolous, not made in good faith, or made for purposes of harrassment;
- (d) The matter is outside the ombudsman's jurisdiction and power;
- (e) The ombudsman's resources are insufficient for investigation; or
- (f) The complaint has been too long delayed to justify present examination of its merits.

Sec. 12. [INVESTIGATION PROCEDURES.] Subdivision 1. In an investigation, the ombudsman may make inquiries and obtain information as he thinks fit; arrive without prior notice during public hours or at any other reasonable time to inspect the premises of an agency; and notwithstanding any law to the contrary may hold private hearings where the constitutional rights of the individual are in jeopardy, where charges are being made but have not yet been established as fact, or where the person making the complaint requests privacy in the initial stages.

Subd. 2. The ombudsman may maintain secrecy in respect to all matters relating to complaints and investigations and to the identities of the complainants or witnesses coming before him or other persons involved except so far as disclosures to an affected agency may be necessary to enable him to carry out his duties and to support his recommendations and except as otherwise provided in this act.

Sec. 13. [POWERS.] Subject to the privileges which witnesses have in the courts of this state, the ombudsman may:

- (a) Require at a specified time and place, by a subpoena, the appearance and sworn testimony of any person who he reasonably believes may be able to give information relating to a matter under investigation;
- (b) Require any person to produce documents, papers, or objects which he reasonably believes may relate to a matter under investigation;
- (c) Bring suit in an appropriate state court to enforce these powers.

Sec. 14. [CONSULTATION WITH AGENCY.] Before making public disclosure of opinions or recommendations critical of an agency, the ombudsman shall inform and consult with that agency.

Sec. 15. [PROCEDURE AFTER INVESTIGATION.] If, after investigation, the ombudsman finds that:

- (1) A matter should be further considered by the agency;
- (2) An administrative action should be modified or cancelled;
- (3) A statute or regulation on which an administrative action is based should be altered;
- (4) Reasons should be given for an administrative action; or
- (5) Any other administrative action should be taken by the agency; he shall report his opinion and recommendations to the agency. He may request the agency to notify him, within a specified time, of any action taken on his recommendations.

Sec. 16. [PUBLICATION OF RECOMMENDATIONS.] After a reasonable time has elapsed, the ombudsman may present his opinion and recommendations to the governor, the commission, the legislature, and the public. The ombudsman shall include with this opinion any reply made by the agency. A summary of each complaint, the investigation process and the recommendations or the reason for not investigating shall be open to the public.

Sec. 17. [NOTICE TO THE COMPLAINANT.] After 30 days have elapsed, and monthly until the case is considered closed, the ombudsman shall notify the complainant of the actions taken by him and by the agency.

Sec. 18. [MISCONDUCT BY AGENCY PERSONNEL.] If the ombudsman believes there has been a breach of duty or misconduct by any officer or employee of an agency, he shall refer the matter to the appropriate authorities.

Sec. 19. [ANNUAL REPORT.] The ombudsman shall submit to the governor, the commission, the legislature, and the public an annual report discussing his activities under this act with particular concern for making recommendations as to how statutes, regulations and procedures might be altered or strengthened to improve services, care or treatment provided by agencies within his area of responsibility.

Sec. 20. [IMMUNITY.] The ombudsman has the same immunities from liability as a judge of this state.

Sec. 21. [AGENCIES MAY NOT OPEN LETTERS TO OMBUDSMAN.] A letter to the ombudsman from an inmate of a state institution shall be forwarded immediately, unopened, to the ombudsman.

Sec. 22. [PENALTY FOR OBSTRUCTION.] A person who willfully hinders the lawful actions of the ombudsman or his staff, or willfully refuses to comply with their lawful demands, shall be fined not more than \$1,000.

Sec. 23. [REMEDIES CUMULATIVE.] The provisions of this act are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. Nothing in this act shall be construed to limit or affect any other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary process.

Sec. 24. [TRANSFER OF FUNCTIONS; PERSONNEL.] Subdivision 1. The office of ombudsman for the Minnesota state department of corrections established by Laws 1972, Chapter 553, is hereby abolished. The ombudsman for the Minnesota state department of corrections shall transfer and deliver to the ombudsman all books, records, documents, equipment and property which relate to functions previously performed by the ombudsman for the Minnesota state department of corrections and now included within the scope of the powers, duties and functions granted to the ombudsman by this act.

Subd. 2. The ombudsman for the Minnesota state department of corrections is hereby transferred from the executive branch of state government to the office of ombudsman in the legislative branch and shall no longer be accountable to the governor but shall serve at the pleasure of the ombudsman supervisory commission. All personnel employed by the ombudsman for the Minnesota state department of corrections are transferred to the office of the ombudsman. Such employees shall remain in the unclassified service of the state and shall remain members of the Minnesota state retirement association.

Subd. 3. With respect to all matters previously within the jurisdiction of the ombudsman for the Minnesota state department of corrections, the office of the ombudsman may complete any proceeding, court action, investigation or other business commenced prior to the enactment of this act as if it had been commenced by him. The office of the ombudsman with respect to matters previously within the jurisdiction of the ombudsman for the Minnesota state department of corrections shall be deemed a successor of that ombudsman and not a new authority.

Sec. 25. [GRANTS; TRANSFER.] The unexpended and unencumbered balance of any grants within the possession of the ombudsman for the Minnesota state department of corrections are hereby transferred to the office of the ombudsman. Such grants, however, shall be used only for matters related to correctional clients and agencies as those terms were defined in Laws 1973, Chapter 553, Section 2 and shall remain subject to any other limitation originally placed upon their use by the grantors. The office of the ombudsman may hereafter do all things necessary to qualify for, apply for, receive and disburse any grants from any public or private source.

Sec. 26. Minnesota Statutes, 1973 Supplement, Section 595.02, is amended to read:

595.02 [COMPETENCY OF WITNESSES.] Every person of sufficient understanding, including a party, may testify in any action or proceeding, civil or criminal, in court or before any person who has authority to receive evidence, except as follows:

(1) A husband cannot be examined for or against his wife without her consent, nor a wife for or against her husband without his consent, nor can either, during the marriage or afterwards, without the consent of the other, be examined as to any communication made by one to the other during the marriage. This exception does not

apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other or against a child of either, nor to a criminal action or proceeding in which one is charged with homicide or an attempt to commit homicide and the date of the marriage of the defendant is subsequent to the date of the offense, nor to an action or proceeding for non-support, neglect, dependency, or termination of parental rights;

(2) An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional duty; nor can any employee of such attorney be examined as to such communication or advice, without the client's consent;

(3) A clergyman or other minister of any religion shall not, without consent of the party making the confession, be allowed to disclose a confession made to him in his professional character, in the course of discipline enjoined by the rules or practice of the religious body to which he belongs; nor shall a clergyman or other minister of any religion be examined as to any communication made to him by any person seeking religious or spiritual advice, aid, or comfort or his advice given thereon in the course of his professional character, without the consent of such person;

(4) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent of his patient, be allowed to disclose any information or any opinion based thereon which he acquired in attending the patient in a professional capacity, and which was necessary to enable him to act in that capacity; after the decease of such patient, in an action to recover insurance benefits, where the insurance has been in existence two years or more, the beneficiaries shall be deemed to be the personal representatives of such deceased person for the purpose of waiving the privilege hereinbefore created, and no oral or written waiver of the privilege hereinbefore created shall have any binding force or effect except that the same be made upon the trial or examination where the evidence is offered or received;

(5) A public officer shall not be allowed to disclose communications made to him in official confidence when the public interest would suffer by the disclosure;

(6) Persons of unsound mind; persons intoxicated at the time of their production for examination, and children under ten years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly, are not competent witnesses;

(7) A psychologist or consulting psychologist shall not, without the consent of his client, be allowed to disclose any information or opinion based thereon which he acquired in attending the client in a professional capacity, and which was necessary to enable him to act in that capacity;

(8) *The ombudsman or member on ombudsman's staff shall not, without the consent of the complainant, be allowed to disclose any*

information or opinion based thereon which he acquired from a complaint or in conducting an investigation pursuant to this act.

Sec. 27. [APPROPRIATION.] The unencumbered and unexpended balance of all funds appropriated to the ombudsman for the Minnesota state department of corrections by Laws 1973, Chapter 765, Section 7, is hereby transferred and reappropriated to the office of the ombudsman to carry out the purposes of this act. There is appropriated from the general fund to the ombudsman \$ to carry out the purposes of this act.

Sec. 28. [REPEALER.] Minnesota Statutes, 1973 Supplement, Sections 241.407, 241.42, 241.43, 241.44, and 241.45 are repealed.

Sec. 29. [EFFECTIVE DATE.] This act is effective July 1, 1974.

Sec. 30. [EXPIRATION DATE.] Unless renewed by the legislature, the provisions of this act shall expire on June 30, 1979."

Further, amend the title as follows:

Line 2, after "ombudsman" insert "and an ombudsman supervisory commission"

Line 6, after "ombudsman;" insert "providing a penalty;"

Line 7, after "money" insert "; amending Minnesota Statutes, 1973 Supplement, Section 595.02; repealing Minnesota Statutes, 1973 Supplement, Sections 241.407; 241.42; 241.43; 241.44; and 241.45"

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

S. F. No. 2739: A bill for an act relating to hazardous and substandard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

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 referred

S. F. No. 2902: A bill for an act relating to education; appropriating money to the state college board maintenance and equipment account.

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 referred

S. F. No. 2782: A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

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

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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "municipal" insert "*or county*"

Page 1, line 20, strike "municipal"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1482: A bill for an act relating to limitation of action for damages based on errors in the survey of land, services or construction to improve real property; amending Minnesota Statutes 1971, Section 541.051, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2688: A bill for an act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

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

S. F. No. 780: A bill for an act relating to eminent domain; possession; filing of final certificate; amending Minnesota Statutes 1971, Sections 117.042; and 117.205.

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

S. F. No. 2741: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

Reports the same back with the recommendation that the bill do pass. Report adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 973, pursuant to the request of the Senate:

Messrs. Borden, Brown, Stokowski.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1060, pursuant to the request of the Senate:

Messrs. Purfeerst; Hansen, Baldy; Josefson.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 892, pursuant to the request of the House:

Messrs. Frederick, Patton, Laufenburger.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2908, 3003 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.
2908	2786	3003	2997		

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. 2148, 2182, 2876, 2909 and 3119 for comparison to companion Senate Files reports 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.
2148	2220	3119	3025		
2182	2345				
2876	2858				
2909	2851				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2148 be amended as follows:

Page 1, delete lines 23 through 27

And when so amended, H. F. No. 2148 will be identical to S. F. No. 2220 and further recommends that H. F. No. 2148 be given its second reading and substituted for S. F. No. 2220 and S. F. No. 2220 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2182 be amended as follows:

Page 7, after line 11, insert the following language:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 275.51, is amended by adding a subdivision to read:

Subd. 5. Any governmental subdivision whose total tax receipts, including homestead credit and delinquent tax receipts for any prior year, collected by the county auditor during the preceding year are less than 95 percent of the amount of the governmental subdivision's levy spread by the county auditor for that year as a result of delinquent real estate taxes occurring in that year may make an additional levy equal to the amount by which such net receipts are less than 95 percent of the spread levy which produced such delinquency. The county treasurer shall certify to each governmental subdivision authorized to make such additional levy the amount of the delinquent real estate taxes which resulted from the governmental subdivision's levy collected during the preceding year and the same shall be submitted by any governmental subdivision making the additional levy to the commissioner of taxation.

Any governmental subdivision which makes the additional levy authorized by this clause shall deduct one-third of the amount of such additional levy from the levy spread by the county auditor in each of the succeeding three years.

Any governmental subdivision which makes such an additional levy is authorized to make the levy permitted by this subdivision in any subsequent year provided that the 95 percent factor shall apply to the amount of the governmental subdivision's levy spread by the county auditor."

Renumber the remaining section

Further, amend the title in line 7, after "3" and before the period by inserting "; and 275.51, by adding a subdivision"

And when so amended, H. F. No. 2182 will be identical to S. F. No. 2345 and further recommends that H. F. No. 2182 be given its second reading and substituted for S. F. No. 2345 and S. F. No. 2345 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2876 be amended as follows:

Page 1, line 17, delete "*a graduate*" and insert in lieu thereof "*have graduated from*"

Page 1, line 18, delete "of"

And when so amended, H. F. No. 2876 will be identical to S. F. No. 2858 and further recommends that H. F. No. 2876 be given its second reading and substituted for S. F. No. 2858 and S. F. No. 2858 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2909 be amended as follows:

Page 1, line 21, delete "*Notwithstanding any law to the contrary*"

Page 1, line 22, after "*charitable*" delete "*organization*"

Page 1, line 22, after "*religious*" delete "*organization*" and insert in lieu thereof a comma

And when so amended, H. F. No. 2909 will be identical to S. F. No. 2851 and further recommends that H. F. No. 2909 be given its second reading and substituted for S. F. No. 2851 and S. F. No. 2851 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3119 be amended as follows:

Page 1, strike lines 15 through 18 and insert in lieu thereof the following:

"of Minneapolis ; provided that the portion of the costs assessable against nongovernmental real property exempt from ad valorem taxation may be levied as a special assessment against the property."

And when so amended, H. F. No. 3119 will be identical to S. F. No. 3025 and further recommends that H. F. No. 3119 be given its second reading and substituted for S. F. No. 3025 and S. F. No. 3025 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 3125, 3054, 3009, 3142 and 3248 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. 3125, 3054 and 3248 to the Committee on Education.

H. F. Nos. 3009 and 3142 to the Committee on Metropolitan and Urban Affairs.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 3311, 2332, 3190, 3123, 2850, 2685, 2759, 2781, 3039, 2740, 2814, 2639, 2918, 2640, 2739, 2518, 1482, 2688, 780 and 2741 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3047, 2605, 1382, 3003, 2908, 2148, 2182, 2876, 2909 and 3119 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Bernhagen moved that S. F. No. 3395 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Education. The motion prevailed.

Mr. Lord moved that S. F. No. 2872, No. 103 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Schaaf moved that the name of Mr. Coleman be added as co-author to S. F. No. 2798. The motion prevailed.

Mr. Schaaf moved that his name be stricken and the name of Mr. McCutcheon be added as chief author to S. F. No. 2683. The motion prevailed.

Mr. Bernhagen moved that the name of Mr. Hanson, R. be added as co-author to S. F. No. 3395.

Mr. Perpich, A. J. moved that the report from the Committee on Taxes and Tax Laws, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Perpich, A. J. moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Perpich, A. J. moved that in accordance with the report from the Committee on Taxes and Tax Laws, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

LEVY LIMITATION REVIEW BOARD

William R. Tysseling, 2632 Bittersweet Lane, North St. Paul, Ramsey County, appointed effective August 15, 1973, for a term expiring February 15, 1975.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Olson, A. G.	Solon
Arnold	Gearty	McCutcheon	Olson, H. D.	Spear
Chenoweth	Hansen, Baldy	Milton	Perpich, A. J.	Stokowski
Chmielewski	Hughes	Moe	Perpich, G.	Tennessee
Coleman	Humphrey	North	Purfeerst	Thorup
Conzemius	Kleinbaum	Novak	Schaaf	Wegener
Davies	Lewis	Olhoft	Schrom	Willet

Those who voted in the negative were:

Ashbach	Fitzsimons	Keefe, J.	Nelson	Renneke
Bang	Frederick	Kirchner	Ogdahl	Sillers
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Stassen
Blatz	Hanson, R.	Kowalczyk	O'Neill	Ueland
Brown	Jensen	Krieger	Patton	
Dunn	Josefson	Larson	Pillsbury	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Doty moved that his name be stricken as co-author to S. F. No. 3185. The motion prevailed.

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA WATER RESOURCES BOARD

Mr. David R. Von Holtum, 607 Tenth Street, Worthington, Nobles County, appointed effective October 5, 1973, for a term expiring October 5, 1979.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, per-

taining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA WATER RESOURCES BOARD

Bruce Fleming, 3680 Centerwood Road, Lexington Village, Anoka, Anoka County, appointed effective October 1, 1973, for the term expiring October 5, 1977.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Fred Ewing, 4436 Fourth Avenue South, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Reinert, Garvin, Lyon County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Wesley C. Ohman, 1506 Hamline Avenue North, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Alice Keller, 358 Collegeview, Winona, Winona County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Shirley K. Hunt, 5600 Hillside Court, Edina, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

James Ted Shields, Longville, Cass County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

David L. Clark, 829 25th Avenue S.E., Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Na-

tural Resources and Agriculture reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Kenneth RockVam, 315 South Pearl Street, Mankato, Blue Earth County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Dayton, 11947 Hilloway Road, Minnetonka, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Lyman L. Huntley, 803 Second Ave. NW, Grand Rapids, Itasca County, appointed effective January 23, 1974, for a term expiring December 31, 1974.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Richard H. Magnuson, 2141 Doswell Avenue, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 32 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessee
Arnold	Hughes	Milton	Perpich, G.	Thorup
Chenoweth	Humphrey	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	North	Schaaf	Willet
Conzemius	Kleinbaum	Novak	Solon	
Davies	Lewis	Olhoft	Spear	
Gearty	Lord	Olson, A. G.	Stokowski	

Those who voted in the negative were:

Ashbach	Fitzsimons	Kirchner	Ogdahl	Renneke
Bang	Frederick	Knutson	Olson, H. D.	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hanson, R.	Krieger	O'Neill	Ueland
Brown	Jensen	Larson	Patton	
Dunn	Keefe, J.	Nelson	Pillsbury	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, reported February 22, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hansen, Baldy moved that in accordance with the report from the Committee on Labor and Commerce, reported February 22, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT

Lawrence J. Anderson, 4905 Elliott Avenue, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring the first Monday of January, 1975.

COMMISSIONER OF THE BANKING DIVISION DEPARTMENT OF COMMERCE

Robert A. Mampel, 5650 Westbrook Road, Golden Valley, Hennepin County, appointed effective September 4, 1973, for a term expiring September 4, 1979.

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

J. Martell Rud, Manager, Northtown Shopping Center, 398 N.E. Northtown Drive, Edina, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Earl Gustafson, 700 First American National Bank Building, Duluth, St. Louis County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Dan Gustafson, Minneapolis Building Trades and Construction Trades Council, Room 400, 117 4th Street S. E., Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1979.

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Paul Larimore, Mayor, Albert Lea, Freeborn County, City Cen-

ter, Albert Lea, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Alfred Erickson, Ellerbe Architects, 333 Sibley, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

James Miley, 60 East Fourth Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Leonard LaShomb, Minnesota AFL-CIO, 414 Auditorium Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

John Hauenstein, Peerliss Chain Company, Winona, Winona County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

William Westerberg, Continental Safety Equipment, 917 Grand Avenue, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Harvey Paulson, State Building and Trades, 404 East Main, Albert Lea, Freeborn County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Hugh Gallagher, Communications Workers of America, Meadowbrook Building, W-315, 6490 Excelsior Boulevard, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Helen Bender, G-25A, Highway Building, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Victor Lowe, Minnesota Compensation Rating Bureau, 523 Marquette Avenue, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Robert McElroy, Minnesota Mining, 900 Bush, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hansen, Baldy moved that in accordance with the report from the Committee on Labor and Commerce, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Jack West, S. J. Grove and Sons, 1972 Malvern Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, including the Minority Report, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted.

Mr. Davies moved that the Minority Report be substituted for the Majority Report. The motion prevailed.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Ogdahl	Schrom
Arnold	Fitzsimons	Knutson	Olhoff	Sillers
Ashbach	Frederick	Kowalczyk	Olson, A. G.	Solon
Bang	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	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	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Davies moved that the Minority Report be adopted. The motion prevailed.

CONFIRMATION

Mr. Davies moved that the Senate, having advised with, do now consent to and confirm the appointment of:

WORKMEN'S COMPENSATION COMMISSIONER

Charles C. Reischel, 1711 Fremont Avenue, St. Paul, Ramsey County, appointed effective November 8, 1973, for a term expiring September 14, 1979.

The question being taken on the adoption of the motion,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	McCutcheon	O'Neill	Spear
Arnold	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	North	Purfeerst	Thorup
Coleman	Kleinbaum	Novak	Schaaf	Wegeener
Davies	Lewis	Olhoft	Schrom	Willet
Doty	Lord	Olson, A. G.	Sillers	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Larson	Pillsbury
Bang	Fitzsimons	Keefe, J.	Nelson	Renneke
Bernhagen	Frederick	Kirchner	Ogdahl	Solon
Blatz	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Brown	Hansen, Mel	Kowalczyk	Olson, J. L.	Ueland
Conzemius	Hanson, R.	Krieger	Patton	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that the name of Mr. Josefson be added as co-author to S. F. No. 3365. The motion prevailed.

Mr. Purfeerst moved that S. F. No. 2881, No. 37 on General Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Ogdahl	Schaaf
Arnold	Fitzsimons	Kleinbaum	Olhoft	Schrom
Ashbach	Frederick	Knutson	Olson, A. G.	Sillers
Bang	Gearty	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Larson	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Tennessee
Chenoweth	Hughes	Milton	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Moe	Perpich, G.	Ueland
Coleman	Jensen	Nelson	Pillsbury	Wegeener
Davies	Josefson	North	Purfeerst	Willet
Doty	Keefe, S.	Novak	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Jensen moved that the name of Mr. Olson, H. D. be added as co-author to S. F. No. 3345. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2779: A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

Was read the third time 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, S.	Novak	Schrom
Arnold	Dunn	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Solon
Bang	Gearty	Knutson	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessee
Chenoweth	Hughes	McCutcheon	Patton	Thorup
Chmielewski	Humphrey	Milton	Perpich, A. J.	Ueland
Coleman	Jensen	Moe	Pillsbury	Willett
Conzemius	Josefson	Nelson	Purfeerst	
Davies	Keefe, J.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2916: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	North	Purfeerst
Arnold	Dunn	Keefe, S.	Novak	Renneke
Ashbach	Fitzsimons	Kirchner	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olhoft	Sillers
Bernhagen	Gearty	Knutson	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Brown	Hansen, Mel	Larson	Olson, J. L.	Stassen
Chenoweth	Hanson, R.	Lewis	O'Neill	Stokowski
Chmielewski	Hughes	McCutcheon	Patton	Tennessee
Coleman	Humphrey	Milton	Perpich, A. J.	Thorup
Conzemius	Jensen	Moe	Perpich, G.	Ueland
Davies	Josefson	Nelson	Pillsbury	Willett

So the bill passed and its title was agreed to.

S. F. No. 2939: A bill for an act relating to taxation; providing an income tax credit for persons with small incomes; amending Minnesota Statutes 1971, Section 290.06, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Coleman	Dunn	Hansen, Mel
Arnold	Brown	Conzemius	Fitzsimons	Hanson, R.
Ashbach	Chenoweth	Davies	Frederick	Hughes
Bernhagen	Chmielewski	Doty	Gearty	Humphrey

Jensen	Lewis	Olhoft	Purfeerst	Tennessee
Josefson	Lord	Olson, A. G.	Renneke	Thorup
Keefe, J.	McCutcheon	Olson, H. D.	Schaaf	Ueland
Keefe, S.	Milton	Olson, J. L.	Schrom	Wegener
Kirchner	Moe	O'Neill	Sillers	Willet
Kleinbaum	Nelson	Patton	Solon	
Knutson	North	Perpich, A. J.	Spear	
Krieger	Novak	Perpich, G.	Stassen	
Larson	Ogdahl	Pillsbury	Stokowski	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Mr. Olson, A. G. imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Kirchner	Novak	Renneke
Bang	Frederick	Kleinbaum	Ogdahl	Schaaf
Bernhagen	Gearty	Knutson	Olhoft	Sillers
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Brown	Hansen, Mel	Larson	Olson, H. D.	Spear
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Stassen
Chmielewski	Hughes	Lord	O'Neill	Stokowski
Coleman	Humphrey	McCutcheon	Patton	Tennessee
Conzemius	Jensen	Milton	Perpich, A. J.	Thorup
Davies	Josefson	Moe	Perpich, G.	Ueland
Doty	Keefe, J.	Nelson	Pillsbury	Wegener
Dunn	Keefe, S.	North	Purfeerst	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

THIRD READING OF SENATE BILLS—CONTINUED

S. F. No. 2676: A bill for an act relating to agriculture; abolishing certain agricultural statistical and informational returns; repealing Minnesota Statutes 1971, Section 17.03, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Olson, H. D.	Spear
Arnold	Gearty	McCutcheon	Perpich, A. J.	Stokowski
Ashbach	Hughes	Milton	Perpich, G.	Tennessee
Chenoweth	Humphrey	Moe	Pillsbury	Thorup
Chmielewski	Keefe, S.	North	Purfeerst	Wegener
Coleman	Kleinbaum	Novak	Schaaf	Willet
Conzemius	Krieger	Olhoft	Sillers	
Davies	Lewis	Olson, A. G.	Solon	

Those who voted in the negative were:

Bang	Fitzsimons	Jensen	Ogdahl	Schrom
Bernhagen	Frederick	Josefson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Kirchner	O'Neill	Ueland
Brown	Hansen, Mel	Knutson	Patton	
Dunn	Hanson, R.	Larson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2393: A bill for an act relating to highway traffic regulations; vehicle lighting; time of display of lighted lamps; amending Minnesota Statutes 1971, Section 169.48.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Schaaf
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Sillers
Bang	Frederick	Krieger	Olson, H. D.	Solon
Bernhagen	Gearty	Larson	Olson, J. L.	Spear
Blatz	Hansen, Baldy	Lewis	O'Neill	Stassen
Brown	Hansen, Mel	Lord	Patton	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Jensen	Moe	Pillsbury	Ueland
Conzemius	Josefson	North	Purfeerst	Wegener
Davies	Keefe, S.	Novak	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 2977: A bill for an act relating to the city of Minneapolis; authorizing housing and rehabilitation loan and grant program; providing for the issuance of limited general obligation bonds.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Ogdahl	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoft	Sillers
Ashbach	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	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	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 967: A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Sillers
Arnold	Fitzsimons	Kirchner	Novak	Solon
Ashbach	Frederick	Knutson	Ogdahl	Spear
Bang	Gearly	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Lewis	Patton	Tennessee
Brown	Hanson, R.	Lord	Perpich, A. J.	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Coleman	Humphrey	Olhoft	Olson, H. D.	Wegener
Dunn	Kleinbaum	Olson, A. G.	Schrom	Willet

So the bill passed and its title was agreed to.

S. F. No. 2970: A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 205.041.

Was read the third time 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	Dunn	Kirchner	Ogdahl	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoft	Sillers
Ashbach	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearly	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	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	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2128: A bill for an act relating to education; providing school bus transportation for pupils to non-public schools in adjacent districts; amending Minnesota Statutes 1971, Section 123.78, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Ogdahl	Schrom
Arnold	Frederick	Kleinbaum	Olhoft	Sillers
Ashbach	Gearty	Krieger	Olson, H. D.	Solon
Bang	Hansen, Baldy	Larson	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Lewis	O'Neill	Stassen
Blatz	Hanson, R.	Lord	Patton	Stokowski
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Doty	Keefe, J.	North	Renneke	
Dunn	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2449: A bill for an act relating to hospitalization and commitment; securing equal rights of administrative review for patients in federal hospitals; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.

Was read the third time 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	Dunn	Kirchner	Ogdahl	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoft	Sillers
Ashbach	Frederick	Knutson	Olson, A. G.	Solon
Bang	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	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	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2948: A bill for an act relating to the department of corrections; parole and probation; amending Minnesota Statutes, 1973 Supplement, Sections 241.045, Subdivisions 6 and 7; 242.03; and 242.10.

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	Olhoft	Sillers
Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Ashbach	Frederick	Knutson	Olson, H. D.	Spear
Bang	Gearty	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Lewis	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	
Davies	Keefe, J.	Novak	Schaaf	
Doty	Keefe, S.	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2957: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property, to provide by regulation and ordinance for the governance of park, open space and recreational areas and to provide penalties for violation thereof, to preserve the natural drainage within the county, to make appropriations, levy taxes, borrow money and issue bonds therefor, and to expend funds for a park, open space and recreational system within or without Ramsey county; amending Laws 1971, Chapter 950, Section 1, Subdivisions 1 and 4.

Was read the third time 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	Olhoft	Sillers
Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Ashbach	Frederick	Knutson	Olson, H. D.	Spear
Bang	Gearty	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Lewis	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	
Davies	Keefe, J.	Novak	Schaaf	
Doty	Keefe, S.	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2885: A bill for an act relating to metropolitan transportation; directing the metropolitan transit commission to promote the use of car pools and employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing tax levies.

Was read the third time 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 11, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Ogdahl	Schaaf
Bang	Gearty	Kleinbaum	Olhoft	Solon
Brown	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Chenoweth	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Olson, J. L.	Tennessee
Coleman	Hughes	Milton	O'Neill	Thorup
Conzemius	Humphrey	Moe	Patton	Willet
Davies	Jensen	Nelson	Perpich, A. J.	
Doty	Keefe, J.	North	Perpich, G.	
Dunn	Keefe, S.	Novak	Purfeerst	

Those who voted in the negative were:

Bernhagen	Josefson	Pillsbury	Schrom	Stassen
Blatz	Krieger	Renneke	Sillers	Ueland
Frederick				

So the bill passed and its title was agreed to.

S. F. No. 1713: A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Novak	Renneke
Arnold	Fitzsimons	Kirchner	Ogdahl	Schaaf
Ashbach	Frederick	Kleinbaum	Olhoft	Sillers
Bang	Gearty	Knutson	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stassen
Chenoweth	Hanson, R.	Lewis	O'Neill	Stokowski
Chmielewski	Hughes	McCutcheon	Patton	Tennessee
Coleman	Humphrey	Milton	Perpich, A. J.	Thorup
Conzemius	Jensen	Moe	Perpich, G.	Ueland
Davies	Josefson	Nelson	Pillsbury	Wegener
Doty	Keefe, J.	North	Purfeerst	Willet

Messrs. Brown and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1759: A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

Was read the third time 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 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Larson	Olhoft	Spear
Bang	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hanson, R.	McCutcheon	O'Neill	Tennessee
Coleman	Hughes	Milton	Perpich, A. J.	Thorup
Conzemius	Humphrey	Moe	Perpich, G.	Wegener
Davies	Keefe, J.	Nelson	Pillsbury	
Doty	Keefe, S.	North	Purfeerst	

Those who voted in the negative were:

Bernhagen	Frederick	Knutson	Patton	Stassen
Blatz	Hansen, Baldy	Krieger	Renneke	Ueland
Brown	Jensen	Olson, H. D.	Schrom	Willet
Chmielewski	Josefson	Olson, J. L.	Sillers	

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Mr. Chmielewski gave notice of intention to move for reconsideration of S. F. No. 967.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Saturday, March 2, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-FIFTH DAY

St. Paul, Minnesota, Saturday, March 2, 1974.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Arnold	Coleman	Hanson, R.	North	Purfeerst
Ashbach	Conzemius	Keefe, S.	Novak	Renneke
Berg	Dunn	Kleinbaum	Olhoft	Solon
Bernhagen	Fitzsimons	Krieger	Olson, H. D.	Ueland
Borden	Frederick	Lewis	Olson, J. L.	Wegener
Chenoweth	Gearty	Lord	Perpich, A. J.	Willet
Chmielewski	Hansen, Baldy	Moe	Perpich, G.	

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:

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.	Snear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessen
Chenoweth	Hughes	Lord	Patton	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Josefson	Milton	Perpich, G.	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
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

Messrs. Anderson, Jensen, Laufenburger and Pillsbury were excused from the Session of today. Messrs. Fitzsimons, Sillers, Patton and Moe were excused from the Session of today, beginning at 11:30 o'clock a.m. Mr. Olson, J. L. was excused from the Session

of today, beginning at 3:30 o'clock p.m. Mr. Ueland was excused from the Session of today beginning at 4:00 o'clock p.m.

INTRODUCTION OF BILLS

Messrs. Schrom, Frederick and Novak introduced—

S. F. No. 3483: A bill for an act relating to state government; salaries of certain unclassified employees in the executive branch of government; increasing the salary of the commissioner of the department of veterans affairs; amending Minnesota Statutes, 1973 Supplement, Section 15A.081, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Dunn and Arnold introduced—

S. F. No. 3484: A bill for an act relating to the Minnesota water resources board; department of natural resources; abolishing the board and transferring all the powers, duties and responsibilities of the board to the department of natural resources; amending Minnesota Statutes 1971, Sections 105.73; 105.74; 105.75; 105.751; 105.76; 105.77; 105.78; 105.79; 112.35, by adding a subdivision; 112.36; 112.37; 112.39; 112.40; 112.401; 112.411; 112.42, Subdivisions 1, 2 and 7; 112.43, Subdivisions 3 and 4; 112.46; 112.49, Subdivision 6; 112.71; 112.74; 112.76; 112.761; 112.78; 112.79; 112.801; 112.85; Minnesota Statutes, 1973 Supplement, Sections 112.38; 112.42, Subdivision 3; 112.48, Subdivision 3; 112.55; 112.69, Subdivision 1; and 112.86; repealing Minnesota Statutes 1971, Sections 105.71; and 112.35, Subdivision 4.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Dunn, Krieger and Arnold introduced—

S. F. No. 3485: A bill for an act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes, 1973 Supplement, Section 319A.02, Subdivision 2.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Dunn, Olson, J. L. and Renneke introduced—

S. F. No. 3486: A bill for an act relating to motor vehicles; registration and taxation; pioneer and classic cars; amending Minnesota Statutes 1971, Section 168.10, Subdivision 1.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Dunn introduced—

S. F. No. 3487: A bill for an act relating to motorcycles; regulation and licensing thereof; requiring certain equipment thereon, and certain equipment for operators and passengers; requiring annual inspection; directing the commissioner of public safety to make certain studies; providing penalties; amending Minnesota Statutes 1971, Sections 169.09, Subdivision 8; 169.67, Subdivision 4; 169.974, Subdivisions 3, 4 and 5, and by adding a subdivision; 171.02; 171.04; and Chapter 169, by adding a section.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Solon introduced—

S. F. No. 3488: A bill for an act relating to taxation; providing for classification of watercraft used for rental as dwellings as class 3 property; amending Minnesota Statutes, 1973 Supplement, Section 273.13, Subdivision 4.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Larson introduced—

S. F. No. 3489: A bill for an act relating to highways; prohibiting consolidation of state highway field maintenance stations except under certain conditions.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Stassen; Keefe, J. and O'Neill introduced—

S. F. No. 3490: A bill for an act relating to elections; removing the requirement that access be permitted to multiple unit dwellings for the purpose of campaigning; repealing Minnesota Statutes, 1973 Supplement, Section 211.41.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Ogdahl, Kirchner and Hansen, Mel introduced—

S. F. No. 3491: A bill for an act relating to highway traffic regulation; driving under the influence of drugs or alcoholic beverages; increasing the penalty to a gross misdemeanor; providing for a petty misdemeanor offense; amending Minnesota Statutes, 1973 Supplement, Sections 169.121, Subdivisions 1 and 3; 169.123, Subdivision 2; and Minnesota Statutes 1971, Section 169.121, by adding subdivisions.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Humphrey introduced—

S. F. No. 3492: A bill for an act relating to natural resources; directing the release of certain lands and the conveyance of certain lands in Aitkin county.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Perpich, A. J. introduced—

S. F. No. 3493: A bill for an act appropriating moneys to the regents of the university of Minnesota for the mineral resource research center.

Which was read the first time and referred to the Committee on Education.

Messrs. Coleman, Krieger and Conzemius introduced—

S. F. No. 3494: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

Which was read the first time and referred to the Committee on Rules and Administration.

Messrs. Solon, Doty and Chmielewski introduced—

S. F. No. 3495: A bill for an act relating to the western Lake Superior sanitary districts; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Frederick, McCutcheon and Krieger introduced—

S. F. No. 3496: A bill for an act relating to highway traffic regulations; driving under the influence of drugs or alcoholic beverages; amending Minnesota Statutes, 1973 Supplement, Section 169.121, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Stassen, Frederick and Patton introduced—

S. F. No. 3497: A bill for an act relating to education; formula for computation of foundation aid; amending Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 7a.

Which was read the first time and referred to the Committee on Education.

Messrs. Willet and Schrom introduced—

S. F. No. 3498: A bill for an act relating to real property; providing that lakeshore property shall qualify for treatment under the agricultural property tax law; amending Minnesota Statutes 1971, Section 273.111, Subdivision 4.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Milton introduced—

S. F. No. 3499: A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Willet, Dunn and Lord introduced—

S. F. No. 3500: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to acquire conservation restrictions by gift, purchase or condemnation proceedings.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 707: A bill for an act relating to tort liability; political subdivisions; extending time for notice of claims involving vehicular accidents; amending Minnesota Statutes 1971, Section 466.05, Subdivisions 1 and 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "Subdivision 1,"

Page 1, line 11, strike the new language and insert in lieu thereof "*Except as provided in subdivisions 2 and 3,*"

Page 1, line 16, after "injury" insert "*is discovered*"

Page 1, line 16, strike "written"

Page 1, line 18, after the period insert "*Actual notice of sufficient facts to reasonably put the governing body of the municipality or its insurer on notice of a possible claim shall be construed to comply with the notice requirements of this section.*"

Page 1, lines 24 to 27, strike the new language

Page 2, after line 1, insert:

"Subd. 2. [EXCEPTIONS TO THE NOTICE REQUIREMENT.] Notice shall not be required to maintain an action for damages for or on account of any loss or injury within the scope of section 466.02 if such injury or loss:

(a) arises out of an intentional tort committed by an officer, employee or agent of the municipality; or

(b) involves a motor vehicle or other equipment owned by the municipality or operated by an officer, employee or agent of the municipality."

Page 2, strike lines 2 and 3

Page 2, line 4, strike "2" and insert in lieu thereof "3"

Page 2, line 4, reinsert the old language

Page 2, lines 5 and 6, strike the new language and reinsert the old language

Page 2, lines 12 to 15, strike the new language and reinsert the old language

Page 2, after line 15, insert:

"Sec. 2. This act shall be effective for any claim arising after August 1, 1974."

Further amend the title as follows:

Line 3, after the semicolon insert "defining notice;"

Line 4, strike "involving" and insert in lieu thereof "and eliminating notice requirements for intentional torts and"

Line 6, strike ", Subdivisions 1 and 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2840: A bill for an act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, strike lines 25 and 26 and insert:

"(9) That the year, or the month, or the day, or the hour of the sale is omitted or incorrectly or insufficiently stated in the notice of sale or the sheriff's certificate of sale;"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judicary, to which was referred

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.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3160: A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 28 to 30, restore the stricken language

Page 1, line 30, after "purpose" insert "*and*"

Page 5, line 10, after "*administration*" and before the period, insert "*and at a price as the commissioner of administration shall determine*"

Page 5, line 19, after "*library*" insert "*and one copy to each member of the legislature*"

Page 6, line 12, after "*information*" strike "*to*" and insert "*by*"

Page 6, line 16, after "*thereof*" insert "*, or executive order*"

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. 3234: A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "concessions" insert "*relative to food, beverages, and transit*"

Page 1, line 15, after "16" insert "*. In other areas of concessions*"

Page 1, line 15, reinstate the stricken words "the commissioner"

Page 1, line 16, reinstate the stricken words "of administration"

Page 1, line 16, after "administration" insert "*may determine*"

Page 1, line 16, after the stricken word "determines" reinstate all the stricken language

Page 1, lines 17 and 18, reinstate the stricken language

Page 1, after line 18, insert:

"Sec. 2. [EFFECTIVE DATE.] This act shall be effective the day following final enactment."

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. 3045: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1971, Section 123.34, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 2813: A bill for an act relating to student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them to fund a legal counseling and service program for students; amending Laws 1973, Chapter 488, Section 1.

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 referred

S. F. No. 2177: A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; amending Minnesota Statutes 1971, Section 257.101, by adding a subdivision.

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 257.101, is amended by adding a subdivision to read:

Subd. 6. Notwithstanding any law to the contrary, no municipality or other political subdivision may enact zoning ordinances which prohibit the use of a single family dwelling in a residential area as a foster family home or as a facility for family day care of five or less children, including the provider's children, so long as the facility meets requirements for licensure pursuant to this and all applicable local and state health and safety regulations.

Sec. 2. Minnesota Statutes 1971, Section 257.101, is amended by adding a subdivision to read:

Subd. 7. Notwithstanding any law to the contrary, the commissioner of public welfare shall, at least thirty days before issuing a license under this section to any facility, notify the affected municipality or political subdivision of the facility's application.

Sec. 3. Subdivision 1. Notwithstanding any law to the contrary, no private or public facility for the treatment, housing, or counseling of more than five mentally retarded, physically disabled, mentally ill, chemically or otherwise dependent persons, nor any correctional facility for more than five persons, shall be established in a single family dwelling in a residential area without ninety days written notice to the affected municipality or other political subdivision.

Subd. 2. No state funds shall be made available to or be expended by any state or local agency for facilities or programs enumerated in this section unless and until the provisions of this section have been complied with in full.

Sec. 4. This act is in effect July 1, 1974."

Further, amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for notice to affected municipalities and political subdivisions;"

Page 1, line 5, strike "a"

Page 1, line 6, strike "subdivision" and insert "subdivisions"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Konzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3229: A bill for an act relating to welfare; general assistance; defining county of financial responsibility; amending Minnesota Statutes, 1973 Supplement, Section 245A.18, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "144.50" strike the comma and insert a semicolon

Page 1, line 13, after "is" insert "*a resident of a facility pursuant to*"

Page 1, line 14, strike "*placed in a county as a result of*"

Page 1, line 15, strike "*child care*"

Page 1, line 15, after "*training*" strike the comma and insert a semicolon

Page 1, line 15, after "*or*" and before "*a*" insert "*is a resident of*"

Page 1, line 16, strike "*program*" and insert "*facility*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1483: A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes 1971, Section 514.01.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "1971" and insert ", 1973 Supplement"

Page 1, line 18, strike "for the price or value of such"

Page 1, line 19, strike "contribution;"

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 514.05, is amended to read:

514.05 [WHEN LIEN ATTACHES; NOTICE.] All such liens, as against the owner of the land, shall attach and take effect from the time the first item of material or labor is furnished upon the premises for the beginning of the improvement, and shall be preferred to any mortgage or other encumbrance not then of record, unless the lienholder had actual notice thereof. As against a bona fide purchaser, mortgagee, or encumbrancer without notice, no lien shall attach prior to the actual and visible beginning of the improvement on the ground, but a person having a contract for the furnishing of labor, skill, material, or machinery for such improvement, may file for record with the register of deeds of the county within which the premises are situated, or, if claimed under section 514.04, with the secretary of state, a brief statement of the nature of such contract, which statement shall be notice of his lien. *Engineering or land surveying services with respect to real estate shall not constitute the actual and visible beginning of the improvement on the ground referred to in this section.*"

Further amend the title as follows:

Page 1, line 4, after "Statutes" insert ", 1973 Supplement,"

Page 1, strike line 5 and insert "Sections 514.01; and 514.05."

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

S. F. No. 3338: A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, strike "*two*" and insert "*three*"

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

S. F. No. 3218: A bill for an act relating to towns, local improvements, special assessments, amending Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2b.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "subdivision" insert "*and undertaken pursuant to the authority granted in this 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

S. F. No. 3169: A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "reside" strike the rest of the line and insert "by filing with the county board a petition, signed by voters of the town equal in number to ten percent of the electors voting in the town at the last preceding election of county officers."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3238: A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*least six*" and insert "*the January meeting prior to the first date on which applicants may file for the office of county attorney.*"

Page 1, line 19, strike "*months before the next election.*"

Page 1, line 19, strike "*for each term*"

Page 1, line 20, after "board" strike the remainder of the line and insert "*as provided in Minnesota Statutes, Section 388.18, Subdivision 2.*"

Page 1, strike lines 21 through 23.

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

S. F. No. 3249: A bill for an act relating to the city of Winona; authorizing the transfer of interests in certain real property to the port authority of Winona.

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

S. F. No. 3292: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3389: A bill for an act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

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

S. F. No. 3217: A bill for an act relating to court commissioners; altering the circumstances in which fees are allowed; amending Minnesota Statutes 1971, Section 357.28, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3246: A bill for an act relating to Chisago county; authorizing the county board to levy special assessments for improvements to bodies of water.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2871: A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

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

S. F. No. 3267: A bill for an act relating to the city of St. Cloud; property assessment as a function of the city assessor.

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

S. F. No. 2677: A bill for an act relating to eminent domain proceedings; court appointed commissioners; amending Minnesota Statutes 1971, Section 117.075.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, strike the first comma

Page 1, line 17, after "alternates" strike the comma and insert "*who, except in the case of proceedings by a watershed district, shall be*"

Page 1, lines 18 and 19, strike the new language

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2004: A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of highway patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 21 through 23, strike the new language

Page 1, line 26, after the period insert "*If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be credited to the general revenue fund of the county, one-*

third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2515: A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 6, strike "any" and insert "a"

Page 1, line 6, strike "a" and insert "any"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3349: 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 St. Paul-Ramsey hospital: amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "the" insert "*city of Saint Paul, Ramsey county and the*"

Page 1, line 14, strike "*and the owners*"

Further, amend the title:

Page 1, line 2, strike "establishing and"

Page 1, line 3, strike "a" and insert "the"

Page 1, line 3, after "authority" insert "to contract with the city of Saint Paul and Ramsey county"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3409: A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

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 referred

S. F. No. 3372: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "383.12" and insert "393.12"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3325: A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "*require*" insert a comma

Page 1, line 15, after "*rendered*" insert a comma

Page 1, line 21, strike "*such*"

Page 1, line 21, after "*reports*" insert "*made pursuant to this section*"

Page 1, line 22, after "*criminal,*" strike "*or*" and insert "*nor in*"

Page 1, line 23, strike "*in*"

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. 3033: A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivisions 2 and 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivisions 1 and 3; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11; and 354.58; and Chapter 354, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5;

and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1971, Section 354.045, is amended to read:

354.045 [CITATION.] ~~Laws 1969, Chapter 405~~ *This chapter may be cited as the teachers retirement improvement act of 1969.*

Sec. 2. Minnesota Statutes 1971, Section 354.05, Subdivision 2, is amended to read:

Subd. 2. [TEACHER.] The word “teacher” includes any person who has rendered, is rendering, or shall hereafter render, service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state colleges, or in any charitable or state institution including penal and corrective institutions supported, in whole or in part, by public funds, or who has been engaged, is engaged, or shall hereafter be engaged, in educational administration in connection with the state public school system, including the state colleges, but excluding the state university, whether the position be a public office or an employment, not including members of any general governing or managing board or body connected with such systems, or the officers of common, independent, special, or associated school districts, or unorganized territory. The term shall also include *an employee of the teachers retirement association employed subsequent to July 1, 1969, and any nurse, counselor, social worker or psychologist who has rendered, is rendering or shall hereafter render service in the public schools as defined above or in state colleges.* The term shall also include any person who renders teaching service on a part time basis and who also renders other services for a school district. In such cases, the teachers retirement association shall have the authority to determine whether all or none of such combined employment will be covered by the teachers retirement association. The term does not mean any person who works for such school or institution as an independent contractor.

Sec. 3. Minnesota Statutes 1971, Section 354.05, Subdivision 8, is amended to read:

Subd. 8. [DEPENDENT CHILD.] “Dependent child” means any natural or adopted child of a deceased member who has not

reached the age of 18 by June 30, 1967, or who 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 member and for a period of at least 90 days prior to the member's death. It also includes any child of the member conceived during his lifetime and born after his death in any case where a member dies after July 1, 1967.

Sec. 4. Minnesota Statutes 1971, Section 354.05, Subdivision 14, is amended to read:

Subd. 14. [TOTAL AND PERMANENT DISABILITY.] "Total and permanent disability" means the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration. An "indefinite duration" is a period of at least one year.

Sec. 5. Minnesota Statutes 1971, Section 354.05, Subdivision 15, is amended to read:

Subd. 15. [DEPENDENT SPOUSE.] "Dependent spouse" means ~~:(1) the widow spouse of a deceased member who has not remarried and was living with and dependent upon the member at the time of death; or (2) the widower of a deceased member who has attained the age of 65, has not remarried, was living with and dependent upon the member at the time of death for more than one-half of his support; or the widower of a deceased member who has not remarried and is totally and permanently disabled.~~

Sec. 6. Minnesota Statutes 1971, Section 354.05, Subdivision 21, is amended to read:

Subd. 21. [RETIREMENT.] "Retirement" means the withdrawal of a member from active teaching service who is paid a retirement annuity thereafter and commences with the date designated by the retirement board when the retirement annuity shall first accrue to the former member after his withdrawal from active teaching service. This date shall determine any rights specified in sections 354.05 to 354.14 and 354.31 to 354.55 this chapter which occur either before or after retirement, as the case may be.

Sec. 7. Minnesota Statutes 1971, Section 354.05, Subdivision 29, is amended to read:

Subd. 29. The term "social security receivable" means an amount equal to the request of transfer the trustees are authorized to make in section 355.46, subdivision 3 plus the amounts the state auditor commissioner of finance shall determine as of July 1, 1971 that have been paid from the teachers retirement fund pursuant to section 355.46, subdivision 3 (b) for which reimbursement has not already been made during the twelve-month period immediately preceding July 1, 1971.

Sec. 8. Minnesota Statutes 1971, Section 354.05, is amended by adding subdivisions to read:

Subd. 30. [COORDINATED MEMBER.] "Coordinated member" means any teacher covered by any agreement or modification

made between the state and the secretary of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such member.

Subd. 31. [BASIC MEMBER.] "Basic member" means any teacher not covered by any agreement or modification made between the state and the secretary of health, education and welfare.

Subd. 32. [FORMULA PROGRAM.] "Formula program" means a retirement program which provides benefits based on certain percentages multiplied by the years of service and average salary of a member as described in section 354.44.

Subd. 33. [VARIABLE ANNUITY PROGRAM.] "Variable annuity program" means a retirement program which provides benefits based on a member's variable account accumulations as described in section 354.62 and the annuity rates of an appropriate mortality table adopted by the board of trustees.

Subd. 34. [FORMULA AND VARIABLE PROGRAM.] "Formula and variable program" means a retirement program which is a combination of the programs defined in subdivisions 32 and 33 as described in Minnesota Statutes, Sections 354.44 and 354.62.

Sec. 9. Minnesota Statutes 1971, Section 354.06, Subdivision 1, is amended to read:

354.06 [BOARD OF TRUSTEES; MEMBERSHIP; DUTIES.]
Subdivision 1. The management of the fund shall be vested in a board of seven trustees to be known as the board of trustees of the teachers retirement fund. It shall be composed of the following persons: the commissioner of education, the state auditor, the commissioner of insurance, and four members of the fund who shall be elected by mail ballot for terms of four years by the members of the fund in a manner to be fixed by the board of trustees of the fund. ~~The terms of office of all incumbent elective members of the board of trustees on July 1, 1963 shall terminate on the first day of July 1965. In 1965, there shall be elected four members of the board of trustees, for terms commencing on the first of July 1965, two of whom shall be elected for terms of four years each, and two for terms of two years each. Thereafter~~ In every odd numbered year there shall be elected two members of the board of trustees for terms of four years commencing on the first of July next succeeding their election. Each election shall be completed by June 1st of each succeeding odd numbered year. In the case of elective members, vacancies shall be filled by appointment by the remainder of the board, the appointee to serve until the members of the fund at the next regular election have elected a trustee to serve for the unexpired term caused by such vacancy. No member shall be appointed by the board, or elected by the members of the fund as a trustee who is not a member of the fund in good standing at the time of such appointment or election. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary

obligation to the state of Minnesota which created the fund, the taxpayers which aid in financing it and the teachers who are its beneficiaries.

Sec. 10. Minnesota Statutes 1971, Section 354.06, Subdivision 3, is amended to read:

Subd. 3. The state treasurer shall be ex officio treasurer of the fund and his general bond to the state shall cover any liabilities for his acts as treasurer of the fund. He shall receive all moneys payable to the fund and pay out the same only on warrants issued by the ~~state auditor~~ *commissioner of finance* upon ~~abstracts~~ *forms* signed by the secretary of the board.

Sec. 11. Minnesota Statutes, 1973 Supplement, Section 354.07, Subdivision 5, is amended to read:

Subd. 5. The board shall keep a record of the receipts and disbursements of the fund and a separate account with each member of the fund. The board shall also keep separate accounts for annuity payments, for employer contributions and all other necessary accounts and reserves. It shall determine annually the annual interest earnings of the fund which shall include realized capital gains and losses. Any amount in the capital reserve account on July 1, 1973 shall be transferred to the employer contribution's account. The annual interest earnings shall be apportioned and credited to the separate members' accounts except those covered under the provisions of section 354.33, ~~subdivisions 7 or 8, or section 354.44, subdivisions 6 or 7.~~ The rate to be used in this distribution computed to the last full quarter percent shall be determined by dividing the interest earnings by the total invested assets of the fund. The excess of the annual interest earnings in the excess earnings reserve which was not credited to the various accounts shall be credited to the gross interest earnings for the next succeeding year.

Sec. 12. Minnesota Statutes 1971, Section 354.09, Subdivision 4, is amended to read:

Subd. 4. After July 1, 1969, payments made pursuant to subdivision 1, representing employee contributions, shall be accepted only if an equal additional amount, representing employer contributions, is received from the agency formerly employing such teacher. However, the teacher or the school district or institution which presently employs him, may pay such equal additional amount representing the employer contribution required by this subdivision. Interest shall be paid on both the employee and employer contribution at the rate of ~~four~~ *six* percent per annum from the year on which such service was rendered to the first date of payment. For payments made prior to July 1, 1969, pursuant to subdivision 1 where the employer's contributions were not made, an additional amount representing employer's contributions may be paid together with interest at the rate of ~~four~~ *six* percent per annum on this amount from the year such service was rendered to the first date of payment.

If the employee and employer contributions and interest there-

on provided in this section are not paid in full the member's formula service credit shall be calculated by multiplying the number of years of out of state service by the ratio obtained by the total amount paid and the maximum amount payable provided herein.

The board may authorize the collection of these payments in the form of installments rather than a lump sum. Any school district or institution which desires to make the employer contribution herein provided, is hereby authorized to appropriate money for such purpose.

All payments into the fund pursuant to subdivision 1, shall be considered accumulations after July 1, 1957 for the purpose of computing any annuity provided in Extra Session Laws 1957, Chapter 16.

In no case shall the provisions of subdivision 1 apply to teachers who become members of the fund after July 1 June 30 , 1957.

In no case shall the provisions of subdivisions 1 or 4 apply to members who have accepted refunds of their accumulated deductions and again resumed teaching in schools to which chapter 354 applies after July 1, 1957.

Sec. 13. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.091] [SERVICE CREDIT.] *In computing the time of service of a teacher, the length of a legal school year in the district or institution where such service was rendered shall constitute a year under sections 354.05 to 354.10, provided such year is not less than the legal minimum school year of this state. No person shall be allowed credit for more than one year of teaching service for any fiscal year. Commencing July 1, 1969 (1) if a teacher teaches only a fractional part of a day, credit shall be given for a day of teaching service for each five hours taught, and (2) if a teacher teaches at least 170 full days in any fiscal year credit shall be given for a full year of teaching service, and (3) if a teacher teaches for only a fractional part of the year credit shall be given for such fractional part of the year as the term of service rendered bears to 170 days.*

Sec. 14. Minnesota Statutes 1971, Section 354.10, is amended to read:

354.10 [FUND NOT SUBJECT TO ASSIGNMENT OR PROCESS; BENEFICIARIES.] The right of a teacher to avail himself of the benefits of sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof provided by this chapter, is a personal right only and shall not be assignable. All moneys to the credit of a teacher's account in the fund or any moneys payable to him from the fund shall belong to the state of Minnesota until actually paid to the teacher or his beneficiary pursuant to the provisions of sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof this chapter. Any power of attorney, assignment or attempted assignment of a teacher's interest in the fund, or of the beneficiary's interest therein, by a teacher or his

beneficiary shall be null and void and the same shall be exempted from garnishment or levy under attachment or execution and from all taxation by the state of Minnesota, except that none shall be exempt from taxation under chapter 291, unless transferred to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit. Any beneficiary designated by a teacher under the terms of ~~sections 354.05 to 354.10 and 354.31 to 354.55, and acts amendatory thereof~~ *this chapter*, may be changed or revoked by the teacher at his pleasure, in such manner as the board may prescribe. In case a designated beneficiary dies before the teacher designating him dies, and a new beneficiary is not designated, the teacher's estate shall be the beneficiary.

Sec. 15. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.146] [RETIREMENT PROGRAMS.] *Subdivision 1. Every member who has rendered teaching service or was on an authorized leave of absence after June 30, 1972 is covered by the full formula program except that those members who have contributed to the variable annuity fund are covered by the combined formula and variable annuity program. A former member who does not return to teaching service prior to retirement shall have his benefit determined under the program in effect at the time of termination.*

Subd. 2. If a member had previously elected the total variable annuity program, a portion of his variable annuity account accumulations will be transferred to his formula account and become a part of his accumulated deductions. An equal amount of state contributions shall be transferred from the variable annuity fund to the teachers retirement fund. Such transfers shall be in an amount equal to four-sevenths of the value of the member's variable annuity account as of June 30, 1974, except that only one-half of the contributions made during the fiscal year ending June 30, 1974 shall be transferred.

Subd. 3. After June 30, 1974, every new teacher entering teaching service or resuming teaching service after previously accepting a refund shall be covered by the full formula program.

Sec. 16. Minnesota Statutes 1971, Section 354.201, is amended to read:

354.201 [STATE AID FOR BENEFITS.] *Subdivision 1. The provisions of this section apply to teachers retirement fund associations and the benefits provided thereby in cities of the first class in which the teaching body thereof has established and incorporated such an association under the provisions of sections 354.15 to 354.23.*

Subd. 2. Notwithstanding any of the provisions of section 354.20, before the proper officials of the association make the certification to the authorities having charge of levying taxes for school purposes as provided in section 354.20, and in no case later than September 15 of each year, it shall furnish a copy of the certification which it proposes to make to the state auditor com-

missioner of finance and at the same time furnish the ~~state auditor~~ *commissioner of finance* with the number of teachers in the association who are currently contributing to the fund of such association, the amount of the annual salary of each of such teachers, the amount of each teacher's contribution and such other information as the ~~state auditor~~ *commissioner of finance* may from time to time require.

From such information the ~~state auditor~~ *commissioner of finance* shall determine the state's obligation as prescribed in subdivision 3 and shall pay the same to the association from the general fund in the state treasury and so much thereof as may be necessary to annually make such payment is hereby appropriated to the ~~state auditor~~ *commissioner of finance* for such purpose. This payment shall be made no later than October 15 of each year. When the association receives such payment from the ~~state auditor~~ *commissioner of finance* it shall deduct the amount thereof from the amount it proposes to certify to the proper authorities having charge of the levying of taxes for school purposes as provided for in section 354.20 and the amount necessary to raise by taxation in order to carry out the retirement plan of the association shall be reduced by the amount of the state's payment.

Subd. 3. The state's obligation under this section to a teachers retirement fund association in a city of the first class is an amount equal to the average amount, expressed as a percentage of payroll, that the state of Minnesota is required to pay annually for all contributing members of the state teachers retirement association including social security taxes. This percentage of payroll shall be based on annual estimated payroll amounts and certification information prepared by the state teachers retirement fund association for the current year, including social security taxes paid the previous year. This percentage of payroll shall be applied to total salary as reported in the annual salary information furnished by each teachers retirement association in a city of the first class to the ~~state auditor~~ *commissioner of finance* in compliance with subdivision 2 to determine the state's obligation to each teachers retirement fund association in each city of the first class. Any amount by which subsequent actual experience may deviate from the amounts allocated through the foregoing estimates shall be adjusted on succeeding allocations to said associations in cities of the first class. In no event shall the state's obligation be in excess of the amount required to be certified by such associations under applicable law to the proper authorities who have charge of the levying of taxes for school purposes.

Subd. 4. The allocation of the ~~state auditor~~ *commissioner of finance* to a teachers retirement fund association in a city of the first class as provided in subdivision 3 shall be reduced by an amount obtained by applying the percentage of payroll calculated in subdivision 3 to that portion of salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27. Before such allocation may be made, each teachers retirement fund association in a city of the first class shall furnish to the ~~state auditor~~ *commissioner of finance* a satisfactory certification which shows the total of all salaries paid which are subject

to teachers retirement deductions. Such certification shall also show the total amount of salaries paid from normal school operating funds and the total amount of salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27. For each individual salary included in the total of all salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27, the certification shall show each person's name, his salary or related portion of salary and amount of employer contributions determined by applying the percentage of payroll calculated in subdivision 3 to such salary. Such amount of related employer contributions shall be remitted to the state teachers retirement association by the ~~state auditor~~ *commissioner of finance* until the amount of these remittances and those described in section 354.43, subdivision 3 are equal to the social security receivable as defined in section 354.05, subdivision 29.

Sec. 17. Minnesota Statutes 1971, Section 354.33, Subdivision 6, is amended to read:

Subd. 6. When any person retires and whose annuity is computed ~~under section 354.33 as a coordinated member~~ as a result of (1) his transfer from public school teaching to state college teaching, and/or; (2) not rendering teaching service within a fiscal year; shall have his annuity computed ~~under section 354.44 as a basic member~~ for such service formerly ~~covered under section 354.44~~ *accrued as a basic member*.

Sec. 18. Minnesota Statutes 1971, Section 354.35, is amended to read:

354.35 [RETIREMENT BEFORE BECOMING ELIGIBLE FOR SOCIAL SECURITY.] Any *coordinated* member who retires before he is eligible for social security retirement benefits, may elect to receive retirement benefits from the association in an amount greater than his annuity computed on the basis of his age when he retires ~~provided in section 354.33~~. He shall exercise this option by making an application to the board on a form provided by the board. This greater amount shall be the actuarial equivalent of the member's annuity computed on the basis of his age when he retires. The greater amount shall be paid until the member reaches the age of 65 at which time the payment from the association shall be reduced. These annuities provided in this section shall be computed by an approved actuary.

Sec. 19. Minnesota Statutes, 1973 Supplement, Section 354.39, is amended to read:

354.39 [EFFECTIVE DATE; APPLICATION.] ~~Sections 354.31 to 354.39 take effect on the date any agreement or modification is made between the state and the secretary of health, education and welfare making such agreement or modification applicable to service performed in positions covered by the teachers retirement association. Sections 354.31 to 354.39 shall apply to any coverage group consisting of members of the teachers retirement association included in any such agreement or modification except that~~ After July 1, 1971, any member of the teachers

retirement association employed in a new state college and other new institutions of higher learning not included in any agreement or modification made between the state and the secretary of health, education and welfare, making the provisions of the federal old age and survivors insurance act applicable to such members, shall be covered under the provisions of ~~sections 354.31 to 354.39~~ *this chapter applicable to coordinated members* .

Sec. 20. Minnesota Statutes, 1973 Supplement, Section 354.42, Subdivision 2, is amended to read:

Subd. 2. The employee contribution to the fund shall be an amount equal to *four percent of the salary of every coordinated member and eight percent of the salary of every basic member*. This contribution shall be made by deduction from salary. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received. For purposes of financing the various options related to the variable annuity division, employee variable annuity contributions will be credited in accordance with section 354.62, subdivision 2.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 354.42, Subdivision 3, is amended to read:

Subd. 3. Prior to July 1, 1975 the employer contribution to the fund shall be an amount equal to *three and one-half percent of the salary of every coordinated member and seven percent of the salary of every basic member*. Effective July 1, 1975 the employer contribution to the fund shall be an amount equal to *four percent of the salary of each coordinated member and eight percent of the salary of each basic member*. This contribution shall be made in the manner provided in section 354.43. For purposes of financing the various options related to the variable annuity division employer contributions equal to the employee variable annuity contributions prescribed in section 354.62, subdivision 2, will be allocated at the same time to the employer variable annuity contribution account in section 354.62, subdivision 3.

Sec. 22. Minnesota Statutes 1971, Section 354.43, Subdivision 1, is amended to read:

354.43 [EMPLOYER CONTRIBUTIONS, FINANCING.] Subdivision 1. Except as provided in section 354.43, subdivision 3, at least once each month the ~~board~~ *secretary* shall determine the amount of money necessary and presently needed to meet the state's obligation as provided in ~~sections 354.05 to 354.14 and 354.31 to 354.31~~, and ~~acts amendatory thereof~~ *this chapter* , and shall certify the amount so determined to the ~~state auditor~~ *commissioner of finance* . The amount so certified shall be transferred immediately to the teacher's retirement fund.

Sec. 23. Minnesota Statutes 1971, Section 354.43, Subdivision 2, is amended to read:

Subd. 2. To meet the state's obligation prescribed in subdivision 1, such moneys as are required therefor are appropriated annually

to the state auditor *commissioner of finance* from the general fund in the state treasury. The moneys appropriated hereby to the state auditor *commissioner of finance* shall be deposited by him in the state treasury to the credit of the teachers retirement fund.

Sec. 24. Minnesota Statutes 1971, Section 354.44, Subdivision 1, is amended to read:

354.44 [RETIREMENT BENEFITS.] Subdivision 1. [REQUIREMENTS AS TO AGE AND SERVICE.] Any member or former member who ceases or has ceased to render teaching services either before or after July 1, 1959 in any school or institution covered by Minnesota Statutes, Sections 354.05 to 354.14 and 354.31 to 354.55, and acts amendatory thereof the provisions of this chapter, and who has attained the age of at least 55 years with not less than ten years allowable service, or who has received credit for not less than 30 years allowable service regardless of age, is entitled upon written application to a retirement annuity.

Sec. 25. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 2, is amended to read:

Subd. 2. [COMPUTATION OF MONEY PURCHASE ANNUITY.] The amount of retirement annuity is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon. The annuity shall be determined by the member's age, his sex, double the amount of his accumulated deductions, double the interest earned on the accumulated deductions, and the appropriate mortality tables and interest rates. For the purpose of determining the amount of the annuity for a basic member, the accumulated deductions prior to July 1, 1957, and the accumulated deductions subsequent to July 1, 1957 shall be considered separately.

(1) For service rendered prior to July 1, 1957, the accumulated deductions for any member shall be carried forward at a fixed amount which is shown credited to his account as of that date. That fixed amount shall also include any payments in lieu of salary deductions which are to be made in the future and are actually so made pursuant to an agreement executed between the member and the board as authorized by section 354.50 or any other authorized payments made by the member to the fund. The annuity granted with respect to such period shall be determined by the following:

(a) The fixed amount of the accumulated deductions for such period including the interest credited thereon as earned up to July 1, 1957.

(b) Annuity purchase rates based on the mortality tables and interest assumption used by the board prior to July 1, 1957 in the case of basic members and an annuity purchase rate based on an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1, in the case of coordinated members.

(2) For service rendered subsequent to July 1, 1957, the accumulated deductions for any member shall consist of the amounts actually credited to his account by reason of salary deductions. The annuity granted with respect to such period shall be determined by the following:

(a) accumulated deductions for such period;

(b) interest credited on these accumulated deductions from July 1, 1957, to the date of retirement;

(c) interest credited on accumulated deductions including prior credited interest provided in paragraph (1) from July 1, 1957, to the date of retirement;

(d) after the amount available for an annuity granted with respect to such person is determined in accordance with the provisions of this subdivision, an additional amount equal to 20 percent of the sum of clause (2) (a) plus interest credited to members account from July 1, 1957 to date of retirement is to be added. This added amount is not to be doubled as provided for other amounts determined in this subdivision;

(e) annuity purchase rate based on an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1.

~~(3) Each member who is covered under this subdivision who elects a variable annuity option shall have the sum of any benefits provided herein and the benefits provided in section 354.02, subdivision 5.~~

Sec. 26. Minnesota Statutes 1971, Section 354.44, Subdivision 5, is amended to read:

Subd. 5. [RESUMPTION OF TEACHING.] A teacher who ~~has purchased an annuity~~ *retired* under any provision of any retirement law applicable to schools and institutions covered by sections ~~354.05 to 354.14 and 354.31 to 354.55 and acts amendatory thereof~~ *the provisions of this chapter* and has thereafter resumed teaching in any school or institution to which such sections apply shall continue to receive payments in accordance with such annuity except that during any quarter in which his income from such teaching service exceeds the sum of \$800; the amount in excess of \$800 shall be deducted from the annuity payable for the quarter immediately following the quarter in which the excess amount was earned. After a member has reached the age of 72 he shall receive his annuity in full regardless of the amount of income.

Sec. 27. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 6, is amended to read:

Subd. 6. [COMPUTATION OF FORMULA PROGRAM RETIREMENT ANNUITY.] (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary for the period of his formula service credit. For the purposes of computing the formula benefits ~~in subdivisions 6 and 7 under the formula and variable program~~ , if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

For all years of formula service credit "average salary" for the purpose of determining the member's retirement annuity means

the average salary upon which contributions were made and upon which payments were made to increase the salary limitation provided in section 354.511 for the highest five consecutive years within the last ten successive years of formula service credit.

(2) The average salary as defined in clause (1), of any member multiplied by two percent per year of formula service credit for the first ten years and 2.5 percent for each subsequent the following percentages per year of formula service credit shall determine the amount of the annuity to which the member qualifying therefor is entitled - ;

	<i>Coordinated Member</i>	<i>Basic Member</i>
<i>Each year of service during first ten</i>	<i>1.0 percent per year</i>	<i>2.0 percent per year</i>
<i>Each year of service thereafter</i>	<i>1.5 percent per year</i>	<i>2.5 percent per year</i>

(3) Where any member retires prior to age 65 under a formula annuity, he shall be paid a retirement annuity in an amount equal to the normal annuity provided in subdivisions 6 and 7, reduced by one half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one fourth of one percent for each month under age 60 at the time of retirement except that for any member who has 30 or more years of allowable service credit, such reduction shall be applied only for each month such member is under age 62.

Sec. 28. Minnesota Statutes, 1973 Supplement, Section 354.44, Subdivision 7, is amended to read:

Subd. 7. [COMPUTATION OF FORMULA AND VARIABLE PROGRAM RETIREMENT ANNUITY.] The benefits provided in this subdivision are the sum of the benefits provided by the following:

(1) The benefits provided in subdivision 6(2) for formula service credit to the effective date of the election of this subdivision, and

(2) The benefits for service credit subsequent to the effective date of the election of this subdivision *formula and variable program* shall be the average salary as defined in subdivision 6, clause (1) of any member multiplied by one percent per year of formula service credit for the first ten years and 1.25 percent for each subsequent the following percentages per year of formula service credit, and

	<i>Coordinated Member</i>	<i>Basic Member</i>
<i>Each year of service during first ten</i>	<i>.5 percent per year</i>	<i>1.0 percent per year</i>
<i>Each year of service thereafter</i>	<i>.75 percent per year</i>	<i>1.25 percent per year, and</i>

(3) the benefits provided in section 354.62, subdivision 5.

Sec. 29. Minnesota Statutes, 1973 Supplement, 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 *basic* member before retirement or upon the death of a former *basic* 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

spouse 30 percent of the *basic* member's monthly average salary in effect ~~over the last full six months of allowable service paid in the last full fiscal year~~ preceding death

(b) Each dependent

child ten percent of the *basic* member's monthly average salary in effect ~~over the last full six months of allowable service paid in the last full fiscal year~~ preceding death

Payments for the benefit of any dependent child under the age of 18 22 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 ~~€100~~ \$450 for any one family, and the minimum benefit per family shall not be less than 30 percent of the *basic* member's average salary, subject to the foregoing maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

If the *basic* 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 *basic* 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 *basic* member, these benefits shall be reduced to an amount equal to the deceased *basic* member's monthly average salary.

Effective January 1, 1973 Prior to payment of any survivor benefit herein described, 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. In the event all survivor benefits are waived, the member's accumulated deductions with interest shall be paid in a lump sum to the surviving spouse as provided in section 354.47, subdivision 1.

Sec. 30. Minnesota Statutes 1971, Section 354.46, Subdivision 2, is amended to read:

Subd. 2. [SURVIVING SPOUSE.] If an election as provided in this subdivision has been made, upon the death of a member before retirement, his surviving ~~dependent~~ spouse shall be paid a joint and survivor annuity as provided in section 354.45 and computed as in section 354.44, subdivision 2, or in subdivisions 6 or 7. The joint and survivor annuity provided herein shall be elected by the member after he has attained the age of at least 55 with not less than 20 years of allowable service, or who has received credit for not less than 30 years of allowable service regardless of age. ~~Except as otherwise provided in section 354.55, subdivision 2, the surviving dependent spouse of a basic member shall receive the benefits provided in subdivision 1 or the annuity provided in subdivision 2 but not both. If any member has made an election pursuant to this subdivision and elects to be covered under section 354.62, the annuity based on his variable account accumulations shall be calculated in accordance with the provisions of section 354.62, subdivision 5.~~

Sec. 31. Minnesota Statutes 1971, Section 354.46, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT AFTER DEATH OF RETIREE.] If a former member dies after his retirement, there shall be paid to his ~~surviving spouse or dependent children if no spouse survives, or to the designated beneficiary if there be no spouse or surviving children,~~ an amount equal to the annuity payment computed to the date of death if no optional or reversionary annuity was designated by the member. ~~If more than one dependent child qualifies, this amount shall be divided equally among the dependent children. If an optional or reversionary annuity has been designated by the member, a death benefit shall be paid in accordance with the provisions of such annuity as described in section 354.45.~~

Sec. 32. Minnesota Statutes 1971, Section 354.47, Subdivision 1, is amended to read:

354.47 [REFUND AFTER DEATH.] Subdivision 1. [DEATH BEFORE RETIREMENT.] (1) If a member dies before retirement and is covered under the provisions of section 354.44, subdivision 2, and neither an optional annuity, nor reversionary annuity, nor the benefit described in section 354.46, subdivision 1 is payable to the survivors of a basic member, there shall be paid to his surviving ~~dependent~~ spouse or if there is no surviving dependent spouse to his designated beneficiary an amount equal to his accumulated deductions with interest credited to his account to the date of death.

(2) If a member dies before retirement and is covered under the provisions of section 354.44, subdivisions 6 and 7, and neither an optional annuity nor reversionary annuity, nor the benefit described in section 354.46, subdivision 1 is payable to the survivors of a basic member, there shall be paid to his surviving dependent spouse or if there is no surviving dependent spouse to his designated beneficiary an amount equal to his accumulated deductions

credited to his account as of June 30, 1957 and from July 1, 1957 to the date of death his accumulated deductions plus interest at the rate of three and one half percent per annum compounded annually.

(3) The amounts payable in clauses (1) or (2) are in addition to the amount payable in section 354.62, subdivision 5, for the member's variable annuity account.

Sec. 33. Minnesota Statutes, 1973 Supplement, Section 354.48, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS.] (1) The amount of the disability benefit granted to members covered under section 354.44, subdivision 2, clause (1) and (2) or clause (3) is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon computed as though the teacher were age 65 at the time the benefit begins to accrue and in accordance with the law in effect when the disability application is received. *Any member who applies for a disability benefit after June 30, 1974 and who failed to make an election pursuant to Minnesota Statutes 1971, Section 354.145, shall have his disability benefit computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.*

The benefit granted shall be determined by the following:

- (a) The amount of the accumulated deductions;
- (b) Interest actually earned on these accumulated deductions to the date the benefit begins to accrue;
- (c) Interest for the years from the date the benefit begins to accrue to the date such member attains age 65 at the rate which is the average rate credited for the five years prior to the date the benefit begins to accrue;
- (d) Annuity purchase rates based on an appropriate annuity table of mortality with interest assumption as provided in section 354.07, subdivision 1.

In addition a supplementary monthly benefit shall be paid to *basic members only* in accordance with the following table:

Age When Benefit Begins to Accrue	Supplementary Benefit
Under Age 56	\$50
56	45
57	40
58	35
59	30
60	25
61	20
62	15
63	10
64	5

(2) The disability benefit granted to *basic members* covered under section 354.44, subdivision 6 or 7 shall be computed in the

same manner as the annuity provided in subdivision 6 of the same section. *The disability benefit granted to coordinated members covered under section 354.44, subdivision 6 or 7 shall be computed in the same manner as the annuity provided in subdivision 6 or 7 of that section, whichever is applicable.* The disability benefit shall be the formula annuity without the reduction for each month the member is under age 65 at the time the benefit begins to accrue.

(3) The optional annuity benefit provided in section 354.34 and ~~section~~ 354.45 does not apply to this section.

(4) For the purposes of computing a retirement annuity when the member becomes eligible, the amounts paid for disability benefits shall not be deducted from the individual member's accumulated deductions. If the disability benefits provided in this subdivision exceed the monthly average salary of the disabled member, the disability benefits shall be reduced to an amount equal to the disabled member's average salary. ~~Any member who began to receive disability benefits between July 1, 1957, and June 30, 1959, shall receive the supplementary monthly benefit provided in accordance with the foregoing table and such supplementary monthly benefit shall begin to accrue after June 30, 1959, and shall continue as long as disability benefits are paid to such member.~~

Sec. 34. Minnesota Statutes 1971, Section 354.48, Subdivision 4, is amended to read:

Subd. 4. [DETERMINATION BY THE BOARD.] The board shall have the member examined by at least two licensed physicians selected by the board. These physicians shall make written reports to the board concerning the member's disability including medical opinions as to whether or not the member is permanently and totally disabled within the meaning of ~~Minnesota Statutes 1957, section 135.01~~ 354.05, subdivision 14, ~~and acts amendatory thereof.~~ The board shall also obtain written certification from the last employer stating whether or not the member was separated from service because of a disability which would reasonably prevent further service to the employer and as a consequence the member is not entitled to compensation from the employer. If upon the consideration of the reports of the physicians and such other evidence presented by the member or others interested therein, the board finds the member totally and permanently disabled, it shall grant him a disability benefit. The fact that an employee is placed on leave of absence without compensation because of disability shall not bar him from receiving a disability benefit.

Sec. 35. Minnesota Statutes 1971, Section 354.48, Subdivision 10, is amended to read:

Subd. 10. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive *both* disability benefits and a public retirement annuity ~~at the same time~~ *provided by this chapter.* The disability benefit paid to a person hereunder shall terminate when he reaches age 65 if he is still totally and permanently

disabled. At that time he shall be deemed to be on retirement status and he may at his option be paid either a straight life retirement annuity as provided in section 354.44 or a straight life retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever amount is greater. ~~If his disability benefit was computed pursuant to section 354.37, at age 63 he may at his option be paid either a straight life retirement annuity as provided in section 354.33 or a straight life retirement annuity equal to the disability benefit paid to him before he reached age 65, whichever is greater.~~ He may instead of taking the straight life annuity provided herein, however, select an optional retirement annuity as provided in section 354.34 or 354.45, whichever is applicable.

Sec. 36. Minnesota Statutes 1971, Section 354.49, Subdivision 1, is amended to read:

354.49 [REFUND.] Subdivision 1. Any person who ceases to render teaching service in any school or institution to which sections ~~354.04 to 354.14 and 354.31 to 354.55~~ *the provisions of this chapter* apply shall be entitled to a ~~refundment~~ *refund* provided in subdivision 2, or a deferred retirement annuity. Application for ~~refundment~~ *refund* may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. This payment will be made within 90 days after receipt of application for ~~refundment~~ *refund* or upon completion of processing the report made pursuant to section 354.52, subdivisions 1 and 2 whichever is later.

Sec. 37. Minnesota Statutes 1971, Section 354.49, Subdivision 3, is amended to read:

Subd. 3. Any person who has attained the age of at least 65 with less than ten years of credited allowable service shall receive a ~~refundment~~ *refund* in an amount equal to his accumulated deductions plus interest except those covered under the provisions of section 354.33, subdivisions 7 or 8, or section 354.44, subdivisions 6 or 7 in which case the refund shall be an amount equal to his accumulated deductions credited to his account as of June 30, 1957 and after July 1, 1957 his accumulated deductions plus interest at the rate of three and one half percent compounded annually.

Sec. 38. Minnesota Statutes, 1973 Supplement, Section 354.49, Subdivision 5, is amended to read:

Subd. 5. If a person ceases to render teaching service in any school or institution to which section ~~354.05 to 354.145 and 354.31 to 354.55~~ *the provisions of this chapter* apply and does not make application for ~~refundment~~ *refund* within five years after June 30th of the fiscal year in which the last deduction was taken from his salary for the retirement fund and if his accumulated deductions are \$50 or less, such deductions and interest shall be credited to and become a part of the retirement fund. In the event such person returns to render teaching service in any school or institution to which section ~~354.05 to 354.145 and 354.31 to 354.55~~ *the provisions of this chapter* apply and the deductions previously

credited to the retirement fund are \$5 or more, such deductions and interest to date of restoration shall be restored to his individual account. If the deductions previously credited to the retirement fund are \$5 or more and such person applies for a refund ~~an annuity~~ pursuant to section 354.55, subdivision 3, such deductions credited to the retirement fund shall be restored to such person's individual account.

Sec. 39. Minnesota Statutes 1971, Section 354.50, Subdivision 1, is amended to read:

354.50 [TERMINATION OF SERVICE CREDITS.] Subdivision 1. When any member accepts a ~~refundment~~ *refund* provided in section 354.49, all existing service credits to which the member was entitled prior to the acceptance of such ~~refundment~~ *refund* shall terminate and shall not again be restored until the former member acquires not less than ~~three~~ *two* years allowable service credit subsequent to taking his last ~~refundment~~ *refund*. In that event he may repay such ~~refundment~~ *refund*. If more than one ~~refundment~~ *refund* has been taken, all ~~refundments~~ *refunds* must be repaid ~~except that in the case of a member who is covered under section 354.33 because of previously accepting a refundment, such member shall repay an amount equal to the contribution provided under section 354.32, subdivision 1 of the law in effect on June 30, 1969 for any service rendered prior to June 30, 1969, and according to section 354.32, subdivision 1 for any service after July 1, 1969.~~

Sec. 40. Minnesota Statutes 1971, Section 354.50, Subdivision 2, is amended to read:

Subd. 2. If a member desires to repay his ~~refundments~~ *refunds*, payment shall include ~~four~~ *six* percent interest from date of withdrawal to the date payment is made and be credited to the fund.

Sec. 41. Minnesota Statutes, 1973 Supplement, Section 354.50, Subdivision 4, is amended to read:

Subd. 4. ~~Notwithstanding the three year service requirement provided in subdivision 1, Any person who has received a refundment refund from the teachers retirement association and who is a member of any public retirement fund referred to in section 354.60 may repay such refundment refund with interest to the teachers retirement association. Repayment of the refundments refunds under the provisions of this subdivision will be in accordance with all the provisions of this section except for the three year service requirement provided in subdivision 1.~~

Sec. 42. Minnesota Statutes 1971, Section 354.51, Subdivision 1, is amended to read:

354.51 [PAYMENTS TO RECEIVE CREDIT FOR PRIOR SERVICE.] Subdivision 1. After July 1, 1961, no member shall be entitled to make payments in lieu of salary deductions to the retirement board or receive credit for any period of service prior to that date for which employee contributions were not deducted from his salary, except as provided in ~~section~~ *sections* 354.09, subdivision 4, ~~354.38, 354.50, or 354.53.~~

Sec. 43. Minnesota Statutes 1971, Section 354.52, Subdivision 2, is amended to read:

Subd. 2. Each ~~county superintendent or county administrator,~~ board of education or managing body shall, on or before August 1, each year, report to the teachers retirement board giving an itemized summary of the total amount withheld from the salaries of teachers for regular teacher's retirement deductions and for variable annuity deductions, and such other information as the teacher's retirement board may require. *If such itemized summary is received after August 1 in any year, there shall be a penalty not to exceed \$25 for each month or portion thereof which the summary is delinquent, as determined by the board.*

Sec. 44. Minnesota Statutes 1971, Section 354.52, Subdivision 4, is amended to read:

Subd. 4. At least once a month, the treasurer of each employing school district and other managing bodies of schools and institutions to which ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ *the provisions of this chapter* apply shall transmit all amounts due and furnish a signed statement indicating the amount due and transmitted, which signing of such statement shall have the force and effect of an oath as to the correctness of the amount due and transmitted, and shall transmit a statement of such other information as the board shall require. Any amount thus due and not transmitted, shall accrue interest at the rate of six percent compounded annually commencing 30 days after the date first due until transmitted and shall be paid by the employing school district or other managing institution. The state treasurer shall credit all money received or withheld pursuant to the provisions of ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ *this chapter* to the fund and the reports and date received by him from each reporting agency shall be available for the board. Any person wilfully failing to perform any of the duties imposed upon him by this section shall be guilty of a misdemeanor.

Sec. 45. Minnesota Statutes 1971, Section 354.52, Subdivision 5, is amended to read:

Subd. 5. The state treasurer, the several county treasurers, and the treasurers of the various school districts and institutions to which ~~sections 354.05 to 354.14 and 354.31 to 354.61 and acts amendatory thereof~~ *the provisions of this chapter* apply shall be officially liable for the receipt, handling, and disbursement of all moneys coming into their hands belonging to the fund and the sureties on the official bonds of each of these treasurers shall be liable for such moneys the same as for all other moneys belonging to the school funds of this state.

Sec. 46. Minnesota Statutes, 1973 Supplement, Section 354.53, Subdivision 1, is amended to read:

354.53 [MILITARY SERVICE CREDIT.] Subdivision 1. Any employee given a leave of absence to enter military service and who returns to teaching service upon discharge from military ser-

vice as provided in section 192.262, shall obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member shall obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. For service rendered prior to July 1, 1969 1957, the amount of his contribution shall be an amount equal to six percent of his salary multiplied by the number of years of such military service, together with interest thereon at the rate of four percent per annum from the time such military service was rendered to the first date of payment. The payments hereunder shall; not to exceed \$175 per year for any service rendered prior to July 1, 1953, \$216 per year for service rendered during the period July 1, 1953 through June 30, 1955, \$288 per year for service rendered during the period July 1, 1955 through June 30, 1957; and \$432 per year for service rendered during the period July 1, 1957 through June 30, 1957. For service rendered subsequent to July 1, 1957 the amount of this contribution shall be an amount equal to seven percent of his salary multiplied by the number of years of such military service, together with interest thereon at the rate of four percent per annum from the time such military service was rendered to the first date of payment. as follows:

<i>Period</i>	<i>Basic Member</i>	<i>Coordinated Member</i>
<i>July 1, 1957</i>	<i>6 percent not</i>	<i>3 percent not</i>
<i>thru</i>	<i>not to exceed</i>	<i>not to exceed</i>
<i>June 30, 1967</i>	<i>\$432</i>	<i>\$216</i>
<i>July 1, 1967</i>		
<i>thru</i>	<i>6 percent</i>	<i>3 percent</i>
<i>June 30, 1969</i>		
<i>July 1, 1969</i>		
<i>thru</i>	<i>7 percent</i>	<i>3½ percent</i>
<i>June 30, 1973</i>		
<i>July 1, 1973</i>		
<i>and</i>	<i>8 percent</i>	<i>4 percent</i>
<i>thereafter</i>		

The contributions specified in this subdivision shall be multiplied by the number of years of such military service together with interest thereon at the rate of six percent per annum from the time such military service was rendered to the first date of payment. In such cases the employer contribution and additional contribution provided in section 354.42 shall be paid by the state in the manner provided in section 354.43. Payment for military service which is part of any agreement signed by a member in accordance with section 354.51, subdivision 2, is not subject to the provisions of this section.

Sec. 47. Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 3, is amended to read:

Subd. 3. Any person who ceased teaching service prior to July 1, 1957, who left his accumulated deductions in the fund for the

purpose of receiving when eligible, a retirement annuity in accordance with the law in effect at the date such service terminated, shall have his annuity computed in accordance with the law in effect at the date he ceased teaching service, *except that if such person has ten or more years of allowable service credit, his retirement annuity shall be determined under the law in effect on June 30, 1969.*

Sec. 48. Minnesota Statutes 1971, Section 354.55, Subdivision 11, is amended to read:

Subd. 11. Any person covered under ~~section 354.33, subdivisions 7 and 8,~~ and section 354.44, subdivisions 6 and 7, who ceases or has ceased to render teaching service may leave his accumulated deductions in the fund for the purpose of receiving a deferred annuity at retirement. Eligibility for such an annuity shall be determined by the provisions of section 354.44, subdivision 1, or section 354.60.

The amount of the deferred retirement annuity shall be determined by ~~section 354.33, subdivisions 7 and 8, and section 354.44, subdivisions 6 and 7,~~ and augmented as provided herein. The required reserves related to that portion of the annuity which had accrued at the time the member ceased to render teaching service shall be augmented by interest compounded annually from the first day of the month following the month during which the member ceased to render teaching service to the effective date of retirement. The rates of interest used for this purpose shall be ~~the interest assumptions which were in effect during the period for which interest is compounded~~ *five percent commencing July 1, 1971.* If a person has more than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the basis for purchasing the deferred annuity. If a person does not render teaching service in any one or more consecutive fiscal years and then resumes teaching service, the formula percentages used from date of resumption will be those applicable to new members. The mortality table and interest assumption contained therein used to compute such annuity will be determined by the law in effect at the time of the member's retirement. A period of uninterrupted service for the purposes of Laws 1971, Chapter 87 shall mean a period of covered teaching service during which the member has not been separated from such service for more than one fiscal year.

The provisions of ~~Laws 1971, Chapter 87~~ *this subdivision* shall not apply to variable account accumulations as defined in section 354.05, subdivision 23.

In no case shall the annuity payable herein be less than the amount of annuity payable pursuant to ~~section 354.33, subdivisions 7 and 8, clauses (1) and (2), and section 354.44, subdivisions 6 and 7, clauses (1) and (2).~~

Sec. 49. Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 12, is amended to read:

Subd. 12. When any member retires under the law in effect on June 30, 1969 prior to July 1, 1973 that portion of his annuity based on accumulations after June 30, 1957 under the provisions of *Minnesota Statutes 1971*, Section 354.44, Subdivision 2 and all accumulations under the provisions of *Minnesota Statutes 1971*, Section 354.33, Subdivision 1 shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund. This provision shall apply to all those teachers retiring after June 30, 1969.

Sec. 50. *Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 13*, is amended to read:

Subd. 13. ~~Except as provided in section 354.145,~~ Any person who ceased teaching service prior to July 1, 1968, who has ten years or more of allowable service and left his accumulated deductions in the fund for the purpose of receiving when eligible a retirement annuity, shall have his annuity computed in accordance with the law in effect on June 30, 1969, except that the portion of his annuity based on accumulations after June 30, 1957, under the provisions of *Minnesota Statutes 1967*, Section 354.44, Subdivision 2, and all accumulations under the provisions of *Minnesota Statutes 1967*, Section 354.33, Subdivision 1, shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund.

Sec. 51. *Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 16*, is amended to read:

Subd. 16. 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 354.33, subdivisions 1, 7 and 9; section 354.44, subdivisions 2, 6 and 7.

Sec. 52. *Minnesota Statutes, 1973 Supplement, Section 354.55, Subdivision 17*, is amended to read:

Subd. 17. ~~(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 *Minnesota Statutes 1971*, Section 354.145, Subdivision 1, Clause (1) and Subdivision 2, Clause (1) shall have their annuity at retirement computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.~~

Sec. 53. *Minnesota Statutes 1971, Section 354.55*, is amended by adding a subdivision to read:

Subd. 18. Any member who has not retired and who made payments to the fund pursuant to *Minnesota Statutes 1965, Section 354.511* shall be entitled upon request to receive a refund of such amounts.

Sec. 54. Minnesota Statutes 1971, Chapter 354, is amended by adding a section to read:

[354.092] [SABBATICAL LEAVE.] *If a member is granted a Sabbatical leave, he may receive allowable service credit not exceeding three years in any ten consecutive years toward a retirement annuity by paying into the fund employee contributions during the period of leave. The employee contribution shall be based upon the appropriate rate of contributions and the salary received during the year immediately preceding the leave. This payment must be made within one year following termination of leave of absence, and shall be without interest. A member shall not accrue more than three years allowable service by reason of this section unless the allowable service credit was paid for by the member prior to July 1, 1962. A Sabbatical leave for the purpose of this section must be compensated by a minimum of one third of the salary the member received during the prior fiscal year. If the employee contributions during the period of the leave are less than the contributions based on the salary received during the year immediately preceding the leave, his formula service credit shall be prorated according to section 354.05, subdivision 25, clause (4).*

Sec. 55. Minnesota Statutes 1971, Section 354.58, is amended to read:

354.58 [SUPPLEMENTAL RETIREMENT ANNUITY.] A supplemental retirement annuity shall be paid only to a member who retires pursuant to sections 354.33, subdivision 1, or 354.44, subdivision 2, and the options related thereto as established in sections 354.34, 354.35, and 354.45. In establishing this supplemental retirement annuity the board shall ascertain the member's accumulated deduction including interest for the period of allowable service prior to July 1, 1957, and the member shall receive a retirement credit of 100 percent of this amount. The retirement credit so established shall be the basis for purchasing a supplemental retirement annuity using the 1937 standard annuity table of mortality set back two years with interest at the rate of three and one half percent and calculated separately as to sex. This supplemental retirement annuity shall be doubled. Each annuitant who commenced drawing his annuity between July 1, 1967 and June 30, 1969, or the beneficiary or beneficiaries of such members who were receiving annuity payments on July 1, 1969 under Minnesota Statutes 1967, Sections 354.33 and 354.34, or 354.44 and 354.45, shall have his annuity recomputed in accordance with the provisions of section 354.58 and any additional annuity shall begin to accrue July 1, 1969.

Sec. 56. Minnesota Statutes, 1973 Supplement, Section 354.62, Subdivision 2, is amended to read:

Subd. 2. [INDIVIDUAL ELECTION.] Each member of the teachers retirement association may elect to participate in the variable annuity division by filing a written notice with the board of trustees on forms provided by the board.

(1) Employee variable annuity contributions to the variable annuity division shall be :

~~(a) Pursuant to the options avoidable in section 354.33, subdivision 1, clause (2), and section 354.33, subdivision 8, the employee variable annuity contribution shall be an amount equal to two percent of the salary of every member.~~

~~(b) pursuant to the options option available in section 354.44, subdivision 2, clause (3), and section 354.44, subdivision 7, the employee variable annuity contributions shall be an amount equal to two percent of the salary of every coordinated member and four percent of the salary of every basic member.~~

~~(c) Pursuant to the option available in section 354.33, subdivision 9, the employee variable annuity contribution shall be an amount equal to four percent of the salary of every member.~~

(2) Employer variable annuity contributions shall be an amount equal to the employee variable annuity contributions provided in clause (1). The deficiency in equal employer variable annuity contributions which shall exist prior to July 1, 1975 shall be recovered from the additional employer contributions made prior to July 1, 1975 pursuant to sections 354.32, subdivision 3 and section 354.42, subdivision 5.

~~(3) Said election shall be made in accordance with section 354.145, subdivisions 1 and 2. Said election once made is irrevocable.~~

(4) (3) There shall be provided for members participating in the variable annuity division a separate account for each member which will show his variable account accumulations as defined in section 354.05, subdivision 23. The board shall establish such other accounts in the variable annuity division as it deems necessary for the operation of this provision.

(4) After June 30, 1974 there shall be no new participants in this program.

Sec. 57. Minnesota Statutes, 1973 Supplement, Section 354.62, Subdivision 5, is amended to read:

Subd. 5. [VARIABLE RETIREMENT ANNUITY.] (1) At retirement the amount of the member's variable account accumulation in the employee variable annuity contribution account, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, and an equal amount from the employer variable annuity contribution account shall be transferred to the variable annuity reserve account, and the variable retirement annuity for the member shall be determined by the member's age, and sex, and the amount transferred for the member to the variable annuity reserve account at the date of retirement. The amount of the annuity shall be calculated on the basis of an appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1.

(2) Whenever the admitted value of the annuity reserve account of the variable annuity division, as of June 30 of any year,

exceeds or is less than the then present value of all variable annuities in force, determined in accordance with the rate of interest and approved actuarial tables then in effect, by at least two percent of said present value, the amount of each variable annuity payment shall be proportionately increased or decreased for the following year.

(3) The death benefit payable in the event of a member's death prior to retirement will be the lump sum refund of a member's variable account accumulation, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date, to the surviving dependent spouse, or if there is no surviving dependent spouse to his designated beneficiary. Except that if a member has made an election in accordance with section 354.33 or 354.46, then his surviving dependent spouse will receive a joint and survivor annuity as described in sections 354.34 and section 354.44 and computed as provided in clause (1). An amount equal to the lump sum refund made in this clause shall be transferred from the employer contribution account to the variable annuity turnover account.

(4) Except as provided in sections 354.33, subdivision 1, clause (2); 354.33, subdivisions 3 and 9; 354.44, subdivision 2, clause (3); and section 354.44, subdivision 7, any person who ceases to be a member by reason of termination of teaching service, shall be entitled to a lump sum refundment of his variable account accumulations, based on the valuation at the previous fiscal year end plus any contributions made by such person since such date. Application for a refundment may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. Repayment of a refundment upon resumption of teaching is not permitted under this section. An amount equal to the refundment to the member shall be transferred from the employer contribution account to the variable annuity turnover account.

(5) If a member is determined to be totally and permanently disabled as provided in Minnesota Statutes 1967, sections 354.05, subdivision 14; 354.37; and 354.48, he shall be entitled to the annuity provided in this subdivision.

(6) Those members eligible for retirement as provided in Minnesota Statutes 1967, section 354.44, subdivision 1 will upon application for the annuity provided therein be entitled to the annuity provided in this subdivision. The annuity elected in accordance with Minnesota Statutes 1967, sections 354.33, 354.34, 354.44, and 354.45 shall be the annuity applicable to this subdivision.

(7) Notwithstanding section 356.18, increases in annuity payments pursuant to this section will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.

(8) At retirement, a member may elect to have the amount of his variable annuity accumulation in the employee variable

annuity contribution account and an equal amount from the employer variable annuity contribution account transferred to the Minnesota adjustable fixed benefit fund as provided in section 354.63, subdivision 2, clause (2). This election may also be made by a surviving dependent spouse who receives an annuity under clause (3) of this subdivision. Such election shall be made on a form provided by the board of trustees.

Sec. 58. Minnesota Statutes, 1973 Supplement, Section 354.63, 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 485, except for the annuities of those persons who retired pursuant to Laws 1916, Chapter 199, as amended, shall be determined in accordance with the 1937 standard annuity table of mortality set back two years and 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 procedures specified in section 11.25.~~

~~(2) (1) Effective July 1, 1973 for those members retiring pursuant to sections 354.05 to 354.14 and 354.31 to 354.51 and acts amendatory thereof this chapter, the required reserves as determined in accordance with these sections shall be transferred to the Minnesota adjustable fixed benefit fund as of the date of retirement. An appropriate annuity table of mortality with an interest assumption as provided in section 354.07, subdivision 1, 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 written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.~~

Sec. 59. Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8; are repealed.

Sec. 60. This act is effective July 1, 1974, except for section 53 which shall be effective the day following final enactment."

Further, strike the title in its entirety and insert in lieu thereof:

“A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivisions 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivision 1; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11, and by adding a subdivision; and 354.58; and Chapter 354, by adding sections; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Sections 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.”

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. 2837: A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

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. Minnesota Statutes 1971, Section 340.13, Subdivision 1, is amended to read:

340.13 [LICENSES; RESTRICTIONS.] Subdivision 1. [MANUFACTURERS' OR WHOLESALERS' INTEREST IN RETAIL ESTABLISHMENT.] *It is the legislative policy of the state that business carried on under the license of a manufacturer or wholesaler must be separate in fact and in law from the business carried on under a retailer's license.* No manufacturer or wholesaler shall either directly or indirectly own or control or have any financial interest

in any retail business selling intoxicating liquor, but this restriction shall not be construed to deny such person the right to use or have his property rented for such purposes in any case where the manufacturer or wholesaler was a bona fide owner of the premises prior to November 1, 1933 nor shall a retailer own, control or have any such interest in the business of any manufacturer or wholesaler. For the purpose of this subdivision, "own, control or financial interest" means and includes any relationship or association, financial or other and any connection through stock ownership or stock holding, that is likely to result in significant influence on the business policy of either licensee. No manufacturer or wholesaler shall exact or require, by contract, understanding, or otherwise any licensed retailer to handle or sell only the products of any particular manufacturer or wholesaler. Nothing in this subdivision shall be construed to prohibit a licensed manufacturer of wine containing not more than 25 percent of alcohol by volume nor less than 51 percent wine manufactured from Minnesota grown agricultural products from selling at off-sale wines manufactured or processed by that manufacturer at not more than one location in conjunction with a winery without procuring a retail off-sale license.

Sec. 2. This act is in effect the day following its final enactment."

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to intoxicating liquor; separating the businesses of retailers and others in the liquor business; permitting off-sale of wines by a manufacturer at the place of manufacture; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adoptd. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2533: A bill for an act relating to intoxicating liquor; Sunday sales; amending Minnesota Statutes 1971, Section 340.14, Subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 340.07, Subdivision 14, is amended to read:

Subd. 14. "Restaurant" means any establishment, other than a hotel, under the control of a single proprietor or manager, having appropriate facilities for the serving of meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests; and the principal part of the business of which is the serving of foods. In cities of the first class such establishment shall have facilities for seating not less than 50 guests at one time; in cities of the second and third class and villages of over 10,000 population,

such establishment shall have facilities for seating not less than 30 guests at one time, or such greater number as the municipality may determine; and in cities of the fourth class and villages of 10,000 population or less, in such manner as the municipality shall determine; and in an unincorporated or unorganized area of a county such establishment shall have facilities for seating not less than 100 guests at one time or such greater number as the county board may determine.”

Further, amend by striking the title and inserting:

“A bill for an act relating to intoxicating liquor; redefining the term “restaurant”; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.”

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

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after “The” insert “two”

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

S. F. No. 3224: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3273: A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after “and” insert “restaurants”

Page 1, line 11, strike “two to other eligible premises”

Page 1, line 13, strike “as to type of premises to be licensed and”

Page 1, line 14, strike “voter approval as”

Page 1, line 15, after “,” insert “clause 3,” and after “shall” insert “not”

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

S. F. No. 3189: A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, line 13, after “area” insert “or any part thereof solely”

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

S. F. No. 3180: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike “15” and insert “six additional”

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

S. F. No. 3158: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 19, add:

“Sec. 2. This act is effective upon final enactment.”

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

S. F. No. 3245: A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, after "levies" insert "within the meaning of Minnesota Statutes, Section 275.50, Subdivision 5,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3046: A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, after "that" insert "*within the specified period, he has the right to have the inspector's action reviewed by the governing body of the city, county, or town for whom the inspector is acting. Upon a written request for review, the governing body shall review the action and take any action it deems proper.*"

Page 2, strike lines 3 and 4

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3394: A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

Reports the same back with the recommendation that the bill be amended as follows:

Amend the title as follows:

Page 1, line 3, strike "defintion" and insert "definition"

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

S. F. No. 3426: A bill for an act relating to hospitals, nursing homes and related medical facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. If the city of Cannon Falls enters into a lease of facilities of the type designated in Minnesota Statutes, Section 447.45, requiring the lessee to pay a net rental not less than the amount required to pay the principal and interest when due on all revenue bonds issued for the acquisition and betterment of the leased facilities and to maintain the agreed bond reserve, it may authorize the lessee to construct the facilities in the manner authorized by Minnesota Statutes, Section 474.03. The city of Cannon Falls may acquire existing facilities constructed in this manner, for lease to the person, firm, association or corporation from which they are acquired.

Sec. 2. This act is effective upon its approval by the city council of Cannon Falls, and upon compliance with the provisions of 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 city of Cannon Falls; construction and lease of hospitals, nursing homes, and related medical facilities.”

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, strike “two” and reinstate the stricken “one”

Page 1, line 5, strike “two” and reinstate the stricken “one”

Page 1, line 9, strike “two” and reinstate the stricken “one”

Page 1, line 11, strike “two” and reinstate the stricken “one”

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

S. F. No. 3106: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1971, Chapter 504, is amended by adding a section to read:

[504.22] [DEFINITIONS, DISCLOSURE AND ACTIONS.] *Subdivision 1. As used in this section the following terms shall have the meanings given them:*

(a) “Landlord” means the owner, lessor, sublessor, or manager of a dwelling unit or the building of which it is a part.

(b) “Owner” means one or more persons, jointly or severally, in whom is vested a legal or beneficial interest in the premises.

Subd. 2. Every landlord shall disclose to the tenant in the rental agreement, or otherwise in writing prior to commencement of the rental agreement, the name and address of:

(1) the person authorized to manage the premises; and

(2) an owner of the premises or an agent authorized to accept service of process and receive and give receipt for notices and demands.

Subd. 3. A printed or typewritten notice containing the information which must be disclosed under subdivision 2 shall be placed and maintained in a conspicuous place on the premises.

Subd. 4. If a landlord has failed to comply with the provisions of this section any caretaker, manager or other person apparently in charge of the premises, shall be deemed to be an agent authorized to accept service of process and receive and give receipt for notices and demands, on behalf of the landlord.

Subd. 5. No action to recover possession of real property or to make any claim against a tenant shall be maintained unless the information required by this section has been disclosed in the manner provided herein; or unless the landlord shall prove that the tenant had actual knowledge of such information at least thirty days prior to the initiation of such action or claim.

Subd. 6. This section extends to and is enforceable against any successor landlord, owner or manager.

Sec. 2. Minnesota Statutes 1971, Chapter 504, is amended by adding a section to read:

[504.23] [CODE VIOLATIONS, DISCLOSURE.] *All records of any state, city or county agency charged by the governing body of the appropriate political subdivision with the responsibility of enforcing state, county or city health, housing, building, fire prevention or housing maintenance codes, concerning violations of such codes, are public records and may be inspected, examined, abstracted or copied, as provided by the laws pertaining thereto.”*

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3271: A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money for the collection, preservation, publication and dissemination of historical material.

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. The board of county commissioners of the county of Wright may appropriate up to \$9,500 to the Annandale Pioneer Transportation Museum. This sum shall not be exceeded by the county board, including previous appropriations made for this purpose.”

Further amend the title as follows:

Page 1, line 4, after “money” strike the rest of the line and insert “in a limited amount to the Annandale Pioneer Transportation Museum.”

Page 1, strike lines 5 and 6

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 17, after “,” insert “*a Minnesota licensed private vocational school,*”

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

S. F. No. 2878: A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

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 referred

S. F. No. 3348: A bill for an act relating to welfare; defining county of financial responsibility in medical assistance; amending Minnesota Statutes 1971, Section 256B.02, 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. Minnesota Statutes, 1973 Supplement, Section 256B.06, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant agricultural worker who meets all of the eligibility requirements for medical assistance other than having a permanent place of abode in this state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 2. This act is in effect the day following final enactment.”

Further, amend the title as follows:

Page 1, line 2, strike “defining county of” and insert “extending eligibility for medical assistance to certain migrant agricultural workers;”

Page 1, strike line 3

Page 1, line 4, strike “assistance;”

Page 1, line 4, after “Statutes” insert “, 1973 Supplement, Section 256B.06, by adding a subdivision.”

Page 1, strike line 5

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3354: A bill for an act relating to public health; health care facilities; certificates of need; amending Minnesota Statutes 1971, Sections 145.72, Subdivisions 2 and 3; 145.75; 145.78; 145.79; 145.80; 145.81; and Minnesota Statutes 1971, Chapter 145, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, after “facility” insert “primarily used for”

Page 1, line 19, after “treatment” insert “for prediagnosed conditions”

Page 1, line 25, after “extension,” and before “or” insert “replacement,”

Page 2, line 1, strike “increase” and insert “change”

Page 5, line 8, after “with” strike “the”

Page 5, line 9, strike “recommendation that it be modified” and insert “recommendations for modification of the proposal”

Page 5, line 11, strike "act" and insert "make a recommendation to the state board of health"

Page 5, line 12, before "board" insert "state"

Page 6, line 16, after "priority" insert "in scheduling"

Page 6, line 16, strike "to" and insert "of"

Page 6, strike lines 20-28

Page 7, strike lines 1-5

Renumber subsequent sections

Page 7, line 18, after "Any" insert "aggrieved"

Further, amend the title as follows:

Page 1, line 6, after "145.80;" insert "and"

Page 1, line 6, after "145.81" strike the semicolon and insert a period

Page 1, strike lines 7 and 8

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3247: A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 18, strike "relevant department of correction's" and insert "local, state or federal release"

Page 3, line 19, strike "discharge"

Page 3, line 20, strike "three years have" and insert "one year has"

Page 3, line 21, after "since" strike "final"

Page 3, line 21, strike "or final discharge"

Page 3, line 26, strike "Documents" and insert "A copy of the relevant department of corrections discharge order or other documents"

Page 4, line 1, after "consider" and before the colon insert "any evidence presented by the applicant regarding"

Page 4, line 12, strike "by the person" and insert ", including but not limited to letters of reference by persons who have been in contact with the applicant since his or her release from any local, state or federal correctional institution"

Page 5, line 6, strike "7" and insert "6"

Page 5, strike lines 11 through 15

Renumber the subsequent sections

Page 5, line 18, after "in" insert "Minnesota Statutes, Chapter 15,"

Page 6, after line 7, insert:

"Sec. 8. This chapter shall not apply to the practice of law; but nothing in this section shall be construed to preclude the Supreme Court, in its discretion, from adopting the policies set forth in this chapter.

Sec. 9. Violation of the rights established in this act shall constitute a violation of a person's civil rights."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 2933: A bill for an act relating to nonprofit health service plans; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Section 62C.14, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike "*minor*"

Page 1, line 14, after "*facility*" insert "*primarily used for performing surgery*"

Page 1, after line 14, insert:

"Sec. 2. Minnesota Statutes 1971, Chapter 62A, is amended by adding a section to read:

[62A.0421] [OUTPATIENT SURGERY.] *Each individual or group policy of accident and health insurance issued or renewed after the effective date of this act shall include coverage for payment of the costs of surgery performed in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis.*

Sec. 3. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.965] [OUTPATIENT SURGERY CENTERS.] *The board is authorized to adopt and enforce such reasonable regulations and standards as it deems necessary to protect the health and safety of persons undergoing surgery in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis. Such regulations and standards may include, but need not be limited to:*

- (1) *The types of surgery which may be performed in the facilities;*
- (2) *The minimum types of equipment, including emergency equipment, which the facilities must maintain; and*
- (3) *The minimum staffing patterns for the facilities.*

Sec. 4. Minnesota Statutes 1971, Section 145.72, Subdivision 2, is amended to read:

Subd. 2. "Health care facility" means any hospital licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56; any nursing home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56 or Minnesota Statutes 1969, Section 144.583; ~~or~~ any boarding care home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56; *or any free-standing ambulatory facility primarily used for performing surgery on an out-patient basis.*"

Renumber the remaining section accordingly.

Further amend the title as follows:

Page 1, line 2, strike "nonprofit health service" and insert "free-standing ambulatory surgery facilities;"

Page 1, line 3, delete "plans;"

Page 1, line 5, after "1971," insert "Chapter 62A, by adding a section;"

Page 1, line 6, after "subdivision" insert "; Chapter 144, by adding a section; and Section 145.72, Subdivision 2"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3301: A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims in the counties of Hennepin, Ramsey and St. Louis; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. The commissioner of corrections shall develop a community based, state wide program to aid victims of reported rapes.

Subd. 2. The program developed by the commissioner of corrections may include, but not be limited to provisions of the following services:

a) Voluntary counseling by trained personnel to begin as soon as possible after a rape is reported. The counselor shall be of the same sex as the victim and shall, if requested, accompany the victim to the hospital and to other proceedings concerning the alleged rape, including police questioning, police investigation, and court proceedings. The counselor shall also inform the victim of hospital procedures, police and court procedures, the possibility of contracting venereal disease, the possibility of pregnancy, expected emotional reactions and any other relevant information; and shall make appropriate referrals for any assistance desired by the victim.

b) Payment of all costs of any medical examinations and medical treatment which the victim may require as a result of the rape if the victim is not otherwise reimbursed for these expenses.

Sec. 2. In addition to developing the statewide program, the commissioner of corrections may:

a) Assist and encourage county attorneys to make diligent efforts to assure that the prosecuting attorney be of the same sex as the victim whenever possible.

b) Assist the peace officers training board and municipal police forces to develop programs to provide peace officers training in sensitivity and understanding of rape victims; and to encourage the assignment of trained peace officers of the same sex as the victim to conduct all necessary questioning of the victim;

c) Encourage hospital administrators to place a high priority on the expeditious treatment of rape victims; and to retain personnel trained in sensitivity and understanding of rape victims.

Sec. 3. The commissioner of corrections shall seek funding from the governor's commission on crime prevention and control at the earliest possible date for purposes of this act. In addition, the commissioner of corrections shall seek and utilize all other available funding resources to establish pilot community programs to aid rape victims before December 1, 1974."

Further, amend the title as follows:

Page 1, line 5, after "victims" insert a period

Page 1, line 5, strike "in the counties of"

Page 1, strike lines 6 and 7

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

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 11, strike "clerk of district court, probate court judge,"

Page 8, line 13, after "sheriff" strike the comma and insert "and"

Page 8, line 13, after "treasurer" strike the comma and insert a period. Strike the remainder of the line.

Page 8, line 14, strike "Dakota county."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 3183: A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 7, Subdivision 1; 8, Subdivision 2; and by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, strike all of section 2 and insert the following:

"Sec. 2. Laws 1973, Chapter 327, Section 7, Subdivision 3, is amended to read:

Subd. 3. In the authorizing resolution, the authority may provide covenants for the protection of the bondholders relating to disposition of bond proceeds and revenues; reserves and investment thereof; construction, acquisition, repair, replacement, operation and insurance of the recreation area buildings and facilities; accounting and reports; issuance of parity or subordinate lien bonds; rates and charges to be established or maintained; and such other covenants as the authority shall find to be usual and reasonable for the protection of revenue bondholders.

The authority may also define the event or events of default and other requisites for suit by bondholders or their representatives, conditions of bond registration or replacement, and conditions upon which any covenant may be amended. Any terms, covenants, or conditions of revenue bonds to be provided by resolution of the authority may be set forth in a trust indenture with a corporation having trust powers appointed by the authority, with the approval of the city council, to represent and act for bondholders, and to hold and disburse pledged revenues, and to perform such other duties as may be provided in the trust indenture; ~~but~~ ~~no~~ such trust indenture ~~shall~~ *may* confer or authorize ~~any~~ a mortgage lien on the real or operating properties or general funds of the authority."

Further amend the title as follows:

Line 6, after ";" insert "permitting mortgage liens on the property of the authority;"

Line 10, strike "Sections" and insert "Section" and strike "Sub-division" and insert "Subdivisions" and strike "; 8," and insert "and 3"

Line 11, strike "Subdivision 2"

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. 3162: A bill for an act relating to the city of Minneapolis; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 16, Sub-division 8.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1973, Chapter 133, Section 23, Subdivision 7, is amended to read:

Subd. 7. If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance for life to the designated beneficiary of such employee, providing such employee prior to the date of his death filed a written request therefor with the board on forms provided by such board. The monthly allowance herein provided for shall be the actuarial equivalent of a single life ~~retirement~~ service allowance specified in section 15, which would have been payable to the employee on the date of his death had he been eligible to retire and retired, notwithstanding the age requirement stated therein. For purposes of this section, the amount of excess contributions by the member shall not be included in the calculations in determining the monthly allowance. *Persons receiving survivor benefits pursuant to the provisions of this subdivision on the effective date of this act, shall receive an increase of 35 percent of the monthly benefits they are then receiving.*

Sec. 2. This act is effective upon approval by the city council of the city of Minneapolis and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title in line 3, by deleting "disability, retirement and", in line 5, by deleting "16" and inserting "23", and in line 6, by deleting "8" and inserting "7".

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. 3463: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 636, pursuant to the request of the House:

Messrs. Chenoweth, North, Ogdahl, Humphrey, Kirchner.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1421, 3293 and 2762 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.
1421	1375				
3293	3216				
2762	2741				

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. 2703 and 3245 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.
2703	2600	3245	3185		

Pursuant to Rule 49 the Committee recommends that H. F. No. 2703 be amended as follows:

Page 3, lines 5 through 7, delete "on any lot or parcel of land abutting the shoreline including: length of setback from the shoreline," and insert in lieu thereof "within 1,000 feet of the shoreline including: length of setback from the shoreline,"

Page 3, line 10, delete "*lake conservation district*"

Page 3, line 15, after "*resubmitted*" delete the period and insert in lieu thereof a semicolon

Page 3, after line 15, insert the following new language

"(o) To regulate the use of the body of water by seaplanes. Before adopting any ordinance regulating seaplanes the county board shall give 30 days notice by mail to the commissioner of aeronautics and any airports commission that has jurisdiction over airports in the area affected by the proposed ordinance and shall give them an opportunity to comment on the proposed ordinance."

And when so amended, H. F. No. 2703 will be identical to S. F. No. 2600 and further recommends that H. F. No. 2703 be given its second reading and substituted for S. F. No. 2600 and S. F. No. 2600 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3245 be amended as follows:

Page 1, line 3, delete "in excess of" and delete all of lines 4 and 5

Page 1, line 6, insert a comma after "election"

Page 1, line 7, insert a comma after "charter"

Page 1, line 18, delete "except that they may exceed the limitations in "

Page 1, delete line 19

Page 1, line 20, delete "exceed \$2,000,000, and"

Page 1, line 21, insert a comma after "required"

Page 1, line 23, insert a colon after "exceeds"

And when so amended, H. F. No. 3245 will be identical to S. F. No. 3185 and further recommends that H. F. No. 3245 be given its second reading and substituted for S. F. No. 3185 and S. F. No. 3185 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 707, 2840, 2467, 3160, 3234, 3045, 2177, 3229, 1483, 3338, 3218, 3169, 3238, 3249, 3292, 3389, 3217, 3246, 2871, 3267, 2677, 2004, 2515, 3349, 3409, 3372, 3325, 3033, 2533, 3163, 3224, 3273, 3189, 3180, 3158, 3245, 3046, 3394, 3426, 3271, 2621, 2878, 3354, 3247, 2933, 3301, 2973, 3183, 3162 and 3463 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2813, 2837, 932, 1421, 3293, 2762, 2703 and 3245 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Schrom moved that the name of Mr. Dunn be added as co-author to S. F. No. 3000. The motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 2655: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes, 1973 Supplement, Section 169.86, Subdivision 1.

Was read the third time 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	Davies	Kirchner	Olhoft	Sillers
Ashbach	Doty	Kleinbaum	Olson, A. G.	Solon
Bang	Fitzsimons	Knutson	Olson, H. D.	Spear
Berg	Frederick	Kowalczyk	Olson, J. L.	Stassen
Bernhagen	Gearty	Krieger	O'Neill	Stokowski
Blatz	Hansen, Baldy	Larson	Patton	Tennessee
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Brown	Hanson, R.	Milton	Perpich, G.	Ueland
Chenoweth	Hughes	Moe	Purfeerst	Wegener
Chmielewski	Humphrey	Nelson	Renneke	Willet
Coleman	Josefson	North	Schaaf	
Conzemius	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 713: A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Keefe, S.	North	Schrom
Ashbach	Davies	Kirchner	Novak	Sillers
Bang	Doty	Kleinbaum	Olhoff	Solon
Berg	Fitzsimons	Knutson	Olson, A. G.	Spear
Bernhagen	Gearty	Kowalczyk	Ojson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	McCutcheon	Patton	Thorup
Chenoweth	Hughes	Milton	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Keefe, J.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

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.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Knutson	Olhoff	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Bang	Frederick	Krieger	Olson, H. D.	Spear
Bernhagen	Gearty	Larson	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	Keefe, J.	Moe	Purfeerst	Wegener
Coleman	Keefe, S.	Nelson	Renneke	Willet
Conzemius	Kirchner	North	Schaaf	
Davies	Kleinbaum	Novak	Schrom	

Messrs. Berg; Hansen, Baldy and Josefson voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
Bang	Fitzsimons	Knutson	Olson, A. G.	Solon
Berg	Frederick	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Gearty	Krieger	Olson, J. L.	Stokowski
Bjatz	Hansen, Baldy	Larson	O'Neill	Tennessee
Borden	Hansen, Mel	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	

Messrs. Davies; Keefe, S. and Novak voted in the negative.

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2568: A bill for an act relating to the village of Cooley in Itasca county; providing for the dissolution of the city of Cooley.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Moe	Renneke
Ashbach	Doty	Keefe, S.	Nelson	Schaaf
Bang	Dunn	Kirchner	North	Schrom
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoft	Solon
Bjatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet

Messrs. Novak and Tennessee voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3024: A bill for an act relating to special assessments; amending Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1; and Minnesota Statutes 1971, Section 429.101, Subdivision 2.

Was read the third time 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	Kirchner	North	Schaaf
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoft	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
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Purfeerst	Wegener
Doty	Keefe, S.	Nelson	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 3152: A bill for an act relating to the county of Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

Was read the third time 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:

Arnold	Doty	Kleinbaum	Ogdahl	Sillers
Ashbach	Dunn	Knutson	Olhoft	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	Lewis	O'Neill	Tennessee
Borden	Hansen, Mel	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Keefe, J.	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kirchner	Novak	Schrom	

Mr. Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2796: A bill for an act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 3151: A bill for an act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2; repealing Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08.

Was read the third time 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	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessen
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3085: A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions 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 61 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Blatz	Coleman	Dunn	Hansen, Baldy
Ashbach	Brown	Conzemius	Fitzsimons	Hansen, Mel
Bang	Chenoweth	Davies	Frederick	Hanson, R.
Berg	Chmielewski	Doty	Gearty	Hughes

Humphrey	Larson	Ogdahl	Purfeerst	Tennessee
Josefson	Lewis	Olhoft	Renneke	Thorup
Keefe, J.	Lord	Olson, A. G.	Schaaf	Ueland
Keefe, S.	McCutcheon	Olson, H. D.	Schrom	Wegener
Kirchner	Milton	Olson, J. L.	Sillers	Willet
Kleinbaum	Moe	O'Neill	Solon	
Knutson	Nelson	Patton	Spear	
Kowalczyk	North	Perpich, A. J.	Stassen	
Krieger	Novak	Perpich, G.	Stokowski	

Mr. Bernhagen voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3084: A bill for an act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Hanson, R.	Krieger	Olhoft
Ashbach	Conzemius	Hughes	Larson	Olson, A. G.
Bang	Davies	Humphrey	Lewis	Olson, H. D.
Berg	Doty	Josefson	Lord	Olson, J. L.
Bernhagen	Dunn	Keefe, J.	McCutcheon	O'Neill
Blatz	Fitzsimons	Keefe, S.	Moe	Patton
Borden	Frederick	Kirchner	Nelson	Perpich, A. J.
Brown	Gearty	Kleinbaum	North	Perpich, G.
Chenoweth	Hansen, Baldy	Knutson	Novak	Purfeerst
Chmielewski	Hansen, Mel	Kowalczyk	Ogdahl	Renneke

Schrom	Spear	Stokowski	Thorup	Wegener
Sillers	Stassen	Tennessee	Ueland	Willet
Solon				

So the bill passed and its title was agreed to.

S. F. No. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

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 54 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Humphrey	Moe	Purfeerst
Ashbach	Davies	Josefson	Nelson	Renneke
Bang	Doty	Kirchner	North	Sillers
Berg	Dunn	Kleinbaum	Olhoft	Solon
Bernhagen	Fitzsimons	Knutson	Olson, A. G.	Stassen
Blatz	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Borden	Gearty	Krieger	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Larson	O'Neill	Ueland
Chenoweth	Hansen, Mel	Lord	Patton	Wegener
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Willet
Coleman	Hughes	Milton	Perpich, G.	

Those who voted in the negative were:

Keefe, J.	Lewis	Ogdahl	Spear	Tennessee
Keefe, S.	Novak	Schrom		

So the bill passed and its title was agreed to.

S. F. No. 2780: A bill for an act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

Was read the third time 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	Kirchner	Novak	Solon
Ashbach	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Krieger	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Larson	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	Nelson	Schrom	
Davies	Keefe, S.	North	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3001: A bill for an act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 3053: A bill for an act relating to the determination of the frontage assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

Was read the third time 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:

Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Dunn	Kleinbaum	Olson, A. G.	Spear
Bang	Fitzsimons	Knutson	Olson, H. D.	Stassen
Berg	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Gearty	Krieger	O'Neill	Tennessee
Blatz	Hansen, Baldy	Larson	Patton	Thorup
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brown	Hanson, R.	Lord	Perpich, G.	Wegener
Chenoweth	Hughes	McCutcheon	Purfeerst	Willet
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Josefson	Moe	Schaaf	
Conzemius	Keefe, J.	Nelson	Schrom	
Davies	Keefe, S.	North	Sillers	

Mr. Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3079: A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

Was read the third time 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	North	Schaaf
Bang	Fitzsimons	Kleinbaum	Novak	Schrom
Berg	Frederick	Knutson	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Brown	Hansen, Mel	Larson	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet
Doty	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3213: A bill for an act relating to the distributon of taxes accruing to the statutory city of Cooley under Minnesota Statutes, Section 298.24 and 298.32.

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 60 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Moe	Purfeerst
Ashbach	Doty	Keefe, S.	Nelson	Renneke
Bang	Dunn	Kirchner	North	Schaaf
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoft	Solon
Blatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet

Mr. Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3200: A bill for an act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

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:

Arnold	Doty	Kirchner	Novak	Sillers
Ashbach	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Krieger	Olson, H. D.	Tennessee
Blatz	Hansen, Baldy	Larson	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	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

Mr. Chenoweth moved that S. F. No. 3311, No. 17 on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

S. F. No. 2781: A bill for an act relating to the office of the district court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Kleinbaum	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoft	Solon
Berg	Frederick	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Gearty	Krieger	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2688: A bill for an act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

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:

Arnold	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	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schrom	
Dunn	Kleinbaum	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 3003: A bill for an act relating to motor vehicles; registration and taxation; monthly series system of registration; amending Minnesota Statutes, 1973 Supplement, Sections 168.017, Subdivisions 1, 2, 3, and 4; and 168.37, Subdivision 3; and Minnesota Statutes 1971, Section 168.09, by adding a subdivision.

Was read the third time 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	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	Lord	Patton	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Purfeerst	Willet
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	
Doty	Kirchner	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 3119: A bill for an act relating to assessment of street maintenance and street lighting costs in the city of Minneapolis; amending Laws 1973, Chapter 393, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schram	

So the bill passed and its title was agreed to.

H. F. No. 2985: A bill for an act relating to elections; information and instructions furnished county auditors by the secretary of state; amending Minnesota Statutes 1971, Section 203.16, Subdivision 2.

Was read the third time 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	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhoft	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Novak	Schram	

So the bill passed and its title was agreed to.

H. F. No. 3047: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

Was read the third time 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:

Arnold	Chenoweth	Dunn	Hanson, R.	Kirchner
Ashbach	Chmielewski	Fitzsimons	Hughes	Kleinbaum
Bang	Coleman	Frederick	Humphrey	Knutson
Berg	Conzemius	Gearty	Josefson	Kowalczyk
Bernhagen	Davies	Hansen, Baldy	Keefe, J.	Krieger
Blatz	Doty	Hansen, Mel	Keefe, S.	Larson

Lewis	Novak	Patton	Sillers	Ueland
Lord	Ordahl	Perpich, A. J.	Solon	Wegener
McCutcheon	Olhoft	Perpich, G.	Spear	Willet
Milton	Olson, A. G.	Purfeerst	Stassen	
Moe	Olson, H. D.	Renneke	Stokowski	
Nelson	Olson, J. L.	Schaaf	Tennessen	
North	O'Neill	Schrom	Thorup	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Chmielewski moved that the vote whereby S. F. No. 967 was passed by the Senate on March 1, 1974 be now reconsidered. The motion prevailed. So the vote was reconsidered.

S. F. No. 967: A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 10, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Nelson	Renneke
Ashbach	Frederick	Kirchner	North	Schaaf
Bang	Gearly	Knutson	Novak	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Solon
Blatz	Hansen, Mel	Krieger	Olson, J. L.	Spear
Brown	Hanson, R.	Larson	O'Neill	Stassen
Chenoweth	Hughes	Lewis	Patton	Stokowski
Conzemius	Humphrey	McCutcheon	Perpich, A. J.	Tennessen
Davies	Josefson	Milton	Perpich, G.	Thorup
Doty	Keefe, J.	Moe	Purfeerst	Ueland

Those who voted in the negative were:

Chmielewski	Dunn	Olhoft	Olson, H. D.	Wegener
Coleman	Kleinbaum	Olson, A. G.	Schrom	Willet

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Chenoweth moved that S. F. No. 3190, No. 127 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. O'Neill in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. O'Neill reported that the committee had considered S. F. Nos. 3108, 852, 1788, 2690, 1902, 3075, 3068, 3208, 2984, 2084, 3272, 2995, 1735, 3129, 3159, 1800, 2611, also H. F. Nos. 3058, 2890, 2638, 2888, 2085, 2909, which the committee recommends to pass.

H. F. No. 2703 which the committee recommends to pass, after the following motions:

Mr. Milton moved that the amendment made to H. F. No. 2703 by the Committee on Rules and Administration in the report adopted March 2, 1974, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 3039, which the committee recommends to pass with the following amendment offered by Mr. Olson, A. G.:

Amend H. F. No. 3039, the printed bill, as follows:

Page 1, after line 5 insert the following:

"Sec. 3. This act shall take effect upon the construction of the trunk highway 12 bypass of Willmar."

S. F. No. 2594, which the committee recommends to pass with the following amendments offered by Messrs. Willet and Dunn:

Mr. Willet moved to amend S. F. No. 2594 as follows:

Page 1, line 20, strike "1975" and insert "1977"

Mr. Dunn moved to amend S. F. No. 2594 as follows:

Page 1, line 14, after "*upon any*" insert "*county, state aid, or trunk*"

Page 1, line 15, strike everything after the first "*highway*"

H. F. No. 1292, which the committee recommends to pass with the following amendment offered by Mr. Doty:

Amend H. F. No. 1292, the printed bill, as follows:

Page 1, line 15, after "mental," insert "and"

Page 1, line 15, strike ", and moral"

Further, amend the title as follows:

Second line of title, after "mental," insert "and"

Second line of title, strike ", and moral"

H. F. No. 2876, which the committee recommends to pass.

The question being taken on the committee recommendation to pass H. F. No. 2876,

And the roll being called, there were yeas 25 and nays 22, as follows:

Those who voted in the affirmative were:

Bernhagen	Doty	Josefson	Milton	Renneke
Borden	Dunn	Keefe, J.	Nelson	Spear
Brown	Frederick	Keefe, S.	North	Stassen
Chmielewski	Gearty	Kleinbaum	O'Neill	Stokowski
Conzemius	Humphrey	Lord	Perpich, A. J.	Ueland

Those who voted in the negative were:

Ashbach	Hanson, R.	Larson	Olson, H. D.	Thorup
Berg	Hughes	Lewis	Olson, J. L.	Willet
Coteman	Kirchner	McCutcheon	Perpich, G.	
Davies	Kowalczyk	Olhoft	Purfeerst	
Hansen, Mel	Krieger	Olson, A. G.	Solon	

The motion prevailed. So the committee recommended H. F. No. 2876 to pass.

RECESS

Mr. Colemar moved that the committee do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the Chairman call the committee to order.

H. F. No. 2908, which the committee recommends to pass with the following amendment offered by Mr. Gearty:

Amend H. F. No. 2908, the printed bill, as follows:

Page 1, line 5, strike "*is*" and insert "*are*"

S. F. No. 3311, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 1, line 23, before the period insert "*; except that the provision of clause 2 shall apply only in cities of the first class*"

Page 1, line 29, after "*or*" insert "*, in cities of the first class,*"

Further amend the title as follows:

Line 2, after "*relating to*" insert "*cities of the first class,*"

S. F. No. 2715, which the committee recommends to pass with the following amendment offered by Mr. Josefson.

Page 1, line 30, reinstate the stricken word "*one*" and before "*two*" insert "*or*"

Page 2, strike lines 9 through 11

H. F. No. 2728, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Amend H. F. No. 2728, the printed bill, as follows:

Page 14, after line 34, add a new section as follows:

"Sec. 22. Minnesota Statutes, 1973 Supplement, Section 43.327, is amended to read:

43.327 [TRAVEL AND RELOCATION EXPENSES.] Subdivision 1. [COMMISSIONER TO MAKE RULES ON RELOCATION.] The commissioner shall make personnel rules relating to the expenses of moving state officers and employees, their families and household goods to new stations, subsistence, realtor

fees, and such other expenses as may be incident to assignment to such stations. *Notwithstanding any other law to the contrary, until such time as said personnel rules are promulgated the commissioner shall approve reasonable, proper and actual relocation expense claims submitted to him for approval by the agencies of the state, directing the commissioner of finance to provide for payment therefor to the affected employee. Nothing shall prevent the affected officer or employee of the state from submitting a proper claim for reimbursement for relocation expenses after the effective date of Laws of Minnesota 1973, Chapter 507, Section 44. Relocation payments so made shall be reviewed by the commissioner of finance after subsequent adoption of said rules by the commissioner to ensure proper payment under the claim.*"

Renumber the sections in sequence

Further, amend the title as follows:

5th line of title, after "43.31;" insert "and Minnesota Statutes, 1973 Supplement, Section 43.327;"

S. F. No. 2971, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Page 2, line 8, strike "*department*" and insert "*state board*"

Page 2, line 15, strike "*department*" and insert "*state board*"

Page 2, line 18, strike "*department*" and insert "*state board*"

Page 5, line 1, after "enrollee" insert a semicolon

Page 5, line 2, after "*board*" insert a comma

Page 5, line 4, after "*received*" strike the comma and insert a semicolon

Page 5, line 4, after "*approval*" insert a comma

Page 5, line 5, after "*non-elective*" insert a comma

Page 5, line 6, after "*emergency*" strike "*or*" and insert a comma

Page 5, line 6, after "*referral*" insert a comma

Page 5, line 6, after "*hospital*" insert a comma

S. F. No. 3060, which the committee recommends to pass with the following amendments offered by Messrs. Chmielewski, Davies and Tennesen:

Mr. Chmielewski moved to amend S. F. No. 3060, as follows:

Page 1, line 23, strike "OR EXERCISE OF EMINENT DOMAIN"

Page 4, line 10, strike "*section 463.161*" and insert "*section 3 of this act*"

Mr. Davies moved to amend S. F. No. 3060 as follows:

Page 1, line 25, after "*city*" strike the comma and insert "*or*"

Page 1, line 25, after "town" strike "or borough"

Mr. Tennesen moved to amend S. F. No. 3060 as follows:

Pages 2, 3 and 4, strike all of sections 4, 5 and 6

Further, amend the title as follows:

Page 1, line 5, strike "463.17,"

Page 1, line 6, strike everything before "463.21;"

S. F. No. 2846, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 15, strike "by" and insert "to"

Page 1, line 15, strike "25" and insert "125"

S. F. No. 2641, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 1, line 26, strike "year" and insert "consecutive six-month period"

S. F. No. 2812, which the committee recommends to pass with the following amendment offered by Mr. Kirchner:

Page 1, line 20, strike "450.00" and insert "45.00"

Mr. Stassen moved to amend S. F. No. 2812 as follows:

Page 2, line 12, strike everything after the semicolon

Page 2, strike lines 13 through 15 and insert:

"(4) the chapel will be operated for historical purposes, maintained as a memorial to Minnesotans who have died in war, and available for use by persons and organizations other than the State Historical Society, unless previously scheduled, provided such person or organization reserves the use of all or part of the chapel with the Society by paying to the Society at least one week in advance of the date of use a fee set by the Society which represents a pro rata share of the Society's annual operating and capital expenses of the chapel."

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:

Ashbach	Frederick	Kowalczyk	O'Neill	Stassen
Bang	Gearty	McCutcheon	Renneke	Thorup
Berg	Knutson			

Those who voted in the negative were:

Bernhagen	Dunn	Kleinbaum	Olhoft	Stokowski
Borden	Hansen, Mel	Krieger	Olson, A. G.	Tennesen
Chenoweth	Hughes	Lewis	Olson, H. D.	Wegener
Coleman	Humphrey	Lord	Purfeerst	Willet
Conzemiuss	Keefe, S.	Milton	Schrom	
Davies	Kirchner	North	Spears	

The motion did not prevail. So the amendment was not adopted.

And then, on motion of Mr. O'Neill, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Readings of Senate and House Bills.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 401: A bill for an act relating to game and fish; authorizing angling with two lines through the ice; amending Minnesota Statutes 1971, Sections 97.40, Subdivision 32; 101.41, Subdivision 2, and 101.42, Subdivision 20.

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

S. F. No. 2809: A bill for an act relating to the creation of a state economic opportunity agency and community action agencies; appropriating money to the economic opportunity agency for the purposes of this act.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. [POLICY; PURPOSE.] The legislature declares that it is in the public interest to better coordinate all available local, state, private and federal resources for programs and projects designed to aid low-income families and individuals throughout the state in obtaining basic education, health care, vocational training, employment opportunities and other services needed for the achievement of self sufficiency; to encourage the participation by the residents of a community served in the planning of community programs and projects; and to provide funding for the continuation of programs and projects that are now in danger of losing federal monies. To that end, the legislature directs that regional action agencies be established and maintained and that a state economic opportunity agency be created to administer state funds appropriated for community action agencies.

Sec. 2. [DEFINITIONS.] For the purposes of this act, the following terms shall have the meanings given them.

Subdivision 1. “Regional action agency” means a private nonprofit corporation organized pursuant to Minnesota Statutes, Chapter 317, for the purpose of administering community action programs.

Subd. 2. “Community action agency” shall mean a public agency

or a private nonprofit corporation organized pursuant to Minnesota Statutes, Chapter 317, which as of the effective date of this act was designated to receive federal funds pursuant to the Economic Opportunity Act of 1964, Public Law 88-452, as amended.

Subd. 3. "Community action program" shall mean a community based and operated program which provides for a sufficient range of services and activities having a reasonable and potentially major impact on causes of poverty in the community. Community action programs may include projects funded by the state under this act, or by other public or private sources. Projects may be either uniquely local in character or part of a state or federal program providing assistance to a particular kind of activity or individual.

Subd. 4. "Community" shall mean a city, county, multicounty or multicounty unit, or Indian reservation, or a neighborhood or other area, irrespective of boundaries or political subdivisions, which provides a suitable organizational base and possesses the commonality of interest needed for a community action program.

Subd. 5. "Poor" means a person having an annual income below the level established annually by the United States department of labor as poverty level income.

Sec. 3. [REGIONAL ACTION AGENCIES; ELIGIBILITY FOR FINANCIAL ASSISTANCE PURSUANT TO THIS ACT.] Subdivision 1. A regional action agency shall be eligible for designation by the economic opportunity agency and eligible to receive financial assistance from the economic opportunity agency only if it meets the following criteria:

(a) At least one half of the members of the board of directors are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served;

(b) If federal funding for community action programs is available, all requirements established by federal law for eligibility to receive such funds are satisfied; and

(c) Eligibility requirements established by the regulations of the economic opportunity agency are satisfied.

Subd. 2. To maintain its designation and its eligibility for state financial assistance a regional action agency shall:

(a) Receive and administer funds from any private or local state or federal source for community action programs or other appropriate purposes. A regional action agency may subcontract with other public or private agencies using funds received pursuant to this act when consistent with the community action program;

(b) Plan, review, approve and evaluate all community action programs within the area served by the regional agency;

(c) Encourage cooperation and coordination of existing non-agency programs in applying for funds and in providing non-duplicative services;

(d) Initiate and sponsor projects to meet the needs of the poor of the community which are not being met under existing programs;

(e) Establish procedures by which the members of the community may participate actively in planning and implementing community action programs;

(f) Encourage business, labor, and other private investment and participation in the community;

(g) Establish bylaws governing the employment, discharge, functions and duties of its employers, including the extent of the lawful duties of such employees as advocates of the poor;

(h) Submit in accordance with regulations promulgated by the economic opportunity agency, an annual budget outlining its proposed activities and expenditures and quarterly reports outlining expenditures and activities of the previous quarter; and

(i) Continue to comply with the regulations of the economic opportunity agency and the requirements of any applicable federal law.

Sec. 4. [ECONOMIC OPPORTUNITY AGENCY; CREATION; MEMBERSHIP; VACANCIES.] Subdivision 1. [CREATION.] The economic opportunity agency is hereby established in the executive branch of the state government. The agency shall be composed of nine members, appointed by the governor with the advice and consent of the senate. The members of the agency, shall, insofar as possible, be broadly representative of the following groups and interests: poor; urban; rural; male; female; minority; ethnic; labor; business; religious; education; welfare; health and public officials. No more than five members of the agency shall be members of the same political party.

Subd. 2. [TERMS OF OFFICE; VACANCIES.] Of the members of the economic opportunity agency first appointed by the governor four shall serve two year terms and five shall serve four year terms. The governor shall appoint the first members of the agency by August 1, 1974, and these members shall be subject to confirmation by the senate at the next regular session of the legislature. Thereafter each term shall begin on January 1 and shall continue for four years or until a successor is appointed and qualified. Vacancies shall be filled by the governor with the advice and consent of the senate for the unexpired term.

Subd. 3. [COMPENSATION; EXPENSES.] Members of the economic opportunity agency shall receive \$35 for each day spent in the discharge of their duties plus reasonable and necessary expenses in the same manner and amount as state employees.

Subd. 4. [PROCEDURE; MEETINGS.] The agency shall adopt rules and regulations relating to the election of its chairman, quorums, meeting times and places, and all other procedural matters necessary to its efficient operation.

Sec. 5. [DIRECTOR OF ECONOMIC OPPORTUNITY.] Subdivision 1. [APPOINTMENT; REMOVAL.] The governor shall appoint, with the advice and consent of the senate, a director of

the economic opportunity agency who shall serve for a four year term coterminous with that of the governor and until his successor is duly qualified and appointed, as the executive secretary and chief administrator of the agency. The director shall be an individual experienced in the administration of programs for the poor and in advocacy for the poor.

Subd. 2. [POWERS AND DUTIES.] The agency may delegate to the director and the director shall perform any duties imposed upon the agency except as expressly forbidden by this act or other law.

Sec. 6. [AGENCY; POWERS AND DUTIES.] Subdivision 1. The economic opportunity agency shall:

(1) Provide financial assistance to regional action agencies for the purpose of conducting community action programs;

(2) Designate by November 1, 1974, a regional action agency in each of the state's economic development regions. It may designate two regional action agencies in those economic development regions having a population in excess of 300,000;

(3) Assist community action agencies organized pursuant to federal law in reorganizing to comply with the provisions of this act;

(4) If the federal government continues the funding of community action agencies at a level of 90 percent or more of the monies received in such agencies' administration and community development accounts from the federal government in fiscal 1973, utilize the appropriation transferred by section 9, subdivision 2, to coordinate the receipt of federal funds by areas not served by community action agencies on the effective date of this act;

(5) Act as a special advocate for the poor in state government and encourage the mobilization of state resources and assist in the coordination of the efforts of state agencies which attempt to make the state government more responsible to the needs and desires of the poor;

(6) Provide technical assistance, training and related services to regional action agencies;

(7) Collect information regarding the state and federal participation in the programs of regional action agencies for the purpose of coordinating such funding;

(8) Provide information and assistance to the governor, the legislature, and state agencies with the objective of developing programs and seeking legislation for the benefit of the poor;

(9) Apply for, do all things necessary to qualify for and receive grants from federal and state sources in order to fulfill its duties under this act;

(10) Establish by rules and regulations promulgated pursuant to Minnesota Statutes, Chapter 15, standards governing the desig-

nation of regional action agencies and their eligibility for financial assistance. Such standards shall be subject to the provisions of section 3 and shall include but shall not be limited to:

- (a) The size of the boards of directors;
- (b) Method selection of members of the boards of directors;
- (c) Terms of office of the members of the boards of directors;
- (d) Qualifications of members of the boards of directors;
- (e) Election of officers;
- (f) Standardized accounting methods and budget preparation or submission methods and procedures;
- (g) Methods of filling vacancies in the boards of directors;
- (h) Procedures of the boards of directors, including quorums, meeting times and places, reimbursement of members expenses and per diem, and similar matters necessary to efficient operation; and
- (i) Such procedures as will assure public access to information and records.

(11) Report to the governor and legislature by January 15 of each year on its activities and those of the regional action agencies.

Sec. 7. [RESTRICTIONS AND DISBURSEMENT.] Subdivision 1. The economic opportunity agency shall disburse funds appropriated by this act to a community action agency or regional community action agency only if federal funding available to that agency for the fiscal year 1974 will be less than 90 percent of the dollar amount that the agency received from the federal government in its administration and community development accounts during the fiscal year 1973 or if the agency received no federal funds during fiscal year 1973.

Subd. 2. The agency shall provide financial assistance after January 1, 1975, only to regional action agencies designated pursuant to section 6, clause 2. If federal funds are available, the director shall encourage and assist the community action agencies operating in the state in the implementation of the regionalization plan.

Sec. 8. [DESIGNATION.] The economic opportunity agency is the state agency to perform the functions, duties and powers afforded the state under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; and the agency shall comply with all state and federal laws and rules or regulations promulgated for any purposes related to the powers and duties of the economic opportunity agency.

Sec. 9. [APPROPRIATION.] Subdivision 1. The sum of \$4,225,000 is appropriated to the economic opportunity agency from the general fund of the state treasury for the purposes of this act.

Subd. 2. The unexpended and unencumbered balance of funds appropriated by Laws 1973. Chapter 765. Section 8, Subdivision 1, to the commissioner of public welfare, is hereby transferred and

reappropriated to the economic opportunity agency for the purposes of this act.

Subd. 3. Five percent of the funds appropriated by this section is appropriated to the economic opportunity agency for its own administrative expenses."

Further, amend the title:

Page 1, line 4, strike "community" and insert "regional"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2005: A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3144: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.32, Subdivision 1; and 353.651, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, line 8, strike "15" and insert "17"

Page 7, line 20, after "duration" strike "."

Page 7, line 21, strike "An 'indefinite duration'" and insert in lieu thereof "which"

Page 8, after line 9, insert the following:

"Sec. 9. Minnesota Statutes, 1973 Supplement, Section 353.03, Subdivision 1, is amended to read:

353.03. [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 13 members, who shall be known as the board of trustees. This board shall consist of three trustees, one of whom shall be designated by each of the following associations, Minnesota school boards association, League of Minnesota Mu-

unicipalities, and Association of Minnesota Counties, and nine trustees, who shall be elected from the membership by the members of the retirement association, and one trustee who shall be a retired annuitant elected by other annuitants. Elected trustees shall hold office for a term of ~~three~~ *four* years. ~~On November 1 of each year and~~ For seven days *beginning December 1 of each year, except 1974 and every fourth year thereafter*, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. The candidate shall submit at the time of his filing a nominating petition signed by 25 or more members of the fund, and in the case of a retired annuitant, a nominating petition signed by 25 or more such annuitants. No nominee may withdraw his name from nomination after ~~November~~ *December* 15. Candidates shall file at large for all seats vacant at the forthcoming election. By ~~December~~ *January* 10 of each year the board shall distribute by mail to the members and annuitants ballots listing the candidates, the number of positions to be filled and blank lines for write in votes. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be ~~December~~ *January* 31. All terms expire on ~~December~~ *January* 31 of the ~~third~~ *fourth* year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. The election shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries.”

Page 11, after line 14, insert the following:

“Sec. 14. Minnesota Statutes, 1973 Supplement, Section 353.31, Subdivision 1, is amended to read:

353.31 [SURVIVOR BENEFITS.] Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] Upon the death of a “basic member” before retirement or upon the death of a “basic member” who was disabled and receiving disability benefits pursuant to section 353.33 at the time of his death who has had at least 18 months of credited allowable service, his surviving dependent spouse and dependent children, as defined in section 353.01, subdivisions 15 and 20, shall receive the monthly benefit provided below:

- (a) Surviving dependent spouse . . . 30 percent of the member’s monthly average salary in effect over the last full six months of allowable service preceding death
- (b) Each dependent child 10 percent of the member’s monthly average salary in effect over the last full six months of allowable service preceding death

Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$400 \$450, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" said average salary, subject to the aforementioned maximum. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a "basic member" whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision.

Under the terms of this subdivision there are no survivor benefits, as such, payable to the surviving spouse or dependent children of any deceased "coordinated member."

Page 14, after line 11, insert the following:

"Sec. 18. Minnesota Statutes, 1973 Supplement, Section 353.657, Subdivision 3, is amended to read:

Subd. 3. [COMPUTATION OF BENEFITS; CHILDREN; BEFORE RETIREMENT.] Each dependent child, until the child reaches the age of 18 years, shall receive a monthly benefit equal to ten percent of the member's average monthly salary earned as a police officer or fire fighter on which employee contributions were paid over the last full six months of allowable service preceding death. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit for any one family shall not exceed \$400 \$450, and the minimum benefit per family shall not be less than 30 percent of the member's said average salary, subject to the aforementioned maximum."

Page 14, after line 11 insert the following:

"Sec. 18. Minnesota Statutes, 1973 Supplement, Section 353.71, Subdivision 2, is amended to read:

Subd. 2. [DEFERRED ANNUITY COMPUTATION; AUGMENTATION.] The deferred annuity, if any, accruing under subdivision 1, or sections 353.34, subdivision 3, and 353.68, subdivision 4, shall be computed in the manner provided in said sections, on the basis of allowable service prior to termination of public service and augmented as provided herein. The required reserves applicable to a deferred annuity, or to an annuity for which a former member was eligible but had not applied, or to any deferred segment of an annuity shall be determined as of the date the annuity begins to accrue and shall be augmented by interest at the rate of ~~three~~ and ~~one-half~~ five percent per annum compounded annually from the first day of the month following the month in which the former member ceased to be a public employee, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. If a person has more

than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the present value of the annuity. Uninterrupted service for the purpose of this subdivision shall mean periods of covered employment during which the employee has not been separated from public service for more than two years. If a person repays a refund, the service restored thereby shall be considered as continuous with the next period of service for which the employee has credit with this association. The formula percentages used for each period of uninterrupted service shall be those as would be applicable to a new employee. This section shall not reduce the annuity otherwise payable under this chapter. This subdivision shall apply to deferred annuitants of record on July 1, 1971 and to employees who thereafter become deferred annuitants; it shall also apply from July 1, 1971 to former members who make application for an annuity after July 1, 1973."

Page 14, after line 11, insert the following:

"Sec. 22. Minnesota Statutes 1971, Chapter 353, is amended by adding a section to read:

[353.85] *A qualified survivor of a "basic" member or a member of the police and fire fund where such member died after June 15, 1973 and was entitled to salary or vacation pay after June 30, 1973 shall in lieu of all other association survivor benefits be entitled to the survivor benefits payable under the law in effect on July 1, 1973.*"

Page 14, after line 11, insert the following:

"Sec. 23. [ASSOCIATION OF MINNESOTA COUNTIES EMPLOYEES.] Subdivision 1. From and after July 1, 1974, employees of the Association of Minnesota Counties, hereinafter referred to as the association, shall become members of the public employees retirement association unless specifically exempt under section 1 of this act.

Subd. 2. An employee of the association shall pay contributions and have his rights determined under the law applicable to "co-ordinated" public employees retirement association members.

Sec. 24. [PURCHASE OF PRIOR SERVICE CREDIT.] A person who becomes a member of the public employees retirement association pursuant to this act may purchase prior service credit with respect to employment with the association by (a) paying to the public employees retirement association prior to August 1, 1974, an employee contribution in an amount equal to six percent of his salary received from the association, not exceeding \$4,800 in any calendar year prior to June 30, 1965, and not exceeding \$6,000 per year from July 1, 1965 to June 30, 1967, and at the rate of six percent of total salary received from the association after July 1, 1967, plus accrued interest for the total period of service at the rate of five percent per annum compounded annually from the year of purchase to the date payment is made; (b) the member at the same time shall pay additionally a

matching amount equal to that required to be paid under (a) representing employer's contributions; provided the association may, in its sole discretion, for all employees included hereunder, pay the public employees retirement association the obligation under (b) or may reimburse its employees for such amount."

Renumber the remaining sections accordingly.

Further amend the title:

Page 1, line 4, after "law;" insert "providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the Association of Minnesota Counties in membership in the public employees retirement association;"

Page 1, line 8, after "subdivision;" insert "and Chapter 353, by adding a section;"

Page 1, line 11, after "20;" insert "353.03, Subdivision 1;"

Page 1, line 12, after "Subdivision 2;" insert "353.31, Subdivision 1;"

Page 1, line 13, after "Subdivision 1;" strike "and"

Page 1, line 14, after "2;" insert "353.657, Subdivision 3; and 353.71, Subdivision 2;"

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. 3048: A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioner; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "Any public"

Page 1, strike line 5

Page 1, line 6, strike "as a commissioner"

Page 1, line 9, strike the period

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 884: A bill for an act relating to crimes and criminals; providing compensation for victims of violent crimes; providing a penalty; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [TITLE.] This act shall be known as the Minnesota Crime Victims Reparations Act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) workmen's compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an ap-

plication for rehearing, appeal or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person

to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

- (a) a victim who has incurred economic loss;
- (b) a dependent who has incurred economic loss;
- (c) the estate of a deceased victim if the estate has incurred economic loss;
- (d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a), (i) and (a), (ii) for a victim;
- (e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

- (a) the crime was not reported to the police within five days of its occurrence, or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;
- (b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;
- (c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise require in a particular case;
- (d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or
- (e) no claim was filed with the board within one year of victim's injury or death.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

- (1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;
- (2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims; and
- (3) reparations paid to all claimants suffering economic loss as a result of the injury or death of any one victim shall not exceed \$15,000 plus attorney fees authorized by this act.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the executive branch the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be 6 years except that of the members first appointed one each shall serve for terms of 6, 4, and 2 years. Any person appointed to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents.

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;

(g) appoint independent hearing officers who are admitted to the bar of this state to conduct hearings, take testimony, and report findings of fact, conclusions of law and the basis therefor to the board for a final determination;

(h) determine and award reasonable attorneys fees to a claimant;

(i) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(j) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within thirty days after receipt of the report of the decision of the board member to

whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within thirty days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or pro-rated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is, or if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 14. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply

of all forms necessary for the preparation and presentation of claims.

Sec. 15. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 16. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted after the day following final enactment of this act.

Sec. 17. [APPROPRIATIONS.] The sum of \$. is appropriated annually from the general fund in the state treasury to the crime victims reparations board for the payment of claims and operating expenses under this act."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 2953: A bill for an act relating to state lands; directing conveyance of a certain parcel of land in Otter Tail county.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 23, after "surveyed" insert ", if necessary,"

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

S. F. No. 3212: A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "fish" insert "*by angling or spearing*"

Page 1, line 10, after "is" insert "*blind, or is*"

Page 1, line 12, strike "*eligible to receive*" and insert "*a recipient of*"

Page 1, line 14, after "*423(d),*" insert "*or is a recipient of workmen's compensation based on a finding of total and permanent disability,*"

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

S. F. No. 3198: A bill for an act relating to tax forfeited lands; pro-

viding conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

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

S. F. No. 3181: A bill for an act relating to game and fish; authorizing the use of portable fish houses within the boundary waters canoe area.

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

S. F. No. 2105: A bill for an act relating to game and fish; wearing of red or orange clothing; amending Minnesota Statutes 1971, Section 100.29, Subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "sinkbox" insert "*, or when traveling to or returning from such a place*"

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

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.

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, 1973 Supplement, 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 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.

tion and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of 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) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs of social services and of county welfare systems, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of taxation pursuant to the administrative procedures act;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat

of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The 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;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding 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;

(u) pay the costs of any levy authorized by special act for joint recreation and park board purposes of any city having a population of 15,000 or more and any town having a population of 4,000 or more, both city and town having assessed value of iron ore, taconite or semi-taconite, and situated within a county having a population of more than 200,000 but less than 300,000.

Sec. 2. This act is effective for levy year 1974 and levy years thereafter."

Further, amend the title as follows:

Strike the title and insert

"A bill for an act relating to taxation; providing a special levy for the costs of any levy authorized by special act for joint recreation park board purposes of certain cities and towns in iron range areas; amending Minnesota Statutes, 1973 Supplement, Section 275.50, Subdivision 5."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3276: A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Section 346.27.

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 346.215, is amended to read:

346.215 [INVESTIGATION OF CRUELTY COMPLAINTS.]
Subdivision 1. Any person who has reason to believe that a violation of section 346.21 has taken place or is taking place may apply

to any court having jurisdiction over actions alleging violation of such section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses he may produce and must take his affidavit or their affidavits in writing, and cause same to be subscribed by the party or parties making same. The affidavit or affidavits must set forth the facts tending to establish the grounds for believing a violation of section 346.21 has occurred or is occurring, or probable cause to believe that they exist. If the court is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, it shall issue a search warrant and order for investigation, signed by the judge of such court with the name of his office, to a peace officer in such county, commanding him to forthwith proceed to the location of the alleged violation taking with him a doctor of veterinary medicine and commanding such peace officer to search the place designated in such warrant and together with such veterinary doctor conduct an investigation of the facts surrounding the alleged violation, retaining in his custody subject to the order of the court such property or things which are specified in such warrant, including any animal if such warrant so specifies. The warrant shall contain the names of the persons presenting affidavits in support of the application, and the grounds for its issuance. Service shall be made in accordance with the provisions of sections 626.13, 626.14, and 626.16. The warrant must be executed and returned to the court which issued such warrant within ten days after its date; after the expiration of such time the warrant, unless executed, is void. The officer executing such warrant must forthwith return the warrant to the court, and deliver to it a written inventory of the property or things taken, verified by the certificate of the officer at the foot of the inventory. The warrant and order for investigation issued pursuant to this section and section 346.216 shall have the same force and effect as a warrant issued pursuant to chapter 626.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment.

Sec. 2. Minnesota Statutes 1971, Section 346.27, is amended to read:

346.27 [EXPOSURE OF ANIMALS; DUTY OF OFFICERS.]
Subdivision 1. Any sheriff, constable, village marshal, police officer, or any agent of the Minnesota society or other societies for the prevention of cruelty, may remove, shelter, and care for any horse or other animal found exposed to the weather and not properly blanketed, or remaining more than one hour without attention in cold or inclement weather, or not properly fed and watered, or provided with suitable food and drink, and, when necessary, may deliver such animal to another person to be so sheltered and cared for, and furnished with suitable food and drink; but in all cases the owner, if known, shall be immediately notified, and such officer, or the person having possession of the animal, shall have a lien thereon for its care and keeping

and the reasonable value of the food and drink furnished and the expenses of such notice. If the owner or custodian be unknown, and cannot by reasonable effort be ascertained, or shall not, within five days after notice, redeem such animal by paying the expenses incurred as aforesaid, it may be treated as an estray, and be dealt with as such.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment. The expenses of such disposal shall be subject to the provisions of Minnesota Statutes, Section 346.216."

Further, amend the title as follows:

Page 1, line 5, strike "Section" and insert "Sections 346.215; and"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3432: A bill for an act relating to the West Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "WEST" and insert "WESTERN"

Page 1, line 10, strike "West" and insert "Western"

Page 1, line 30, strike "West" and insert "Western"

Further amend the title as follows:

Page 1, line 2, strike "West" and insert "Western"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3233: A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 19, add a new section to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment."

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. 2687: A bill for an act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 146.05; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, after line 15, add a new section to read:

“Sec. 7. [EFFECTIVE DATE.] This act shall take effect the day following its final enactment.”

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 3023: A bill for an act relating to municipal industrial development; definitions; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1971, Section 474.02, is amended by adding a subdivision to read:

Subd. 1a. The term project shall also include any properties, real or personal, used or useful in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged in any business.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 474.06, is amended to read:

474.06 [MANNER OF ISSUANCE OF BONDS; INTEREST RATE.] Bonds authorized under sections 474.01 to 474.13 shall be issued in accordance with the provisions of chapter 475 relating to bonds payable from income of revenue producing conveniences, except that public sale shall not be required, and the bonds may mature at any time or times within 30 years from date of issue and may be sold at a price equal to such percentage of the par value thereof, plus accrued interest, and bearing interest at such rate or rates, as may

be agreed by the lessee or vendee, the purchaser, and the municipality or redevelopment agency, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law. *When bonds authorized under sections 474.01 to 474.13 are issued, they shall state whether they are issued for a project defined in section 474.02, subdivision 1, or section 1 of this act.*"

Further amend the title as follows:

Page 1, line 3, after "definitions;" insert "issuance of bonds;"

Page 1, line 4, after "Statutes" strike the comma and insert "1971, Section 474.02, by adding a subdivision; and Minnesota Statutes,"

Page 1, line 5, strike everything after "Section" and insert "474.06."

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

S. F. No. 3194: A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 32, strike "the Minnesota department of"

Page 2, line 6, strike "such as a federally-posted livestock auction" and insert "but does not include an occasional or special event or disposal sale"

Page 2, strike line 7

Page 2, line 11, after "others" insert ", except persons licensed under Minnesota Statutes, Section 28A.04 who are primarily engaged in the sale of meats at retail"

Page 2, strike line 28 and insert "an assembly point operated as a public livestock market for livestock producers, feeders, market agencies and buyers; providing the services and facilities for loading and unloading, yarding and sale of all classes of livestock, for individuals or organizations granted the privilege of the market by the management of the public stockyards."

Page 3, strike lines 1 and 2

Page 3, line 5, after "agencies" insert "and public stockyards"

Page 3, line 10, after "agency" insert "and public stockyard"

Page 3, line 19, after "agency," insert "public stockyard"

Page 3, line 20, after the period insert "The operation of livestock market agencies, livestock dealers, agents and packers at a public stockyard are exempt from sections 1 to 9, and 12 to 16."

Page 3, line 23, after "both," insert "or a public stockyard"

Page 3, line 23, strike "department" and insert "commissioner"

Page 3, line 24, strike "department" and insert "commissioner"

Page 3, line 26, after "applicant" insert "for a license to operate as a livestock market agency or livestock dealer"

Page 4, line 2, strike "department" and insert "commissioner"

Page 4, line 10, strike "department" and insert "commissioner"

Page 4, line 13, after "required of" insert "a public stockyard or"

Page 4, line 19, strike "department" and insert "commissioner"

Page 4, line 24, strike "department" and insert "commissioner"

Page 4, line 25, after "agency" insert "and public stockyard"

Page 5, line 10, strike "department" and insert "commissioner"

Page 6, line 4, strike "department" and insert "commissioner"

Page 6, line 17, strike "department" and insert "commissioner"

Page 6, line 25, strike "department" and insert "commissioner"

Page 7, line 3, strike "department" and insert "commissioner"

Page 7, line 21, strike "department" and insert "commissioner"

Page 7, line 23, strike "department" and insert "commissioner"

Page 7, line 28, strike "department" and insert "commissioner"

Page 8, line 7, strike "department" and insert "commissioner"

Page 8, line 17, strike "department" and insert "commissioner"

Page 9, line 25, strike "department" and insert "commissioner"

Page 10, line 1, strike "department" and insert "commissioner"

Page 10, line 24, strike "30" and insert "90"

Page 11, line 1, strike "department" and insert "commissioner"

Page 11, line 3, strike "department" and insert "commissioner"

Page 11, line 11, strike "department" and insert "commissioner"

Page 11, line 13, strike "department" and insert "commissioner"

Page 11, line 15, strike the first "department" and insert "commissioner"

Page 11, line 15, after "the" strike "department" and insert "commissioner"

Page 11, line 18, strike "department" and insert "commissioner"

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

S. F. No. 2898: A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

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

S. F. No. 3061: A bill for an act relating to parks; prohibiting littering; providing a penalty.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 85.20, is amended by adding a subdivision to read:

Subd. 6. No person shall drain, throw, or deposit upon the lands and waters within or adjacent to a state park any substance that would mar the appearance, create a stench, destroy the cleanliness or safety of the land, or would be likely to injure any animal, vehicle, or person traveling upon those lands and waters. The operator of a vehicle, except a school bus or a vehicle transporting passengers for hire and regulated by the interstate commerce commission, shall not permit articles to be thrown or discarded from the vehicle upon any lands or waters within or adjacent to a state park. A person violating the provisions of this subdivision shall be guilty of a misdemeanor. Any person sentenced to pay a fine under this act shall in lieu of the fine be permitted, in the court's discretion, to work at clearing rubbish, trash, and debris from any state park land or adjacent land. Credit shall be allowed against the fine at the rate of \$50 a day and a person performing the cleanup work shall wear an arm band on which appears the letters "LP" meaning litter patrol."

Amend the title as follows:

Line 2, after "to" and before "parks" insert "state"

Line 3, after "penalty" insert "amending Minnesota Statutes 1971, Section 85.20, by adding a subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5; 145.63; and 145.64.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 9, insert a new section to read:

“Section 1. Minnesota Statutes 1971, Section 145.61, is amended by adding a subdivision to read:

Subd. 4. “Administrative staff” means the staff of a hospital or clinic.”

Renumber subsequent sections in sequence.

Page 1, line 13, before the comma insert “and administrative staff, except where otherwise provided for by state or federal law”

Page 1, line 14, after the comma insert “by a clinic,”

Page 2, line 7, after the semicolon insert “or”

Page 2, line 9, strike the semicolon and insert a colon

Page 2, line 10, strike “(i)” and insert “(1)”

Page 2, line 12, strike “(ii)” and insert “(2)”

Page 2, line 14, after “them” insert “when the matter is referred to a review committee by the professional licensing board”

Page 2, line 15, strike “(iii)” and insert “(3)”

Page 2, line 18, strike “(iv)” and insert “(4)”

Page 2, line 21, strike “and” and insert “or”

Page 2, line 22, delete “(v)” and insert “(5)”

Page 2, strike lines 24-27 and insert “No party shall be bound by a ruling of a review organization pursuant to this clause on a controversy, dispute or question unless he agrees in advance, either specifically or generally, to be bound by the ruling.”

Page 3, line 3, after the comma insert “who acts in an advisory capacity to”

Further amend the title as follows:

Page 1, line 8, after “Subdivision 5” and before the semicolon insert “, and by adding a subdivision”

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

S. F. No. 2896: A bill for an act relating to game and fish; contracts

for removal of rough fish; amending Laws 1973, Chapter 720, Section 61, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "*and*" insert "*/or*"

Page 1, line 15, strike "*bidder*" and insert "*contractor*"

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

S. F. No. 3407: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1971, Section 18.022, Subdivision 1, and by adding a subdivision; and Chapter 18 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

S. F. No. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Reports the same back with the recommendation that the resolution do pass. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3464: A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 18, strike "*March 15*" and insert "*July 1*"

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

S. F. No. 3417: A bill for an act relating to state lands; directing conveyance of a portion of the Gillette Children's Hospital property to the city of St. Paul.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, after "The" and before "commissioner" insert "governor, upon recommendation of the"

Page 1, line 7, after "administration" insert ","

Page 1, line 7, after "shall" insert "transfer and"

Page 1, line 8, after "convey" insert ", by quitclaim deed in such form as the attorney general approves in the name of the state of Minnesota"

Page 1, after line 30, insert

"Sec. 2. The commissioner of administration shall cause the lands to be surveyed and appraised by not less than three appraisers, at least two of whom shall be residents of Ramsey county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised, which oath shall be attached to the report of such appraisal. The lands agreed to be conveyed shall be sold for not less than the appraised value thereof, plus the cost of the survey and appraisal.

Sec. 3. This act is effective the day following its final enactment."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2635: A bill for an act relating to courts; allowing clerks of the district court to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Section 357.021, by adding a subdivision.

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 357.021, is amended by adding a subdivision to read:

Subd. 6. [SECURITY DEPOSITS.] The clerk shall accept security deposits to guarantee payment of fees. Any person desiring to make these deposits may deposit any amount desired with the clerk who shall deposit this in a security fund with the county treasurer. The county treasurer may invest the funds and the income therefrom shall be deposited in the general fund of the county.

The clerk shall extend credit to any person who has made this deposit up to the amount of the deposit.

Any person may withdraw the deposit after any unpaid items are deducted.

Sec. 2. Minnesota Statutes 1971, Section 487.31, is amended by adding a subdivision to read:

Subd. 5. [SECURITY DEPOSITS.] The clerk shall accept security deposits to guarantee payment of fees. Any person desiring to make these deposits may deposit any amount desired with the clerk who shall deposit this in a security fund with the county treasurer. The county treasurer may invest the funds and the income therefrom shall be deposited in the general fund of the county.

The clerk shall extend credit to any person who has made this deposit up to the amount of the deposit.

Any person may withdraw the deposit after any unpaid items are deducted."

Further amend the title as follows:

Page 1, line 3, strike "court" and insert "and county courts"

Page 1, line 5, strike "Section" and insert "Sections"

Page 1, line 6, after "subdivision" insert "; and 487.31 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. 3095: A bill for an act relating to adoption; establishing a division within the department of administration to facilitate adoption of Vietnamese war orphans; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3406: A bill for an act relating to historic sites; designating additional historical sites; amending Minnesota Statutes 1971, Sections 138.53, by adding subdivisions; 138.54, by adding a subdivision; and 138.58, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1971, Section 138.081, is amended to read:

138.081 [EXECUTIVE COUNCIL AS AGENCY TO ACCEPT FEDERAL FUNDS.] *Subdivision 1.* The executive council of the

Minnesota historical society is hereby designated the state agency with power to accept any and all moneys provided for or made available to this state by the United States of America or any department or agency thereof for surveys, restoration, construction, equipping, or other purposes relating to the state historic sites program in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

Subd. 2. The director of the Minnesota historical society, as state historic preservation officer, shall be responsible for the preparation, implementation and administration of the state historic preservation plan and the federal historic preservation act (P.L. 89-665). The director of the Minnesota historical society shall review and approve in writing all grants-in-aid for architectural, archaeological and historic preservation made by state agencies and funded by the state or a combination of state and federal funds in accordance with the state historic preservation plan.

Sec. 2. Minnesota Statutes 1971, Section 138.52, Subdivision 1, is amended to read:

138.52 [DEFINITIONS.] Subdivision 1. Land or water areas containing historic, *architectural*, or archeological value for the purposes of sections 138.51 to 138.63 are designated as "state historic sites." A "state historic site" is also an area designated by the Minnesota historical society as a site possessing historical value of state or national significance. The term "state historic site" includes the items defined in this section.

Sec. 3. Minnesota Statutes 1971, Section 138.52, is amended by adding a subdivision to read:

Subd. 6. A "state architectural site" is a structure of outstanding and enduring architectural value, designated by the legislature as possessing state or national significance."

Page 1, line 13, strike "*consisting of all area within the following*" and insert in lieu thereof "*is in Ramsey county and consists of the area described in section 11 of this act.*"

Page 1, strike lines 14 to 31

Page 2, strike lines 1 to 15

Page 2, line 28, after "*district*" insert "*is*"

Page 3, line 1, strike "*located within the following boundaries:*" and insert in lieu thereof "*and consists of the area described in section 138.73, subdivision 13.*"

Page 3, strike lines 2 to 28

Page 4, strike lines 1 to 4

Page 4, line 7, after "*59.*" strike "*Brooklyn*" and insert in lieu thereof "*Earle Brown*"

Page 4, line 21, strike "*extending from*" and insert in lieu thereof "*consists of the area described in section 12 of this act.*"

Page 4, strike line 22

Page 4, line 26, strike "*comprises the area*" and insert in lieu thereof "*consists of the area described in section 138.73, subdivision 23.*"

Page 4, strike lines 27 and 28

Strike all of page 5

Page 6, strike lines 1 to 24 and insert in lieu thereof:

"Sec. 11. Minnesota Statutes, 1973 Supplement, Section 138.73, is amended by adding a subdivision to read:

Subd. 24. Irvine Park historic district, partly owned by the city of St. Paul and portions of which are privately owned, consisting of all area within the following description: beginning at the center of the intersection of Walnut and West Seventh Street, thence southeasterly along the center line of Walnut to the intersection of the centerline of the perimeter street surrounding Irvine Park, thence northeasterly to the north corner; thence southeasterly along the center line of the perimeter street to the intersection of the centerline of Ryan; thence northeasterly along the center line of Ryan to the northeast edge of Lot 2, Block 35; thence southeasterly to include Lots 2, 3, 4, Block 35, thence southwesterly to the centerline of Hill street including that portion of Hill vacated; thence southwesterly along the centerline of Hill street to the top of the bluff's concrete retaining wall; thence following the concrete to the top of the retaining wall to the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ryan; thence southwesterly along the centerline of Ryan to the intersection of the line extending from the southwest edge of Lot 11; thence northwesterly along the southwest of edge of Lots 11, 12 of Block 30, to the intersection of the centerline alleyway parallel to Ryan and Exchange, Block 30; thence southwesterly along the centerline of the alleyway to the intersection of the property line running northwest-southeast dividing in half Lot 3, Block 30; thence along the property line to the intersection of the centerline of South Exchange; then northeasterly along the centerline of South Exchange to the intersection of the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ramsey; thence westerly along Ramsey to the intersection of the centerline of West Seventh; thence northeasterly to the point of beginning. All in Rice and Irvine's Addition to City of St. Paul.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 138.73, is amended by adding a subdivision to read:

Subd. 25. Milwaukee Avenue historic district in the city of Minneapolis in Hennepin County, extending from Franklin Avenue to Twenty-Fourth Street."

Renumber the sections accordingly

Amend the title as follows:

Line 3, after "sites" insert "and historic districts"

Line 4, after "Sections" insert "138.081; 138.52, Subdivision 1, and by adding a subdivision;"

Line 6, strike "and"

Line 7, after "subdivisions" insert "; and 138.73, by adding subdivisions"

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. 3047: A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 10, after line 20, insert:

"Sec. 9. Minnesota Statutes 1971, Section 123.39, is amended by adding a subdivision to read:

Subd. 13. The board shall provide for the transportation of resident handicapped persons who fulfill the requirements of Minnesota Statutes, Section 252.23 (1) to licensed daytime activity centers attended by these persons. Any aid received for transportation outside the district must be approved by the commissioner."

Renumber the sections accordingly

Page 29, after line 8, insert:

"Sec. 22. There is appropriated to the department of education the sum of \$300,000 for the fiscal year beginning July 1, 1974. This is to be added to the \$1,751,440 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 1, and shall be used solely to supplement the \$100,000 designated for the right to read program for the fiscal year beginning July 1, 1974."

Renumber the sections accordingly

Page 29, line 16, strike "4,480,000" and insert "5,480,000"

Further amend the title as follows:

Page 1, line 16, after "Subdivision 1" insert ", and by adding a subdivision"

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. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

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. 3425: A bill for an act relating to the city of Detroit Lakes; expanding the definition of "project" under Minnesota Statutes 1971, Chapter 474, to include a vocational school facility.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3345: A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3243: A bill for an act relating to education; establishing a program of tuition supplements and a program of equivalency credits for the Minnesota national guard; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 28, after "guard" insert "pursuant to current military rules and regulations"

Page 3, line 17, after "available" insert "basis"

Page 4, line 15, after "guard" insert "pursuant to current military rules and regulations"

Page 5, line 1, after "guard" insert "pursuant to current military rules and regulations"

Page 5, line 1, after "or" insert "withdraws from or"

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 referred

S. F. No. 3000: A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, strike "\$1,193,000" and insert "\$1,130,000"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2003: A bill for an act relating to education; approval of plans for school buildings; amending Minnesota Statutes 1971, Section 121.15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "school"

Page 1, line 9, strike "and"

Page 1, line 10, strike "for the mechanical equipment"

Page 1, line 11, strike "change of school buildings" and insert "*modification of buildings used for school purposes and for electrical and mechanical equipment therein*"

Page 1, line 18, strike "such" and insert "*the*"

Page 1, line 18, strike "those made," and insert "*applicable sections*"

Page 1, line 18, after "from" insert "*the state building code.*"

Page 1, strike lines 19 and 20

Page 1, line 21, strike "of sewage in public school buildings."

Page 1, line 21, strike "*also*"

Page 2, line 2, strike the comma and insert a period

Page 2, line 3, strike "containing two classrooms or less."

Page 2, line 6, strike "reserve" and insert "*withhold*"

Page 2, line 7, strike "as to" and insert "*based on*"

Page 2, line 7, after "an" insert "*environmental, economic, or*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2214: A bill for an act relating to courts, defining real property jurisdiction of county court in divorce, annulment and separate maintenance proceedings; amending Minnesota Statutes 1971, Section 487.19, Subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3318: A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "department of agriculture"

Page 1, line 21, strike "the Minnesota department of"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 12, strike "department" and insert "commissioner"

Page 2, line 25, strike "department" and insert "commissioner"

Page 5, line 9, strike "vender" and insert "vendor"

Page 5, line 14, strike "department" and insert "commissioner"

Page 5, line 21, strike "department" and insert "commissioner"

Page 5, line 23, strike "department" and insert "commissioner"

Page 5, line 27, strike "department" and insert "commissioner"

Page 6, line 4, strike "It" and insert "He"

Page 7, line 4, strike "department" and insert "commissioner"

Page 9, line 1, strike "department" and insert "commissioner"

Page 10, line 2, strike "department" and insert "commissioner"

Page 10, line 12, strike "department" and insert "commissioner"

Page 12, line 10, strike "department" and insert "commissioner"

Page 12, line 13, strike "department" and insert "commissioner"

Page 12, line 18, strike "department" and insert "commissioner"

Page 13, line 10, strike "department" and insert "commissioner"

Page 13, line 24, strike "department" and insert "commissioner"

Page 14, line 11, strike "of agriculture"

Page 14, line 12, strike "of agriculture"

Page 16, lines 27 and 28, reinstate the stricken language

Page 17, lines 1 and 2, reinstate the stricken language

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

S. F. No. 3193: A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding sections; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "*Subd. 13.*" strike the rest of the line

Page 1, strike lines 20 to 30 and insert "*“Hazardous waste” means any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives.*"

Page 4, line 26, strike "*to prevent and abate water, air*"

Page 4, line 27, strike "*and land pollution*"

Page 7, line 23, after "*commission*" and before "*shall*" insert "*, in cooperation with the pollution control agency,*"

Page 7, line 24, strike "*under*" and insert "*in accordance with Minnesota Statutes,*"

Page 8, strike lines 18 to 23

Page 10, line 9, strike "*resolution*" and insert "*ordinance*"

Page 10, line 11, after "*identification*" and before the comma insert "*of hazardous waste*"

Page 10, line 19, strike "*resolution*" and insert "*ordinance*"

Page 10, line 22, after "*complete*" and before "*procedures*" insert "*such*"

Page 10, line 27, strike "*resolution*" and insert "*ordinance*"

Page 11, line 1, strike "*resolution*" and insert "*ordinance*"

Page 11, line 15, after "*Subd. 13.*" strike the rest of the line

Page 11, strike lines 16 to 26 and insert "*Hazardous waste*" means any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives."

Page 14, line 20, after "description" insert "of the county hazardous waste"

Page 15, line 3, after "identification" and before the comma insert "of hazardous waste"

Page 15, line 13, after "complete" and before "procedures" insert "such"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1704: A bill for an act relating to education; establishing a board to examine and review certain organizations, associations and leagues which schools may join; appropriating money; amending Minnesota Statutes 1971, Section 129.12, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 129.121, is amended by adding a subdivision to read:

Subd. 5. The governing board of any high school shall not delegate the control, supervision and regulation of interscholastic athletics and other extracurricular activities referred to in this section unless:

(a) The articles of incorporation or bylaws of the Minnesota state high school league permit the governor with the advice and consent of the senate to appoint six citizens to the board of directors of the Minnesota state high school league and that two of the citizens appointed shall be high school students and shall be appointed for a term of one year; the four other citizens shall not be school teachers, school district employees or school board members and shall be appointed for a term of two years; and

(b) The Minnesota state high school league files annual financial statements showing detailed expenditures and receipts with the commissioner of education no later than October 1 of each year on forms prescribed by him no later than July 15 of each year; and

(c) The board of directors and the representative assembly of the Minnesota state high school league conduct all meetings in

accord with the provisions of Minnesota Statutes, 1973 Supplement, Section 471.705, Subdivision 1; and

(d) The articles of incorporation or bylaws of the Minnesota state high school league provide that the representative assembly of the league will be constituted so as to assure that the number of representatives from each district in the state bears the same general proportion to the total membership of the assembly as the pupil population of each district bears to the total pupil population of the state and so that each pupil in the state receives equal representation in the assembly.

Sec. 2. This act shall take effect on January 1, 1975."

Further, strike the title in its entirety and insert in lieu thereof:

"A bill for an act relating to education; providing for the appointment of six citizens to the board of directors of the Minnesota high school league; requiring open league meetings and financial reporting; amending Minnesota Statutes, 1973 Supplement, Section 129.121, by adding a subdivision."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3188: A bill for an act relating to the organization and operation of the state government; regulating the bloc grant system of the department of public welfare; appropriating money; amending Laws 1973, Chapter 765, Section 2, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 30, strike the period and insert a semicolon

Page 1, line 30, strike "*The commissioner shall provide*"

Page 1, strike line 31

Page 2, line 1, strike "*costs in determining the amount of the bloc grants*" and insert "*but the commissioner shall not include the costs of the following supplemental grants*"

Page 2, line 2, after "*appliances,*" insert "*annual*"

Page 2, line 2, after "*utility*" insert "*supplemental payments,*"

Page 2, line 3, strike "*recaps*"

Page 2, line 4, strike "*as well as replacement of household furnishings*"

Page 2, line 4, after the period insert "*The commissioner shall provide by rule and regulation for the payment of these supplemental grants in accordance with the standards in effect for the aid to families with dependent children program on September 30, 1973.*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2951: A bill for an act relating to retirement; tax levy for certain teachers retirement funds; amending Minnesota Statutes 1971, Section 354.20; repealing Laws 1969, Chapter 1106.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2949: A bill for an act relating to retirement; state contributions to certain teachers retirement associations; amending Minnesota Statutes 1971, Section 354.201, by adding a subdivision.

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 referred

S. F. No. 3467: A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 3009: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Pine county to the city of Moose Lake, Minnesota.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "Pine" insert "and Carlton"

Page 1, line 15, strike "county" and insert "counties"

Page 2, line 21, strike "Pine" and insert "Carlton"

Further amend the title as follows:

Page 1, line 4, after "Pine" insert "and Carlton"

Page 1, line 4, strike "county" and insert "counties"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3360: A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system

for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, after "or the" insert "board of education of the"

Page 1, line 14, after "may" insert "by resolution"

Page 1, line 18, delete ", Incumbent John Doe,"

Page 1, line 19, delete ", Incumbent Richard Poe,"

Page 1, line 25, delete "to which John Doe was"

Page 1, line 26, delete "elected for the regular term"

Page 1, line 28, delete "to which Richard Poe was appointed for"

Page 1, line 29, delete "the unexpired term"

Page 1, after line 29, insert the following:

"The names of the candidates for each seat shall be rotated on the ballots to avoid any appearance of preference for incumbents and incumbency shall not be indicated on the ballot."

Page 1, delete line 30

Page 2, delete lines 1 through 6

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. 2994: A bill for an act relating to education; buildings; providing for the economical joint use of school and other public buildings; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] It is the policy of the state that new public educational buildings should not be constructed when surplus space is available in other educational or public buildings.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the terms defined in this section have the meaning ascribed to them.

Subd. 2. "State board" means the state board of education.

Subd. 3. "Construction" means the erection, building, purchase or acquisition of an educational facility which requires a total capital expenditure in excess of \$50,000 for school districts with an average daily membership less than 1000 pupils; \$100,000 for school districts with an average daily membership of more than 1000 and less than 5000 pupils; \$200,000 for school

districts with an average daily membership of more than 5000 and less than 15,000 pupils; \$300,000 for school districts with an average daily membership of more than 15,000 and less than 25,000 pupils; and \$400,000 for school districts with an average daily membership of more than 25,000 pupils.

Sec. 3. Subdivision 1. [PROCEDURE PRIOR TO PROPOSAL.] No local or joint board of education intending to embark upon a program of construction of an educational facility which requires a capital expenditure in excess of the cost limitations of section 2, subdivision 3 of this act shall engage architectural, professional consultation, or bond consulting services with respect to the project until it has notified the state board of education of its intention to engage such services. The notice shall state simply the nature of the architectural, professional consultation, or bond consulting services to be engaged and the nature of the construction contemplated. The state board shall not be required to accept or act upon a proposal if the notice required by this section has not been given. Any applicant submitting such a notice may, at the time of submission, request a written determination by the state board as to whether the project is subject to the provisions of this act and whether a proposal must be submitted. The applicant shall be notified by the state board of its determination in writing not later than 30 days after the request is submitted. Nothing in this section shall be construed to limit in any way the right to engage architectural, professional consultation, or bond consulting services.

Subd. 2. [CONTENT OF PROPOSALS.] Each proposal shall contain information concerning, but not limited to, the following:

(a) the geographic area likely to be served, whether within or outside the boundaries of the school district;

(b) the population likely to be served, including census findings and projections relative to the population of preschool and school aged persons in the area;

(c) the reasonably anticipated need for the facility or service to be provided by the proposal;

(d) a description of the construction in reasonable detail, including

(1) the capital expenditures contemplated; and

(2) the estimated annual operating cost, including the anticipated salary cost and numbers of new staff necessitated by the proposal;

(e) so far as is known, existing institutions within the area to be served that offer the same or similar service; the extent of utilization of existing facilities or services; the extent to which space is available from other sources, including institutions for higher education or other public buildings; and the anticipated effect that the proposal will have on existing facilities and services;

(f) the anticipated benefit to the area that will result from the proposal;

(g) so far as is known, the relationship of the proposed construction to any priorities which have been established for the area to be served; and

(h) the availability and manner of financing of the proposed construction and the estimated date of commencement and completion of the project.

Subd. 3. [PROPOSAL PROCEDURE.] In reviewing each proposal, the state board shall:

(1) within 10 days of the receipt of the proposal, determine whether it is complete and give prompt written notice to the applicant of this determination;

(2) hold a public hearing in the school district submitting the proposal within 90 days of the date the proposal is determined to be complete;

(3) provide notice of the public hearing by publication in a legal newspaper of general circulation in the area for two successive weeks, to be concluded at least 10 days before the date of the hearing;

(4) allow any interested person the opportunity to be heard, to be represented by counsel, to present oral and written evidence, and to confront and cross-examine opposing witnesses at the public hearing;

(5) provide a transcript of the hearing at the expense of any individual requesting it, if the transcript is requested at least three days prior to the hearing;

(6) make findings of fact and recommendations concerning the proposal which findings and recommendations shall be available to any individual requesting them; and

(7) follow any further procedure not inconsistent with Minnesota Statutes, Chapter 15, which it deems appropriate.

Subd. 4. [DETERMINATION.] Within 90 days after the public hearing, the state board of education shall make one of the following decisions:

(a) issue a certificate of need;

(b) reject the application for a certificate of need; or

(c) refer the application back to the local board with comments and instructions for further consideration and recommendations.

If the state board rejects the application or refers the application back to the local board, it shall set forth in detail the reasons for its decision.

Subd. 5. [COMMENCEMENT OF CONSTRUCTION.] No construction of an educational facility which requires a capital expenditure in excess of the cost limitation in section 2, subdivision

3 of this act shall be commenced unless a certificate of need has been issued in accordance with this section.

Subd. 6. [EXPIRATION OF CERTIFICATE.] A certificate of need shall expire if the construction is not commenced within two years following the issuance of the certificate. The holder of a certificate which is about to expire may apply for a new certificate no earlier than 90 days before the expiration of the former certificate. The state board may give priority consideration to the application for a new certificate, but shall comply with other requirements and procedures applicable to the granting of certificates.

Subd. 7. [APPEALS.] Any person may appeal the granting, denial, or modification of an application pursuant to Minnesota Statutes, Sections 15.0424 to 15.0426.

Subd. 8. [EVASIONS.] No local or joint board shall separate portions of a single project into components in order to evade the cost limitation of section 2, subdivision 3 of this act.

Subd. 9. [ENFORCEMENT.] The district court in the county where an alleged violation occurs shall have jurisdiction to enjoin violations of this act. Any person shall have standing to bring an action to enjoin an alleged violation. At the request of the state board of education, the attorney general may bring an action to enjoin an alleged violation.

Subd. 10. [RULES AND REGULATIONS.] The state board of education, pursuant to Minnesota Statutes, Chapter 15, shall promulgate rules and regulations to carry out the purposes of this act, including but not limited to the following:

- (a) procedure and forms for application;
- (b) hearing procedure;
- (c) criteria for issuance or rejection of a certificate of need;
- (d) enforcement procedure.

Sec. 4. [JOINT POWERS AGREEMENTS.] Agreements between governmental units concerning the joint use of buildings may be made pursuant to Minnesota Statutes, Section 471.59.

Sec. 5. [RENTALS.] The state shall not rent facilities to non-public agencies if space is needed by a public body. All public bodies shall use suitable and economically competitive space in nearby public buildings before renting space in nonpublic buildings.

Sec. 6. [EFFECTIVE DATE.] This act shall be effective on July 1, 1974 as to the commencement of programs of construction of educational facilities which require a capital expenditure in excess of the cost limitations of section 2, subdivision 3 of this act."

Further, amend the title as follows:

Line 2, after "buildings;" insert "certificates of need;"

Line 4, strike the semicolon and insert a period

Strike line 5

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. 3080: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, after "*personnel*" insert "*certified as being regularly*"

Page 2, line 9, after "*supervision*" insert "*of inmates*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 3248: A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 8, strike "day" and insert "year"

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. 3435: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4 and 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 10, before the period insert "*by section 2 of this act*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation & General Legislation, to which was referred

S. F. No. 2477: A bill for an act adding a new route to the trunk highway system.

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 referred

S. F. No. 3355: A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

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 referred

S. F. No. 2831: A bill for an act proposing an amendment to the Minnesota Constitution, Article VII, Sections 1 and 7; conforming the age and residency requirements of voters to the federal constitution and setting the general age to hold office at 18 years.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 2, strike "eligibility" and insert "to lower the minimum age"

Page 2, line 4, after "office" insert "to 18"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3408: A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

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 re-referred

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a sub-

division; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

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. [PUBLIC POLICY.] It is hereby declared to be the public policy of the state of Minnesota that:

(1) Public confidence in the integrity of government is a prerequisite of representative democracy. The public interest is best served when full disclosure is made of the identity and expenditures of persons who engage in substantial efforts to persuade governmental officials to take specific actions;

(2) Public officials should not use their official positions to obtain financial gain for themselves, their households or any organizations with which they are associated in a manner which violates the public trust;

(3) Major political campaign contributions and expenditures should be fully disclosed to the public;

(4) Disclosure of major political campaign contributions and expenditures serves the public interest by (a) preventing undue influence and (b) revealing the sources of campaign financing to the public as well as thereby facilitating future informed decisions regarding alternative methods of public and private financing;

(5) Although small individual contributions to a candidate are unlikely to have an undue influence, a number of small contributions from an individual or small contributions from a number of associated individuals may when cumulated have an undue influence. Thus there is a compelling state interest in requiring the disclosure of all contributions of more than \$50 in the case of legislative campaigns and more than \$100 in the case of campaigns for statewide office;

(6) Limitations upon campaign expenditures are necessary to control the spiraling amount of money required to campaign for public office and to ensure that no individual is denied the opportunity to run for public office for financial reasons;

(7) Candidates for public office and elected officials should not be under the influence of those persons who make large contributions to political campaigns.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 36, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Association" means business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons which includes more than an immediate family acting in concert.

Subd. 3. "Business with which he is associated" means any business, corporation, partnership, proprietorship, labor union, or association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 4. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a judicial office or a federal office for which candidates are required to report under federal laws. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, or has 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. 5. "Commission" means the state ethics commission.

Subd. 6. "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 candidate to office;

(b) A transfer of funds between political committees or political funds; or

(c) The payment, by any person other than a candidate, political committee or fund, of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office.

"Contribution" does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund.

Subd. 7. "Depository" means any bank, savings and loan association or credit union, organized under federal or state law and transacting business within Minnesota.

Subd. 8. "Election" means a general, special, primary or special primary election, or a convention or caucus of a political party held to nominate or endorse a candidate.

Subd. 9. "Expenditure" means:

(a) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

(b) A transfer of funds between political committees or political funds.

"Expenditure" does not include: (a) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund; or (b) expenses incurred by a member of the legislature or a person holding constitutional office in the executive branch, in performing services for constituents. The commission shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision.

Subd. 10. "Lobbyist" means:

(a) Any individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials; or

(b) Officially designated representatives of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials.

"Lobbyist" does not include:

(a) A public official or employee of the state or any of its political subdivisions acting in his official capacity;

(b) Parties and their representatives appearing in a proceeding before a state board, commission or agency of the executive branch;

(c) Individuals in the course of selling goods or services to be paid for by public funds;

(d) News media or their employees or agents, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action; or

(e) Paid expert witnesses whose testimony is requested by the body before which they are appearing or one of the parties to a proceeding.

For purposes of this subdivision "administrative action" means an action of a quasi-legislative policy making nature by any board, commission or agency of the executive branch, and a nonministerial action by an official of the executive branch.

Subd. 11. "Major political party" means those political parties defined in Minnesota Statutes, Section 200.02, Subdivision 7.

Subd. 12. "Minor political party" means any party other than a major political party which ran a candidate on the statewide or legislative ballot in the last general election or files a petition with the secretary of state which contains the names of 2,000 persons registered to vote in Minnesota and which provides that the signators desire to enable the party to receive money from the state elections campaign fund in the same manner as the major political parties. For the purposes of this act prior to the

general election in 1974, all persons who are eligible to vote in areas where there is no registration shall be considered registered voters.

Subd. 13. "Political committee" means any political party, association or person other than an individual which has as its major purpose to support or oppose any candidate or to influence the nomination for election or election of a candidate.

Subd. 14. "Political fund" means any accumulation of voluntary donations by an association other than a political committee collected or expended for the purpose of influencing the nomination for election or election of a candidate.

Subd. 15. "Political party" means both major political party and minor political party.

Subd. 16. "Public official" means:

- (a) Members of the legislature;
- (b) Persons who hold constitutional office in the executive branch and their chief administrative deputies;
- (c) Members of state boards and commissions who have rule making authority;
- (d) Persons employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, and researcher or attorney of the office of legislative research;
- (e) Persons who are employed by the executive branch whose positions are specified in Minnesota Statutes, Section 15A.081; and
- (f) Persons employed as chairmen of the metropolitan council, metropolitan transit commission, metropolitan sewer board and metropolitan airports commission.

Sec. 3. [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of the senate. No more than half of the governor's appointees shall support the same political party.

Subd. 2. The appointments shall be for a term of four years. Of the six original appointees, two shall serve a two-year term, two shall serve a three-year term, and two shall serve a four-year term, as determined by lot. Each of the original terms shall begin on the effective date of this act. All appointments to terms subsequent to the original terms, except one made to fill a vacancy, shall be for terms of four years. All appointments shall be made within 60 days of the date on which a vacancy occurs.

Subd. 3. Four members of the commission shall constitute a quorum and a vacancy in the membership of the commission shall not impair the right of the remaining members to exercise all of the powers of the commission.

Subd. 4. The commission shall hold an organizational meeting within 30 days after the effective date of this act at which time the members of the commission shall elect from among their members a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the commission. Meetings of the commission shall be at the call of the chairman or at the call of any four members of the commission acting together.

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 1 to 36, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. All administrative services such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state.

Subd. 6. Members of the commission shall receive \$35 for each day spent in the performance of their duties, and necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 7. All members and employees of the commission shall be subject to any provisions of law regulating political activity by state employees. In addition, no member or employee of the commission shall be a candidate for, or holder of, (a) a national, state, congressional district, legislative district or county office in a political party, or (b) an elected public office for which party designation is required by statute. A member or employee may be elected as a delegate to a caucus or convention of a political party for the purpose of endorsing a candidate.

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year and may indicate apparent abuses and make appropriate recommendations to the legislature for their resolution;

(b) Prescribe forms for statements and reports required to be filed under sections 1 to 36 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding, and cross-indexing system consistent with the purposes of sections 1 to 36;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may

copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) Preserve reports and statements for a period of six years from the date of receipt;

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate;

(h) Prepare and publish reports as it may deem appropriate; and

(i) Prescribe as necessary, pursuant to Minnesota Statutes, Chapter 15, rules and regulations to carry out the purposes of sections 1 to 36.

Subd. 9. The executive director of the commission or his staff shall inspect all material filed with the commission as promptly as is necessary to comply with the provisions of sections 1 to 36. The executive director shall immediately notify the person required to file a document with the commission if a written complaint is filed with the commission by any registered voter alleging, or it otherwise appears, that document filed with the commission is inaccurate or does not comply with the provisions of sections 1 to 36 or that a person has failed to file a document required by sections 1 to 36.

Subd. 10. The commission may make audits and investigations with respect to statements and reports which are filed or which should have been filed under the provisions of sections 1 to 36. In all matters relating to its official duties, the commission shall have the power to issue subpoenas and cause them to be served. If a person does not comply with a subpoena, the commission may apply to the district court of Ramsey county for issuance of an order compelling obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is reasonable cause to conclude that a violation of this act or other campaign laws has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor.

Subd. 12. The commission may, upon request, issue and publish advisory opinions on the requirements of sections 1 to 36 based upon real or hypothetical situations. Applications for an advisory opinion may be made only by those who wish to use the opinion to guide their own conduct. The commission shall issue written opinions on all such questions submitted to it within 14 days after taking the matter under consideration.

Subd. 13. The commission may form committees to discharge the duties established by sections 1 to 36.

Subd. 14. The provisions of Minnesota Statutes, Chapter 15, shall apply to the commission.

Sec. 4. [LOBBYIST REGISTRATION.] Subdivision 1. Each lobbyist shall file a registration form with the commission within 14 days after he commences lobbying.

Subd. 2. The registration form shall be prescribed by the commission and shall include (a) the full name and complete address of the lobbyist, (b) the principal place of business of the lobbyist, (c) the full name and complete address of each person, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears, and (d) a general description of the subject or subjects on which the lobbyist expects to lobby. If the lobbyist lobbies on behalf of an association, the registration form shall include the name and address of the officers of the association, the approximate number of members and an outline of the procedure by which the association adopts policy positions.

Sec. 5. [LOBBYING REPORTS.] Subdivision 1. Each lobbyist shall file reports of his activities with the commission as long as he lobbies.

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the commission by the following dates:

- (a) February 15
- (b) April 15
- (c) June 15
- (d) October 15

Subd. 3. Each person or association about whose activities a lobbyist is required to report shall provide the information required by sections 4 to 7 to the lobbyist no later than five days before the prescribed filing date.

Subd. 4. The report shall include all information required on the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to: the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) Each honorarium, gift or loan, excluding contributions to a candidate, equal in value to \$50 or more, paid to any public official by the lobbyist or any employer of the lobbyist; and

(c) Each original source of funds in excess of \$1,000 used for the purpose of lobbying. The list shall include the name and address of each payer of funds in excess of \$1,000.

Subd. 5. The commission shall notify by registered mail any lobbyist who fails within 14 days after a filing date imposed by section 4 or 5 to file a report or statement required by section 4 or 5. A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 6. [LOBBYIST REPORT.] Within 30 days after each lobbyist filing date set by section 5, the executive director of the commission shall report to the governor, the secretary of the senate and the chief clerk of the house of representatives, the names of the lobbyists registered who were not previously reported, the names of the persons or associations whom they represent as lobbyists and the subject or subjects on which they are lobbying. This report shall be incorporated into the journal of each body of the legislature.

Sec. 7. [CONTINGENT FEES PROHIBITED.] No person shall employ a lobbyist for compensation which is dependent upon the result or outcome of any legislative or administrative action. Any person who violates the provisions of this section is guilty of a gross misdemeanor.

Sec. 8. [CONFLICTS OF INTEREST.] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an official action which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the commission and to his immediate superior, if any;

(c) If he is a legislator, he shall deliver a copy of the statement to the secretary of the senate or the chief clerk of the house; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body, or committee thereof, in which he serves of the potential conflict. He shall file a written statement with the commission within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a legislator, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible,

in a manner prescribed by the commission from influence over the action or decision in question. If the public official is a legislator, the body of which he is a member may, at his request, excuse him from taking part in the action or decision in question.

Sec. 9. [REPRESENTATION DISCLOSURE.] Any public official who represents a client for a fee before any board or commission which has rule making authority in a hearing conducted under Minnesota Statutes, Chapter 15, shall disclose his participation in the action to the commission within 14 days after his appearance.

Sec. 10. [STATEMENTS OF ECONOMIC INTEREST.] Subdivision 1. An individual shall file a statement of economic interest with the commission:

(a) Within 60 days of accepting employment as a public official; or

(b) Within 14 days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or

(c) In the case of a public official requiring senate confirmation, prior to the submission of his name to the senate for confirmation, and in any event, within 60 days after he undertakes the duties of his office.

Subd. 2. The secretary of state or the appropriate county auditor upon receiving an affidavit of candidacy or petition to appear on the ballot from an individual required by this section to file a statement of economic interest, and any official who nominates or employs a public official required by this section to file a statement of economic interest, shall notify the commission of the name of the individual required to file a statement and the date of the affidavit, petition or nomination.

Subd. 3. The commission shall notify the secretary of state or the appropriate county auditor and, when necessary in the case of appointive office, the secretary or chief clerk of the body that will approve or disapprove the nomination, of the name of the individual who has filed a statement of economic interest with the commission and the date on which the statement was filed.

Subd. 4. The commission shall notify by registered mail any candidate for elective office who fails within 14 days after filing for office to submit a statement of economic interest required by this section. A candidate who knowingly fails to submit a statement of economic interest within seven days after receiving notice from the commission is guilty of a misdemeanor.

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) Real property within the state in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500, excluding homestead property. The filing shall indicate the county and municipality, if any, wherein the property is located.

Subd. 6. Each individual who is required to file a statement of economic interest shall file a supplementary statement on April 15 of each year.

Subd. 7. All public officials in office on the effective date of this act shall file with the commission a statement of economic interest within 60 days after the date the commission issues statement of economic interest forms.

Subd. 8. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so by the prescribed deadline may be suspended without pay by the commission and the personnel board in the manner prescribed by Minnesota Statutes, Section 43.06, in the case of a public official in the classified service of the state, and by the commission in the manner prescribed in the contested case procedures in Minnesota Statutes, Chapter 15, in the case of any other public official.

Sec. 11. [PENALTY FOR FALSE STATEMENTS.] A report or statement to be filed by sections 3 to 11 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Sec. 12. [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer.

Subd. 2. No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee at a time when there is a vacancy in the office of treasurer.

Subd. 3. The treasurer of a political committee may appoint as many deputy treasurers as necessary and shall be responsible for their accounts.

Subd. 4. The treasurer of a political committee may designate not more than two depositories in each county in which a campaign is conducted.

Subd. 5. No funds of a political committee shall be commingled with any personal funds of officers, members or associates of the committee.

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund a political committee shall be financed solely through voluntary donations by natural persons or political funds.

Subd. 7. Any person knowingly violating the provisions of this section is guilty of a misdemeanor.

Sec. 13. [POLITICAL FUNDS.] Subdivision 1. No association shall make a transfer of funds to a candidate or political committee or make an expenditure which has as its purpose the influencing of the nomination for election or election of a candidate unless it is a political committee or unless the funds for the contribution or expenditure come solely from a political fund. The political fund shall have the following characteristics:

(a) The political fund shall be financed solely through voluntary donations by natural persons;

(b) The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund;

(c) Each association which has a political fund shall elect or appoint a treasurer of the political fund; and

(d) No donations to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Subd. 2. Notwithstanding subdivision 1, a labor organization as defined in Minnesota Statutes, Section 179.01, may transfer money from its treasury to its political fund. The name and address of a dues paying member of the labor union need not be disclosed pursuant to section 21, subdivision 3, clauses (b) and (c), as to his contributions to the political fund from his dues of \$50 or less.

Subd. 3. Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 14. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep an account of:

(a) The sum of all contributions except any contribution in kind valued at less than \$20 made to or for the political committee or political fund;

(b) The full name and mailing address, if any, of any person making a contribution in excess of \$20, and the date and amount thereof; and

(c) All expenditures made by or on behalf of the committee or fund.

Any person violating any provision of this subdivision is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee or political fund of over \$100, and for any expenditure in a lesser amount if the aggregate amount of lesser expenditures to the same person during a year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 15. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the commission by filing a statement of organization no later than 14 days after the date upon which the committee or fund has received contributions or made expenditures in excess of \$100. However, in the first year of this act, treasurers shall file within 14 days after the commission issues political committee or political fund registration forms.

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

(c) The geographic area in which it will operate and the purpose of the political committee or political fund;

(d) The name, address and position of the custodian of books and accounts;

(e) The name and address of the chairman, the treasurer, and any other principal officers including deputy treasurer, if any;

(f) The name, address, office sought, and party affiliation, if any, of each candidate whom the committee or political fund is supporting or, if the committee or political fund is supporting the entire ticket of any party, the name of the party;

(g) A statement as to whether the committee or political fund is a continuing one;

(h) A listing of all depositories or safety deposit boxes used; and

(i) A statement as to whether the committee is a principal campaign committee.

Subd. 3. Any change in information required in subdivision 2 shall be forwarded to the commission by the chairman or treasurer of the political committee or political fund within 14 days of the change.

Subd. 4. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file such a statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Sec. 16. [CONTRIBUTIONS.] Subdivision 1. Anonymous contributions in excess of \$20 shall not be retained by any political committee or political fund, but shall be forwarded to the commission and deposited to the general account of the state elections campaign fund.

Subd. 2. Every person who receives a contribution in excess of \$20 for a political committee or political fund shall, on demand of the treasurer, and in any event within 14 days after receipt of the

contribution, inform the treasurer of the amount, the name and the address, if known, of the person making the contribution and the date it was received.

Subd. 3. All monetary contributions received by or on behalf of any candidate or political committee or political fund shall within five days after the receipt thereof, Sundays and holidays excepted, be deposited in a designated depository in an account designated "Campaign Fund of . . . (name of committee or fund)".

Subd. 4. Any person violating the provisions of this section is guilty of a misdemeanor.

Sec. 17. [EARMARKING.] Any person, political committee or political fund which receives contributions or transfers of funds from any person or association with the condition, express or implied, that those funds or any part of them be directed to a particular candidate shall disclose to the ultimate recipient of such funds and in the reports required by section 21, the original source of the funds, the fact that the funds were earmarked and the candidate to whom they are directed. The ultimate recipient of any funds so earmarked shall also disclose by report to the commission the original source of the funds, and the person, political committee, or political fund through which they were directed. This section applies only to those contributions required to be disclosed by section 21. Any person or association who knowingly accepts earmarked funds and fails to make the required disclosures is guilty of a gross misdemeanor.

Sec. 18. [EXPENDITURES.] Subdivision 1. All expenditures including the transfer of funds between political committees or political funds shall be authorized by the treasurer or deputy treasurer of the committee or fund making that expenditure.

Subd. 2. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 26 and 28. All such expenditures shall be counted against the spending limitations of the candidate.

Subd. 3. The treasurer or deputy treasurer of a political committee may make an authorization for petty cash in any reporting period of not more than \$100 per week for statewide elections and \$20 per week in legislative elections to be used for miscellaneous expenditures.

Subd. 4. Each authorization shall state the amount and purpose of the expenditure and shall be signed by the treasurer or deputy treasurer of the committee making the expenditure and by the individual making the expenditure.

Subd. 5. Any political committee, political fund or person who solicits or accepts contributions or makes expenditures on behalf

of any candidate without the written authorization of the candidate shall publicly disclose its lack of authorization. In all written communications with those from whom it solicits or accepts contributions or to whom it makes expenditures, the committee, fund or person shall state in writing and in conspicuous type that it is not authorized by the candidate and that the candidate is not responsible for its activities. A similar oral statement shall be included in all oral communications. A similar written statement shall be included in conspicuous type on the front page of all literature and advertisements published or posted and a similar oral statement included at the end of all broadcast advertisements by the committee, fund or person in connection with the candidate's campaign.

Subd. 6. Any violation of the provisions of subdivisions 1, 2, 3, and 5 of this section is a misdemeanor. Any person who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 19. [BILLS WHEN RENDERED AND PAID.] Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. The willful failure to so present the bill, charge or claim is a misdemeanor.

Sec. 20. [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee.

Subd. 2. A candidate may at any time without cause remove and replace the chairman, treasurer, deputy treasurer or any other officer of the candidate's principal campaign committee.

Sec. 21. [CAMPAIGN REPORTS.] Subdivision 1. Every treasurer of a political committee or political fund shall file the reports required by this section if it receives contributions or makes expenditures in excess of \$100 in that year. Each treasurer shall make a good faith effort to ascertain and provide the information required by subdivision 3.

Subd. 2. The reports shall be filed with the commission by the following dates:

(a) In years in which any candidate being supported does not stand for election:

- (1) January 7; and
- (2) June 7;

(b) In years in which any candidate being supported does stand for election:

- (1) January 7;
- (2) June 7;
- (3) August 7;

(4) Five days before any primary election in which the candidate stands for election;

(5) October 7;

(6) Five days before any general election in which the candidate stands for election; and

(7) 30 days after the general election in which a candidate stands for election;

(c) In special or special primary elections in which a candidate stands for election:

(1) 30 days before the election; and

(2) Five days before the election.

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee, or political fund which has made one or more contributions within the year to a candidate's political committee in an aggregate amount or value in excess of \$50 in the case of a candidate for legislative office or in excess of \$100 in the case of a candidate for statewide office including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(c) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$100 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution within the year in an aggregate amount or value in excess of \$100 to a candidate for statewide office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(d) The full name, mailing address and employer, or, if self-employed, occupation, of each person, political committee or political fund which has made one or more contributions within the year in an aggregate amount or value in excess of \$50 to or for the reporting political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events, if the reporting political committee or political fund makes a contribution with the year in an aggregate amount or value in excess of \$50 to a candidate for legislative office. The disclosure shall include a list of all these contributors in alphabetical order together with the amount and date of the contribution;

(e) The total sum of all receipts by or for the political committee or political fund during the reporting period;

(f) The full name and mailing address, if known, of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure;

(g) The sum of individual expenditures which are not otherwise reported under clause (d);

(h) The sum of expenditures made by the political committee or political fund during the reporting period; and

(i) The amount and nature of debts.

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. Every person, other than a political committee or political fund, who makes expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the commission a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed.

Subd. 6. If no contribution is received or expenditure made by or on behalf of a candidate, political fund or political committee during a reporting period, the treasurer of the committee or fund shall file with the commission at the times required by this section a statement to that effect.

Subd. 7. Any person who fails to file a report required by this section is guilty of a petty misdemeanor. The commission shall notify within seven days after a filing date by registered mail any person who fails to file a report or statement required by this section. A person who knowingly fails to file such a report or statement within seven days after receiving notice from the commission is guilty of a gross misdemeanor.

Subd. 8. The commission shall exempt any person, association, or any of its members or contributors from the provisions of this section if disclosure would expose that person or any or all of the members or contributors of or to an association to:

(a) Economic reprisals;

(b) Loss of employment; or

(c) Threat of physical coercion.

An association may seek an exemption for all of its members or contributors only if it proves by clear and convincing evidence that a substantial number of its members or contributors would suffer a restrictive effect on their freedom of association if members were required to seek exemption individually.

Subd. 9. A political committee or a political fund or any of its members or contributors shall have standing to seek an exemp-

tion. All applications for exemption shall be treated as contested cases within the meaning of Minnesota Statutes, Chapter 15. The commission by rule shall establish a procedure so that any individual seeking an exemption may proceed anonymously if he would be exposed to the reprisals listed in subdivision 8 were he to reveal his identity for the purposes of the hearing.

Subd. 10. No person or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any person or association because of that person's or association's political contributions or political activity. This subdivision shall not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any person or association which violates this subdivision is guilty of a gross misdemeanor.

Sec. 22. [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall also be filed with the county auditor of each county in which the legislative district lies.

Subd. 2. The copies of reports filed with the county auditor need not be certified copies.

Subd. 3. Statements and reports filed with county auditors shall be available to the public in the manner prescribed by section 3, subdivision 8, clause (e), and retained until four years after the election to which they pertain.

Sec. 23. [REQUIREMENTS RESPECTING REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 12 to 36 to be filed by a treasurer of a political committee or political fund, or by any other person, shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a felony.

Subd. 2. Each contribution in kind shall be valued at fair market value and reported on the appropriate schedule of receipts, identified as to its nature and listed as "contribution in kind". The total amount of goods and services contributed in kind shall be deemed to have been consumed in the reporting period in which received. Each contribution in kind shall be declared as an expenditure at the same fair market value and reported on the appropriate expenditure schedule, identified as "contribution in kind". A candidate may refuse to accept any contribution in kind. For purposes of this subdivision "contribution in kind" means any contribution except money.

Subd. 3. In determining the aggregate of a person's contributions, the treasurer shall list contributions from the same donor under the same name. In each instance when a contribution received from a person in a reporting period is added to previously reported unitemized contributions from the same contributor

and the aggregate exceeds the disclosure threshold of section 21, the name and address of that contributor shall then be listed on the prescribed reporting forms. A candidate may refuse to accept any contribution.

Subd. 4. A political committee or political fund making an expenditure, other than a transfer of funds, for or on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report this allocation for each candidate. The treasurer shall retain for audit any documents supporting the allocation.

Subd. 5. Each person required to file any report or statement shall maintain records on the matters required to be reported, including vouchers, cancelled checks, bills, invoices, worksheets, and receipts, which will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness, and he shall keep the records available for audit, inspection, or examination by the commission or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections thereto. Any person violating any provisions of this subdivision is guilty of a misdemeanor.

Subd. 6. The treasurer of a political committee or political fund shall not accept a contribution of more than \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement which lists the sources of the contribution in a manner which meets the disclosure requirements imposed by section 21, subdivision 3, clauses (b), (c) and (d). These statements shall be certified as true and correct by an officer of the contributing committee or political fund. The provisions of this subdivision shall not apply when the national affiliate of any political party in this state transfers money to its state affiliate and that money is expended by the state political party on behalf of candidates of that party generally, without referring to any of them specifically, in any advertisement published or posted, on any broadcast, or in any telephone conversation if that conversation mentions three or more candidates.

Subd. 7. The secretary of state shall cause one certified copy of each report or statement filed with him under section 309 of the federal election campaign act of 1971 to be delivered to the commission within 24 hours of the time he receives such report or statement.

Sec. 24. [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report shall be reported in writing to the commission in the next report following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who willfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 25. [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts

and filed a termination report. The termination report shall include all information required in periodic reports and a statement as to the disposition of any residual funds.

Sec. 26. [LIMITS ON CAMPAIGN EXPENDITURES.] Subdivision 1. For the purposes of sections 26 to 36 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate, and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate, political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which results in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts;

(a) For governor and lieutenant governor, running jointly, 15 cents per capita;

(b) For attorney general, four cents per capita;

(c) For secretary of state, state treasurer and state auditor, separately, $1\frac{1}{4}$ cents per capita;

(d) For state senator, 25 cents per capita;

(e) For state representative, 25 cents per capita.

Subd. 3. Notwithstanding subdivision 2, a candidate for party endorsement at the convention of a political party may spend five percent of the amount in subdivision 2, prior to the time of endorsement. The money actually spent for endorsement shall be in addition to the money which may be expended pursuant to Subdivision 2.

Subd. 4. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to the effective date of this act shall not be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a contested race in a primary election receives less than 70 percent of the vote cast in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one fourth of the applicable amount as set forth in subdivision 2 of this section, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. On or before January 31 of each election year, the commission shall determine and cause to be published generally the per capita amounts specified in subdivision 2. In determining the per capita amounts, the commission shall use:

(a) In the case of the elections for governor and lieutenant governor, attorney general, secretary of state, state treasurer and state auditor, the total population of the state;

(b) In the case of the elections for state senator, 1/67 of the total population of the state;

(c) In the case of elections for state representative, 1/134 of the total population of the state.

Subd. 7. On or before January 15 of each election year, the secretary of state shall certify to the commission the estimated total population of the state as of January 1 of that year.

Subd. 8. An expenditure is made in the year in which the goods or service for which it was made are used or consumed.

Sec. 27. [TRANSFERS OF FUNDS EXCEPTED.] A transfer of funds from any political committee or political fund other than a political party to the principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee or political fund.

Sec. 28. [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of ten percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of 40 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 26.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 26, subdivision 2.

Subd. 4. For the purposes of this section, a political party includes a political party's official organization within congressional districts, counties, legislative districts, municipalities, wards and precincts, and party organizations within a legislative body.

Sec. 29. [PRICE ADJUSTMENT.] At the beginning of each year, the commission shall obtain from the secretary of labor of the United States information as to the percent difference between the national price index for the 12 months preceding the beginning of the year and the price index for the base period which shall be 1973. Each amount determined under section 26 shall be increased by the percent difference. Each amount so increased after being rounded off to the nearest \$10 shall be the amount in effect for the year. For the purpose of this section, the term "price index" means the average over a 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 section 26 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 for the preceding general election.

Sec. 30. [PENALTY FOR EXCEEDING LIMITS.] Any person or association that makes expenditures in excess of the limitations imposed by sections 26 and 28 shall be subject to a fine equal to three times the amount by which its expenditure exceeded the limit. If the commission, a county attorney or the attorney general has reason to believe that a person or association has made such excess expenditures, it or he shall bring an action in the district court of Ramsey county or in the case of a legislative candidate a district court of a county within the legislative district, to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of the state elections campaign fund.

Sec. 31. [CIRCUMVENTION PROHIBITED.] Any attempt by a person to circumvent the provisions of sections 12 to 30 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.

Sec. 32. [STATE ELECTIONS CAMPAIGN FUND.] Subdivision 1. There is hereby established an account within the general fund of the state, to be known as the "state elections campaign fund".

Subd. 2. Within the state elections campaign fund account there shall be maintained separate accounts for the candidates of each political party and a general account.

Sec. 33. [DESIGNATION OF INCOME TAX PAYMENTS.] Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual having income tax liability after personal credit for the taxable year may designate that an additional \$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, each spouse may designate that an additional \$1 shall be paid.

Subd. 2. The taxpayer may designate that the \$1 be paid into the account of a political party or into the general account.

Subd. 3. The 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 an additional tax. It is an allocation of an additional \$1 of your tax to the state elections campaign fund. The allocation is voluntary. If you are filing a joint return you may allocate \$1 each." The form shall state that each \$1 on a joint return may be allocated independently.

(b) The form shall then contain a line stating: "I hereby direct an additional \$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) the name of any minor party which has either appeared on the ballot on a statewide election in the last previous general election or submitted a petition which contains the names of 2,000 persons registered to vote in Minnesota to the secretary of state by June 1 of that taxable year; 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 shall be annually appropriated for distribution as set forth in subdivisions 5, 6, 7 and 8.

Subd. 5. 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. The remaining 90 percent of the money in each party account, and all of the moneys in the general fund shall be distributed in accordance with subdivisions 6, 7 and 8.

Subd. 6. (a) In each fiscal year, 40 percent of the moneys in each account shall be set aside for candidates for statewide office.

(b) Of the amount set aside in clause (a), 40 percent shall be distributed to the candidates for governor and lieutenant governor jointly; 24 percent shall be distributed to the candidate for attorney general; and 12 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term, 20 percent of the moneys in each account shall be set aside for candidates for state senate. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Subd. 8. (a) In each of the fiscal years during the period in which the state senate serves a four year term, 40 percent of the moneys in each account shall be set aside for candidates for state representative. In each of the fiscal years during the period in which the state senate serves a two year term, and in 1975 and 1976, 30 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Sec. 34. [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by or on behalf of the candidate under sections 26 and 28.

Subd. 2. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount actually expended by or on behalf of the candidate during his campaign.

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree that his principal campaign committee shall not

accept contributions exceeding 105 percent of the difference between the amount which may legally be expended by or on behalf of that candidate, and the amount which the candidate receives from the state elections campaign fund.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for statewide office, state representative or state senator, the moneys which would be used for distribution to that category or categories shall be transferred to the general account.

Sec. 35. [APPLICATION.] The provisions of sections 32 to 34 shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions, and caucuses of a political party.

Sec. 36. [REMEDIES.] Subdivision 1. A person charged with a duty under sections 1 to 36 shall be personally liable for the penalty for failing to discharge it.

Subd. 2. The commission, the attorney general or the county attorney may seek an injunction in the district court to enforce the provisions of sections 1 to 36.

Subd. 3. Unless otherwise provided, a violation of sections 1 to 36 is not a crime.

Sec. 37. [APPROPRIATION.] There is hereby appropriated to the state ethics commission from the general fund \$ for the purposes of this act.

Sec. 38. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 11. Effective for taxable years commencing after December 31, 1973, in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (c), a taxpayer may take a credit against the tax due under chapter 290 of 50 percent, but not more than \$12.50, of his contributions to a political party or candidate. A married couple, filing jointly, may take a similar credit of not more than \$25.

Sec. 39. Minnesota Statutes 1971, Section 210.20, is amended to read as follows:

210.20 [FAILURE BY CANDIDATE TO FILE STATEMENT.] Every candidate for nomination or election to any elective office *except governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, state senator and state representative*, who *intentionally* fails to make and file the verified statement of moneys contributed, disbursed, expended, or promised by him, or by any other person, committee, or organization for him, so far as he can learn, in the manner, within the time, and with the details required by law *chapter 211*, or who enters upon the duties of any such office, or receives any salary or emolument therefrom, *with knowledge that before he has so filed such statement has not been filed*, and every officer who issues a commission or certificate of election to any person *before with*

knowledge that such statement shall have has not been so filed, shall be is guilty of a gross misdemeanor.

Sec. 40. Minnesota Statutes 1971, Section 211.01, Subdivision 3, is amended to read as follows:

Subd. 3. "Candidate" means every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. *In sections 211.06, 211.16, 211.17, 211.19, 211.20, 211.21, 211.22, 211.25 and 211.32, "candidate" does not mean a person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, for governor, state officer, state senator, or membership in the house of representatives.*

Sec. 41. Minnesota Statutes 1971, Section 211.06, is amended to read as follows:

211.06 [EXPENDITURES, LIMIT.] No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by any candidate or his personal campaign committee for any office under the ~~constitution~~ or laws of this state, or under the ordinance of any municipality of this state in his campaign for nomination and election, which shall be in the aggregate in excess of the amounts herein specified:

(a) ~~For governor, \$7,000, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;~~

(b) ~~For other state officers, \$3,500, and in addition, five cents for each of the total number of persons who voted in the state at the last general election;~~

(c) ~~For state senator, \$800, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;~~

(d) ~~For member of house of representatives, \$600, and in addition, five cents for each of the total number of persons who voted in the district at the last general election;~~

(e) For any county, city, village, or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one third of the salary for the office in the year that the election is held, with the minimum sum allowed, \$100. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one third of the compensation which his predecessor received during the first year of such predecessor's incumbency, with the minimum sum allowed, \$100. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, \$100, and no more.

(f) (b) The disbursements authorized in this section by a candidate for elective office shall be deductible as expenses for production of income or a business deduction under chapter 290.

Sec. 42. Minnesota Statutes 1971, Section 211.20, Subdivision 3, is amended to read as follows:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election, as follows:

(a) When the committee is organized to support a candidate for a federal or state wide office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a legislative, judicial district, or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 43. [EFFECTIVE DATE.] This act shall take effect the day following final enactment. The commission shall be appointed within 30 days of the effective date of this act and shall promulgate the rules within 30 days of its appointment. No statement or report required to be filed by this act need be filed until 30 days after the commission adopts and makes available the forms for the statements or reports.

Sec. 44. Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92 are repealed."

Further, strike the title and insert in lieu thereof:

"A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3388: A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "2" insert "*and notwithstanding subdivision 2, if any vacancy in the legislature occurring after the last day of the session in odd-numbered years but more than 33 days prior to the date set for convening the legislature in the next even-numbered year*"

Page 1, line 10, after "writ" insert " ,"

Page 1, line 13, after "legislature" insert "*, or at the reconvening of a session of the congress or of the legislature,*"

Page 1, lines 15 through 19, strike the new language

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. 3281: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "1974" insert "and July 1 of each year thereafter"

Page 1, line 14, after "the" and before "school" insert "previous"

Page 1, line 14, strike "1973-1974"

Page 1, line 22, after "school" insert "and between schools"

Page 2, line 6, strike "in effect" and insert "effective"

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

S. F. No. 3072: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report Adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2832: A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 17.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2712: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred.

S. F. No. 2744: A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use; appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2972: A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

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

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitations for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

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. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

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 referred

S. F. No. 1823: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1971, Section 169.14, Subdivision 5, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, strike lines 3 through 27 and insert in lieu thereof the following:

"Subd. 5a. [SPEED ZONING IN SCHOOL ZONES.] Local authorities may establish a school speed limit within a school zone. Such speed limit shall be in effect when children are present going to or leaving school during opening or closing hours or during school recess periods. The school speed limit shall not be lower than 20 mph in business, residence or urban districts within incorporated municipalities, and shall not be lower than 20 mph nor more than 15 mph below the established speed limit on the affected road or highway in other locations. The establishment of a school speed limit on any trunk highway shall be subject to the consent of the commissioner of highways. Such school speed limit shall be effective upon the erection of appropriate signs designating the speed and indicating the beginning and end of the reduced speed zone. Any speed in excess of such posted school speed limit is unlawful. All such signs shall be erected by the local authorities on those streets and highways under their respective jurisdictions and by the commissioner of highways on trunk highways. For the purpose of this subdivision, "school zone" means that section of a street or highway which abuts the grounds of a school where school children have access to the street or highway from the school property or where an established school crossing is located, provided the school advance sign, prescribed by the manual on uniform traffic control devices adopted by the commissioner of highways pursuant to Section 169.06, is in place."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1888: A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "Subdivision 1."

Page 1, line 8, strike "juvenile"

Page 1, line 9, strike "subject for adoption" and insert "person being adopted"

Page 1, strike lines 10 through 13

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, strike "1971" and insert in lieu thereof "1973 Supplement"

Page 1, line 13, strike "each"

Page 1, line 23, strike "and filed in the office of the secretary of state"

Page 1, line 24, strike "after approval as to form by the attorney general"

Further amend the title as follows:

Page 1, line 4, strike "1971, Sections" and insert in lieu thereof "1973 Supplement, Section"

Page 1, line 5, after "and" insert "Minnesota Statutes 1971, Section"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2042: A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, strike the new language

Page 2, line 8, after "accordingly." insert "*Filing fees paid to the county in which the action was commenced shall be waived by the county to which the action is removed.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr Davies from the Committee. on Judiciary, to which was referred

S. F. No. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, strike lines 15 through 28

Page 5, strike lines 1 through 5

Page 5, line 6, strike "1971" and insert in lieu thereof "1973 Supplement"

Page 5, line 11, strike "county" and insert "state"

Page 9, line 4, after the first "~~such~~" insert "*Ramsey*"; restore the stricken "county"; and strike "*the district*"

Page 9, line 12, after "~~such~~" insert "*Ramsey*"; restore stricken "county"; and strike "*the district*"

Page 9, line 20, restore the stricken "as the judges may approve" and strike "*in*"

Page 9, strike lines 21 through 25 and insert in lieu thereof " , *three principal assistants or division supervisors.*"

Page 11, line 1, strike "*district*" and after "~~such~~" insert "*Ramsey*"; restore the stricken "county" and strike "*the*"

Page 11, line 2, strike "*district*"

Page 14, line 14, strike " ; PERSONNEL PRACTICES" and strike "Subdivision"

Page 14, line 15, strike "1"; strike "all the"

Page 14, line 16, strike "employees of the department" and insert in lieu thereof "*the three principal assistants or division supervisors*"

Page 14, line 18, strike " , *subject to Ramsey county*" and insert in lieu thereof a period.

Page 14, strike lines 19 through 23.

Page 16, line 28, strike "*Section*" and insert in lieu thereof "*Sections 260.305 and*"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 7, strike "260.305; 485.01;"

Page 1, line 8, after "subdivision 1;" insert "1973 Supplement, Section 485.01"

Page 1, line 18, strike "Section" and insert in lieu thereof "Sections 260.305 and"

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 was referred

S. F. No. 3250: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; amending Minnesota Statutes, 1973 Supplement, Section 207.03.

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, 1973 Supplement, Section 207.03, is amended to read:

207.03 [APPLICATION FOR BALLOTS.] At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to : (a) the auditor of the county in which ~~he~~ the applicant is a resident if ~~he resides outside a municipality, or to~~ ; (b) the full time clerk of ~~the~~ a municipality designated by the county auditor if ~~he~~ the applicant is a resident of a that municipality ; or (c) the full time clerk of a municipality which has requested designation by the county auditor if the applicant is a resident of that municipality , for ballots and envelopes, by mailing to or filing with such auditor or such clerk an application substantially in the following form:

"APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of State of Minnesota, residing at (here insert street and number) in said city, village or town, because of (absence from home) (illness) (physical disability) (because of religious discipline or observance of a religious holiday) hereby makes application for the ballots to be voted upon in said precinct at the next election. Please mail said ballots and accompanying envelope to me at (insert post office address to which to be sent)

Dated, 19 . . .

(Signature of Applicant)"

An application need not be on an official or standard form. It must be accepted if it contains the information above.

Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any "Application for Ballots"; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes. *For the purposes of Minnesota Statutes, Chapter 207, "municipal clerk" shall mean the clerk designated pursuant to this section.*

Sec. 2. Minnesota Statutes 1971, Chapter 207, is amended by adding a section to read:

[207.151] [ABSENT VOTING, MUNICIPAL ELECTIONS, DUTIES OF CLERKS.] *In the case of city elections in all cities or town elections in all towns operating under the "Australian Ballot System," voters' applications for ballots shall be filed with the city or town clerk, no fees shall be required to be paid therefor, and the duties prescribed in this chapter for the county auditor shall be performed by the city or town clerk, provided, however, that such duties may be, upon agreement, combined and performed by one of such officers. The cost of carrying out the provisions of this chapter for any such city or town election shall be paid by the city or town in which the same is held.*

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 207.19, is amended to read:

207.19 [REGISTRATION; REQUEST; BALLOT.] Subdivision 1. Registration for the primary and general elections may be made by or for any member of the armed forces who is an eligible voter or who will be an eligible voter on or before the date of the next primary or general election occurring after such registration by the member of the armed forces himself or by a parent, spouse, or a brother, sister, or child over the age of 18 years, by filing in the office of the county auditor of the county in which his place of residence is located, ~~if his place of residence is outside a municipality, or in the office of the clerk of the municipality if his place of residence is within a municipality,~~ a request for ballot in substantially the following form, whether said request for ballot is upon a form prepared and distributed by the war and navy departments or otherwise:

REQUEST FOR BALLOTS

To the County Auditor of County, Minnesota, United States of America:

Or,

To the clerk of (name of municipality),
..... County, Minnesota, United States of America.

The name of the person for whom ballots are requested is He is a member of the armed forces of the United

States. He expects to be absent from his place of residence in Minnesota on the primary or general election date. Request is therefore made that ballots be furnished to him to be used by him in voting at such elections and be sent to him at the address herein stated. He is a citizen of the United States. He is a resident of the State of Minnesota and has been such resident for more than 30 days last past. He was born on the day of in the year His home and place of residence is and on said election days will be at in the of (Town, or City or Village) County of, State of Minnesota. His voting precinct according to the best information of the undersigned is (Give precinct and ward number or name of precinct if you know it.) Ballots are to be sent to said member of the armed forces at the following address:

.....

(If this request is signed by the spouse, parent, or a brother, sister, or child over the age of 18 years, of the member of the armed forces, fill in the following paragraph.) The relative who signs this request is the of said voter above-named, and is of the age of 18 years or over (signature of member of armed forces or relative) Subscribed and sworn to before me this day of, 19..... (State title of office. If officer of armed forces, must be a commissioned, noncommissioned, or petty officer not below rank of sergeant or its equivalent. Affix seal, if any.)

Subd. 2. Any such communication or request filed with or received by the county auditor ~~or the municipal clerk~~ shall be registered by the county auditor ~~or the municipal clerk~~ in a permanent record kept by him for such purpose, and the entry of said name in such register shall constitute the only registration necessary to entitle any member of the armed forces to vote at a primary or general election. Registrations under sections 207.16 to 207.29 may be challenged in the manner provided for in law, except that the county auditor ~~or the municipal clerk~~ shall not be required to give notice to the voter, and all reasonable doubt shall be resolved in favor of the validity of such registration. If it appears from the communication or request that the applicant is not qualified to vote at the primary election but will be qualified to vote at the general election, then no primary ballot shall be forwarded to the applicant, but such communication or request shall nevertheless constitute a request for ballot for the general election. Should any such request or a communication in the form thereof be addressed to the secretary of state or any other election official, the same shall immediately upon its receipt by said election official be forwarded to the county auditor of the county of residence of such registrant, if his place of residence is outside a municipality, or to the clerk of the municipality if his place of residence is within a municipality, as specified in such request, and shall have the same force and effect as if it were addressed to the county auditor ~~or to the municipal clerk~~. The county auditor ~~or~~

~~the municipal clerk~~ shall, in no event, send more than one set of ballots to any member of the armed forces for each election.

Subd. 3. Every county auditor ~~or every municipal clerk~~ shall forthwith prepare at the expense of his county ~~or municipality~~ a sufficient supply of blank forms to be used to request that ballots be furnished a member of the armed forces and shall furnish such blanks to any person applying therefor.

Sec. 4. Minnesota Statutes, 1973 Supplement, Section 207.20, is amended to read:

207.20 [COUNTY AUDITOR; MUNICIPAL CLERK DUTIES.] Subdivision 1. The county auditor ~~or the municipal clerk~~ shall, as promptly as possible, mail an official ballot, or ballots if more than one are to be voted at the election, to every absent member of the armed forces who has been registered in accordance with the foregoing provisions. Registration for the primary election shall entitle the registrant to receive a general election ballot without further application, notwithstanding that the registrant may have failed to vote in the primary election. Said ballot or ballots shall be mailed by air mail, postage prepaid, in an envelope upon which shall be printed "OFFICIAL BALLOT." There shall also be sent in the same envelope a return air mail stamped envelope, labeled "Official Ballot Return Envelope" and addressed in conformity with the requirements of the "Return Envelope" prescribed in section 207.08; upon the back of the "Official Ballot Return Envelope" shall be an affidavit in the following form:

THIS FORM MUST BE COMPLETED IN ORDER THAT THE ENCLOSED BALLOT BE COUNTED: I, do solemnly swear that I am an eligible voter or will be an eligible voter on or before; (the date of the next primary or general election in Minnesota) that I am a citizen of the United States; that my home and place of residence is and on said election days will be at in the (Town ; or City or Village) of, county of, State of Minnesota; that I have not cast another vote or returned another ballot for this election to any voting precinct; and that I am otherwise qualified to vote the enclosed ballot which I personally marked and sealed in this envelope without exhibiting it to any other person, or which, in case of my physical incapacity, has been marked for me and sealed in this envelope under my personal direction.

Subscribed and sworn to before me this day of 19.....

(State title of office. If officer of armed forces, must be a commissioned, noncommissioned or petty officer (not below the rank of Sergeant or its equivalent). Affix seal, if any.) NOTE: Temporary change of dwelling place made necessary by military service does not affect the voter's residence.

Subd. 2. Priority in mailing shall be given to all ballots to be sent outside the United States. In the event the government of the

United States or any branch, department, agency or other instrumentality thereof shall make provision for sending of any voting matter provided for in sections 207.16 to 207.29 through the mails postage free, or otherwise, the election officials of the several counties and of the several municipalities of the state are authorized to make use thereof."

Further, amend the title, page 1, after line 5, by inserting "providing the duties of clerks for municipal elections; absentee voting for members of the armed forces;"

Page 1, line 7, by deleting "Section" and inserting in lieu thereof "Sections"

Page 1, line 7, after "207.03" by inserting "; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section"

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. 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, strike "\$1,000" and insert "\$600"

Page 1, line 24, after "increase" insert "resulting in a benefit"

Page 1, line 25, strike "an"

Page 1, line 26, strike the entire line and insert "such an ordinance providing for an increase"

Page 1, line 27, strike "by an actuarial survey" and insert "and no ordinance shall be considered by the village council unless the request is supported by an actuarial survey showing the fiscal effects of the proposed increase"

Page 2, strike lines 14 to 22

Page 3, line 5, strike "Section 2, is" and insert "Sections 2 and 6, are"

Renumber sections accordingly

Further, amend the title in line 7 by striking "6;" and in line 9 by striking "Section 2." and inserting "Sections 2 and 6."

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. 3111: A bill for an act relating to the governor's citizens council on aging; duties of council; amending Minnesota Statutes 1971, Section 256.975, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1971, Section 256.01, Subdivision 10, is amended to read:

Subd. 10. [AUTHORITY TO ACCEPT AND DISBURSE FUNDS.] ~~The commissioner of public welfare~~ *The governor's citizens council on aging* is authorized to accept ~~financial~~ *through the department of public welfare* grants, gifts, and bequests from public or private sources for ~~the program implementing programs~~ and services in on behalf of the aging, and to disburse such funds to public ~~or~~ and private agencies for the purpose of research, demonstration, *planning, training,* and service projects pertaining to the state's aging citizens. *The governor's citizens council on aging shall have sole authority for the awarding of grants and disbursing funds in the interest of Minnesota's older persons.*"

Further, amend the title as follows:

Line 3, after "council," insert "authority over funds;"

Line 5, strike "Section" and insert "Sections 256.01, Subdivision 10; and"

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. 3352: A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike ", and" and insert "in order to"

Page 1, line 14, after "69.011" insert ", provided there is an organized public safety department"

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

S. F. No. 3019: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

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. The city of Eden Prairie may plan and construct a major center area ring road (project STR 72-9-26). For purposes of planning and construction the city may expand any local, county, state, federal or private funds available therefor.

Sec. 2. Any part of the cost of the project authorized by section 1 may be financed by the levy of special assessments against property within the city benefitted by the project in the manner prescribed by law. In the assessment of benefits city authorities may utilize a combination of assessment methods based upon the area of tracts benefitted, the front footage of tracts benefitted, and the land use of the tracts benefitted in accordance with such categories as may be determined by the city.

Sec. 3. Construction of the project and assessment of benefits may be undertaken in phases consistent with growth and development of the benefitted area, and the benefits derived from the project may be re-determined and the value of the benefits assessed against the benefitted property as the phases are completed.

Sec. 4. This act is effective upon approval by the city council of the city of Eden Prairie and upon compliance with Minnesota Statutes, Section 645.021."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3196: A bill for an act relating to the metropolitan transit commission; establishing the outer limits of the metropolitan transit taxing district; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, after "district" insert "*as the boundaries existed on October 31, 1973.*"

Page 1, line 20 strike "and" and insert "*The taxing district shall also include*"

Page 1, line 21, strike "*all as existing on*"

Page 1, line 22, strike "*December 31, 1973,*"

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. 3059: A bill for an act relating to county boards; providing for boards of seven members in counties having a population of 200,000 or more; amending Minnesota Statutes 1971, Section 375.01.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, before "Each" insert "*Subdivision 1.*"

Page 1, line 15, strike "200,000" and insert "350,000"

Page 1, line 16, after "members" insert "*, to be chosen from commissioner districts with boundaries to be determined by the redistricting commission appointed pursuant to subdivision 2*"

Page 1, after line 16, insert:

"Subd. 2. [REDISTRICTING COMMISSION.] Within 15 days after the effective date of this act, the district court shall appoint a nonpartisan redistricting commission to establish the districts for the county in accordance with the standards prescribed in subdivision 3. The commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until two years after the determination of the district boundaries pursuant to this act. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 45 days after its appointment.

Subd. 3. [COMMISSIONER DISTRICTS; STANDARDS.] Each district shall be composed of contiguous territory as regular and compact in form and shall be as nearly equal in population as practicable. Except where necessary to comply with the standards set forth in this subdivision, the districts shall be bounded by city, town, ward, or precinct lines. The plan establishing the district boundaries shall be filed in the office of the county auditor, and after filing the plan the commission shall cause notice that the plan is on file to be published in the newspaper having the contract for publishing the commissioner's proceedings for the current year. The plan shall become effective upon the filing of the plan with the county auditor, and shall be effective as to the election of county commissioners in 1974.

Sec. 2. [ELECTION OF COMMISSIONERS.] A commissioner for each district shall be elected at the general election in November 1974. The commissioners for each district numbered 1, 3, 5, and 7 shall be elected for a four-year term, and the commissioner for each district numbered 2, 4, and 6 shall be elected for a two-year term. Thereafter each commissioner shall be elected for a four-year term.

Sec. 3. This act shall be effective the day following enactment."

Further amend the title as follows:

Page 1, line 4, strike "200,000" and insert "350,000"

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. 2110: A bill for an act relating to natural resources; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; requiring adoption and enforcement of ordinances therefor.

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. [LEGISLATIVE POLICY.] The legislature finds and declares that the rapid spread of urban development in the metropolitan area presents major problems in the management and use of the natural resources of the area. The effects of development policies extend beyond municipal and county boundaries, requiring coordination throughout the metropolitan area and assistance from the state. It is the policy of the state and the purpose of this act to provide for the protection of the health, safety and welfare of the people of the area and the conservation of natural resources by encouraging local governmental units to adopt and enforce sound policies regulating the subdivision, use and development of the limited land and water resources of the metropolitan area, and to provide the assistance of metropolitan and state agencies in achieving that objective.

Sec. 2. [DEFINITIONS.] Subdivision 1. For purpose of this act, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the area defined in Minnesota Statutes, Section 473B.02.

Subd. 3. "Metropolitan council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Local governmental unit" means a county, city or town in the metropolitan area having planning and zoning authority as defined in Minnesota Statutes, Chapter 394, or Section 462.353.

Sec. 3. [STANDARDS AND CRITERIA.] Subdivision 1. Before January 1, 1976, and thereafter when made necessary by changed conditions or advances in scientific knowledge, the metropolitan council shall promulgate suggested standards and criteria and model ordinances for the regulation of the use and development of the land and water within the metropolitan area which will provide for:

(a) the protection and preservation of those wetlands and lowlands permanently or intermittently covered with waters, such as marshes, swamps, bogs, meadows, potholes and sloughs which are essential to hydrological or ecological systems or for flood control;

(b) the protection of groundwater recharge areas which contribute significantly to the recharge of groundwater aquifers;

(c) the minimum erosion of those slopes which are subject to severe or moderate erosion because of their degree of slope and soil type;

(d) the maximum retention of existing forests and woodlands, the minimum removal of trees for development, and the encouragement of replanting where removal is unavoidable;

(e) the determination of the suitability of soils or bedrock for development, design and construction measures for development which would compensate for existing soil or bedrock problems, and the prevention of the type of development for which such soils or bedrock are unsuitable;

(f) the protection and preservation of the natural watercourses, intermittent or permanent, and the minimum discharge of pollutants into water bodies and water courses by storm runoff and otherwise;

(g) local review and comment on applications for permits to change the course, current, or cross section of public waters pursuant to Minnesota Statutes, Section 105.42, and standards to govern the local review;

(h) the protection and preservation of areas containing unique or endangered species of plants and animals;

(i) the prevention of development for non-agricultural use of prime agricultural lands where such land is essential for agricultural purposes;

(j) the regulation of the extraction of minerals, including sand and gravel, to minimize undesirable environmental effects and provide for future utilization of the lands involved;

(k) the preservation of natural resource areas of particular historical significance.

Subd. 2. In preparation of these standards and criteria, and model ordinances, and in order to assure consistency with regulations, standards, criteria and model ordinances promulgated by other state agencies, the metropolitan council shall, where appropriate, seek the assistance and approval of the department of natural resources and the Minnesota environmental quality council. In addition, the metropolitan council shall, where appropriate, seek the assistance of the state planning agency, the Minnesota pollution control agency, soil and water conservation districts, the University of Minnesota, the department of agriculture, and other appropriate agencies.

Sec. 4. [LOCAL ORDINANCES.] Each local governmental unit in the metropolitan area may, after review and comment by the metropolitan council, adopt ordinances, separately or as a part of its zoning and subdivision ordinances, which meet the minimum standards proposed by the metropolitan council.

Sec. 5. [DISTRICTS.] In addition to all other authority relating to planning and zoning granted by Minnesota Statutes, Sections 394.25 or 462.357, local governmental units may establish zoning districts or zones in which the use of land and water areas are limited to purposes consistent with the standards and criteria established pursuant to this section.

Sec. 6. [COOPERATION.] In adopting and enforcing the ordinances for which standards and criteria are provided by this act, local governmental units may consult and cooperate with affected soil and water conservation districts, watershed districts, and lake conservation districts on matters of common concern.

Sec. 7. [METROPOLITAN COUNCIL ASSISTANCE.] The metropolitan council, in cooperation with local governmental units, shall collect information required for the development of sound standards and criteria in accordance with this act and sound standards and criteria for shoreland and floodplain management. The council may provide technical assistance to local governmental units to expedite adoption and enforcement of local ordinances under this act and Minnesota Statutes, Sections 104.04 and 105.485.

Further, amend the title:

Page 1, line 5, strike “;” and insert “.”

Page 1, strike lines 6 and 7

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. 3076: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

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. The twin cities area metropolitan transit commission is hereby authorized to implement its bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974. It is the intent of the legislature to have this program completed by July 1, 1977. The commission shall make a progress report to the legislature in January of each year until the year following the completion of this program. The 1975 report shall also include recommendations for alternative methods of financing.

Sec. 2. Minnesota Statutes 1971, Section 473A.09 is amended by adding a subdivision to read:

Subd. 12. [BUS SYSTEM FARES.] The commission shall charge bus system passengers a fare of not more than \$.25 per ride, without additional charge for distance traveled or transfer; except that the commission may establish separate fares for passengers on express bus service. This subdivision shall be in effect on January 30, 1975.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1, is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to ~~1.45~~ 3.37 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years, *except that the amount of taxes which may be levied in any year for the operating costs of the commission shall be further reduced by the amount of any funds received by the commission during the previous year from federal grants to cover operating costs; plus*

(b) *such an additional amount equal to .04 mills times the assessed valuation of all such property all of which shall be used for the operating cost of service programs for the handicapped; plus*

~~(b)~~ (c) *such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on February 1, 1974, plus additional certificates of indebtedness and other obligations in an amount not to exceed \$8,000,000 for the purposes of the transit related elements of the bus improvement program as expressed in the commission's bus service expansion report to the legislature of February 22, 1974, to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year; plus*

(d) *such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of certificates of indebtedness in an amount not to exceed \$12,000,000 for the purposes of highway related aspects of the bus improvement program, as expressed in the commission's bus service expansion report to the legislature of February 20, 1974, to which property taxes under this section have been pledged, provided that the principal and interest to come due on such obligations shall not exceed \$1,600,000 in any year. The certificates of indebtedness provided in this paragraph may be issued only after the commission has determined that alternative methods of finance are not available on the same or better terms. Nothing in this section shall be construed as providing funding for the preliminary engineering, studies, or construction for the automated fixed guideway*

system proposed in the 1972 transit development program of the commission.

Sec. 4. Minnesota Statutes 1971, Section 473A.111, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 AM and ~~3:00~~ 3:30 PM and from 6:30 PM until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission, and to all those persons under the age of 18 who are students.

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies."

Further amend the title as follows

Page 1, line 4, after "therefor;" insert "setting bus fares,"

Page 1, line 5, after "Statutes" insert "1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3036: A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; and 484.61.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 9, insert the following:

"Sec. 3. Minnesota Statutes 1971, Section 490.102, Subdivision 2, is amended to read:

Subd. 2. (a) If, at the time of retirement, he has attained the age of at least 70 years and he has served for 15 years as such judge, or as such judge and as judge of a court of record, he shall receive for the remainder of his life, one-half the compensation allotted to the office at the time of his retirement or on July 1, 1967, whichever is greater.

(b) If, at the time of retirement, he has attained the age of at least 65 years and he has served for 25 years as such judge, or as such judge and as a judge of a court of record, he shall receive for the remainder of his life, one-half of the compensation allotted for the office at the time of his retirement or on July 1, 1967, whichever is greater.

Except for per diem payments made pursuant to section 484.62, and retirement pay adjustments pursuant to section 490.025, sub-

division 2, it is unlawful for any public officer to pay a retired judge an amount greater than one half of the compensation allotted to the office of such retired judge at the time of his retirement or on July 1, 1967, whichever is greater, *except when said retired judge shall have been appointed by the district court, or by the supreme court, to serve as a special master in litigation before the district court; in which case per diem payments may be made to said retired judge in amounts equal to per diem payments made pursuant to section 484.62*. Where such payments are hereafter made in violation of this subdivision, it is the duty of the public officer making such payment to recover the amount so paid but without interest. Such recovery may be made by as many as 30 installment deductions from future retirement payments to a retired judge or by action in the district court. Unrecovered overpayments outstanding at the time of the death of a retired judge shall be a lien upon his estate, in favor of the state of Minnesota."

Renumber the remaining section.

Further, amend the title in line 6, by striking "and 484.61" and inserting in lieu thereof "484.61; and 490.102, Subdivision 2"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, strike "identified by the" and insert "relating thereto."

Page 1, strike lines 10 and 11

Page 1, line 18, strike "the conclusion of the 1976" and insert "January 15, 1975"

Page 1, line 19, strike "session of the legislature"

Page 1, line 21, strike "November" and insert "January"; after "1975" strike the comma and insert a period; strike "but may supplement them until May 1,"

Page 1, strike lines 22 and 23

Page 1, line 26, strike ", and may subpoena witnesses"

Page 1, line 27, strike "and records"

Page 2, line 1, strike "The commission may purchase supplies,"

Page 2, strike lines 2 to 6

Page 2, line 7, strike "personnel."

Page 2, line 9, strike "\$50,000" and insert "\$10,000"

Page 2, strike lines 11 to 16

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 3297: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 24, strike "creation of a new route to" and insert in lieu thereof "extension of a route on"

Page 1, line 30, strike "Beginning at a" and insert in lieu thereof: "Route No. 279. Beginning at a point in Dakota County southwesterly of Fort Snelling in the proximity of the State Zoological Garden entrance, thence westerly to Dakota County Road 23, thence extending in a general northerly direction across the Minnesota River to a point on Route No. 114 in Minneapolis."

Page 1, strike line 31

Page 2, strike lines 1 through 3.

Page 2, after line 3, insert:

"Sec. 3. The route established in section 2 is a substitute for Route No. 279 as contained and described in Minnesota Statutes 1971, Section 161.115. and said route as so contained and described in said section is discontinued and removed from the trunk highway system."

Renumber the sections in sequence.

Page 2, line 9, after "completed" insert "if possible"

Page 2, strike lines 12 through 14 and insert in lieu thereof:

"Sec. 5. The Revisor of Statutes, in compiling the Minnesota Statutes, shall substitute the route established in section 2 hereof for the route discontinued and removed from the trunk highway system in section 3."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 3121: A bill for an act relating to public welfare; creating a program for the prevention of and reporting of child abuse; providing penalties; appropriating money; repealing Minnesota Statutes 1971, Section 626.554.

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 the public policy of this state is to protect children whose health or welfare may be jeopardized through injury, neglect or sexual abuse; to strengthen the family and make the home safe for children through improvement of parental and guardian capacity for responsible child care; and to provide a temporary or permanent safe home environment for endangered children. In addition, it is the policy of this state to require the reporting of suspected child abuse; the investigation of such reports; the provision of protective and counseling services for both the child and family; and the provision of a program education regarding child abuse.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms have the meanings given them unless the specific content indicates otherwise:

Subd. 2. "Neglected child" shall have the meaning defined in Minnesota Statutes, Section 260.015, Subdivision 10.

Subd. 3. "Sexual abuse" means the subjection by the child's parents, guardian, or other custodian, of a child under 12 years of age to any act which constitutes a violation of Minnesota Statutes, Sections 609.291, 609.292, 609.293, 609.295, or 609.296.

Subd. 4. "Abuse" means any physical injury resulting from neglect or inflicted upon the child by other than accidental means or at variance with the history attributed it.

Subd. 5. "Department" means the department of public welfare.

Subd. 6. "Commissioner" means the commissioner of public welfare.

Subd. 7. "Report" means any report filed with the county welfare agency pursuant to this act.

Subd. 8. "Investigative Report" means any report prepared by the county welfare agency regarding a case of child abuse and subsequent actions or recommendations.

Sec. 3. [PERSONS MANDATED TO REPORT.] Subdivision 1. Any professional in the fields of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement who has knowledge of or reasonable cause to suspect a child is being subjected by his parents, guardian, or other custodian to abuse, sexual abuse, or neglect shall immediately report to the local county welfare agency and/or police department. The appropriate police authority, upon receiving such a report, shall immediately notify the county welfare agency.

Subd. 2. Any person not required to report under the provisions of this section may voluntarily report to the county welfare agency if he has knowledge of or reasonable cause to suspect a child is being subjected to abuse, sexual abuse, or neglect.

Sec. 4. [REPORTING PROCEDURE.] Subdivision 1. Reports

made pursuant to this act shall be made immediately by telephone and shall be followed within 72 hours by a written report.

Subd. 2. Reports shall include, if known:

- (a) the names and address of the child;
- (b) the child's age, sex and race;
- (c) the nature and extent of the abuse, sexual, or neglect;
- (d) the name and address of child's parents, guardian, or other custodian;
- (e) any evidence of previous abuse, sexual abuse, or neglect to the child or his siblings;
- (f) any action taken by the reporter;
- (g) any other pertinent information;
- (h) the reporter's name and address.

Sec. 5. [DUTIES OF COUNTY WELFARE AGENCY UPON RECEIPT OF A REPORT.] Subdivision 1. Upon receipt of a report the county welfare agency, if deemed appropriate, shall file or cause to be filed a petition in the appropriate juvenile or district court or notify the appropriate law enforcement agency.

Subd. 2. The county welfare agency shall also undertake a thorough investigation of the report; and may:

- (a) visit the child's residence;
- (c) interview the child;
- (d) interview the reporter;
- (e) request court order to be issued pursuant to section 260.151 for purposes of a physical, psychiatric, or psychological examination of the allegedly abused child;
- (f) take color photographs of the victims of suspected child abuse;
- (g) request a court order to be issued pursuant to section 260.161, subdivision 3, for purposes of photographing any child taken into protective custody;
- (h) request any other court order necessary to investigate the report of suspected child abuse.

Subd. 3. The county welfare agency may, upon completion of its investigation or at any time during the investigation, recommend appropriate counseling and rehabilitative services.

Subd. 4. The county welfare agency shall upon completion of its investigation, or upon recommending action in relation to the case, prepare an investigative report to include, but not be limited to:

- (a) all the information in the original report;

(b) additional relevant information obtained during investigation of the report;

(c) recommendations for disposition of the case, and plans for counseling, rehabilitative, or protective services;

(d) services offered and accepted;

(e) any other pertinent data.

Sec. 6. [COLOR PHOTOGRAPHS.] Any health professional required to report under this act may, if deemed necessary, cause color photographs of an allegedly abused child to be taken at county expense. Photographs may only be taken if, in the opinion of the health professional, the visible trauma to the child will disappear within forty-eight hours. If, in the opinion of the health professional, the visible trauma will not disappear within forty-eight hours, the professional shall request the county welfare agency to file a petition in the appropriate juvenile court for purposes of obtaining a court order for the examination and photographing of the allegedly abused child. The county welfare agency shall, upon receipt of such a request, proceed immediately to file the petition.

Sec. 7. [IMMUNITY FROM LIABILITY.] Any person participating in good faith and exercising due care in the making of a report or the establishment of protective custody pursuant to this act shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such action.

Sec. 8. [ABROGATION OF PRIVILEGED COMMUNICATIONS.] Any privilege between husband and wife or between any professional persons and their clients, except lawyer and client or clergy and penitent, shall not constitute grounds for withholding or excluding evidence at any proceedings regarding child abuse or neglect.

Sec. 9. [FALSIFIED REPORTS.] If it is determined that any reports of suspected child abuse or neglect were negligently or deliberately falsified, the reporter shall be guilty of a misdemeanor as well as liable in civil suit for any damage or injury to the subject of the report.

Sec. 10. [FAILURE TO REPORT.] Any person required by this act to report suspected child abuse or neglect who willfully fails to do so shall be guilty of a misdemeanor.

Sec. 11. [EVIDENCE.] A written report from persons required by this act to make a report shall be admissible as evidence in any proceeding relating to child abuse or neglect.

Sec. 12. [COURT GUARDIAN.] The court, in any case of abuse, sexual abuse or neglect reaching the court, may appoint a court guardian for the child. That guardian shall, when possible, be an attorney and shall have access to all information and proceedings necessary to ensure he may protect the best interests of the child.

Sec. 13. [MANDATORY REPORTING TO A MEDICAL EXAMINER OR CORONER.] Any person required to report under

the provisions of section 3, subdivision 1, of this act and who has reasonable cause to expect a child has died as a result of abuse, sexual abuse, or neglect shall report that fact to the appropriate medical examiner or coroner. The medical examiner or coroner shall complete an investigation within 48 hours, and report his findings to the appropriate law enforcement authorities and the county welfare agency.

Sec. 14. [ADDITIONAL RESPONSIBILITIES AND POWERS OF THE DEPARTMENT.] Subdivision 1. The department shall develop plans and programs necessary to further the purposes of this act including, but not limited to:

(a) research;

(b) analyzing data;

(c) developing counseling and rehabilitative guidelines for both parents and children to be implemented by the county welfare agency;

(d) providing a statewide program for dissemination to the public of any information regarding child abuse, sexual abuse or neglect, as well as information regarding the provisions of this act.

Subd. 2. The commissioner shall report to the governor and legislature on or before November 15 of each year regarding all operations and activities under this act for the preceding year. The commissioner at that time shall also present a record of all receipts and disbursements made for that year pursuant to this act.

Sec. 15. [CONTRACTING.] Subdivision 1. The commissioner shall have the power to contract or consult with private persons or public or private agencies experienced in the collection and evaluation of information regarding child abuse, sexual abuse or neglect, for research or information.

Subd. 2. Information gained under such contract may be used only for the purposes directed by the commissioner.

Sec. 16. The commissioner shall promulgate all rules and regulations necessary to implement this act.

Sec. 17. Minnesota Statutes 1971, Section 260.165, Subdivision 1, is amended to read:

260.165 [TAKING CHILD INTO CUSTODY.] Subdivision 1. No child may be taken into immediate custody except:

(a) With an order issued by the court in accordance with the provisions of section 260.135, subdivision 5, or by a warrant issued in accordance with the provisions of section 260.145; or

(b) In accordance with the laws relating to arrests; or

(c) By a peace officer

(1) when a child has run away from his parent, guardian, or custodian, or when the peace officer reasonably believes such child has run away from his parent, guardian, or custodian; or

(2) when a child is found in surroundings or conditions which endanger the child's health or welfare or which such peace officer reasonably believes will endanger such child's health or welfare; or

(d) By a peace officer or probation or parole officer when it is reasonably believed that the child has violated the terms of his probation, parole, or other field supervision ; or

(e) By a peace officer, at the request of a professional employee of the county welfare agency subsequent to an investigative report, when the peace officer reasonably believes that a failure to do so would represent an imminent danger to the child's life or health; provided that a child detained pursuant to this clause may only be housed in a place listed in Minnesota Statutes, Section 260.175, clauses (b) or (c).

Sec. 18. [STATUTES REPEALED.] Minnesota Statutes 1971, Section 626.554, is repealed.

Sec. 19. This act takes effect July 1, 1974."

Further amend the title as follows:

Page 1, line 5, strike "appropriating money" and insert "amending Minnesota Statutes 1971, Section 260.165, Subdivision 1"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, strike "provisions of"

Page 1, line 8, strike "to the contrary,"

Page 1, line 12, strike "two appointees" and insert "one appointee"

Page 1, line 13, after "district" strike the period and insert "appointed by the commissioners from that district and five at-large members appointed by the board of commissioners. The chairman shall be appointed as an additional member by the board of commissioners. The term of office and the procedures for removal as well as filling vacancies on the commission shall be as provided by the resolution creating the commission."

Page 1, line 13, strike "Such appointments"

Page 1, line 14, strike "shall be annual."

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

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district comprised of lands within the counties of Ramsey and Washington.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, after "including" insert "but not limited to"

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. 2993: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, strike "conduct a public or private" and insert "negotiate the"

Page 2, line 6, after "area" add "and value"

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. 2285: A bill for act relating to the city Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 19, after "*residential*" strike "*uses that a*" and add "*, commercial, industrial or other uses, or as a planned development which includes residential, commercial and industrial uses, or any*

combination thereof, that a reasonable portion of each proposed subdivision be dedicated to the public for public use as parks, playgrounds, public open space, or storm water holding areas or ponds, or that the subdivider contribute an equivalent amount in cash based on the fair market value of the undeveloped land as defined by the regulations, provided that cash payments received under such regulations shall be placed in a special fund by the municipality and used only for the acquisition of land for parks, playgrounds, public open space and storm water holding areas or ponds, development of existing park and playground sites, public open space and storm water holding areas or ponds, and debt retirement in connection with land previously acquired for such public purposes.

Such regulations may provide for a procedure for varying the regulations as they apply to specific properties where an unusual hardship on the land exists, but variances may be granted only upon the specific grounds set forth in the regulations."

Page 3, strike all of lines 20 to 28

Page 4, strike all of lines 1 to 3

And when so amended the bill do pass and be placed on Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3239: A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after "funds" reinstate the stricken comma and insert "not to exceed \$150,000"

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

S. F. No. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

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

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Section 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Reports the same back with the recommendation that the bill be amended as follows:

Page 10, line 22, reinstate the stricken language

Page 10, line 26, reinstate the stricken language

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2005, 3144, 2953, 3212, 3198, 3181, 2105, 2497, 3276, 3432, 3233, 2687, 3023, 3194, 2898, 3061, 3175, 2896, 3407, 3479, 3464, 3417, 2635, 3406, 3047, 3331, 3000, 2003, 2214, 3318, 3193, 1704, 2951, 2949, 3467, 3009, 3360, 2994, 3080, 2477, 3355, 3408, 3388, 3281, 2832, 2712, 2972, 1985, 3422, 1823, 1888, 2505, 2042, 2504, 3250, 2450, 3111, 3352, 3019, 3196, 3059, 2110, 3076, 3036, 3297, 3176, 3120, 2993, 2285, 3239, 3350 and 3477 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 401, 3048 and 3248 were read the second time.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters:

S. F. No. 2814 and H. F. No. 2762. The motion prevailed.

MEMBERS EXCUSED

Messrs. Solon and Pillsbury were excused from this afternoon's session. Mr. Keefe, J. was excused from next Monday's session.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Monday, March 4, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-SIXTH DAY

St. Paul, Minnesota, Monday, March 4, 1974.

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	Davies	Josefson	Ogdahl	Sillers
Arnold	Dunn	Keefe, S.	Olhoft	Spear
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Gearty	Kleinbaum	O'Neill	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Patton	Tennessee
Chenoweth	Hansen, Mel	Larson	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Lewis	Purfeerst	Wegener
Coleman	Hughes	McCutcheon	Renneke	Willet
Conzemius	Humphrey	Milton	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	Keefe, S.	Ogdahl	Sillers
Arnold	Doty	Kirchner	Olhoft	Solon
Bang	Dunn	Kleinbaum	Olson, A. G.	Spear
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Frederick	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Tennessee
Borden	Hansen, Mel	Lewis	Patton	Thorup
Brown	Hanson, R.	Lord	Perpich, A. J.	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Coleman	Jensen	North	Renneke	
Conzemius	Josefson	Novak	Schrom	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Keefe, J. and Pillsbury were excused from the Session of today. Messrs. Bang, Krieger, Ashbach, Nelson and Knutson were excused from the early part of this morning's Session. Mr.

Moe was excused from the Session of today, until 10:00 o'clock a.m. Mr. Gearty was excused from the Session of today until 11:00 o'clock a.m. Mr. Purfeerst was excused from the Session of today, beginning at 10:30 o'clock a.m. Mr. Pillsbury was excused from Tuesday's Session.

INTRODUCTION OF BILLS

Messrs. O'Neill; Hansen, Baldy and Ashbach introduced—

S. F. No. 3501: A bill for an act relating to commerce; granting small businesses certain opportunities and assistance in bidding on state contracts.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Olson, J. L.; Hansen, Baldy and Berg introduced—

S. F. No. 3502: A bill for an act relating to insurance; counter-signature commission; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Kleinbaum and Krieger introduced—

S. F. No. 3503: A bill for an act relating to health professions; abolishing the certificate of registration in the basic sciences for applicants for licensure by the board of medical examiners; authorizing the board to require an examination in the basic sciences; amending Minnesota Statutes 1971, Sections 146.12 and 147.02, Subdivision 1.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum and Krieger introduced—

S. F. No. 3504: A bill for an act relating to health professions; requiring a person licensed by the board of medical examiners to annually register with the secretary of the board to renew his license; amending Minnesota Statutes 1971, Section 147.02, by adding a subdivision.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum and Krieger introduced—

S. F. No. 3505: A bill for an act relating to health professions; providing immunity from suit to members of the board of medical examiners and certain other persons in any action based upon

disciplinary proceedings or other official acts; amending Minnesota Statutes, 1973 Supplement, Section 147.01.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum and Krieger introduced—

S. F. No. 3506: A bill for an act relating to health professions; authorizing the board of medical examiners to reprimand, censure, place on probation, levy fines or assess costs of a hearing for a person adjudged unqualified to practice medicine; amending Minnesota Statutes 1971, Section 147.021, by adding a subdivision.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Kleinbaum and Krieger introduced—

S. F. No. 3507: A bill for an act relating to health professions; authorizing the board of medical examiners to issue a cease and desist order and assess costs for a hearing against a person engaging in the unlicensed practice of medicine; prescribing penalties; amending Minnesota Statutes 1971, Section 147.10.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Hanson, R.; Frederick and Keefe, J. introduced—

S. F. No. 3508: A bill for an act relating to crimes; retail theft; defining the crime of retail theft; providing for detention; providing penalties; repealing Minnesota Statutes 1971, Section 629.366.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Brown introduced—

S. F. No. 3509: A bill for an act relating to hospitals; hospital districts; related medical facilities; expanding powers of hospital districts; providing per diem for hospital board members; amending Minnesota Statutes 1971, Sections 447.31, Subdivision 3: 447.-32, by adding a subdivision; 447.33, Subdivision 1; 447.34, Subdivision 1; 447.35; 447.45; and Chapter 447, by adding a section.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Purfeerst, Josefson and Chmielewski introduced—

S. F. No. 3510: A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1971, Section 169.-67, Subdivision 3.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 2854 for comparison to companion Senate File, reports the following House File was found not identical with 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.
		2854	2677		

Pursuant to Rule 49 the Committee recommends that H. F. No. 2854 be amended as follows:

Page 1, line 17, after "commissioners" delete the comma

Page 1, line 17, after "alternates" delete the comma and insert "*who, except in the case of proceedings by a watershed district, shall be*"

Page 1, lines 18 and 19, delete all the underscored language

And when so amended, H. F. No. 2854 will be identical to S. F. No. 2677 and further recommends that H. F. No. 2854 be given its second reading and substituted for S. F. No. 2677 and S. F. No. 2677 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 2854 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Milton moved that the name of Mr. Purfeerst be added as co-author to S. F. No. 3499. The motion prevailed.

Mr. Kleinbaum moved that the name of Mr. Schrom be added as co-author to S. F. No. 3080. The motion prevailed.

Mr. Chenoweth moved that H. F. No. 3142 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration for comparison to S. F. No. 3019, now on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Chenoweth moved that H. F. No. 3009 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred

to the Committee on Rules and Administration for comparison to S. F. No. 2993, now on General Orders. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2594: A bill for an act relating to highway traffic regulations; prohibiting the use of lights or reflectors other than those colored blue for the purpose of marking driveways; prescribing penalties; amending Minnesota Statutes 1971, Chapter 169, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Stassen
Arnold	Fitzsimons	Kowalczyk	Olhoft	Stokowski
Berg	Hansen, Mel	Larson	Olson, H. D.	Thorup
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Ueland
Brown	Hughes	Lewis	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Lord	Perpich, G.	Willet
Chmielewski	Jensen	McCutcheon	Purfeerst	
Conzemius	Keefe, S.	Milton	Sillers	
Doty	Kirchner	North	Spear	

Those who voted in the negative were:

Blatz	Davies	Josefson	Patton	Tennessee
Borden	Frederick	Olson, A. G.	Renneke	
Coleman	Hansen, Baldy	Olson, J. L.	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 852: A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 13.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olhoff	Schrom
Arnold	Davies	Kirchner	Olson, A. G.	Spear
Berg	Doty	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Dunn	Laufenburger	Olson, J. L.	Stokowski
Borden	Fitzsimons	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Purfeerst	Willet
Coleman	Josefson	North	Renneke	

Those who voted in the negative were:

Blatz	Hansen, Mel	Kowalczyk	Ogdahl	Sillers
Frederick	Hanson, R.	Larson	O'Neill	Ueland
Hansen, Baldy				

So the bill passed and its title was agreed to.

S. F. No. 1788: A bill for an act relating to the practice of chiropractic; prohibiting certain types and forms of advertising by chiropractors; prescribing grounds for revocation or suspension of chiropractic licenses; amending Minnesota Statutes 1971, Section 148.10, 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Renneke
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Berg	Dunn	Kirchner	Olhoff	Sillers
Bernhagen	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Blatz	Frederick	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Laufenburger	O'Neill	Thorup
Chenoweth	Hanson, R.	Lewis	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	McCutcheon	Perpich, G.	Willet
Conzemius	Jensen	Milton	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2690: A bill for an act relating to the supreme court; authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	North	Renneke
Arnold	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoft	Spear
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Tennesen
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Coleman	Hughes	Lord	Patton	Ueland
Conzemius	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Davies	Jensen	Milton	Purfeerst	

Those who voted in the negative were:

Blatz	Chmielewski	Perpich, G.	Schrom	Willet
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So the bill passed and its title was agreed to.

S. F. No. 3075: A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

With the unanimous consent of the Senate, Mr. Milton moved to amend S. F. No. 3075 as follows:

Page 2, line 1, after "*such*" insert "*monies or*"

Page 2, line 2, strike "*funds*" and insert "*such monies*"

Page 2, line 2, strike "*support*"

The motion prevailed. So the amendment was adopted.

S. F. No. 3075 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	Davies	Keefe, S.	Olhoft	Spear
Arnold	Doty	Kirchner	Olson, A. G.	Stassen
Bang	Dunn	Kleinbaum	Olson, H. D.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Tennesen
Bernhagen	Frederick	Larson	O'Neill	Thorup
Blatz	Hansen, Baldy	Laufenburger	Patton	Ueland
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Wegener
Brown	Hanson, R.	Lord	Perpich, G.	Willet
Chenoweth	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Jensen	North	Schrom	
Conzemius	Josefson	Ogdahl	Sillers	

So the bill, as amended, passed and its title was agreed to.

S. F. No. 2715: A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into

a single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

Was read the third time 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	Keefe, S.	Olhoft	Spear
Arnold	Doty	Kirchner	Olson, A. G.	Stassen
Bang	Dunn	Kleinbaum	Olson, H. D.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Frederick	Larson	O'Neill	Thorup
Blatz	Hansen, Baldy	Laufenburger	Patton	Ueland
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Wegener
Brown	Hanson, R.	Lord	Perpich, G.	Willet
Chenoweth	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Jensen	North	Schrom	
Conzemius	Josefson	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 1902: A bill for an act relating to Itasca 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 54 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Milton	Schrom
Arnold	Davies	Josefson	North	Sillers
Bang	Doty	Keefe, S.	Ogdahl	Spear
Berg	Dunn	Kirchner	Olson, A. G.	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Olson, H. D.	Stokowski
Blatz	Frederick	Kowalczyk	O'Neill	Tennessee
Borden	Hansen, Baldy	Larson	Patton	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Wegener
Chmielewski	Hughes	Lord	Purfeerst	Willet
Coleman	Humphrey	McCutcheon	Renneke	

Messrs. Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3068: A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

Was read the third time 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	North	Renneke
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Bang	Dunn	Kirchner	Olhoft	Sillers
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Frederick	Kowalczyk	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	Lord	Perpich, A. J.	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3208: A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; 245A.18, Subdivision 2 and Laws 1973, Chapter 650, Article XXI, Section 32.

Was read the third time 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	Keefe, S.	Olhoft	Spear
Arnold	Doty	Kirchner	Olson, A. G.	Stassen
Bang	Dunn	Kleinbaum	Olson, H. D.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Tennessee
Bernhagen	Frederick	Larson	O'Neill	Thorup
Blatz	Hansen, Baldy	Laufenburger	Patton	Ueland
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Wegener
Brown	Hanson, R.	Lord	Perpich, G.	Willet
Chenoweth	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Jensen	North	Schrom	
Conzemius	Josefson	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2971: A bill for an act relating to health maintenance organizations; regulating the details of operation; amending Minnesota Statutes, 1973 Supplement, Sections 62D.02, Subdivision 7; 62D.06, Subdivision 1; 62D.08, Subdivision 2; 62D.10, Subdivisions 2 and 4; 62D.11, Subdivision 1; 62D.12, Subdivisions 4 and 9; 62D.22, Subdivision 8; and 62D.28, Subdivision 3.

Was read the third time 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	Jensen	North	Renneke
Arnold	Davies	Josefson	Ogdahl	Schrom
Bang	Doty	Keefe, S.	Olhoff	Sillers
Berg	Dunn	Kirchner	Olson, A. G.	Spear
Bernhagen	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Blatz	Frederick	Kowalczyk	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Larson	O'Neill	Tennessen
Brown	Hansen, Mel	Laufenburger	Patton	Thorup
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Chmielewski	Hughes	Lord	Perpich, G.	Wegener
Coleman	Humphrey	McCutcheon	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 2984: A bill for an act relating to workmen's compensation; excluded employments, amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1.

Was read the third time 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	Conzemius	Jensen	Milton	Purfeerst
Arnold	Davies	Josefson	North	Renneke
Bang	Doty	Keefe, S.	Ogdahl	Schrom
Berg	Dunn	Kirchner	Olhoff	Sillers
Bernhagen	Fitzsimons	Kleinbaum	Olson, A. G.	Stassen
Blatz	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Brown	Hansen, Mel	Laufenburger	O'Neill	Thorup
Chenoweth	Hanson, R.	Lewis	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	McCutcheon	Perpich, G.	Willet

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2084: A bill for an act relating to public utilities; regulating the filing by certain public utilities of mortgages or deeds of trust along with instruments already required to be filed under the provisions of the uniform commercial code; amending Minnesota Statutes 1971, Chapter 300, by adding a section.

Was read the third time 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	Borden	Davies	Hansen, Mel	Keefe, S.
Arnold	Brown	Doty	Hanson, R.	Kirchner
Bang	Chenoweth	Dunn	Hughes	Kleinbaum
Berg	Chmielewski	Fitzsimons	Humphrey	Kowalczyk
Bernhagen	Coleman	Frederick	Jensen	Larson
Blatz	Conzemius	Hansen, Baldy	Josefson	Laufenburger

Lewis	Ogdahl	O'Neill	Renneke	Tennessee
Lord	Olhoft	Patton	Sillers	Thorup
McCutcheon	Olson, A. G.	Perpich, A. J.	Spear	Ueland
Milton	Olson, H. D.	Perpich, G.	Stassen	Wegener
North	Olson, J. L.	Purfeerst	Stokowski	Willet

So the bill passed and its title was agreed to.

S. F. No. 3272: A bill for an act relating to the legislature; authorizing group hospital and medical benefits coverage for retired members; amending Minnesota Statutes 1971, Section 43.491, by adding a subdivision.

With the unanimous consent of the Senate, Mr. McCutcheon moved to amend S. F. No. 3272 as follows:

Page 1, strike lines 10 to 12

Page 1, line 13, strike "*members of the legislature, may*" and insert:

"Subd. 3. Any member who has served in the legislature may, following such service,"

The motion prevailed. So the amendment was adopted.

S. F. No. 3272 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 38 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoft	Spear
Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Stokowski
Berg	Hansen, Baldy	Larson	Olson, H. D.	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Jensen	Milton	Purfeerst	
Conzemius	Keefe, S.	Novak	Schrom	

Those who voted in the negative were:

Bang	Dunn	Josefson	North	Renneke
Bernhagen	Frederick	Kirchner	Olson, J. L.	Sillers
Blatz	Hansen, Mel	Laufenburger	O'Neill	Ueland

So the bill, as amended, passed and its title was agreed to.

S. F. No. 2995: A bill for an act relating to municipal industrial development; financing of telephone facilities; amending Minnesota Statutes, 1973 Supplement, Section 474.02, Subdivision 1; and Minnesota Statutes 1971, Sections 474.02, Subdivision 2, and by adding a subdivision; and 474.13.

Was read the third time 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 9, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Larson	Olhoff	Spear
Arnold	Hanson, R.	Laufenburger	Olson, A. G.	Stassen
Bernhagen	Hughes	Lewis	Olson, H. D.	Stokowski
Brown	Humphrey	Lord	Olson, J. L.	Thorup
Chenoweth	Jensen	McCutcheon	O'Neill	Wegener
Chmielewski	Josefson	Milton	Patton	Willet
Conzemius	Keefe, S.	Nelson	Purfeerst	
Dunn	Kirchner	North	Renneke	
Fitzsimons	Kleinbaum	Novak	Schrom	
Frederick	Kowalczyk	Ogdahl	Sillers	

Those who voted in the negative were:

Bang	Borden	Doty	Perpich, A. J.	Tennessee
Blatz	Davies	Hansen, Mel	Perpich, G.	

So the bill passed and its title was agreed to.

S. F. No. 3060: A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforcement; amending Minnesota Statutes 1971, Sections 463.151; 463.21; and Chapter 463, by adding sections.

Was read the third time 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	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoff	Solon
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3129: A bill for an act relating to the state arts council; providing the lieutenant governor shall be an ex-officio member of the governing board in lieu of the governor; amending Minnesota Statutes 1971, Section 139.02.

Was read the third time 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	Doty	Kleinbaum	Olson, A. G.	Spear
Arnold	Dunn	Kowalczyk	Olson, H. D.	Stassen
Bang	Fitzsimons	Larson	Olson, J. L.	Stokowski
Berg	Frederick	Laufenburger	O'Neill	Tennessee
Bernhagen	Hansen, Baldy	Lord	Patton	Thorup
Blatz	Hansen, Mel	McCutcheon	Perpich, A. J.	Ueland
Borden	Hanson, R.	Milton	Perpich, G.	Wegener
Brown	Hughes	Nelson	Purfeerst	Willet
Chenoweth	Humphrey	North	Renneke	
Chmielewski	Jensen	Novak	Schrom	
Coleman	Keefe, S.	Ogdahl	Sillers	
Conzemius	Kirchner	Olhoft	Solon	

Messrs. Davies and Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2641: A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of nonresidents of this state under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 169.72, by adding a subdivision.

Was read the third time 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	Conzemius	Josefson	North	Purfeerst
Arnold	Davies	Keefe, S.	Novak	Renneke
Bang	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoft	Solon
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Lewis	Olson, J. L.	Tennessee
Brown	Hanson, R.	Lord	O'Neill	Thorup
Chenoweth	Hughes	McCutcheon	Patton	Ueland
Chmielewski	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Jensen	Nelson	Perpich, G.	Willet

Messrs. Doty, Laufenburger and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3159: A bill for an act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties.

Was read the third time 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	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoft	Solon
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2846: A bill for an act relating to pollution control; exemption of certain livestock feedlots, poultry lots and other animal lots from permit requirements.

Was read the third time 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	Josefson	Ogdahl	Sillers
Arnold	Doty	Keefe, S.	Olhoft	Solon
Bang	Dunn	Kleinbaum	Olson, A. G.	Stassen
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Frederick	Larson	Olson, J. L.	Thorup
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Ueland
Borden	Hansen, Mel	Lewis	Patton	Wegener
Brown	Hanson, R.	Lord	Perpich, A. J.	Willet
Chmielewski	Hughes	Milton	Purfeerst	
Coleman	Humphrey	Nelson	Renneke	
Conzemius	Jensen	Novak	Schrom	

Those who voted in the negative were:

Chenoweth	North	Perpich, G.	Spear	Tennessee
McCutcheon				

So the bill passed and its title was agreed to.

S. F. No. 1800: A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

Was read the third time 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	Bernhagen	Chenoweth	Davies	Frederick
Arnold	Blatz	Chmielewski	Doty	Hansen, Baldy
Bang	Borden	Coleman	Dunn	Hansen, Mel
Berg	Brown	Conzemius	Fitzsimons	Hanson, R.

Hughes	Larson	Novak	Perpich, A. J.	Stassen
Humphrey	Laufenburger	Ogdahl	Perpich, G.	Stokowski
Jensen	Lewis	Olhoft	Purfeerst	Tennessee
Josefson	Lord	Olson, A. G.	Renneke	Thorup
Keefe, S.	McCutcheon	Olson, H. D.	Schrom	Ueland
Kirchner	Milton	Olson, J. L.	Sillers	Wegener
Kleinbaum	Nelson	O'Neill	Solon	Willet
Kowalczyk	North	Patton	Spear	

So the bill passed and its title was agreed to.

S. F. No. 2611: A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands in Carlton county.

Was read the third time 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	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoft	Solon
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3311: A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

Was read the third time 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	Chmielewski	Hansen, Mel	Kowalczyk	Novak
Arnold	Coleman	Hanson, R.	Larson	Ogdahl
Bang	Conzemius	Hughes	Laufenburger	Olhoft
Berg	Davies	Humphrey	Lewis	Olson, A. G.
Bernhagen	Doty	Jensen	Lord	Olson, H. D.
Blatz	Dunn	Josefson	McCutcheon	Olson, J. L.
Borden	Fitzsimons	Keefe, S.	Milton	O'Neill
Brown	Frederick	Kirchner	Nelson	Patton
Chenoweth	Hansen, Baldy	Kleinbaum	North	Perpich, A. J.

Perpich, G.	Schrom	Spear	Thorup	Wegener
Purfeerst	Sillers	Stassen	Ueland	Willet
Renneke	Solon	Stokowski		

Mr. Tennessen voted in the negative.

So the bill passed and its title was agreed to.

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2740: A bill for an act relating to county courts; terms of judges in certain 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoff	Solon
Arnold	Dunn	Kowalczyk	Olson, A. G.	Spear
Bang	Fitzsimons	Larson	Olson, H. D.	Stassen
Bernhagen	Frederick	Laufenburger	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Lewis	O'Neill	Tennessen
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Humphrey	Milton	Perpich, G.	Wegener
Chmielewski	Jensen	Nelson	Purfeerst	Willet
Coleman	Josefson	North	Renneke	
Conzemius	Keefe, S.	Novak	Schrom	
Davies	Kirchner	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2739: A bill for an act relating to hazardous and substandard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Mel	Larson	Olhoff
Arnold	Coleman	Hughes	Laufenburger	Olson, A. G.
Bang	Conzemius	Humphrey	Lewis	Olson, H. D.
Berg	Davies	Jensen	Lord	Olson, J. L.
Bernhagen	Doty	Josefson	McCutcheon	O'Neill
Blatz	Dunn	Keefe, S.	Nelson	Patton
Borden	Fitzsimons	Kirchner	North	Perpich, A. J.
Brown	Frederick	Kleinbaum	Novak	Perpich, G.
Chenoweth	Hansen, Baldy	Kowalczyk	Ogdahl	Purfeerst

Renneke	Solon	Stokowski	Thorup	Wegener
Schrom	Spear	Tennessee	Ueland	Willet
Sillers	Stassen			

So the bill passed and its title was agreed to.

S. F. No. 2814: A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

Was read the third time 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	Fitzsimons	Kowalczyk	Olhoft	Sillers
Bang	Frederick	Larson	Olson, A. G.	Solon
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stassen
Blatz	Hughes	Lord	O'Neill	Stokowski
Borden	Humphrey	McCutcheon	Patton	Tennessee
Brown	Jensen	Milton	Perpich, A. J.	Thorup
Chenoweth	Josefson	Nelson	Perpich, G.	Willet
Chmielewski	Keefe, S.	North	Purfeerst	
Doty	Kirchner	Novak	Renneke	
Dunn	Kleinbaum	Ogdahl	Schrom	

Messrs. Anderson, Coleman, Conzemius and Wegener voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 3245: A bill for an act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and not subject to the provisions of Minnesota Statutes, Section 475.58, to provide the local funds needed to match state or federal grant funds.

With the unanimous consent of the Senate, Mr. Solon moved that the amendment made to H. F. No. 3245 by the Committee on Rules and Administration in the report adopted March 2, 1974, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 3245 was read the third time 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 13, as follows:

Those who voted in the affirmative were:

Arnold	Coleman	Jensen	Nelson	Renneke
Bang	Davies	Josefson	North	Solon
Berg	Dunn	Keefe, S.	Novak	Stokowski
Bernhagen	Fitzsimons	Kleinbaum	Olhoff	Thorup
Blatz	Hansen, Baldy	Larson	Olson, A. G.	Ueland
Borden	Hansen, Mel	Laufenburger	Olson, H. D.	
Brown	Hanson, R.	Lewis	Patton	
Chenoweth	Hughes	Lord	Perpich, A. J.	
Chmielewski	Humphrey	Milton	Purfeerst	

Those who voted in the negative were:

Anderson	Ogdahl	Perpich, G.	Stassen	Willet
Doty	Olson, J. L.	Schrom	Tennessee	
Frederick	O'Neill	Sillers	Wegener	

So the bill passed and its title was agreed to.

H. F. No. 2762: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Novak	Schrom
Arnold	Doty	Kirchner	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoff	Solon
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	O'Neill	Tennessee
Brown	Hanson, R.	Lord	Patton	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Jensen	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Sillers moved that the vote whereby S. F. No. 2594 was passed by the Senate on March 4, 1974 be now reconsidered. The motion prevailed. So the vote was reconsidered.

S. F. No. 2594: A bill for an act relating to highway traffic regulations; prohibiting the use of lights or reflectors other than those colored blue for the purpose of marking driveways; prescribing penalties; amending Minnesota Statutes 1971, Chapter 169, 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 26 and nays 30, as follows:

Those who voted in the affirmative were:

Arnold	Hanson, R.	North	Purfeerst	Wegener
Brown	Humphrey	Novak	Solon	Willet
Chmielewski	Kleinbaum	Olhoft	Stassen	
Conzemius	Larson	Olson, H. D.	Stokowski	
Dunn	Laufenburger	Perpich, A. J.	Tennessee	
Hansen, Mel	Milton	Perpich, G.	Thorup	

Those who voted in the negative were:

Anderson	Doty	Josefson	Moe	Patton
Bang	Fitzsimons	Keefe, S.	Nelson	Renneke
Berg	Frederick	Kirchner	Ogdahl	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Sillers
Blatz	Hughes	Lewis	Olson, J. L.	Spear
Coleman	Jensen	McCutcheon	O'Neill	Ueland

So the bill failed to pass.

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Olson, J. L. in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Olson, J. L. reported that the committee had considered S. F. Nos. 3031, 2661, also H. F. Nos. 2717, 2148, which the committee recommends to pass.

H. F. No. 2919, which the committee recommends to pass with the following amendment offered by Mr. Coleman:

Amend H. F. No. 2919, the printed bill, as follows:

Page 1, after line 4, insert the following:

"Sec. 2. Minnesota Statutes 1971, Section 340.11 is amended by adding a subdivision to read:

Subd. 18. (a) "On-sale wine licenses" shall mean licenses authorizing the sale of wine not exceeding 21 percent alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.

(b) Any municipality which maintains a municipal liquor store or any municipality or county authorized to issue "on-sale" licenses for the sale of intoxicating liquor may issue on-sale wine licenses to any restaurant having facilities for the seating of not fewer than 25 guests at one time. Such licenses shall be in addition to the number of "on-sale" licenses for the sale of intoxicating liquor authorized by the intoxicating liquors act. The fee for such on-sale wine licenses shall be set by the issuing authority, but shall not exceed \$200. Licenses issued pursuant to this subdivision

shall not be effective until approved by the commissioner. Such licenses shall authorize the sale of wine as herein provided on all days of the week, and may be issued to an establishment in any location which is a legal location for an "on-sale" non-intoxicating malt-liquor license."

Page 1, line 5, after "Sec. 2." insert "Section 1 of"

Renumber the sections in sequence

Further, amend the title as follows:

First line, strike "Koochiching county;" and insert "intoxicating liquor;"

Second line of the title, after "licenses" insert "in Koochiching county; authorizing certain sales by restaurants; amending Minnesota Statutes 1971, Section 340.11, by adding a subdivision"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 29 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Nelson	Sillers
Arnold	Conzemius	Keefe, S.	Olson, A. G.	Spear
Bang	Davies	Lewis	Olson, H. D.	Tennessee
Berg	Fitzsimons	Lord	Perpich, A. J.	Wegener
Borden	Frederick	Milton	Perpich, G.	Willet
Chenoweth	Hanson, R.	Moe	Schaaf	

Those who voted in the negative were:

Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Solon
Blatz	Josefson	McCutcheon	O'Neill	Stassen
Dunn	Kirchner	North	Patton	Ueland
Gearty	Kleinbaum	Novak	Renneke	
Hansen, Baldy	Kowalczyk	Olhoft	Schrom	

The motion prevailed. So the amendment was adopted.

H. F. No. 1866 which the committee recommends to pass, after the following motion:

Mr. Milton moved to amend H. F. No. 1866, the printed bill, as amended by the Committee on Finance and adopted by the Senate February 27, 1974, as follows:

Strike all of section 2 and insert a new section 2 as follows:

"Sec. 2. [NEW ENROLLEES; PROVISIONS FOR SUPPLEMENTS.] For all recipients of supplemental security income provided by the United States pursuant to 42 U.S.C. Section 1381 who were not enrolled in any categorical aid program referred to in section 1 on December 31, 1973, the appropriate county welfare board shall certify to the commissioner of public welfare the amount of income which would be necessary to meet the needs of the recipient in accordance with the standards for shelter, food, clothing, personal needs, household supplies, utilities, and recurring

special needs in effect for the relevant categorical aid program in December, 1973. From and after the first of the month in which an individual becomes eligible to receive supplemental security income, the state shall advance to the county one half of the amount by which the amount certified by the county exceeds the amount of aid paid to the recipient after December 31, 1973, by the United States pursuant to 42 U.S.C. Section 1381. The county shall forward each sum received, together with an equal share, to the appropriate recipient."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 4 and nays 49, as follows:

Messrs. Keefe, S.; Milton; Schaaf and Spear voted in the affirmative.

Those who voted in the negative were:

Anderson	Coleman	Humphrey	Nelson	Sillers
Arnold	Conzemius	Jensen	North	Solon
Bang	Davies	Josefson	Novak	Stassen
Berg	Doty	Kirchner	Ogdahl	Stokowski
Bernhagen	Dunn	Kleinbaum	Olson, A. G.	Tennessee
Blatz	Fitzsimons	Kowalczyk	O'Neill	Thorup
Borden	Gearty	Laufenburger	Patton	Ueland
Brown	Hansen, Mel	Lord	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Willet
Chmielewski	Hughes	Moe	Renneke	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 2222 which the committee reports progress, subject to the following motions:

Mr. Humphrey moved to amend S. F. No. 2222 as follows:

Page 5, line 15, strike "7" and insert "6"

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel moved to amend S. F. No. 2222 as follows:

Page 5, line 26, after "registered" insert "*subsequent to the effective date of this act*"

The motion prevailed. So the amendment was adopted. The committee then progressed S. F. No. 2222.

H. F. No. 978 which the committee recommends to pass, after the following motion:

Mr. Wegener moved to amend H. F. No. 978, the printed bill, as amended by the Senate on February 27, 1974, as follows:

Strike the amendment placed on H. F. No. 978 by the Committee on Judiciary and adopted by the Senate February 27, 1974.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 23 and nays 27, as follows:

Those who voted in the affirmative were:

Berg	Conzemius	Josefson	Olson, H. D.	Ueland
Bernhagen	Dunn	Kleinbaum	Patton	Wegener
Borden	Fitzsimons	Laufenburger	Renneke	Willet
Brown	Hanson, R.	Moe	Schrom	
Chmielewski	Jensen	Olhoff	Colon	

Those who voted in the negative were:

Blatz	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hughes	Lord	O'Neill	Tennessee
Coleman	Humphrey	Milton	Schaaf	Thorup
Davies	Keefe, J.	Nelson	Sillers	
Doty	Keefe, S.	North	Spear	
Gearty	Kowalczyk	Ogdahl	Stassen	

The motion did not prevail.

And then, on motion of Mr. Olson, J. L., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Davies moved that S. F. No. 3433 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Bang moved that the name of Mr. Laufenburger be shown as chief author to S. F. No. 1879. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. No. 3293, S. F. Nos. 3349 and 2450. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Tuesday, March 5, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-SEVENTH DAY

St. Paul, Minnesota, Tuesday, March 5, 1974.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Tennesen imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Humphrey	Olhoff	Spear
Arnold	Dunn	Keefe, J.	Olson, A. G.	Stassen
Bang	Fitzsimons	Keefe, S.	O'Neill	Tennesen
Berg	Gearty	Kirchner	Patton	Ueland
Bernhagen	Hansen, Baldy	Kleinbaum	Perpich, A. J.	Wegener
Coleman	Hansen, Mel	Kowalczyk	Perpich, G.	Willet
Conzemius	Hanson, R.	Moe	Purfeerst	
Davies	Hughes	Novak	Sillers	

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
Bang	Fitzsimons	Knutson	Olhoff	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennesen
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
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

Messrs. Pillsbury, Ashbach, Schaaf, Jensen and Krieger were excused from the Session of today. Messrs. Stassen and Laufenburger were excused from the Session of today, beginning at 11:30 o'clock a.m. Mr. Hansen, Mel was excused from the Session

of today, beginning at 12:30 o'clock p.m. Mr. Olhoft was excused from the latter part of today's Session. Mr. Bang was excused from Wednesday's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	2862	79	March 1, 1974	March 1, 1974
	2150	80	March 1, 1974	March 1, 1974

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Messrs. Stassen and Ashbach introduced—

S. F. No. 3511: A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. McCutcheon, Frederick and Wegener introduced—

S. F. No. 3512: A bill for an act relating to county jails; providing compensation for the boarding of prisoners at county jails; amending Minnesota Statutes 1971, Section 641.11.

Which was read the first time and referred to the Committee on Local Government.

Mr. McCutcheon questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Sillers, Conzemius and O'Neill introduced—

S. F. No. 3513: A bill for an act relating to taxation; providing for income averaging for the purposes of the income tax; amending Minnesota Statutes 1971, Chapter 290, by adding a section.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Kowalczyk, Ogdahl and Conzemius introduced—

S. F. No. 3514: A bill for an act relating to accident and health insurance; uniform claim form; amending Minnesota Statutes 1971, Chapter 62A, by adding a section.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Spear, McCutcheon and Olhoft introduced—

S. F. No. 3515: A bill for an act relating to the organization and operation of state government; appropriating money to the Indian affairs commission.

Which was read the first time and referred to the Committee on Finance.

Messrs. Krieger and Ueland introduced—

S. F. No. 3516: A bill for an act relating to taxation; providing a sales tax exemption for certain concerts; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Anderson introduced—

S. F. No. 3517: A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

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. 1069, 2586, 2860, 2886, 3029 and 3037.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 4, 1974

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. 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.

There has been appointed as such committee on the part of the House:

McCarron; Pavlak, R. L. and Lindstrom, J.

Senate File No. 973 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 4, 1974

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. 1060: A bill for an act relating to highway traffic regulations; bicycle regulations; pedestrian rules; prohibiting certain soliciting; requiring certain precautions when opening certain vehicle doors; amending Minnesota Statutes 1971, Sections 169.01, Subdivision 51; 169.21, Subdivisions 3 and 5; 169.22; 169.221, Subdivisions 1 and 6; and Chapter 169, by adding a section.

There has been appointed as such committee on the part of the House:

Grove, McCauley and Voss.

Senate File No. 1060 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 4, 1974

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. 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.

Senate File No. 1541 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 4, 1974

Mr. Lewis moved that S. F. No. 1541 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1489:

H. F. No. 1489: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

LaVoy; Johnson, C. and Erickson have been appointed as such committee on the part of the House.

House File No. 1489 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 March 4, 1974

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1489, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2601, 3055, 3214 and 2996.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 4, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2601: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

H. F. No. 3055: A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

H. F. No. 3214: A bill for an act relating to the game of bingo; associations permitted to conduct the game of bingo; increasing the compensation of persons rendering service during bingo sessions; amending Minnesota Statutes 1971, Section 349.03, Subdivision 1.

H. F. No. 2996: A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Sections 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Sub-

divisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

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 S.F. Nos. 2748, 3295, 3008, 3222 and 3337 be now adopted. The motion prevailed.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

H. F. No. 1662: A bill for an act relating to pollution; providing for a deputy director of the Minnesota pollution control agency; removing certain exemptions from the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; abolishing the water pollution control advisory committee; amending Minnesota Statutes 1971, Sections 43.09, Subdivision 2; 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding a subdivision; 116.07, Subdivisions 2, 4, and 4a; 116.08, Subdivision 1; 116.081, Subdivision 1; 161.242, Subdivision 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 43.09, Subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED SERVICE.] The unclassified service comprises positions held by state officers or employees who are:

- (1) Chosen by election or appointed to fill an elective office;
- (2) Heads of department required by law to be appointed by the governor or other elective officers, except the department of public service, and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;
- (3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;
- (4) Seasonal help employed by the commissioner of public safety to assist in the issuance of motor vehicle licenses;

(5) Employees in the office of the governor, and one confidential employee for the governor in the office of the adjutant general;

(6) Officers and employees of the senate and house of representatives of the legislature including temporary or permanent employees of legislative committees or commissions. Employees of the legislative audit commission, except for the legislative auditor, his deputy, and his confidential secretary, however, shall be employees in the classified civil service of the state;

(7) Teachers, research assistants, student employees on less than half-time pay basis or eligible under terms of the federal economic opportunity act work study program, presidents, deans, and administrative officers in the state colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;

(8) Officers and enlisted men in the national guard;

(9) Deputy attorneys general, assistant attorneys general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general or employed with his authorization;

(10) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(11) Patient and inmate help in state institutions;

(12) Members of the state highway patrol; provided that selection and appointment of highway patrol officers shall be made in accordance with applicable laws governing the classified state civil service.

(13) The deputy commissioner of agriculture, *and the deputy director and assistant director of the Minnesota pollution control agency*;

(14) One employee of the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act;

(15) Seasonal help employed by the department of taxation.

Sec. 2. Minnesota Statutes 1971, Section 118.03, Subdivision 1, is amended to read:

116.03 [DIRECTOR.] Subdivision 1. (a) The office of director of the pollution control agency is created and is under the supervision and control of the director, who is appointed by the governor by and with the consent of the senate for a four year term, which shall coincide with the term of the governor, and until his successor is duly appointed and qualifies. The governor may remove the director at any time at his pleasure. A vacancy in the office of director

shall be filled by the governor by and with the consent of the senate, for the unexpired portion of the term.

(b) In order to expedite the establishing and functioning of the pollution control agency, the governor shall forthwith appoint an acting director, who shall have all the powers and duties of the director as provided in sections 116.01 to 116.09. The acting director may be a person in the service of the state at the time of his appointment, and who while serving as acting director is on leave of absence from his regular office or position in the state service. The acting director shall serve as such until the director is appointed and qualifies as such director. Pending the abolishment of the water pollution control commission as specified in section 116.02, subdivision 5, the director or acting director, as the case may be, is the secretary of such commission in lieu of the secretary and executive officer of the state board of health.

(c) *The director may appoint a deputy director and an assistant director who shall be in the unclassified service. The director may designate the deputy director to the agency to act in his stead as a member, with all his rights and privileges therein, of any agency, board, committee, or commission that the director is made a member of by law. The designation shall be filed with secretary of state. The salary of the deputy director and of the assistant director shall be provided by law.*

Sec. 3. Minnesota Statutes 1971, Section 116.06, Subdivision 10, is amended to read:

Subd. 10. "Solid waste" means garbage, refuse and other discarded solid materials, ~~except animal waste used as fertilizer~~ including solid waste materials *and waste sludges* resulting from industrial, commercial and agricultural operations, and from community activities, but does not include *animal waste used as fertilizer*, earthen fill, boulders, rock ~~and other materials normally handled in construction operations~~, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.

Sec. 4. Minnesota Statutes, 1971, Section 116.06, is amended by adding subdivisions to read:

Subd. 13. "Deputy director" means the deputy director of the Minnesota pollution control agency.

Subd. 14. "Assistant director" means the assistant director of the Minnesota pollution control agency.'

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution.

The agency shall adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, *storage*, and disposal of solid waste for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of solid waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use *by adopting at least two sets of standards*. Such standards of solid waste control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the out-

door atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

Sec. 6. Minnesota Statutes 1971, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [REGULATIONS AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such regulation or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, regulations or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, *storage*, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. Any such regulation or standard 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. Without limitation, regulations or standards may relate to collection, transportation, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be advised through the control of collection, transportation, and disposal of solid waste, and the deposit in or on land of any other material that may tend to cause pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1971, Chapter

727, for the prevention, abatement, or control of noise pollution. Any such regulation or standard 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. Without limitation, regulations or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to chapter 116, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Sec. 7. Minnesota Statutes 1971, Section 116.07, Subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, *or for the sources or emissions of noise pollution.*

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the collection, transportation, *storage*, or disposal of solid waste, or for the installation or operation of any system or facility, or any part thereof, related to the collection, transportation or disposal of solid waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

Sec. 8. Minnesota Statutes 1971, Section 116.081, Subdivision 1, is amended to read:

116.081 [PROHIBITIONS.] Subdivision 1. [OBTAIN PERMIT.] It shall be unlawful for any person to construct, install or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, *storage*, or disposal of solid waste, or any part thereof unless otherwise exempted by any agency regulation now in force or hereinafter adopted, until plans therefor shall have been submitted to the agency, and a written permit therefor shall have been granted by the agency. The requirements of this section shall not be applied to motor vehicles.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 161.242, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (1) For the purposes of this section, the terms defined in this subdivision shall have the meanings given them.

(2) Junk yard means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills *not regulated by the Minnesota pollution control agency*, any of which are wholly or partly within one half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

(3) Dealer means any person, partnership, or corporation engaged in the operation of a junk yard.

(4) Junk means old or scrap copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(5) Automobile graveyard means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(6) Unzoned industrial area means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

(7) Industrial activities means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state, except that none of the following shall be considered industrial activities:

(a) Outdoor advertising devices as defined in Minnesota Statutes 1969, Sections 173.02, Subdivision 2, and 173.32, Subdivision 2.

(b) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands.

(c) Activities normally and regularly in operation less than three months of the year.

(d) Activities not visible from the traffic lanes of the main traveled way.

(e) Activities conducted in a building principally used as a residence.

(f) Railroad tracks, minor sidings, and passenger depots.

(g) Junk yards, as defined herein.”

Strike the title and insert in lieu thereof

“A bill for an act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of “solid waste”; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of “junk yard”; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2.”

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 2748: A bill for an act relating to public health in the towns of Moose Lake in Carlton county and Windemere in Pine county; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, strike “22” and insert “18”

Page 1, line 18, after “county” insert a period and strike the remainder of the line

Page 1, strike lines 19 and 20

Page 1, line 29, after “means” insert “the town of Moose Lake and the town of Windemere.” and strike the remainder of the line

Page 1, strike lines 30 through 32

Page 2, line 10, after “Pollution” insert “of water”

Page 3, lines 2 through 4, strike subdivision 13 and renumber the subdivisions accordingly

Page 3, line 5, insert a period after “town”

Page 3, strike line 6

Page 3, line 11, strike “13” and insert “11”

Page 4, line 3, strike “number of board” and insert “board shall be composed of five members selected”

Page 4, strike line 4

Page 4, line 5, strike "determined"

Page 4, line 5, strike "elected chief executive of each" and insert "town boards of the government units shall meet jointly to appoint the members of the board and each town board member shall have one vote. The town boards at the joint meeting shall also designate the term of the first board members according to subdivision 5."

Page 4, strike lines 6 through 12

Page 4, line 13, strike "; ALTERNATIVE"

Page 4, line 14, strike "APPOINTMENT BY DISTRICT JUDGE"

Page 5, line 6, strike "by the governing body selecting the member"

Page 5, line 14, strike "may but" and insert "shall"

Page 5, line 15, strike the first "need not"

Page 5, line 20, strike "municipal" and insert "town"

Page 6, line 4, strike "\$10" and insert "\$35"

Page 6, line 5, strike "\$750" and insert "\$1000"

Page 6, line 7, strike "15" and insert "45"

Page 6, line 9, strike "\$1000" and insert "\$1500"

Page 9, line 16, strike "a" and insert "the"

Page 9, line 16, insert a period after "system" and strike the remainder of the line

Page 9, strike lines 17 and 18

Page 9, line 21, before "All" insert "The executive director and"

Page 9, line 22, strike "the executive director" and insert "him"

Page 11, line 14, strike "municipality" and insert "government unit"

Page 11, line 20, strike "municipality" and insert "government unit"

Page 11, line 21, strike "municipality" and insert "government unit"

Page 12, line 11, strike "government" and insert "governmental"

Page 12, line 16, strike "; and may" and insert a period

Page 12, strike lines 17 through 19

Page 16, line 16, strike "municipal or public corporation or" and insert "government unit"

Page 16, line 17, strike "governmental or political subdivision or agency"

Page 17, line 8, strike "MUNICIPAL" and insert "GOVERNMENT UNIT"

Page 17, line 9, strike "As soon as practicable after"

Page 17, strike lines 10 through 25

Page 17, line 26, strike "with the board's recommendations."

Page 17, line 27, after "the" insert "construction of new sewers or other disposal facilities"

Page 17, line 28, strike "abovementioned features"

Pages 18 to 20, strike section 6

Page 21, line 13, strike "The board may require that"

Page 21, line 15, strike "by a local government unit"

Page 21, line 17, strike the comma and insert "shall"

Page 22, line 10, strike "13" and insert "11"

Page 22, line 10, strike "obligations and debts assumed under section 6,"

Page 22, line 11, strike "subdivision 2 and 3,"

Page 22, line 28, strike "13" and insert "11"

Page 23, line 16, strike "to the local government units"

Page 23, line 19, strike "to local government units"

Page 23, line 22, strike "In determining what is an"

Page 23, strike lines 23 through 28

Page 24, strike lines 1 through 20

Page 24, line 21, strike "reasonable for purposes of allocating costs."

Pages 24 to 27, strike all of subdivisions 3, 4 and 5

Page 27, strike lines 2 through 17

Page 27, line 18, before "TAX" insert "Sec. 9. ["

Page 27, line 18, strike "by"

Page 27, line 19, strike ", the governing body of every government unit"

Page 27, line 23, strike "of the"

Page 27, line 24, strike "government unit located"

Page 27, line 24, after the second "the" insert "board"

Page 27, strike line 25

Page 27, line 26, strike "part in the district"

Page 27, line 27, strike "that part of the government unit located in"

Page 28, line 1, after the comma, insert "pursuant to section 7,"

Page 28, line 5, strike "of the government" and insert a period

Page 28, strike line 6

Page 28, strike all of subdivision 4

Page 28, line 28, strike "to local government units"

Page 28, line 28, strike "9" and insert "8"

Page 29, line 8, strike "to each"

Page 29, line 9, strike "local government unit affected thereby"

Page 29, line 18, strike "a" and insert "the"

Page 29, line 23, strike "to local government units"

Page 29, line 26, strike "governing body of any local government unit in the" and insert "board"

Page 29, line 27, strike "district"

Page 29, line 28, strike "unit" and insert "district"

Page 30, line 1, strike "governing body" and insert "board"

Page 30, line 9, strike "by the local"

Page 30, line 10, strike "government unit"

Page 30, line 22, strike "or the local governing body"

Page 32, line 4, strike "GOVERNMENT UNIT" and insert "THE BOARD"

Page 32, line 5, strike "A local government unit" and insert "The board"

Page 32, line 7, strike "by the board"

Page 32, line 19, strike "For the purpose of"

Page 32, strike lines 20 through 28

Page 33, strike lines 1 through 28

Page 34, strike lines 1 through 4

Pages 34 to 36 strike all of section 12

Page 36, strike lines 26 and 27

Page 36, line 28, strike "(b)" and insert "(a)"

Page 37, line 2, strike "(c)" and insert "(b)"

Page 37, line 3, strike "3" and insert "2"

Page 37, line 5, strike "5" and insert "4"

Pages 37 and 38 strike all of subdivision 2

Page 38, line 24, strike "5" and insert "4"

Page 39, line 24, after "bonds" insert "and deduct from the amount of any tax levy required under Minnesota Statutes, Section 475.61, Subdivision 1,"

Page 39, line 24, strike "10" and insert "9"

Page 39, line 24, before the period insert "or any state and federal grants anticipated by the board and may covenant to refund such bonds if and when and to the extent that for any reason such revenues, together with other funds properly available and appropriated for such purpose, are not sufficient to pay all principal and interest due or about to become due thereon, provided that such revenues have not been anticipated by the issuance of certificates under subdivision 1"

Page 39, line 26, after "1" strike the comma and insert "and"

Page 39, line 27, strike "and 3"

Page 40, strike all of Section 14

Page 42, line 20, strike "public examiner" and insert "auditor"

Page 42, line 21, strike "certified"

Page 42, line 21, before the period insert "authorized to perform such a function under Minnesota Statutes, Section 214.33"

Pages 42 to 44 strike all of section 17

Page 44, line 25, strike "any"

Page 44, line 26, strike "which the board may furnish to local government"

Page 44, line 27, strike "units in the district under this act"

Page 45, line 8, strike "to local government units"

Page 45, line 11, strike "to each local"

Page 45, line 12, strike "government unit"

Page 45, line 15, strike "9" and insert "8"

Pages 47 and 48 strike all of section 20

Page 49, line 19, strike "only after its approval" and insert "on the day following final enactment."

Page 49, strike lines 20 through 22

Renumber sections in sequence

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3295: A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 14, after "violation" insert "within the jurisdiction of the issuer's department"

Page 2, line 18, after "violation" insert "and, if a traffic tag, shall comply with Minnesota Statutes, Section 169.99"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3008: A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate by gift, purchase or condemnation for public purposes, and the construction of necessary building and structures thereon; and appropriating moneys therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, after "system," strike the remainder of the line

Page 1, line 18, strike "staff of the legislative retirement study commission"

Page 1, line 19, strike "If a"

Page 1, strike lines 20 to 31

Renumber the sections in sequence

Further, amend the title as follows:

Line 4, strike "by gift,"

Strike line 5

Line 6, strike "purposes,"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3222: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and

notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3 and 4; and 462A.22, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 20, insert the following:

“Section 1. Minnesota Statutes 1971, Section 462A.02, Subdivision 3, is amended to read:

Subd. 3. It is further declared that continuing present patterns of providing housing in the state will limit the ability of the private building industry and the investment industry to produce, without assistance, the needed construction of sanitary, decent and safe residential dwellings at prices or rentals which persons and families of low and moderate income can afford, and will result in a failure to provide sufficient long term mortgage financing for housing for low and moderate income families, *and will not assure that additional housing will be provided in sufficient quantity in the areas of need and demand.*

Sec. 2. Minnesota Statutes 1971, Section 462A.02, Subdivision 6, is amended to read:

Subd. 6. It is further declared that it is a valid public purpose to construct housing for low and moderate income families who would otherwise be unable to obtain adequate housing at prices or rentals they could afford, *to encourage such construction in the areas of need and demand, with a reasonable balance between non-metropolitan and metropolitan areas of the state, and to assist in the elimination of substandard housing conditions and to prevent the recurrence of such conditions by housing persons of varied economic means and a wide range of incomes in the same developments and neighborhoods properly planned and related to public facilities and sources of employment and services and to provide the necessary powers to accomplish these public purposes.”*

Renumber the sections

Page 2, line 26, strike “, *and any rehabilitation loan*”

Page 3, strike lines 27 and 28

Page 4, strike lines 1 to 19 and insert:

“Subd. 14. *It may agree to purchase, make, or otherwise participate in making, and may enter into commitments for the purchase, making, or participation in the making, of eligible loans to persons and families of low and moderate income, and to sponsors of existing residential housing for occupancy by such persons and families,*

for the rehabilitation of existing residential housing owned by them. Such loans may be insured or uninsured and may be made with such security, or may be unsecured, as the agency deems advisable. They may be made in amounts sufficient to refinance existing indebtedness secured by the property, if such refinancing is determined by the agency to be necessary to permit the owner to meet his housing cost without expending an unreasonable portion of his income thereon. No loan for rehabilitation shall be made unless the agency determines that such loan will be used primarily for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering the provisions of this act, establish such codes and standards. No loan for rehabilitation of any property shall be made in an amount which, with all other indebtedness secured by the property, would exceed its market value, as determined by the agency. Rehabilitation loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions."

Page 4, strike lines 22 to 28

Page 5, strike lines 1 to 19 and insert:

"Subd. 15. It may make grants to persons and families of low and moderate income to pay or to assist in paying a loan made pursuant to section 6, or to rehabilitate or to assist in rehabilitating existing residential housing owned or occupied by such persons or families. For the purposes of this section, persons of low and moderate income include administrators appointed pursuant to Minnesota Statutes, 1973 Supplement, Section 566.25, Clause (c). No such grant shall be made unless the agency determines that such grant will be used primarily for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering this provision, establish such codes and standards. The amount of any such grant shall not exceed the lesser of (a) \$5,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by such person or family without spending an unreasonable portion of the income of such person or family thereon. In making such grants the agency shall determine the circumstances under which, and the terms and conditions under which, all or any portion thereof will be repaid, and shall determine the appropriate security should such repayment be required."

Page 6, after line 20, insert the following:

"(c) The agency may require from the seller of such residential housing, or the contractor responsible for the construction or rehabilitation of such housing, an agreement to reimburse the agency for any payments and expenditures made pursuant to this section with respect to such residential housing."

Page 8, line 3, after "state," insert "regional,"

Page 8, strike lines 10 to 25 and insert:

"Subd. 13. It may engage in the development and administration of low rent housing, but only if (i) the federal government provides assistance in connection with such housing pursuant to 42 U.S.C. sections 1401 to 1435, and (ii) the applicable county or municipal governing body has requested the agency to engage in such development and administration. For the purpose of this subdivision, the terms "development", "administration", and "low rent housing" shall have the meanings set forth in 42 U.S.C. sections 1401 to 1435, as in effect on the date of this act."

Page 11, line 11, after "as" insert "previously enumerated in this act as"

Page 11, following line 12, insert the following:

"Sec. 24. Minnesota Statutes 1971, Section 462A.21 is amended by adding a subdivision to read:

Subd. 6. Notwithstanding the provision of subdivision 5, the agency shall not expend monies in the fund for the purpose of making rehabilitation grants except by specific appropriation by the legislature."

Page 11, line 23, after "purposes" insert "specified in section 462A.08"

Page 12, line 4, after "appropriated" insert "from the general fund"

Page 12, after line 8, insert a new section to read:

"Sec. 27. [EFFECTIVE DATE.] This act shall take effect the day following enactment."

Renumber the sections in sequence

Further, amend the title as follows:

Line 7, after "462A.02," insert "Subdivisions 3 and 6, and"

Line 14, strike "a subdivision" and insert "subdivisions"

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3337: A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to

purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, strike "*management*" and insert "*administrative*"

Page 3, line 15, strike "*at least once*"

Page 3, line 16, strike "*legal*"

Page 4, line 2, before "*property*" insert "*real*"

Page 4, line 9, after "*contract*" insert "*for deed*"

Page 4, line 14, after "*contract*" insert "*for deed*"

Page 6, line 2, strike "POLITICAL SUBDIVISIONS" and insert "STATE AGENCIES"

Page 6, strike lines 24 and 25

Renumber the remaining section

Further, amend the title as follows:

Line 17, after "section" insert a period and strike the rest of the line

Strike line 18

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 3009 and 3142 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.
3009	2993	3142	3019		

Pursuant to Rule 49 the Committee recommends that H. F. No. 3009 be amended as follows:

Page 1, line 15, strike "conduct a public or private" and insert in lieu thereof "negotiate the"

Page 2, line 6, after "area" insert "and value"

And when so amended, H. F. No. 3009 will be identical to S. F.

No. 2993 and further recommends that H. F. No. 3009 be given its second reading and substituted for S. F. No. 2993 and S. F. No. 2993 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3142 be amended as follows:

Page 1, strike lines 21 through 26 and insert in lieu thereof the following:

“Sec. 3. Construction of the project and assessment of benefits may be undertaken in phases consistent with growth and development of the benefitted area, and the benefits derived from the project may be redetermined and the value of the benefits assessed against the benefitted property as the phases are completed.”

And when so amended, H. F. No. 3142 will be identical to S. F. No. 3019 and further recommends that H. F. No. 3142 be given its second reading and substituted for S. F. No. 3019 and S. F. No. 3019 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2601 and 3214 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. 3214 to the Committee on Labor and Commerce.

H. F. No. 2601 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 HOUSE BILLS

H. F. Nos. 3142 and 3009 were read the second time.

MOTIONS AND RESOLUTIONS

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.

Rev. Robert Eimer, Chaplain, effective February 18, 1974.

Bernice Butcher in the Sergeant classification, effective February 21, 1974.

Rabbi Sylvan D. Kamens, Chaplain, effective March 4, 1974.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: S. F. Nos. 3463, 2712 and 3136. The motion prevailed.

Mr. Renneke moved that S. F. No. 3218 be stricken from the Calendar of Ordinary Matters and be placed on the top of General Orders. The motion prevailed.

Mr. Lewis moved that S. F. No. 1541 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate do now concur in the amendments by the House to S. F. No. 1541 and that the bill be placed on its repassage as amended. The motion prevailed.

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.

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	Kirchner	Ogdahl	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Gearty	Larson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Thorup
Blatz	Hansen, Mel	Lewis	O'Neill	Ueland
Borden	Hanson, R.	Lord	Patton	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Humphrey	Milton	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	Novak	Sillers	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that the report from the Committee on Transportation and General Legislation, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Laufenburger moved that in accordance with the report from the Committee on Transportation and General Legislation, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE ARTS COUNCIL

Mrs. Sandra Hale, 1833 Girard Avenue South, Minneapolis, Hennepin County, appointed effective August 3, 1973, for a term expiring April 1, 1977.

Mrs. Alvina O'Brien, 480 Grand Hill, St. Paul, Ramsey County, appointed effective April 25, 1973, for a term expiring April 1, 1977.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that the report from the Committee on Transportation and General Legislation, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Laufenburger moved that in accordance with the report from the Committee on Transportation and General Legislation, reported February 27, 1974, the Senate having advised with, do now consent to and confirm the appointment of:

REAL ESTATE ADVISORY COMMISSION

Ray S. Jambor, 635 South Cleveland Avenue, St. Paul, Ramsey County, appointed effective June 30, 1973, for a term expiring June 30, 1978.

The motion prevailed. So the appointment was confirmed.

THIRD READING OF SENATE BILLS

S. F. No. 1735: A bill for an act relating to development districts in the cities of Minneapolis and Robbinsdale, amending Laws 1971, Chapter 677, Section 2.

Was read the third time 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:

Anderson	Fitzsimons	Kirchner	Ogdahl	Sillers
Arnold	Frederick	Kleinbaum	Olhoft	Solon
Berg	Gerty	Knutson	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Conzemius	Josefson	McCutcheon	Purfeerst	Willet
Doty	Keefe, J.	Moe	Renneke	
Dunn	Keefe, S.	Nelson	Schrom	

Messrs. Davies and Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 3039: A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

Was read the third time 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, S.	Novak	Schrom
Arnold	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Kleinbaum	Olhoft	Solon
Berg	Frederick	Knutson	Olson, A. G.	Spear
Bernhagen	Gerty	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Chenoweth	Hanson, R.	Lewis	Patton	Ueland
Chmielewski	Hughes	Lord	Perpich, A. J.	Wegener
Coleman	Humphrey	McCutcheon	Perpich, G.	Willet
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

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.

Was read the third time 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 9, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Nelson	Sillers
Arnold	Fitzsimons	Kleinbaum	Novak	Solon
Bang	Frederick	Knutson	Ogdahl	Spear
Berg	Gearty	Kowalczyk	Olhoft	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, A. G.	Thorup
Blatz	Hanson, R.	Laufenburger	Olson, J. L.	Ueland
Borden	Hughes	Lewis	O'Neill	Wegener
Chenoweth	Humphrey	Lord	Patton	Willet
Chmielewski	Keefe, J.	McCutcheon	Perpich, A. J.	
Conzemius	Keefe, S.	Moe	Renneke	

Those who voted in the negative were:

Davies	Hansen, Baldy	Olson, H. D.	Purfeerst	Stokowski
Doty	Josefson	Perpich, G.	Schrom	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Keefe, J.	Moe	Renneke
Arnold	Doty	Keefe, S.	Nelson	Schrom
Bang	Dunn	Kirchner	Novak	Solon
Berg	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bernhagen	Frederick	Knutson	Olhoft	Stassen
Blatz	Gearty	Kowalczyk	Olson, A. G.	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	Perpich, G.	Willet
Conzemius	Josefson	Milton	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

H. F. No. 2876: A bill for an act relating to the state college board; including a student or recent graduate on its membership; amending Minnesota Statutes 1971, Section 136.12.

Was read the third time 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 21, as follows:

Those who voted in the affirmative were:

Bernhagen	Fitzsimons	Kirchner	Moe	Solon
Blatz	Frederick	Kleinbaum	Nelson	Spear
Borden	Gearty	Knutson	Olson, A. G.	Stassen
Brown	Hanson, R.	Kowalczyk	O'Neill	Stokowski
Chmielewski	Humphrey	Larson	Patton	Ueland
Conzemius	Josefson	Laufenburger	Perpich, A. J.	Wegener
Doty	Keefe, J.	Lord	Renneke	
Dunn	Keefe, S.	Milton	Sillers	

Those who voted in the negative were:

Anderson	Davies	McCutcheon	Olson, J. L.	Willet
Arnold	Hansen, Baldy	Novak	Perpich, G.	
Bang	Hansen, Mel	Ogdahl	Purfeerst	
Berg	Hughes	Olhoft	Schrom	
Coleman	Lewis	Olson, H. D.	Thorup	

So the bill passed and its title was agreed to.

H. F. No. 2908: A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Renneke
Arnold	Doty	Keefe, S.	Novak	Schrom
Bang	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoft	Solon
Bernhagen	Frederick	Knutson	Olson, A. G.	Spear
Blatz	Gearty	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Chenoweth	Hanson, R.	Lewis	Patton	Thorup
Chmielewski	Hughes	Lord	Perpich, A. J.	Ueland
Coleman	Humphrey	McCutcheon	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 2703: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

Was read the third time 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.	Moe	Purfeerst
Arnold	Doty	Keefe, S.	Nelson	Renneke
Bang	Dunn	Kirchner	Novak	Schrom
Berg	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olhoft	Solon
Blatz	Gearty	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessen
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Josefson	Milton	Perpich, G.	Willet

So the bill passed and its title was agreed to.

H. F. No. 3058: A bill for an act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; 11.19, Subdivision 2; 69.77, Subdivision 2; 69.775; 352D.03; and 352D.04, Subdivision 1; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	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	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2890: A bill for an act relating to the city of Benson; 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 57 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Solon
Arnold	Doty	Keefe, S.	North	Spear
Bang	Dunn	Kirchner	Ogdahl	Stassen
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Stokowski
Bernhagen	Frederick	Knutson	Olson, H. D.	Tennessee
Blatz	Gearty	Kowalczyk	O'Neill	Thorup
Borden	Hansen, Baldy	Larson	Patton	Ueland
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Willet
Chmielewski	Hughes	Lord	Purfeerst	
Coleman	Humphrey	McCutcheon	Schrom	
Conzemius	Josefson	Moe	Sillers	

Messrs. Novak; Olhoft; Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2638: A bill for an act relating to the city of International Falls; authorizing issuance of two additional 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 58 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Moe	Sillers
Arnold	Doty	Keefe, S.	Nelson	Solon
Bang	Dunn	Kirchner	North	Spear
Berg	Fitzsimons	Kleinbaum	Ogdahl	Stassen
Bernhagen	Frederick	Knutson	Olson, A. G.	Stokowski
Blatz	Gearty	Kowalczyk	Olson, H. D.	Tennessen
Borden	Hansen, Baldy	Larson	O'Neill	Thorup
Brown	Hansen, Mel	Laufenburger	Patton	Ueland
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Wegener
Chmielewski	Hughes	Lord	Perpich, G.	Willet
Coleman	Humphrey	McCutcheon	Purfeerst	
Conzemius	Josefson	Milton	Schrom	

Messrs. Novak; Olhoft; Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2085: A bill for an act relating to child welfare; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	North	Sillers
Bang	Fitzsimons	Kleinbaum	Ogdahl	Solon
Berg	Frederick	Knutson	Olhoft	Spear
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Stassen
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
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	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Doty	Keefe, S.	Nelson	Schrom	

Messrs. Davies, Novak and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2728: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971,

Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 2909: A bill for an act relating to liquor; temporary licensing of clubs, charitable, religious, or non-profit associations for sale of non-intoxicating malt liquor in schools; amending Minnesota Statutes, 1973 Supplement, Sections 340.02, Subdivision 2; and 624.701, Subdivision 1.

Was read the third time 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 19, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kleinbaum	Nelson	Solon
Blatz	Hansen, Baldy	Knutson	North	Spear
Borden	Hansen, Mel	Kowalczyk	Ogdahl	Stokowski
Brown	Hanson, R.	Larson	O'Neill	Tennessee
Chenoweth	Humphrey	Laufenburger	Perpich, A. J.	Thorup
Chmielewski	Keefe, J.	Lewis	Perpich, G.	Ueland
Coleman	Keefe, S.	Lord	Purfeerst	Wegener
Conzemius	Kirchner	Milton	Sillers	Willet

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Olson, A. G.	Renneke
Berg	Dunn	Moe	Olson, H. D.	Schrom
Bernhagen	Frederick	Novak	Olson, J. L.	Stassen
Davies	Josefson	Olhoft	Patton	

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 780: A bill for an act relating to eminent domain; possession; filing of final certificate; amending Minnesota Statutes 1971, Sections 117.042; and 117.205.

Was read the third time 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	Ogdahl	Sillers
Bang	Dunn	Kleinbaum	Olhoft	Solon
Berg	Fitzsimons	Knutson	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Lewis	O'Neill	Tennessee
Brown	Hansen, Mel	McCutcheon	Patton	Thorup
Chenoweth	Hughes	Milton	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet
Conzemius	Keefe, J.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2840: A bill for an act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2467: A bill for an act relating to real estate; actions to quiet title, to determine adverse claims or for petition; curative 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Nelson	Renneke
Arnold	Doty	Kirchner	North	Schrom
Bang	Dunn	Kleinbaum	Novak	Sillers
Berg	Fitzsimons	Knutson	Ogdahl	Solon
Bernhagen	Frederick	Kowalczyk	Olhoft	Spear
Blatz	Gearty	Larson	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Lewis	Olson, J. L.	Tennessen
Chenoweth	Hughes	Lord	O'Neill	Thorup
Chmielewski	Humphrey	McCutcheon	Patton	Ueland
Coleman	Josefson	Milton	Perpich, A. J.	Wegener
Conzemius	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 3045: A bill for an act relating to education; changing the time for the annual meeting of boards of independent school districts; amending Minnesota Statutes 1971, Section 123.34, Sub-division 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	Doty	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessen
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3169: A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Solon
Arnold	Dunn	Kleinbaum	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olhoff	Stassen
Berg	Frederick	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Gearty	Larson	Olson, H. D.	Tennessee
Blatz	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	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3249: A bill for an act relating to the city of Winona; authorizing the transfer of interests in certain real property to the port authority of Winona.

Was read the third time 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	Solon
Arnold	Dunn	Kleinbaum	Olhoff	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	
Davies	Keefe, S.	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3389: A bill for an act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

Was read the third time 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	Davies	Hansen, Baldy	Keefe, J.
Arnold	Brown	Doty	Hansen, Mel	Keefe, S.
Bang	Chenoweth	Dunn	Hanson, R.	Kirchner
Berg	Chmielewski	Fitzsimons	Hughes	Kleinbaum
Bernhagen	Coleman	Frederick	Humphrey	Knutson
Blatz	Conzemius	Gearty	Josefson	Kowalczyk

Larson	Nelson	Olson, J. L.	Schrom	Thorup
Laufenburger	North	O'Neill	Sillers	Ueland
Lewis	Novak	Patton	Solon	Wegener
Lord	Ogdahl	Perpich, A. J.	Spear	Willet
McCutcheon	Olhoft	Perpich, G.	Stassen	
Milton	Olson, A. G.	Purfeerst	Stokowski	
Moe	Olson, H. D.	Renneke	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 3217: A bill for an act relating to court commissioners; altering the circumstances in which fees are allowed; amending Minnesota Statutes 1971, Section 357.28, 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	Doty	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2871: A bill for an act relating to Chisago county; authorizing the county board to use certain feasibility studies when establishing county water, sewer, or combined water and sewer systems.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3267: A bill for an act relating to the city of St. Cloud; property assessment as a function of the city assessor.

Was read the third time 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, J.	Moe	Perpich, G.
Arnold	Doty	Keefe, S.	Nelson	Purfeerst
Bang	Dunn	Kirchner	North	Renneke
Berg	Fitzsimons	Kleinbaum	Novak	Sillers
Bernhagen	Frederick	Knutson	Ogdahl	Solon
Blatz	Gearty	Kowalczyk	Olhoft	Spear
Borden	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Thorup
Chmielewski	Hughes	Lord	O'Neill	Ueland
Coleman	Humphrey	McCutcheon	Patton	Wegener
Conzernius	Josefson	Milton	Perpich, A. J.	Willett

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2515: A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Tennesen
Blatz	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.	Willett
Chmielewski	Humphrey	Milton	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzernius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schroem	

So the bill passed and its title was agreed to.

S. F. No. 3245: A bill for an act relating to Chisago county; authorizing the county board to establish water or sewer or combined water and sewer systems within cities.

Was read the third time 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	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	
Davies	Keefe, S.	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3046: A bill for an act relating to weeds; notice to land-owners of required eradication; amending Minnesota Statutes 1971, Section 18.271, 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schrom
Bang	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Berg	Frederick	Knutson	Olhoft	Solon
Bernhagen	Gearty	Kowalczyk	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	Josefson	Moe	Perpich, G.	Wegener
Conzemius	Keefe, J.	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3426: A bill for an act relating to the city of Cannon Falls; construction and lease of hospitals, nursing homes, and related medical facilities.

Was read the third time 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	Bernhagen	Chenoweth	Doty	Gearty
Arnold	Blatz	Chmielewski	Dunn	Hansen, Baldy
Bang	Borden	Coleman	Fitzsimons	Hansen, Mel
Berg	Brown	Conzemius	Frederick	Hanson, R.

Hughes	Kowalczyk	North	Patton	Spear
Humphrey	Larson	Novak	Perpich, A. J.	Stassen
Josefson	Laufenburger	Ogdahl	Perpich, G.	Stokowski
Keefe, J.	Lewis	Olhoft	Purfeerst	Thorup
Keefe, S.	Lord	Olson, A. G.	Renneke	Ueland
Kirchner	McCutcheon	Olson, H. D.	Schrom	Wegener
Kleinbaum	Moe	Olson, J. L.	Sillers	Willet
Knutson	Nelson	O'Neill	Solon	

Messrs. Davies and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

Was read the third time 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	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Kowalczyk	Olson, H. D.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	
Davies	Keefe, S.	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2953: A bill for an act relating to state lands; direct- conveyance of a certain parcel of land in Otter Tail 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Dunn	Hughes	Knutson
Arnold	Chenoweth	Fitzsimons	Humphrey	Larson
Bang	Chmielewski	Frederick	Josefson	Laufenburger
Berg	Coleman	Gearty	Keefe, J.	Lewis
Bernhagen	Conzemius	Hansen, Baldy	Keefe, S.	Lord
Blatz	Davies	Hansen, Mel	Kirchner	McCutcheon
Borden	Doty	Hanson, R.	Kleinbaum	Moe

Nelson	Olson, A. G.	Perpich, A. J.	Sillers	Tennessee
North	Olson, H. D.	Perpich, G.	Solon	Thorup
Novak	Olson, J. L.	Purfeerst	Spear	Ueland
Ogdahl	O'Neill	Renneke	Stassen	Wegener
Olhoft	Patton	Schrom	Stokowski	Willet

So the bill passed and its title was agreed to.

Mr. Perpich, G. moved that S. F. No. 2497 be stricken from the Calendar of Ordinary Matters and be placed at the top of General Orders. The motion prevailed.

S. F. No. 3276: A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Sections 346.215; and 346.27.

Was read the third time 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	Kirchner	Novak	Schrom
Bang	Dunn	Kleinbaum	Ogdahl	Sillers
Berg	Fitzsimons	Knutson	Olhoft	Solon
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	Spear
Blatz	Gearty	Larson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lewis	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lord	Patton	Thorup
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Ueland
Coleman	Humphrey	Moe	Perpich, G.	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3432: A bill for an act relating to the Western Pope county hospital district; authorizing the issuance of general obligation hospital bonds to be excluded from the net debt of the district.

Was read the third time 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.	Nelson	Purfeerst
Bang	Dunn	Kirchner	North	Renneke
Berg	Fitzsimons	Kleinbaum	Novak	Schrom
Bernhagen	Frederick	Knutson	Ogdahl	Sillers
Blatz	Gearty	Kowalczyk	Olhoft	Solon
Borden	Hansen, Baldy	Larson	Olson, A. G.	Spear
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hughes	Lord	O'Neill	Tennessee
Coleman	Humphrey	McCutcheon	Patton	Ueland
Conzemius	Josefson	Milton	Perpich, A. J.	Wegener
Davies	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 2687: A bill for an act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 146.05; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

Was read the third time 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	Kleinbaum	Ogdahl	Solon
Arnold	Fitzsimons	Knutson	Olhoft	Spear
Bang	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearly	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 3417: A bill for an act relating to state lands; directing conveyance of a portion of the Gillette Children's Hospital property to the city of St. Paul.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearly	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2951: A bill for an act relating to retirement; tax levy for certain teachers retirement funds; amending Minnesota Statutes 1971, Section 354.20; repealing Laws 1969, Chapter 1106.

Was read the third time 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, J.	North	Renneke
Arnold	Doty	Kirchner	Novak	Schrom
Bang	Dunn	Kleinbaum	Ogdahl	Sillers
Berg	Fitzsimons	Knutson	Olhoft	Solon
Bernhagen	Frederick	Larson	Olson, A. G.	Spear
Blatz	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lord	O'Neill	Thorup
Chenoweth	Hanson, R.	McCutcheon	Patton	Ueland
Chmielewski	Hughes	Milton	Perpich, A. J.	Wegener
Coleman	Humphrey	Moe	Perpich, G.	Willet
Conzemius	Josefson	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2214: A bill for an act relating to courts, defining real property jurisdiction of county court in divorce, annulment and separate maintenance proceedings; amending Minnesota Statutes 1971, Section 487.19, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Ogdahl	Solon
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Bang	Fitzsimons	Knutson	Olson, A. G.	Stassen
Berg	Frederick	Larson	Olson, H. D.	Stokowski
Bernhagen	Gearty	Laufenburger	Olson, J. L.	Tennessen
Blatz	Hansen, Baldy	Lewis	O'Neill	Thorup
Borden	Hansen, Mel	Lord	Patton	Ueland
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Hughes	Milton	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Josefson	Nelson	Renneke	
Conzemius	Keefe, J.	North	Schrom	
Davies	Keefe, S.	Novak	Sillers	

So the bill passed and its title was agreed to.

S. F. No. 2949: A bill for an act relating to retirement; state contributions to certain teachers retirement association; amending Minnesota Statutes 1971, Section 354.201, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	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	Perpich, G.	
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3467: A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

Was read the third time 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	Solon
Arnold	Dunn	Knutson	Olhoft	Spear
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Stassen
Berg	Frederick	Larson	Olson, H. D.	Stokowski
Bernhagen	Gearty	Laufenburger	Olson, J. L.	Tennessee
Blatz	Hansen, Baldy	Lewis	O'Neill	Thorup
Borden	Hanson, R.	Lord	Patton	Ueland
Brown	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Milton	Perpich, G.	Willet
Chmielewski	Josefson	Moe	Purfeerst	
Coleman	Keefe, J.	Nelson	Renneke	
Conzemius	Keefe, S.	North	Schrom	
Davies	Kirchner	Novak	Sillers	

Mr. Hansen, Mel voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3009: A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Pine and Carlton counties to the city of Moose Lake, Minnesota.

Was read the third time 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	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3281: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Was read the third time 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	Doty	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Blatz	Frederick	Kowalczyk	Olson, A. G.	Stassen
Borden	Gearty	Larson	Olson, H. D.	Stokowski
Brown	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Chenoweth	Hansen, Mel	Lewis	O'Neill	Ueland
Chmielewski	Hanson, R.	Lord	Patton	Wegener
Coleman	Hughes	McCutcheon	Perpich, A. J.	Willet
Conzemius	Humphrey	Nelson	Perpich, G.	
Davies	Keefe, J.	North	Renneke	

Those who voted in the negative were:

Berg	Josefson	Moe	Purfeerst	Schrom
Bernhagen	Keefe, S.			

So the bill passed and its title was agreed to.

S. F. No. 2972: A bill for an act relating to Dakota county; providing for the filing of surveys with the county surveyor.

Was read the third time 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	Coleman	Fitzsimons	Hanson, R.
Arnold	Borden	Conzemius	Frederick	Hughes
Bang	Brown	Davies	Gearty	Humphrey
Berg	Chenoweth	Doty	Hansen, Baldy	Josefson
Bernhagen	Chmielewski	Dunn	Hansen, Mel	Keefe, J.

Keefe, S.	Lord	Olson, A. G.	Renneke	Thorup
Kirchner	McCutcheon	Olson, H. D.	Schrom	Ueland
Kleinbaum	Moe	Olson, J. L.	Sillers	Wegener
Knutson	Nelson	O'Neill	Solon	Willet
Kowalczyk	North	Patton	Spear	
Larson	Novak	Perpich, A. J.	Stassen	
Laufenburger	Ogdahl	Perpich, G.	Stokowski	
Lewis	Olhoft	Purfeerst	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 2505: A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes, 1973 Supplement, Section 525.10; and Minnesota Statutes 1971, Section 526.18; repealing Minnesota Statutes 1971, Section 526.19.

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 60, and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Purfeerst
Arnold	Dunn	Kirchner	North	Renneke
Bang	Fitzsimons	Kleinbaum	Novak	Schrom
Berg	Frederick	Knutson	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Baldy	Larson	Olson, A. G.	Spear
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hughes	Lord	O'Neill	Tennessee
Coleman	Humphrey	McCutcheon	Patton	Thorup
Conzemius	Josefson	Milton	Perpich, A. J.	Ueland
Davies	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 2504: A bill for an act relating to the district court; second judicial district in Ramsey county and fourth judicial district in Hennepin county; amending Minnesota Statutes 1971, Sections 140.19; 140.20; 140.21; 140.23; 140.24; 140.25; 508.12; 508.74; 611.26, Subdivision 1; Minnesota Statutes, 1973 Supplement, Section 485.01; Laws 1923, Chapter 289, Sections 1, 2, 3, 4, 6, 11, and 13, as amended; Laws 1923, Chapter 77, Section 10, as amended; Laws 1951, Chapter 653, Section 1; Laws 1965, Chapter 469, Section 8; Laws 1965, Chapter 709, Section 1; Laws 1969, Chapter 838, Sections 1, 2, and 3; Laws 1969, Chapter 839, Section 1; and repealing Minnesota Statutes 1971, Sections 260.305 and 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Purfeerst
Arnold	Dunn	Kirchner	North	Renneke
Bang	Fitzsimons	Kleinbaum	Novak	Schrom
Berg	Frederick	Knutson	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Baldy	Larson	Olson, A. G.	Spear
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hughes	Lord	O'Neill	Tennessee
Coleman	Humphrey	McCutcheon	Patton	Thorup
Conzemius	Josefson	Milton	Perpich, A. J.	Ueland
Davies	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 3352: A bill for an act relating to the city of Richfield, and the offices of fire chief and assistant fire chief therein.

Was read the third time 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:

Anderson	Conzemius	Josefson	Milton	Perpich, A. J.
Arnold	Davies	Keefe, J.	Moe	Perpich, G.
Bang	Doty	Keefe, S.	Nelson	Renneke
Berg	Dunn	Kirchner	North	Schrom
Bernhagen	Fitzsimons	Kleinbaum	Novak	Sillers
Blatz	Frederick	Knutson	Ogdahl	Solon
Borden	Hansen, Baldy	Larson	Olhoft	Stassen
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Thorup
Chenoweth	Hanson, R.	Lewis	Olson, J. L.	Ueland
Chmielewski	Hughes	Lord	O'Neill	Willet
Coleman	Humphrey	McCutcheon	Patton	

Mr. Gearty voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3036: A bill for an act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

Was read the third time 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	Davies	Keefe, J.	McCutcheon	Solon
Arnold	Dunn	Kirchner	Milton	Stassen
Berg	Fitzsimons	Kleinbaum	Nelson	Tennessee
Blatz	Gearty	Knutson	Novak	Thorup
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Ueland
Brown	Hanson, R.	Laufenburger	Patton	Wegener
Chenoweth	Hughes	Lewis	Purfeerst	
Chmielewski	Humphrey	Lord	Sillers	

Those who voted in the negative were:

Bang	Frederick	North	Olson, J. L.	Stokowski
Bernhagen	Josefson	Ogdahl	Perpich, A. J.	Willet
Coleman	Keefe, S.	Olhoft	Perpich, G.	
Conzemius	Larson	Olson, A. G.	Renneke	
Doty	Moe	Olson, H. D.	Spear	

So the bill passed and its title was agreed to.

S. F. No. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

Was read the third time 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	Kirchner	North	Renneke
Arnold	Doty	Kleinbaum	Novak	Sillers
Bang	Dunn	Knutson	Ogdahl	Solon
Berg	Fitzsimons	Kowalczyk	Olhoft	Spear
Bernhagen	Frederick	Larson	Olson, A. G.	Stassen
Blatz	Gearty	Laufenburger	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Brown	Hansen, Mel	Lord	O'Neill	Thorup
Chenoweth	Hughes	McCutcheon	Patton	Ueland
Chmielewski	Josefson	Milton	Perpich, A. J.	Wegener
Coleman	Keefe, J.	Moe	Perpich, G.	Willet
Conzemius	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2285: A bill for an act relating to the city of Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

Was read the third time 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	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Ogdahl	Solon
Bang	Fitzsimons	Knutson	Olhoft	Spear
Berg	Frederick	Larson	Olson, A. G.	Stassen
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lord	O'Neill	Thorup
Brown	Hughes	McCutcheon	Patton	Ueland
Chenoweth	Humphrey	Milton	Perpich, A. J.	Wegener
Chmielewski	Josefson	Moe	Perpich, G.	Willet
Conzemius	Keefe, J.	Nelson	Purfeerst	
Davies	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Was read the third time 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:

Anderson	Doty	Keefe, S.	Olhoft	Spear
Arnold	Dunn	Kirchner	Olson, A. G.	Stassen
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Stokowski
Berg	Frederick	Knutson	Olson, J. L.	Tennessee
Bernhagen	Gearty	Laufenburger	O'Neill	Thorup
Blatz	Hansen, Baldy	Lewis	Patton	Ueland
Borden	Hansen, Mel	Lord	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Willet
Chmielewski	Hughes	Moe	Purfeerst	
Coleman	Humphrey	Nelson	Renneke	
Conzemius	Josefson	North	Schrom	
Davies	Keefe, J.	Ogdahl	Sillers	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3349: A bill for an act relating to welfare; empowering the Gillette hospital authority to contract with the city of St. Paul and Ramsey county for the purpose of operating a children's hospital in conjunction with St. Paul-Ramsey hospital; amending Minnesota Statutes, 1973 Supplement, Section 250.05, 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:

Anderson	Davies	Keefe, J.	Novak	Schrom
Arnold	Doty	Keefe, S.	Ogdahl	Sillers
Bang	Dunn	Kirchner	Olhoft	Solon
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Frederick	Knutson	Olson, H. D.	Stassen
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Lewis	O'Neill	Tennessee
Brown	Hansen, Mel	Lord	Patton	Thorup
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Hughes	Moe	Perpich, G.	Wegener
Coleman	Humphrey	Nelson	Purfeerst	Willet
Conzemius	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2450: A bill for an act relating to the fire department relief association of the village of Falcon Heights; providing certain benefits for volunteer firemen and their survivors; amending Laws 1969, Chapter 526, Sections 5; and 7; and by adding a section; repealing Laws 1969, Chapter 526, Sections 2 and 6.

Was read the third time 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	Schrom
Bang	Dunn	Kirchner	Ogdahl	Sillers
Berg	Fitzsimons	Kleinbaum	Olhoft	Solon
Bernhagen	Frederick	Knutson	Olson, A. G.	Spear
Blatz	Gerty	Kowalczyk	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lewis	O'Neill	Tennessee
Chenoweth	Hanson, R.	Lord	Patton	Thorup
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Ueland
Coleman	Humphrey	Moe	Perpich, G.	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

Mr. Conzemius moved that H. F. No. 2837 be stricken from the Calendar of Ordinary Matters and placed at the top of General Orders. The motion prevailed.

H. F. No. 3293: A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

Was read the third time 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	North	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gerty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Borden	Hanson, R.	Lewis	O'Neill	Tennessee
Chmielewski	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Purfeerst	Willet
Doty	Keefe, S.	Nelson	Renneke	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2854: A bill for an act relating to eminent domain proceedings; court appointed commissioners; amending Minnesota Statutes 1971, Section 117.075.

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 26 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Perpich, A. J.	Tennessee
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Willet
Chmielewski	Hughes	Moe	Purfeerst	
Coleman	Humphrey	Novak	Solon	
Davies	Keefe, S.	Olhoff	Spear	
Fitzsimons	Kleinbaum	O'Neill	Stokowski	

Those who voted in the negative were:

Anderson	Doty	Kirchner	Olson, A. G.	Stassen
Bang	Dunn	Knutson	Olson, H. D.	Ueland
Berg	Frederick	Kowalczyk	Olson, J. L.	Wegener
Bernhagen	Hansen, Mel	Larson	Patton	
Blatz	Hanson, R.	Nelson	Renneke	
Brown	Josefson	North	Schrom	
Conzemius	Keefe, J.	Ogdahl	Sillers	

So the bill failed to pass.

S. F. No. 3239: A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

With the unanimous consent of the Senate, Mr. Tennessee moved to amend S. F. No. 3239, as follows:

Page 1, line 20, after the period insert "*This additional appropriation shall be made only once.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 3239 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, J.	North	Schrom
Bang	Dunn	Keefe, S.	Novak	Sillers
Berg	Fitzsimons	Kirchner	Ogdahl	Solon
Bernhagen	Frederick	Knutson	Olhoff	Spear
Blatz	Gearty	Kowalczyk	Olson, A. G.	Tennessee
Borden	Hansen, Baldy	Larson	Olson, H. D.	Thorup
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Ueland
Chmielewski	Hanson, R.	Lord	O'Neill	Wegener
Coleman	Hughes	McCutcheon	Perpich, A. J.	Willet
Conzemius	Humphrey	Moe	Purfeerst	

So the bill, as amended, passed and its title was agreed to.

GENERAL ORDERS

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 S. F. Nos. 1018, 3016, 2753, 2865, 3064, 2830, 2794, which the committee recommends to pass.

S. F. No. 3218, which the committee recommends to pass with the following amendment offered by Mr. Moe:

Page 1, after line 21, insert:

“Sec. 2. Minnesota Statutes, 1973 Supplement, Section 429.021, Subdivision 1, is amended to read:

429.021 [LOCAL IMPROVEMENTS, COUNCIL POWERS.] Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To *acquire, improve, construct, reconstruct, extend, and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.*

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses."

Renumber the remaining sections

Further, amend the title as follows:

Page 1, line 2, strike "towns" and insert "municipalities"

Line 4, strike "Section" and insert "Sections"

Line 5, after "2b" insert "; and 429.021, Subdivision 1"

S. F. No. 2497, which the committee recommends to pass with the following amendments offered by Mr. Perpich, G.:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. The joint recreation and park board tax levy authorized by Laws 1971, Chapter 573, for the city of Hibbing and the town of Stuntz shall be considered a special levy within the meaning of section 275.50, subdivision 5. The provisions of this act shall apply to levy year 1974 and levy years thereafter.

Sec. 2. This act is effective as to the city of Hibbing when approved by the city council and as to the town of Stuntz when approved by the town board and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title as follows:

Line 5, after "of" insert "the city of Hibbing and the town of Stuntz."

Strike lines 6 through 9

S. F. No. 1815, which the committee recommends be re-referred to the Committee on Judiciary.

The question being taken on the committee recommendation to pass S. F. No. 1815,

And the roll being called, there were yeas 8 and nays 37, as follows:

Those who voted in the affirmative were:

Brown	Davies	O'Neill	Solon	Tennessen
Coleman	Keefe, S.	Perpich, G.		

Those who voted in the negative were:

Anderson	Dunn	Kleinbaum	North	Stokowski
Bang	Fitzsimons	Knutson	Novak	Thorup
Berg	Frederick	Kowalczyk	Olson, A. G.	Ueland
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Wegener
Blatz	Hanson, R.	Lord	Olson, J. L.	Willet
Chenoweth	Humphrey	Milton	Patton	
Chmielewski	Josefson	Moe	Sillers	
Conzemius	Keefe, J.	Nelson	Spear	

The motion did not prevail. The committee then recommended S. F. No. 1815 be re-referred to the Committee on Judiciary.

S. F. No. 2295, which the committee recommends to pass with the following amendment offered by Mr. Perpich, G.:

Page 1, line 28, after "trunk" insert "*highway numbered 18 to its intersection with state*"

Page 1, after line 30, insert:

"Sec. 2. This act is effective the day following its final enactment."

S. F. No. 461, which the committee recommends to pass with the following amendment offered by Mr. Frederick:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 273.-13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability ; *or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving workmen's compensation based on a finding of total and permanent disability, or who is receiving social security disability, which aid is at least 90 percent of the*

total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. *Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income.* The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 $\frac{1}{3}$ 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."

Further, amend the title in line 5 by deleting "1971" and inserting ", 1973 Supplement"

S. F. No. 2516, which the committee recommends to pass with the following amendments offered by Mr. Tennesen:

Page 1, line 11, strike "or the state auditor"

Page 1, line 26, strike everything after "administration" and insert a period

Page 1, strike lines 27 and 28

Page 1, line 29, strike "significance." and at the end of the line strike "or the"

Page 1, line 30, strike "state auditor"

Page 2, line 3, strike "or state auditor"

Page 2, line 8, strike "or the state auditor"

Page 2, line 17, strike the first "auditor" and insert "commissioner of administration"

Page 2, line 25, strike "or the"

Page 2, line 26, strike "county auditor"

Page 3, line 1, strike "or state auditor"

S. F. No. 2558, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Page 2, line 8, strike "except that" and insert "and the"

Page 2, line 8, strike "any legal" and insert "such an"

Page 2, line 8, strike ", in"

Page 2, line 9, strike "all cases,"

Page 2, line 12, after "and" insert "subdivision 2"

S. F. No. 3002, which the committee recommends to pass with the following amendment offered by Mr. Perpich, A. J.:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [LAKE COUNTY, CONSOLIDATING THE OFFICES OF TREASURER AND AUDITOR.] The Lake county board of commissioners may by resolution abolish the office of county treasurer and transfer all functions and duties performed by the office of treasurer to the office of county auditor; provided that the auditor shall continue to be an elected official. The resolution shall be published in an official newspaper of the county and shall become effective 40 days after such publication unless within such period a petition shall be filed with the Lake county board of commissioners, signed by voters equal in number to five percent of the electors voting at the last previous election for the office of governor, requesting that a referendum be held on the resolution; in which case the same shall not become effective until approved by a majority of such qualified electors voting thereon at a regular election or a special election which the county board of commissioners may call for said purpose.

Sec. 2. [EFFECTIVE DATE.] This act is effective the day following its final enactment.”

S. F. No. 1253, which the committee recommends to pass with the following amendments offered by Mr. Gearty:

Page 1, line 30, strike “and” and insert “, other than that portion of the valuation which is contributed to an area-wide tax base under Minnesota Statutes, Chapter 473F. The auditor”

Page 2, line 1, after “valuation” and before the period, insert “other than that portion of such increases or decreases which is contributed to an area-wide tax base under Minnesota Statutes, Chapter 473F”

Page 3, line 8, strike “. At no time shall” and insert “at the time of formation of the district. Upon formation of a new industrial development district the total acreage of land zoned for industrial use within the district shall not, when added to”

Page 3, line 10, after “within” insert “all”

Page 3, line 11, after “remain” insert a comma

And then, on motion of Mr. Moe, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: S. F. Nos. 3409, 3158, 3394 and 2621. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of House Bills.

REPORTS OF COMMITTEES

Mr. Coleman moved the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Reports the same back with the recommendation that the printed bill as amended by the Committee on Taxes and Tax Laws, adopted by the Senate March 2, 1974, be amended as follows:

Page 41 of the Committee amendment, line 4, strike "having" and insert "whose"

Page 41, line 5, after "year" insert "is \$1 or more"

Page 41, line 6, after "that" strike "an additional"

Page 41, line 8, after "liability" insert "of \$2 or more"

Page 41, line 9, strike "an additional"

Page 41, line 19, after "is" insert "not"

Page 41, line 20, after "of" strike "an additional"

Page 41, line 26, strike "an additional"

Page 42, line 13, strike "7 and 8" and insert "and 7"

Page 42, strike lines 14 through 21

Renumber the remaining subdivisions

Page 46, line 9, after the dollar sign insert "120,000"

Page 46, line 19, after the period insert "*For purposes of this subdivision, "candidate" means those candidates defined in section 2, subdivision 4.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 951 was read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, March 6, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, March 6, 1974.

The Senate met at 9 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	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Tennessee
Borden	Hanson, R.	Lord	Perpich, G.	Ueland
Coleman	Hughes	McCutcheon	Pillsbury	Wegener
Conzemius	Humphrey	North	Purfeerst	Willet
Davies	Keefe, S.	Novak	Renneke	
Doty	Kirchner	Olhoff	Schrom	
Frederick	Kowalczyk	Olson, A. G.	Spear	
Gearty	Larson	Olson, H. D.	Stassen	

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
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoff	Solon
Blatz	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, A. J.	Ueland
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Ashbach, Bang and Sillers were excused from the Session of today. Mr. Bernhagen was excused from this afternoon's Session. Mr. Arnold was excused from the Session of today, be-

ginning at 11:45 o'clock a.m. Mr. Tennesen was excused from the Session of today, from 12 o'clock noon until 3:00 o'clock p.m. Mr. Kowalczyk was excused from the Session of today, beginning at 12 o'clock noon.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 5, 1974

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. 190, 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.

S. F. No. 283, An act relating to education; school board membership in certain associations; requiring filing of financial statements; amending Minnesota Statutes 1971, Section 123.33, Subdivision 10 and 14.

S. F. No. 534, An act relating to education; providing compensation for expenses for members of Minnesota education council; amending Minnesota Statutes 1971, Section 121.83.

S. F. No. 951, 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.

S. F. No. 980, 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.

S. F. No. 1138, An act relating to taxation; providing that county auditors shall furnish abstract of tax list to certain state officials; amending Minnesota Statutes 1971, Section 275.29.

S. F. No. 1213, 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.

S. F. No. 1434, An act relating to holidays; regulating the date for celebration of Veterans Day; amending Minnesota Statutes 1971, Section 645.44, Subdivision 5.

S. F. No. 1712, An act relating to water resources in Chisago and Pine counties.

S. F. No. 1859, An act relating to courts; prescribing times for general terms of district court, fifth judicial district; amending Minnesota Statutes 1971, Section 484.13.

S. F. No. 2256, An act relating to the park board of the city of Minneapolis; authorizing municipalities, other than the city of Minneapolis, to levy special assessments on property within such municipalities which has been benefitted by public improvements made by the park board of the city of Minneapolis and to pay over such money to such park board.

S. F. No. 2370, An act relating to education; peddling and canvassing on school grounds; repealing Minnesota Statutes 1971, Section 126.19.

S. F. No. 2967, An act relating to the city of Ellendale; authorizing it to issue bonds.

Sincerely,

Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Larson; Olson, J. L. and Berg introduced—

S. F. No. 3518: A bill for an act relating to taxation; exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.03.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Bang; Olson, J. L. and Hansen, Baldy introduced—

S. F. No. 3519: A bill for an act relating to insurance; surplus line carriers; amending Minnesota Statutes 1971, Section 60A.20.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Stokowski, Ogdahl and Olhofft introduced—

S. F. No. 3520: A bill for an act relating to the organization and operation of state government; appropriating money for the bicentennial commission and a related project.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Solon, Doty and Keefe, S. introduced—

S. F. No. 3521: A bill for an act relating to taxation; real property; providing for a tax credit applied against the property tax for senior citizens; appropriating money; repealing Minnesota Statutes 1971, Sections 290.0601, as amended; 290.0602; 290.0603; 290.0604, as amended; 290.0605; 290.0606; 290.0608;

290.0609; 290.061, as amended; and Minnesota Statutes, 1973 Supplement, Section 290.0618.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Stassen, Purfeerst and Kowalczyk introduced—

S. F. No. 3522: A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes, 1973 Supplement, Section 1.36, Subdivision 1.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Kleinbaum, Ueland and Laufenburger introduced—

S. F. No. 3523: A bill for an act relating to the state college board; appropriating money.

Which was read the first time and referred to the Committee on Education.

Mr. Hanson, R. introduced—

S. F. No. 3524: A bill for an act relating to legalizing proceedings heretofore adopted by the city council of the city of Lake Park in connection with the issuance of street, sewer, and water improvement bonds and authorizing the issuance of said bonds to finance such improvements.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Bang, Lewis and Kowalczyk introduced—

S. F. No. 3525: A bill for an act relating to intoxicating liquor; days and hours of sale; amending Minnesota Statutes 1971, Section 340.14, Subdivision 1.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Thorup introduced—

S. F. No. 3526: A bill for an act relating to labor, public employment labor relations; rights and obligations of employees; contributions; temporary exemption from contribution by certain public employees; amending Minnesota Statutes, 1973 Supplement, Section 179.65, Subdivision 2.

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 House File, herewith transmitted: H. F. No. 2797.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 4, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2797: A bill for an act relating to energy conservation; providing for regulations to reduce wasteful and inefficient energy use; providing for energy conservation education; providing penalties.

Which was read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk, with the exception of S. F. Nos. 3221, 2580, 3428, 2769, 1205, 3419, 1739, 2604 and 3434 be now adopted. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 2764: A bill for an act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method of payment of such obligations.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 10, after "employees." insert "Neither shall the term mean any cessation of operations by a single employer who participates in a pension plan to which more than one employer makes contributions if such cessation does not also entail the termination of the master pension plan."

Page 2, line 25, after "amended" and before the period, insert "but does not mean any plan established by collective bargaining agreement which is excluded from the coverage of 29 U.S.C. 186(c) (5) (B) by 29 U.S.C. 186(g) and for which the employer has no administrative responsibility and no responsibility for the establishment of the retirement benefit schedule"

Page 2, line 28, strike "exempt from taxation under" and insert "as defined by"

Page 3, line 2, after "means" insert "the larger of either the present value of the pension benefit which the employee has earned prior to cessation under the terms of the pension plan itself or"

Page 3, line 10, strike "actively participated" and insert "had in covered service"

Page 7, line 7, after "assets" strike the balance of the line

Page 7, strike lines 8 to 12

Page 7, line 13, strike "was imminent"

Page 7, line 18, strike "single premium" and insert "prepaid"

Page 7, line 23, after "amount." insert "In no event shall the amount of annuity to be distributed at normal retirement age exceed the amount of the accrued normal retirement benefit."

Page 8, after line 11, add a new section to read:

"Sec. 18. After passage of this act, subcommittees of the House and Senate Governmental Operations Committees and any other appropriate committees shall meet jointly as necessary to examine pension termination protection programs with the intent to report to the legislature in January, 1975, with their recommendations for further action."

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. 2954: A bill for an act relating to the department of education; division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

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 re-referred

H. F. No. 2926: A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 3, after line 2, add a section to read as follows:

"Sec. 4. This act is effective for taxable years beginning after December 31, 1972."

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 trans-

portation 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:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 290.09, Subdivision 22, is amended to read:

Subd. 22. [TUITION AND TRANSPORTATION EXPENSE.] (a) The amount he has paid to others for tuition of each dependent and the cost of transportation of each dependent in attending an elementary or secondary school; provided that the deduction for each dependent shall not exceed \$200.

(b) *The amount he has paid to others for the cost of transportation of each physically or mentally handicapped dependent, as defined in Minnesota Statutes 1971, Section 120.03, but not limited to children, attending an elementary, middle, or secondary vocational center or area vocational-technical school or day care or day activity center located 25 miles or more away from the taxpayer's home. The deduction for each dependent shall not exceed \$600 in any year. Notwithstanding the provisions of Minnesota Statutes 1971, Section 290.087, Subdivision 1, the taxpayer may claim the deduction for transportation of handicapped dependents provided in clause (b) of this subdivision in addition to any deduction claimed pursuant to Minnesota Statutes 1971, Section 290.086.*

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. 3138: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

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. 3201: A bill for an act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, Subdivision 6.

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. 2853: A bill for an act relating to taxation; sales tax exemption for residential fuel oil; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after "products;" insert "*however, the gross receipts from the sale of carbonated soft drinks shall be subject to the taxes imposed by sections 297A.01 to 297A.44;*"

Page 8, line 27, strike "oil" and insert "*and electricity*"

Page 8, line 28, strike "*heating*"

Page 8, line 28, after "*purposes*" insert "*, purchased by and consumed by the purchaser in the principal place of residence*"

Further, amend the title as follows:

Page 1, line 3, strike "oil" and insert "and electricity"

Page 1, line 3, after ";" insert "repealing sales tax exemption for carbonated soft drinks,"

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. 3221: A bill for an act relating to retirement; the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; and 352.93, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, following line 18, insert:

"Section 1. Minnesota Statutes, 1973 Supplement, 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 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, 1973, *including per diem allowances upon which deductions were taken*, beginning with the first day of the month 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, 1973, and to any widow or dependent child of any such member who retires after January 1, 1973.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 3A.02, Subdivision 4, is amended to read:
Subdivision 1, is amended to read:

Subd. 4. [DEFERRED ANNUITIES AUGMENTATION.] The deferred annuity of any ~~member of the legislature who retires after July 1, 1973,~~ legislator shall be computed in the manner provided in subdivision 1 and augmented as provided herein. The required ~~resources reserves~~ 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~~ five percent per annum compounded annually from the date of ~~retirement's~~ termination of service, or July 1, 1973; *whichever is later*, to the first day of the month in which the annuity begins to accrue.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 3A.03, Subdivision 1, is amended to read:

3A.03 [CONTRIBUTIONS.] Subdivision 1. [PERCENTAGE.] Every member of the legislature shall contribute eight percent of his total salary *plus eight percent of authorized per diem allowances received during a regular or special session of the legislature not exceeding an allowance of \$25.00 per day*, 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~~ director to record the periodic contributions of each member of the legislature and credit such contribution to the member's account.

Sec. 4. Minnesota Statutes 1971, Chapter 3A, is amended by adding a section to read:

[3A.12] [COVERAGE BY MORE THAN ONE RETIREMENT SYSTEM OR ASSOCIATION.] *Subdivision 1. [ENTITLEMENT TO ANNUITY.] Any legislator who has at least eight years of legislative service and who has been an employee covered by the Minnesota state retirement system, or a member of the public employees retirement association including the public employees retirement association policemen and firemen fund, or the teachers retirement association, or the Minneapolis municipal employees retirement fund, or the highway patrolmen's retirement association, or any other public employee retirement system in the state of Minnesota having a like provision but excluding all other funds providing benefits for policemen or firemen, shall be entitled when qualified to an annuity from each fund if his total allowable service for which he has credit in all funds or in any two of these funds totals ten or more years, provided no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund. The annuity from each fund shall be determined by the appropriate provisions of the law except that the requirement that a person must have at least ten years allowable service in the respective system or association shall not apply for the purposes of this section provided the combined service in two or more of these funds equals ten or more years. The augmentation of deferred annuities provided in Minnesota Statutes, 1973 Supplement, Section 3A.02, Subdivision 4, shall apply to the annuities accruing hereunder.*

Subd. 2. [REFUND REPAYMENT.] Any former legislator who has received a refund as provided in Minnesota Statutes, Section 3A.03, Subdivision 2, who is a currently contributing member of a retirement fund specified in Minnesota Statutes, 1973 Supplement, Section 3A.11, Subdivision 1, may repay the refund as provided in Minnesota Statutes, Section 3A.05, Subdivision 2. Any member of the legislature who has received a refund from any of the funds specified in subdivision 1, may repay the refund to the respective fund under such terms and conditions consistent with the law governing such fund if the law governing such fund permits the repayment of refunds."

Page 1, following line 26, insert:

"Sec. 6. Minnesota Statutes, 1973 Supplement, Section 352.03, Subdivision 4, is amended to read:

Subd. 4. [DUTIES AND POWERS OF BOARD OF DIRECTORS.] It is the duty of the board and it has power to:

- (1) Elect a chairman;
- (2) Appoint an executive director;
- (3) Fix the compensation of the executive director and the assistant executive director;

~~(3)~~ (4) Establish rules and regulations for the administration of the provisions of chapter 352 and transaction of the business of the system, all subject to the limitations of said chapter and the law;

~~(4)~~ (5) Consider and dispose of, or take such other action as the board of directors deems appropriate concerning denials of applications for annuities or disability benefits under this chapter, and complaints of employees and others pertaining to the retirement of employees and the operation of the system;

~~(5)~~ (6) Advise the director on any matters relating to the system and the carrying out of the functions and purposes of said chapter, which advice shall be controlling; and

The director and assistant director shall be in the unclassified service but appointees may be selected from civil service lists if it is desired to do so."

Page 13, following line 7, insert:

"Sec. 23. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.262] [DISABILITY BENEFIT INCREASE.] *The disability benefits authorized and in effect on May 31, 1973, shall be increased by twenty-five percent. The increase shall apply to the accrual of such benefits commencing January 1, 1974."*

Sec. 24. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.30] [COVERAGE BY MORE THAN ONE RETIREMENT SYSTEM OR ASSOCIATION.] *Subdivision 1. [ENTITLEMENT TO ANNUITY.] Any person who has been an employee covered by the Minnesota state retirement system, or a member of the public employees retirement association including the public employees retirement association policemen and firemen fund, or the teachers retirement association, or the highway patrolmen's retirement association, or any other public employee retirement system in the state of Minnesota having a like provision but excluding all other funds providing benefits for policemen or firemen shall be entitled when qualified to an annuity from each fund if his total allowable service in all funds or in any two of these funds totals ten or more years, provided no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund and provided further that he has not taken a refundment from any one of these funds since his service entitling him to coverage under the system or his membership in any of the associations last terminated. The annuity from each fund shall be determined by the appropriate provisions of the law except that the requirement that a person must have at least ten years allowable service in the respective system or association shall not apply for the purposes of this section provided the combined service in two or more of these funds equals ten or more years.*

Subd. 2. [COMPUTATION OF DEFERRED ANNUITY.] Deferred annuities shall be computed in the manner provided by this chapter and acts amendatory thereof, on the basis of allowable service prior to termination of service and augmented as provided herein. The required reserves applicable to a deferred annuity

shall be augmented by interest compounded annually from the first day of the month following the month in which the member terminated service, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. The rates of interest used for this purpose shall be five percent per annum compounded annually. The mortality table and interest assumption used to compute such annuity shall be those in effect at the time the member files application for annuity.

Subd. 3. [REFUND REPAYMENT.] Any person who has received a refund from the highway patrolmen's retirement fund who is a member of a public retirement system included in subdivision 1, may repay such refund with interest to the highway patrolmen's retirement fund as provided in Minnesota Statutes, 1973 Supplement, Section 352B.11, Subdivision 4.

Sec. 25. Minnesota Statutes, 1973 Supplement, Section 352D.02, Subdivision 1, is amended to read:

352D.02 [COVERAGE.] Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall be eligible for participation participate in the unclassified program; unless such employee gives notice to the executive director of the state retirement system within one year following commencement of his employment that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, revisor of statutes or the state board of investment;

(2) Any department, division, or agency head, assistant department head or deputy or any employee enumerated in sections 15A.081, subdivision 1 or 15A.083, subdivision 3, and

(3) Any permanent, full-time unclassified employee of the legislature or any commission or agency of the legislature or a part-time legislative employee having shares in the supplemental retirement fund whether or not eligible for coverage under the Minnesota state retirement system; provided he gives notice of his desire to participate to the executive director of the Minnesota state retirement system. In the case of a new or present employee in the unclassified service, notice shall be given within six months following commencement of his employment or July 1, 1973. In the case of a former employee with coverage in the regular fund, notice shall be given not less than six nor more than 12 months following commencement of his eligibility under this chapter.

Sec. 26. Minnesota Statutes, 1973 Supplement, Section 352D.02, Subdivision 3, is amended to read:

Subd. 3. An election to *not* participate is irrevocable during any period of covered employment. An employee on resuming unclassified service after separation from the unclassified service may

~~make an election under this section if his position is covered by the unclassified program. A participant in the unclassified program upon acquiring credit for 10 years of allowable service may, notwithstanding other provisions of this subdivision, elect to terminate his participation in the unclassified plan and be covered by the regular plan by filing such election with the executive director. The executive director shall thereupon redeem the employee's total shares and shall credit to the employee's account in the regular plan the amount of contributions that would have been so credited had the employee been covered by the regular plan during his entire covered employment. The balance of moneys so redeemed and not credited to the employee's account shall be transferred to the state contribution reserve of the state employees retirement fund.~~

Sec. 27. [DATA PROCESSING SERVICES.] Notwithstanding Minnesota Statutes, Chapter 16, or any law to the contrary, the board of trustees of the teachers retirement association and the executive director of the Minnesota state retirement system may use the services of the department of administration, information services division, for electronic data processing services or may contract for all or a portion of such services."

Renumber the sections in sequence

Further, amend the title as follows:

Line 3, after "system;" insert "legislators retirement; and high-way patrolmen retirement;"

Line 4, after "1971," insert "Chapter 3A, by adding a section; 352B, by adding sections;"

Line 11, after "Sections" insert "3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision 4;"

Line 14, after "2;" delete "and"

Line 15, after "1;" insert "and 352D.02, Subdivisions 1 and 3;"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 2580: A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, strike "given" and insert "assigned"

Page 1, line 19, strike "means" and insert "shall include but not be limited to"

Page 1, line 26, strike "means" and insert "shall include but not be limited to"

Page 2, line 11, strike "120.10" and insert "120.05"

Page 2, line 18, after "plan" insert "and a provision for alternative programs where appropriate"

Page 2, line 20, after "conduct" insert "or incident of misconduct"

Page 2, line 20, strike "a" and insert "an immediate and"

Page 2, line 21, after "persons" insert "or property"

Page 3, line 16, after "pupil" insert ", except where the pupil will create an immediate and substantial danger to persons or property around him"

Page 3, line 18, strike "a list of the"

Page 3, line 19, strike "witnesses,"

Page 3, line 19, strike "their" and insert "the"

Page 3, line 22, strike "registered" and insert "certified"

Page 3, line 23, after the period insert "In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to persons or property around him, the written notice shall be served either personally or by certified mail upon the pupil and his parent or guardian within 48 hours of the suspension."

Page 3, line 24, strike "registered" and insert "certified"

Page 4, line 8, strike "registered" and insert "certified"

Page 4, line 9, after "facts" insert ", a list of the witnesses and a description of their testimony"

Page 6, line 7, strike "if the" and insert "and his"

Page 6, line 7, after "may" insert "not"

Page 6, line 25, after "The commissioner" insert "or his representative"

Page 7, line 25, strike "registered" and insert "certified"

Page 8, line 1, strike "to effect" and insert "in writing to effectuate"

Page 8, line 3, strike "insure" and insert "assure"

Page 8, line 11, strike "1971" and insert ", 1973 Supplement"

Page 8, line 12, strike ", as amended by Laws 1973,"

Page 8, line 13, strike "Chapter 729, Section 3"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 3428: A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds.

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.] The legislature of the state of Minnesota finds that preservation of the quality of life in a major metropolitan city is dependent upon the preservation of adequate housing, that many houses in the city of Saint Paul do not meet the applicable housing code, that there is a need for a comprehensive housing rehabilitation program in the city of Saint Paul which will complement any statewide housing rehabilitation program, that some home owners are unable to afford any rehabilitation expenses, that many home owners are unable to afford housing rehabilitation loans at market rate of interest, and that because the availability of mortgage credit for housing rehabilitation is limited some home owners cannot obtain such credit.

Sec. 2. [CITY OF ST. PAUL; HOUSING REHABILITATION LOAN PROGRAM.] The city of Saint Paul is authorized to develop and administer a housing rehabilitation loan program with respect to property owned and occupied by persons of low and moderate income, located anywhere within its boundaries, on such terms and conditions as it determines; provided, that in approving applications for this program, the following factors shall be considered: (1) the availability of other governmental programs affordable by the applicant; (2) the availability and affordability of private market financing; (3) whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated; (4) whether the housing is required, pursuant to a court order issued under Minnesota Statutes, 1973 Supplement, Section 566.25 clauses (b), (c), (e), to be repaired, improved or rehabilitated; and (5) whether the housing has been determined to be uninsurable because of physical hazards after inspection pursuant to a statewide property insurance plan approved by the United States Department of Housing and Urban Development under Title XII of the National Housing Act; and further provided that all loans and grants shall be issued primarily for rehabilitating housing so that it meets applicable housing codes. Prior to making any rehabilitation loans, the city council or its designee shall adopt regulations which comply substantially with the provisions of section 312 of Title III of the Federal Housing Act of 1964 and acts supplemental thereto insofar as that section relates to the determinations to be made as a condition precedent to the making of rehabilitation loans under said act.

Sec. 3. [CITY OF SAINT PAUL; HOUSING REHABILITATION GRANT PROGRAM.] The city of Saint Paul is authorized to develop

and administer a housing rehabilitation grant program with respect to property within its boundaries, on such terms and conditions as it determines, provided that; in approving applications for this program, all of the considerations and limitations enumerated in section 2 of this act for loans must be considered in making grants under this program, and the following factors must also be considered: (1) whether the housing unit is a single family dwelling or homesteaded unit and (2) whether the applicant is a person of low income; and further provided that: the city council of the city of Saint Paul shall by ordinance set forth the regulations for this grant program, and further provided that: the dollar value of grants made shall not exceed five percent of the total value of the bonds issued for the loan and grant program together.

Sec. 4. [ISSUANCE OF BONDS.] To finance the programs authorized in sections 2 and 3 of this act, the council of the city of Saint Paul, by resolution or resolutions, may from time to time authorize, issue and sell general obligation bonds of the city of Saint Paul, without a vote of the electorate, in accordance with the provisions of Minnesota Statutes, Chapter 475, notwithstanding any other provision of law or of the city charter or ordinance. The total amount of bonds authorized to be issued for the purposes described in this act shall not exceed the aggregate of \$3,000,000. The amount of bonds issued pursuant to this authority shall be excluded in the computation of the net debt of the city as defined by statute or charter. The council of the city of Saint Paul is authorized to levy and collect taxes to repay such obligations issued pursuant to the authority contained herein, and this authority is not subject to any tax or appropriation or expenditure limit otherwise imposed by any law or charter provision.

Sec. 5. Laws 1971, Chapter 773, Section 1, is amended to read:

Section 1. [ST. PAUL, CITY OF; CAPITAL IMPROVEMENTS PROGRAM.] *Subdivision 1.* Notwithstanding any provision of the charter of the city of St. Paul, the council of said city shall have power by a resolution adopted by five affirmative votes of all its members to authorize the issuance and sale of general obligation bonds of the city in an amount of \$4,500,000 for each calendar year for a four year period commencing with the year 1972, for the payment of which the full faith and credit of the city is irrevocably pledged.

Subd. 2. [EXCEPTION.] During the calendar year 1975, the council of said city shall have the power by a resolution adopted by five affirmative votes of all its members, to authorize the issuance and sale of general obligation bonds of the city for an additional amount up to \$2,000,000, over and above the \$4,500,000 specified heretofore. The additional revenue shall be used exclusively for the improvement of Phalen Park.

Sec. 6. [EFFECTIVE DATE.] This act shall become effective only after its approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, line 6, after "bonds" insert "for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 2769: A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 12, 13 and 14, restore the stricken language.

Page 1, line 14, after "election" insert "*except that if sufficient judges are available to provide counting teams of four or more judges evenly divided between the political parties for each box, an additional box or boxes may be opened and counted*"

Pages 1 and 2, strike all of Sec. 2 and insert in lieu thereof:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following final enactment."

Further amend the title as follows:

Page 1, line 5, strike "Sections" and insert "Section"

Page 1, line 5, strike ";" and insert a period

Page 1, strike all of line 6

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

S. F. No. 1205: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 32, strike "includes" and insert "means"

Page 2, line 5, strike "includes" and insert "means"

Page 2, line 8, strike "includes" and insert "means"

Page 3, line 1, strike "and includes"

Page 3, line 8, strike "and includes"

Page 3, line 12, strike "shall refer to and mean" and insert "means"

Page 3, line 15, strike "shall refer to and mean" and insert "means"

Page 3, line 18, strike ", and any village or borough"

Page 4, line 7, strike "such" and insert "the"

Page 4, line 18, strike "such" and insert "the"

Page 4, line 27, before "schedules" strike "such" and insert "the"

Page 4, line 27, after "under" strike "such"

Page 5, line 5, strike "such" and insert "the"

Page 5, line 6, strike "such" and insert "the"

Page 5, line 7, strike "then" and insert "when"

Page 5, line 10, strike "such" and insert "the"

Page 6, line 12, strike "such" and insert "the"

Page 6, line 14, strike "such" and insert "the"

Page 7, line 17, strike "such" and insert "the"

Page 7, line 19, strike "such" and insert "the"

Page 7, line 24, strike "such" and insert "these"

Page 7, line 27, after "in" strike "such" and insert "the"

Page 7, line 27, strike "of such"

Page 8, line 3, strike "such" and insert "the"

Page 8, line 8, strike "such" and insert "the"

Page 8, line 15, after "includes" insert "a"

Page 9, line 3, strike "such" and insert "the"

Page 9, line 6, after "of" strike "such" and insert "the"

Page 9, line 6, after the period strike "Such" and insert "The"

Page 9, line 7, strike "such" and insert "the"

Page 9, line 13, after "includes" insert "a"

Page 9, line 17, strike "such" and insert "a"

Page 9, line 27, after "includes" insert "a"

Page 10, line 4, strike "such" and insert "the"

Page 10, line 7, after "the" insert "affected"

- Page 10, line 7, after "parties" strike "affected thereby"
- Page 10, line 11, strike "such" and insert "any"
- Page 10, line 18, strike "such" and insert "the"
- Page 10, line 19, strike "such"
- Page 11, line 8, strike "rate"
- Page 11, line 9, strike "or"
- Page 11, line 14, strike "enter upon" and insert "conduct"
- Page 11, line 14, strike "such" and insert "the"
- Page 11, line 15, strike "such" and insert "the"
- Page 11, line 17, strike "such" and insert "the"
- Page 11, line 17, strike "rate or"
- Page 11, line 17, after "the" insert "affected"
- Page 11, line 18, strike "affected thereby"
- Page 11, line 20, strike "such schedule of rate or rates" and insert "the schedule"
- Page 11, line 25, strike "such" and insert "the"
- Page 12, line 6, strike "such" and insert "the"
- Page 12, line 11, strike "in" and insert "on"
- Page 12, line 22, strike "said" and insert "the"
- Page 12, line 25, strike "any such" and insert "the"
- Page 12, line 28, strike "such" and insert "the"
- Page 13, line 1, strike "any such rate or" and insert "the"
- Page 13, line 5, strike "such" and insert "the"
- Page 13, line 7, strike "such" and insert "the"
- Page 13, line 15, strike "such" and insert "the"
- Page 14, line 7, after "utility" insert a comma
- Page 14, line 23, strike "such" and insert "the"
- Page 14, line 25, strike "hereinafter"
- Page 14, line 26, before the period insert "in this section"
- Page 15, line 1, after "where" strike "such" and insert "the"
- Page 15, line 6, strike "such" and insert "any"
- Page 15, line 7, strike "as"
- Page 15, line 15, strike "such" and insert "the"
- Page 15, line 17, strike "such" and insert "the"
- Page 15, line 28, after "of" insert "other"

Page 16, line 2, strike "such" and insert "other"

Page 16, line 7, strike "such"

Page 16, line 7, strike "as"

Page 16, line 9, strike "shall" and insert "has reason to"

Page 16, line 16, strike "such" and insert "the"

Page 16, line 21, strike "such" and insert "the"

Page 16, line 22, strike "section" and insert "sections 17 and"

Page 17, line 15, after "make" strike "such" and insert "any"

Page 17, line 15, after "respecting" strike "such" and insert "the"

Page 17, line 18, strike "such" and insert "the"

Page 17, line 24, strike "shall mean" and insert "means"

Page 18, line 7, strike "such"

Page 18, line 9, after "within" strike "such" and insert "the"

Page 18, line 9, after "in" strike "such" and insert "the"

Page 18, line 12, strike "4" and insert "3"

Page 18, line 27, strike "the same" and insert "it"

Page 19, line 2, strike "such" and insert "the"

Page 19, line 4, strike "same" and insert "order"

Page 19, line 9, strike "such" and insert "the"

Page 19, line 11, strike "said" and insert "the"

Page 19, line 12, strike "such" and insert "a"

Page 19, line 13, strike "said" and insert "the"

Page 19, line 13, strike "such" and insert "any"

Page 19, line 14, strike "such" and insert "the"

Page 19, line 17, strike "ground or"

Page 19, line 18, strike "said" and insert "the"

Page 19, line 18, strike "to be" and insert "is"

Page 19, line 23, strike "such" and insert "the"

Page 19, line 24, strike "said" and insert "the"

Page 19, line 26, strike "such" and insert "the"

Page 19, line 28, strike "said" and insert "the"

Page 20, line 3, strike "such"

Page 20, line 3, strike "as" and insert "which"

Page 20, line 4, strike "thereupon"

Page 20, line 7, strike "such" and insert "the"

- Page 20, line 11, strike "same" and insert "original action"
- Page 20, line 12, strike "such" and insert "the"
- Page 20, line 19, strike "shall be" and insert "is"
- Page 20, line 20, strike "such" and insert "the"
- Page 20, line 25, strike "may be taken" and insert "shall be deemed"
- Page 20, line 26, strike "to be"
- Page 21, line 4, strike "such" and insert "the"
- Page 22, line 1, strike "such" and insert "the"
- Page 23, line 9, strike "such"
- Page 23, line 19, strike "such" and insert "the"
- Page 24, line 2, strike "such" and insert "the"
- Page 24, line 3, after "municipality" strike the comma
- Page 24, line 4, strike "home rule or statutory,"
- Page 24, line 8, strike "such" and insert "the"
- Page 24, line 9, strike "such" and insert "the"
- Page 24, line 10, strike "such" and insert "the"
- Page 24, line 11, strike "such" and insert "the"
- Page 25, line 2, strike "Such" and insert "The"
- Page 25, line 5, after "of" strike "Laws" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80C"
- Page 25, strike line 6
- Page 25, line 15, strike "will" and insert "shall"
- Page 26, line 14, strike "such"
- Page 26, line 17, strike "hereof" and insert "of this act"
- Page 26, line 18, strike "shall mean and include" and insert "means"
- Page 26, line 19, strike ", and any village or borough"
- Page 26, line 21, strike "act" and insert "section"
- Page 26, line 23, strike "such" and insert "and at a"
- Page 27, line 3, strike "such"
- Page 27, line 5, strike "such" and insert "the"
- Page 27, line 27, strike "section 17" and insert "sections 17 and 18"
- Page 28, line 3, strike "such" and insert "the"
- Page 28, line 6, strike "such"

Page 28, line 20, strike "such" and insert "the"

Page 28, line 21, strike "such franchises" and insert "a franchise"

Page 29, line 10, before "Each" insert "Except as provided in section 41,"

Page 29, line 16, strike "said" and insert "the"

Page 29, line 17, strike "except as provided in section 41"

Page 29, line 19, strike "such an" and insert "the"

Page 29, line 20, strike "such" and insert "the"

Page 29, line 28, strike "such" and insert "the"

Page 30, line 2, strike "such parts" and insert "any part"

Page 30, line 4, strike "such" and insert "the"

Page 30, line 13, strike "such" and insert "the"

Page 31, line 7, strike "such" and insert "the"

Page 31, line 12, strike "40 through 42 sections 37 and 38" and insert "37 through 41"

Page 31, line 15, strike "such" and insert "the"

Page 31, line 22, strike "such" and insert "the"

Page 32, line 24, strike "such" and insert "the"

Page 33, line 2, after "in" strike "such" and insert "the"

Page 33, line 4, strike "such" and insert "the"

Page 33, line 22, strike "hereinafter"

Page 33, line 22, after "in" insert "section 51 of"

Page 34, line 1, strike "37" and insert "44"

Page 34, line 2, strike "such" and insert "the"

Page 34, line 4, strike "Such" and insert "The"

Page 34, line 9, strike "such" and insert "the"

Page 34, line 20, strike "and includes"

Page 35, line 13, strike "such" and insert "the"

Page 35, line 15, before "public" strike "such" and insert "the"

Page 35, line 15, after "of" strike "such" and insert "the"

Page 35, line 21, strike "such" and insert "the"

Page 35, line 22, strike "such" and insert "the"

Page 35, line 27, strike "such"

Page 35, line 28, strike "such" and insert "the"

Page 36, line 7, strike "Provided, however, that in subdivision 1 of"

Page 36, line 8, strike "this section"

Page 36, line 8, after "person" insert "as used in subdivision 1 of this section"

Page 36, line 21, strike "such" and insert "the"

Page 36, line 24, strike "any such" and insert "the"

Page 36, line 25, strike "any such" and insert "the"

Page 36, line 26, strike "such" and insert "the"

Page 36, line 28, strike "said" and insert "the effective"

Page 36, line 28, after "date" insert "of this act"

Page 37, line 1, strike "such" and insert "the"

Page 37, line 2, strike "said" and insert "that"

Page 37, line 5, strike "such"

Page 37, line 11, strike the parenthesis

Page 37, line 12, strike the parenthesis

Page 37, line 13, strike "such" and insert "an"

Page 37, line 14, strike "thereof"

Page 37, line 14, strike "taken therefrom"

Page 37, line 17, strike "such" and insert "the"

Page 37, line 18, strike "such"

Page 37, line 20, strike "any such" and insert "the"

Page 38, line 8, strike "such" and insert "the"

Page 38, line 9, strike "such" and insert "the"

Page 38, line 14, strike "such" and insert "the"

Page 38, line 18, after "with" strike "such" and insert "the"

Page 38, line 18, after "unless" strike "such" and insert "the"

Page 38, line 19, strike "such" and insert "the"

Page 38, line 22, strike "such" and insert "the"

Page 39, line 10, strike "Laws 1973, Chapter 612" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80C"

Page 39, line 21, strike the semicolon and insert a comma

Page 39, line 22, strike "such a" and insert "an oil, gas, or mining"

Page 40, line 11, strike "said" and insert "the"

Page 40, line 28, strike "such" and insert "the"

Page 41, line 11, strike "Chapter 451 of the Laws of Minnesota," and insert "Minnesota Statutes, 1973 Supplement, Chapter 80A"

Page 41, line 12, strike "1973"

Page 41, line 24, strike "the same"

Page 41, line 25, after "hearing" and before "upon" insert a comma

Page 42, line 12, strike "Laws 1973, Chapter 331" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80B"

Page 42, line 22, strike "Laws 1973, Chapter 331" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80B"

Page 42, line 25, strike "such" and insert "a"

Page 42, line 27, strike "Such" and insert "The"

Page 43, line 2, strike "such" and insert "the"

Page 43, line 9, strike "such" and insert "the"

Page 43, line 10, strike "any such" and insert "the"

Page 43, line 26, after "shall" insert ", within 20 days after the service of the notice,"

Page 43, line 27, strike ", within 20 days after the service of the notice"

Page 43, line 28, strike "upon such person,"

Page 44, line 2, strike "Such" and insert "The"

Page 44, line 6, strike "thereof"

Page 44, line 7, strike "such"

Page 44, line 8, strike "such" and insert "the"

Page 44, line 9, strike "such"

Page 44, line 9, strike "as" and insert "who"

Page 44, line 11, strike "said" and insert "the"

Page 44, line 11, strike "thereto"

Page 44, line 14, strike "such" and insert "a"

Page 44, line 19, strike ", therein"

Page 44, line 21, strike "thereof"

Page 44, line 23, strike "thereon"

Page 45, line 8, strike "Such" and insert "The"

Page 45, line 16, strike "such" and insert "the"

Page 45, line 18, strike "such"

Page 45, line 18, strike "as"

- Page 45, line 20, strike "such"
- Page 45, line 26, strike "such" and insert "the"
- Page 46, line 11, strike "such" and insert "the"
- Page 46, line 14, strike "such"
- Page 46, line 15, strike "as"
- Page 46, line 15, strike "may"
- Page 46, line 15, strike "deem" and insert "deems"
- Page 46, line 28, strike "such" and insert "the"
- Page 47, line 1, strike "such" and insert "the"
- Page 47, line 2, strike "such" and insert "the"
- Page 47, line 8, strike "said" and insert "the"
- Page 47, line 11, strike "Such" and insert "The"
- Page 47, line 15, strike "any such" and insert "the"
- Page 47, line 17, strike "such" and insert "a"
- Page 47, line 18, strike "as" and insert "which"
- Page 48, line 17, strike "such" and insert "that"
- Page 49, line 14, strike "Such" and insert "The"
- Page 49, line 25, strike "such" and insert "the"
- Page 49, line 27, strike "such" and insert "the"
- Page 49, line 28, strike "such" and insert "the"
- Page 50, line 4, strike "said" and insert "the"
- Page 50, line 4, after "and" insert "a"
- Page 50, line 4, after "demand" strike "of" and insert "for"
- Page 50, line 5, strike "thereof"
- Page 50, line 5, strike "such" and insert "the"
- Page 50, line 10, strike "such" and insert "that"
- Page 50, line 13, strike "such" and insert "the"
- Page 50, line 16, strike "such" and insert "the"
- Page 50, line 24, strike "the" and insert "this"
- Page 50, line 24, strike "set herein"
- Page 51, line 6, strike "Such" and insert "The"
- Page 51, line 9, strike "said" and insert "the"
- Page 51, line 13, strike "such" and insert "the"
- Page 51, line 18, strike "said" and insert "the"

Page 51, line 23, strike "Such" and insert "The"

Page 51, line 28, after "to" strike "such" and insert "this"

Page 51, line 28, after "in" strike "such" and insert "the"

Page 52, line 2, strike "such" and insert "the"

Page 52, line 10, strike "same" and insert "assessment,"

Page 52, line 11, strike "such" and insert "the"

Page 52, line 18, strike "hereof" and insert "of this act"

Page 52, line 19, strike "such" and insert "all"

Page 53, after line 22, insert the following:

"Sec. 65. Minnesota Statutes 1971, Chapter 216A is amended by adding a section to read:

[216A.035.] [CONFLICT OF INTEREST.] *No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.*

No person who is an employee of the public service commission shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest."

Page 53, line 24, strike "such"

Page 53, line 26, strike "as"

Page 54, line 2, strike "such" and insert "any"

Page 54, line 4, strike "thereof"

Page 54, line 4, strike "such" and insert "the"

Page 54, line 21, strike "hereto" and insert "to this act"

Page 54, line 26, strike "and section 54" and insert "sections 61 through 63, and section 68"

Page 54, line 26, strike "upon its" and insert "on the day following final enactment."

Page 54, strike line 27

Further, amend the title as follows:

Line 6, after "commission" insert "; prohibiting conflicts of interest on the public service commission"

Line 10, before the period, insert "; and Chapter 216A by adding a section"

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3419: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, after line 1, add a new Section 8 to read:

"Sec. 8. Minnesota Statutes, 1973 Supplement, Section 490.124, Subdivision 8, is amended to read:

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 sections 490.121 to 490.132, *except that the provisions of Minnesota Statutes 1971, Section 490.12, Subdivision 5, shall not apply.*"

Renumber sections in sequence

Page 8, line 18, strike "*director of the Minnesota state retirement*" and insert "*employer*"

Page 8, line 19, strike "*system*" and in the same line strike "*out of the judges' retirement fund*"

Page 8, strike lines 26, 27 and 28

Page 9, line 1, strike "*subdivisions*" and insert "*subdivision*"

Page 9, line 1, strike "*and*"

Page 9, line 2, strike "*14*"

Further, amend the title as follows:

Page 1, line 7, after "6," insert "8,"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 1739: A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the

Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, and Laws 1951, Chapter 669.

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. [CITATION.] This act shall be known and may be cited as the Minnesota Disaster Act of 1974.

Sec. 2. [PURPOSES.] Subdivision 1. The purposes of this act are to:

(a) Reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from disasters and emergencies, riots, or hostile military or paramilitary action;

(b) Prepare for prompt and efficient rescue, care, and treatment of persons victimized by disasters or threatened by emergencies;

(c) Provide effective and efficient restoration and rehabilitation of persons and property affected by disasters;

(d) Clarify and strengthen the roles of the governor, state agencies, and local governments in prevention of, preparation for, and response to and recovery from disasters and emergencies;

(e) Authorize and provide for coordination and cooperation between state government, its political subdivision and foreign governments, in disaster prevention, preparedness, response, and recovery;

(f) Provide a plan which will set forth all the guidelines of emergency and disaster preparedness and response;

(g) Assist in prevention of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and

(h) Provide plans to deal with monitoring and distribution of energy supplies.

Sec. 3. [LIMITATIONS.] Nothing in this act shall be construed to:

(a) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health;

(b) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including but not limited to radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with disasters and emergencies;

(c) Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state, local, and interjurisdictional emergency plans shall place reliance upon the forces available for performance of functions related to emergencies and disasters; or

(d) Limit, modify, or abridge the authority of the governor to proclaim martial law or exercise any other powers vested in him under the constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this act.

Sec. 4. [DEFINITIONS.] Subdivision 1. For the purposes of this act each term defined in this section has the meaning ascribed to it.

Subd. 2. "Disaster" means the occurrence of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring immediate action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or shortages of crucial materials such as fuel and energy.

Subd. 3. "Emergency" means an unforeseen combination of circumstances which calls for immediate action to protect life and property and to prevent a disaster from occurring. Such action shall include but not be limited to the management of resources when necessary to prevent a disaster.

Subd. 4. "Emergency plan" means the operating procedure to be used in the event of an emergency or disaster.

Subd. 5. "Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other enemy hostile action, or from fire, flood, tornado, blizzards, earthquake, or other natural or man-made causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Subd. 6. "Federal government" means the government of the United States of America.

Subd. 7. "Interjurisdictional" means the cooperation between two or more political subdivisions of this state or between one or more political subdivisions of this state and a foreign state, political subdivision thereof or country.

Subd. 8. "Local organization for emergency services" means an organization created in accordance with the provisions of this chapter by the state or a political subdivision to perform local emergency services functions.

Subd. 9. "Mobile support units" means an organization for emergency services created in accordance with the provisions of this chapter by the state or a political subdivision to be dispatched by the governor to supplement local organizations for emergency services in a stricken area.

Subd. 10. "Organizational equipment" means equipment and supplies essential for emergency services in excess of equipment and supplies provided for normal operation of the state or a political subdivision to the acquisition of which the federal government will contribute.

Subd. 11. "Political subdivision" means a county, city, town, or a public corporation created and operating under Minnesota Statutes, Sections 360.101 to 360.133.

Subd. 12. "Available personnel" means all able-bodied persons.

Sec. 5. [EMERGENCIES; THE GOVERNOR AND EXECUTIVE COUNCIL.] Subdivision 1. The provisions of this section are subject to the provisions of Minnesota Statutes, Chapter 9.

Subd. 2. The governor may appoint an emergency service advisory council. Such a council shall consist of not less than five nor more than 15 members. The size of the council shall be determined within the above limits by the governor. The members of the council shall serve at the pleasure of the governor without compensation, but shall be reimbursed in the same manner and amount as state employees. The council shall advise the governor and the state director on all matters pertaining to emergency services.

Subd. 3. When a war or the imminence of a war threatens the people of this state, the governor shall:

(a) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or property;

(b) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(c) Control ingress and egress to and from a stricken or threatened area, the movement of persons within the area, and the occupancy of premises therein;

(d) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

(e) Make provisions for the availability and use of temporary housing.

Sec. 6. [DIVISION OF EMERGENCY SERVICES.] Subdivision 1. The division of civil defense in the department of public safety established by Laws 1969, Chapter 1129, Article 1, Section 14, is hereby renamed the division of emergency services. It shall remain under the supervision and control of the state director whose position was established by Laws 1969, Chapter 1129, Article 1, Section 14 and as there provided he shall serve at the pleasure of the commissioner in the unclassified service of the state and shall hold no other state office. The relationship between the state director and the commissioner of public safety shall be governed by the provisions of Laws 1969, Chapter 1129, Article 1, Section 14.

(a) Such professional, technical, secretarial and clerical employees as are necessary for the performance of the division's functions shall be employed in the manner provided by law.

(b) The state director and other personnel of the division of emergency services shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for personnel of other state agencies.

Subd. 2. The division of emergency services shall prepare and maintain a state emergency plan and keep it current, the plan shall include:

(a) Guidelines and standards for the prevention and minimization of injury and damage caused by disaster;

(b) Measures outlining prompt and effective response to disasters and emergencies;

(c) Programs for disaster relief;

(d) Identification of areas particularly vulnerable to disasters and emergencies;

(e) Recommendations for zoning, building, use of land, and safety measures for securing mobile homes;

(f) Guidelines which will assist local officials in designing local emergency plans;

(g) Recommendations for the construction of temporary works designed to prevent loss of life and property from flood, conflagration, or other disaster;

(h) Guidelines for the preparation of catalogues containing federal, state and private assistance programs and distribution of these to the appropriate state and local officials;

(i) Provisions for the organization and use of available personnel and chains of command;

(j) Provisions for the coordination of the state and local emergency plans with the emergency plans of the federal government; and

(k) Other necessary matters to carry out this act.

Subd. 3. The division of emergency services shall participate in the development and revision of local and interjurisdictional emergency plans prepared under section 8. The division may employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, and carrying out their emergency plans. This personnel shall consult with political subdivisions and shall make field examinations of the areas, circumstances, and conditions to which particular emergency plans are intended to apply, and may suggest revisions to the emergency plans. Any such revisions to the plan are subject to the approval of the division.

(a) In preparing and revising the state emergency plan, the division of emergency services shall seek the advice and assistance of local governmental, business, labor, industrial, agricultural, civic, and volunteer organizations and community leaders. The division shall encourage the political subdivisions to seek advice from these sources in developing their emergency plans.

(b) The division of emergency services shall:

(1) Determine requirements of the state and its political subdivisions for food, clothing, and other necessities in event of an emergency or disaster;

(2) Procure supplies, medicines, materials, and equipment and position them such that in the event of an emergency or disaster they are readily available;

(3) Promulgate minimum standards to be incorporated in the emergency plans of political subdivisions;

(4) Periodically review the emergency plans of the political subdivision to assure that minimum standards are met;

(5) Provide for the mobile support units necessary to adequately assist the political subdivisions during emergencies and disasters;

(6) Shall provide assistance to political subdivisions in the establishment and operation of training programs and programs for dissemination of public information;

(7) Make surveys of industries, resources, and facilities within the state, both public and private, to ascertain the availability of materials for use in an emergency or disaster;

(8) Make arrangements for the use of materials determined to be available for emergencies and disasters;

(9) Establish a register of persons with types of training and skills important in emergencies and disasters;

(10) Suggest and submit to the governor, or executive council, orders, proclamations, and regulations as necessary or appropriate in coping with disasters or emergencies;

(11) Cooperate, when possible, with the federal government and any public or private agency or person in achieving the purpose of this act and in developing and implementing emergency plans;

(12) Perform all other necessary duties, incidental, or appropriate for the implementation of this act.

Sec. 7. [FINANCE, ASSISTANCE, ACCEPTANCE; RULES BY GOVERNOR.] Subdivision 1. Where an emergency or disaster exists the executive council shall expend the funds appropriated to it pursuant to Minnesota Statutes, Section 9.061, for the purposes of this act as for the purposes specified in that section.

Subd. 2. Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant or loan, for the purposes of emergency services, the state, acting through the governor, or such political subdivision, acting with the consent of the governor and through its governing body, may accept such offer and upon such acceptance the governor of the state or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 3. Whenever any person, firm or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, real property, or funds by the way of gift, grant or loan, for purposes of emergency services, the state, acting through the governor, or such political subdivision, acting through its governing body, may accept such offer and upon such acceptance the governor of the state or the governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, real property, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law. Real property so accepted shall be treated as, and subject to the same immunities during time of emergencies and disasters as real property owned by the state.

Subd. 4. The governor shall have authority to establish rules and regulations in accordance with the law for the proper and efficient operation and administration of the emergency services program including methods relating to the establishment and maintenance of personnel standards on a merit basis for all employees of local emergency services agencies, provided, however, that the governor shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods.

The governor may, by rule or regulation, cooperate with the federal government in any manner as may be necessary to qualify for federal aid to carry out the provisions herein expressed. The governor may, by rule or regulation, also cooperate with other political units or sub-

divisions in establishing and maintaining personnel standards on a merit basis.

In carrying out the provisions of this act, the governor and the governing bodies of the political subdivisions of the state are directed to utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the governor and to the emergency services organizations of the state upon request.

Subd. 5. Where the governor or his duly authorized representatives find it necessary to send an employee of the division of emergency services or a volunteer designated by the division, to any school training or indoctrination program, or place for training or indoctrination in a matter legitimately connected with emergency services, the division shall compensate that person at the rate of \$35 per day for the time that he remains where he has been sent plus reasonable and necessary expenses in the same manner and amount as state employees.

Subd. 6. Nothing contained in this section shall be construed to limit the governor's authority to apply for, administer, and expend grants, gifts, or payment in aid of disaster prevention, preparedness, response, or recovery.

Sec. 8. [LOCAL ORGANIZATIONS.] Subdivision 1. Each political subdivision of this state shall establish a local organization for emergency services in accordance with the state emergency plan and program, but no town shall establish a local organization for emergency services without approval of the state director. Each local organization for emergency services shall have a director who shall be appointed forthwith in a city, by the mayor thereof, in a town by the town board, and for a public corporation created and operating under Minnesota Statutes, Sections 360.101 to 360.133 by its governing body who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency services, subject to the direction and control of such governing body.

Subd. 2. Each county emergency services organization shall have a director and one or more deputy directors. They shall be appointed by the county board. A county organization for emergency services shall have jurisdiction throughout the county outside of any city, or of a town which has a local emergency services organization. In addition to the other powers granted by this subdivision, such county organizations shall coordinate the activities of and may assist in the training of emergency services organizations of political subdivisions within the county, plan for the continuity of county government in cooperation with the county attorney who is authorized and directed to give legal advice to the county organization, acquire equipment necessary in connection therewith, and expend funds provided by the county board out of general revenue funds for such purposes.

Subd. 3. Each local and county organization for emergency services shall perform emergency functions within the territorial

limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this act or any other applicable provisions of law.

Subd. 4. The county emergency services director shall promote a community first aid and blood bank committee for each hospital within the county other than any owned and operated by the state or federal governments. This committee, in cooperation with the committee on emergency services and disaster blood program, the medical and administrative staff of the hospital and other local and state agencies, shall develop blood banks and donor lists in accordance with the provisions of this act.

Subd. 5. With approval of the governor, two or more political subdivisions may enter into agreements determining the boundaries of the geographic areas of their respective emergency responsibilities or providing for a common emergency services organization which, for the purposes of this act shall be a local emergency services organization.

Subd. 6. Each political subdivision either alone or in conjunction with another political subdivision shall prepare and keep current an emergency plan for its area.

Subd. 7. The political subdivision's organization of emergency service shall prepare and distribute to all appropriate persons in written form a clear and complete statement of the emergency responsibilities of local agencies and persons.

Subd. 8. To provide moneys for emergency services purposes authorized by this chapter, a political subdivision is empowered to levy annually upon all taxable property in the political subdivision, except as provided in subdivision 11, a tax in excess of and over and above all taxing limitations, except a limitation established pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay such expenditures. The total amount of a tax levied under authority of this section except when levied by a county shall not exceed 40 cents per capita based on the last federal regular or special census, except in a political subdivision in which such tax will not produce a total amount of \$1,000 in which event a tax sufficient to produce \$1,000 or so much thereof as may be necessary may be levied, if not in excess of a limitation established pursuant to sections 275.50 to 275.56.

Subd. 9. (a) To provide moneys for the purchase of organizational equipment which is to be paid for in part by the federal government, a political subdivision is empowered to levy a tax upon all taxable property in the political subdivision, except as provided in subdivision 10, in excess of and over and above all taxing limitations, including those provided in subdivision 8, but subject to a limitation established pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay its share of the cost of such organizational equipment, provided that the governor has approved the purchase thereof.

(b) Each political subdivision which has initiated the purchase of organizational equipment shall have the power:

(1) To pay into the state treasury, in trust, its share of the cost of organizational equipment required by the federal government to be paid in advance.

(2) To pay into the state treasury, in trust, its share of the reimbursement of the federal government by the state as part of its share of the cost of organizational equipment purchased for the political subdivision and initially wholly paid for from the federal treasury.

(3) To pay the entire cost of organizational equipment from funds derived from tax levies herein authorized but within the limitations of subdivision 8. Organizational equipment purchased entirely from funds of a political subdivision need not be in excess of equipment provided for normal operation of a political subdivision and may be of a type and kind usable for local emergency services purpose.

Subd. 10. When levied by a county, the taxes authorized in subdivisions 8 and 9, respectively, shall be spread wholly and exclusively upon property within the portion of the county over which the county local organization for civil defense has justification as provided in section 12.25, subdivision 1; provided, however, that a county may levy annually a tax upon all taxable property within any city or town within the county which has a local civil defense organization.

Subd. 11. Notwithstanding the limitation contained in section 8, subdivision 9, the limitation applicable to the city of Minneapolis shall continue at 20 cents per capita, and no levy may be made by Hennepin county on property within the city of Minneapolis pursuant to section 8, subdivision 11.

Sec. 9. Subdivision 1. If the governor or his designee find that two or more political subdivisions would benefit more by jointly developing and maintaining an emergency plan than by maintaining separate emergency plans, he may by executive order require the political subdivisions to develop and maintain a single emergency plan. This determination shall be subject to the consent of the political subdivisions and shall be based on these considerations of the political subdivisions:

- (a) Population;
- (b) Financial resources;
- (c) Vulnerability to disaster or emergency;
- (d) Interrelated characteristics;
- (e) Other relevant conditions or circumstances.

Subd. 2. If the governor finds that a vulnerable area lies only partly within this state and includes territory in another state or territory in a foreign jurisdiction and that it would be desirable to establish an interstate or international relationship to protect this area, he shall take the proper steps to establish this relationship.

Subd. 3. In the event a jurisdiction or jurisdictions with which the governor proposes to cooperate has not enacted the interstate civil defense and disaster compact, he may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for the making thereof does not otherwise exist, becomes effective only after its text has been communicated to the legislature and provided that neither house of the legislature has disapproved it in the next session or within one year after its submission, whichever is shorter.

Sec. 10. [INTERGOVERNMENTAL ARRANGEMENTS.] Subdivision 1. This state enacts into law and enters into the interstate civil defense and disaster compact with all states, defined therein, which states have enacted or shall hereafter enact the compact in the form substantially as follows:

Interstate Civil Defense and Disaster Compact

The contracting States solemnly agree:

ARTICLE I

The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack or other cause, natural or otherwise, including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full, and effective utilization of the resources of the respective states, including such resources as may be available from the United States government or any other source, are essential to the safety, care, and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment, or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the states that are parties hereto. The directors of civil defense of all party states shall constitute a committee to formulate plans to take all necessary steps for the implementation of this contract.

ARTICLE II

It shall be the duty of each party state to formulate civil defense plans and programs for application within such state. There shall be frequent consultation between the representatives of the states and with the United States government and the free exchange of information and plans, including inventories of any materials and equipment available for civil defense. In carrying out such civil defense plans and programs the party states shall so far as possible provide and follow uniform standards, practices and rules and regulations including:

(a) Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;

(b) Blackouts and practice blackouts, air-raid drills, mobilization of civil defense forces and other tests and exercises;

(c) Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(d) The effective screening or extinguishing of all lights and lighting devices and appliances;

(e) Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(f) All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party state;

(g) The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during and subsequent to drills or attacks;

(h) The safety of public meetings or gatherings; and

(i) Mobile support units.

ARTICLE III

Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers, except that of arrest unless specifically authorized by the receiving state, duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services. Civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance.

ARTICLE IV

Whenever any person holds a license, certificate, or other permit issued by any state evidencing the meeting of qualifications for professional, mechanical or other skills, such person may render aid involving such skill in any party state to meet an emergency or disaster and such state shall give due recognition to such license, certificate or other permit as if issued in the state in which aid is rendered.

ARTICLE V

No party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

ARTICLE VI

Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that appropriate among other states party hereto, this instrument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

ARTICLE VII

Each party state shall provide for the payment of compensation and death benefits to injured members of the civil defense forces of that state and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

ARTICLE VIII

Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided, that any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost; and provided further that any two or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. The United States government may relieve the party state receiving aid from any liability and reimburse the party state supplying civil defense forces for the compensation paid to and the transportation, subsistence, and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the state and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment, or facilities so utilized or consumed.

ARTICLE IX

Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out from time to time between representatives of the party states and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to

other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care, and like items. Such expenditures shall be reimbursed by the party state of which the evacuees are residents, or by the United States government under plans approved by it. After the termination of the emergency or disaster the party state of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

ARTICLE X

This compact shall be available to any state, territory or possession of the United States, and the District of Columbia. The term "state" may also include any neighboring foreign country or province or state thereof.

ARTICLE XI

The committee established pursuant to Article 1 of this compact may request the Civil Defense Agency of the United States government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States government may attend meetings of such committee.

ARTICLE XII

This compact shall become operative immediately upon its ratification by any state as between it and any other state or states so ratifying and shall be subject to approval by Congress unless prior congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and the Civil Defense Agency and other appropriate agencies of the United States government.

ARTICLE XIII

This compact shall continue in force and remain binding on each party state until the legislature or the governor of such party state takes action to withdraw therefrom. Such action shall not be effective until 30 days after notice thereof has been sent by the governor of the party state desiring to withdraw to the governors of all other party states.

ARTICLE XIV

This compact shall be construed to effectuate the purposes stated in Article 1 hereof. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be affected thereby.

Sec. 11. [LOCAL EMERGENCIES.] Subdivision 1. A local emergency may be declared only by the executive authority of the affected political subdivision. The local emergency shall not be continued or renewed for a period in excess of seven days except with the consent of the governing board of the political subdivision involved. Any order or proclamation in regard to a local emergency shall be given prompt and general publicity and shall be filed promptly with the chief local records-keeping agency.

Subd. 2. The effect of a declaration of a local emergency is to activate applicable emergency plans.

Sec. 12. [DISASTER PREVENTION.] Subdivision 1. The governor shall direct state agencies, including but not limited to those charged with responsibilities of flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land-use planning, and construction standards, to conduct studies and submit reports to the governor relative to disasters and emergencies. The governor shall make recommendations to the legislature, political subdivisions, and state agencies regarding measures for prevention and reduction of the harmful consequences of disasters and emergencies.

Subd. 2. The department of natural resources, in conjunction with the division of emergency services, shall keep land uses and construction of structures and other facilities under continuing study and identify areas which are particularly susceptible to severe land shifting, subsidence, and flood. The studies under this subdivision shall concentrate on means of reducing or avoiding the dangers and consequences of such occurrences.

Subd. 3. If the division of emergency services determines that existing building standards and land-use controls in an area are inadequate and could add substantially to the magnitude of the disaster, it shall recommend to the governor the changes it finds necessary to reduce the magnitude of the disaster. If the governor upon review of the recommendation finds that the changes are essential, he shall so recommend that these changes be implemented by the appropriate state agency or political subdivision. If his recommendations are not acted upon within the time specified by the governor, he shall so inform the legislature and request legislative action.

Sec. 13. [COMMUNICATIONS.] The division of emergency services shall ascertain what means exist for rapid and efficient communications in times of emergencies or disasters. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive state or state-federal telecommunications or other communications system or network. In studying the character and feasibility of any system or its several parts, the division shall evaluate the possibility of multipurpose use thereof for general state and local governmental purposes. The division shall make recommendations to the governor as appropriate.

Sec. 14. [MUTUAL AID.] Subdivision 1. Political subdivisions shall be encouraged and assisted by the division of emergency services to enter into suitable arrangements for furnishing mutual aid in coping with disasters.

Subd. 2. In reviewing of local emergency plans, the governor shall consider whether they contain adequate provisions for the rendering and receipt of mutual aid.

Sec. 15. [ASSISTANCE BETWEEN POLITICAL SUBDIVISIONS.] Subdivision 1. Whenever requested by a political subdivision after declaration of a stated emergency or disaster, the governor may, in his discretion, authorize and direct the police, fire-fighting, health, or other force of any political subdivision, herein called the sending political subdivision, to go to the assistance of another political subdivision, herein called the receiving political subdivision, and to take and use for such purpose such personnel, equipment, and supplies of the sending political subdivision as the governor may direct.

Subd. 2. While so engaged, the officers and members of such forces shall have the same powers, duties, rights, privileges and immunities as if they were performing like service in the sending political subdivision and shall be considered to be acting within the scope of and in the course of their regular employment, as employees of such sending political subdivision.

Subd. 3. The receiving political subdivision shall reimburse the sending political subdivision for all supplies used and the compensation paid to all officers and members of the forces so furnished during such time as the rendition of such aid prevents them from performing their duties in the sending political subdivision, for the actual traveling and maintenance expenses of such officers and members while rendering such aid, and the cost of all insurance covering such officers and members while so engaged. Any claim for such loss, damage or expense in use of equipment or supplies or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the municipality having knowledge of the facts, is filed with the clerk of the receiving political subdivision.

Subd. 4. It shall be the policy of the state to reimburse the sending political subdivision for any loss or damage to equipment used outside of the corporate limits of the sending political subdivision and to reimburse the sending political subdivision for any additional expenses incurred in the operation and maintenance thereof outside such corporate limits. Any claim for such loss, damage or expense in use of equipment or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the sending political subdivision having knowledge of the facts, is filed with the state director.

Sec. 16. [PERSONS REQUIRED TO ASSIST.] Subdivision 1.

During an emergency or disaster, the governor, the state director or a member of a class of members of a state or local civil defense organization designated by the governor, may, when necessary to save life or property, (1) require any person, except members of the federal or state military forces and officers of the state or a political subdivision, to perform services for emergency services purposes as directed by any of the persons first above described, and (2) commandeer, during a disaster or emergency, any motor vehicle, tools, appliances or any other personal property.

Subd. 2. The owner of any property so commandeered shall be promptly paid just compensation for the use thereof and all damages done to the property while so used for emergency services purposes. The governor or the governing body of the political subdivision concerned, respectively, according to the use thereof, shall make a formal order determining the amount of such compensation. The owner may appeal to the district court of the county in which such property was commandeered if, within 30 days from the date of such order, he serves upon the governor or the political subdivision concerned and files with the clerk of such court a written notice of appeal setting forth the order appealed from and, in detail, the amount claimed as compensation. Upon such appeal, the issue shall be the amount of damages to which the appellant is entitled. It may be noticed for trial as in the case of a civil action and the court may require other parties to be joined and to plead therein when necessary to a proper determination of the questions involved. The cause shall be tried without a jury *de novo* and the court shall determine the damages and the person or persons entitled thereto. Except as herein otherwise provided, the trial shall be conducted and the cause disposed of according to the rules applicable to civil actions in the district court. The court in its discretion may award to the prevailing party the costs and disbursements of the appeal.

Subd. 3. Any available personnel required to perform services for emergency services who refuses, neglects, or otherwise fails to perform the services required under subdivision 1 shall be guilty of a misdemeanor and punished by imprisonment in the county jail for not less than ten days or more than 90 days.

Sec. 17. [MOBILE SUPPORT UNITS CALLED TO DUTY.] Subdivision 1. Mobile support units shall be called to duty upon orders of the governor and shall perform their functions in any part of the state, or, upon the conditions specified in this section, in other states.

Subd. 2. Personnel of mobile support units while on active duty, whether within or without the state, shall: (1) if they are employees of the state, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; (2) if they are employees of a political subdivision, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; and (3) if they are not employees of the state or a political subdivision thereof, receive compensation by the state of \$5 per day and have the same rights and immunities as are

provided by law for the employees of this state. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of emergency services activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

Subd. 3. The state shall reimburse a political subdivision for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit and for all payments for death, disability or injury of such employees incurred in the course of such duty, and for all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

Subd. 4. Whenever a mobile support unit of another state shall render aid in this state pursuant to the orders of the governor of its home state, and upon the request of the governor of this state, this state shall reimburse such other state for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of the personnel of such mobile support unit while rendering such aid, and for all payments for death, disability or injury of such personnel incurred in the course of rendering such aid, and for all losses of or damage to supplies and equipment of such other state or a governmental subdivision thereof resulting from the rendering of such aid; provided, that the laws of such other state contain provisions substantially similar to this section.

Subd. 5. No personnel of a mobile support unit of this state shall be ordered by the governor to operate in any other state unless the laws of such other state contain provisions substantially similar to this section.

Sec. 18. [GOVERNOR MAY CONTRACT.] The governor, during an emergency or disaster, is, notwithstanding any other provision of law, empowered to enter into contracts and incur obligations necessary to combat such emergency or disaster by protecting the health and safety of persons and the safety of property, and providing emergency assistance to the victims of such emergency or disaster; to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contract, incurring obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, for example, but not limited to, publication of calls for bids, provisions of the civil service act and rules, provisions relating to low bids and requirements for the budgeting and allotment of funds. All contracts shall be in writing, executed on behalf of the state by the governor or a person by him delegated in writing so to do, and shall be promptly filed with the state auditor, who shall forthwith encumber funds appropriated for the purposes of the contract for the full contract liability and certify thereon that such encumbrance has been made.

Sec. 19. [POLITICAL SUBDIVISIONS, AUTHORITY TO ENTER INTO CONTRACTS.] During a disaster or emergency, each political subdivision is, notwithstanding any statutory or charter provision to

the contrary, empowered, through its governing body acting within or without the corporate limits of the political subdivision, to enter into contracts and incur obligations necessary to combat such emergency or disaster by protecting the health and safety of persons and property, and providing emergency assistance to the victims of such emergency or disaster. Each political subdivision is authorized to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers; rental of equipment, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, for example, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

Sec. 20. [EMPLOYEES; LOYALTY OATHS.] No person shall be employed or associated in any capacity in an emergency service organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for emergency services shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

"I,, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

This oath may be administered by an officer of the division of emergency services, local emergency services director/coordinator or any public official authorized to administer oaths.

Sec. 21. [POLITICAL ACTIVITIES.] No organization for emergency services established under the authority of this chapter shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a legitimate labor dispute.

Sec. 22. [VIOLATIONS, PENALTIES.] Unless a different penalty or punishment is specifically prescribed, any person who willfully violates any provision of this act or any rule, order or regulation having the force and effect of law issued under authority of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

Sec. 23. [LIMITATION OF POWERS.] Nothing in this act shall be construed to authorize the governor or the director:

(1) By subpoena or otherwise to require any person to appear before him or any other person or to produce any records for inspection by him or any other person, or to examine any person under oath; and

(2) To remove summarily from office any person, other than a person appointed under this chapter, except as now provided by law or as herein specifically authorized.

Sec. 24. [COLLECTION OF BLOOD TO TREAT CASUALTIES IN DISASTER.] The state board of health is authorized to procure and to store blood typing serums, donor and recipient sets of the disposable type and disposable blood containers in which to collect citrated whole human blood for transfusion purposes. Such donor and recipient sets, disposable blood containers and blood typing serum procured under sections 25 and 23 shall comply with the standards of the National Institutes of Health, United States Public Health Service. The board is authorized to make agreements with such hospitals, blood banks, and bleeding centers for the storing, without cost to the state, of such containers and sets, in quantities not to exceed a one year supply, at such points throughout the state as the board in cooperation with the division of emergency services deems necessary in order to facilitate the immediate collection and use for transfusion purposes of supplies of citrated whole human blood for the treatment of casualties in case of disaster. The hospitals, blood banks, and bleeding centers cooperating with the board pursuant to said agreements shall store such containers and sets but are authorized to use such containers and sets as needed in meeting their normal daily transfusion requirements. In order to keep the supply fresh and readily available at all times for disaster use, such hospitals, blood banks, and bleeding centers shall replenish as used, at their own expense, the supply of such containers and sets stored with them by the board pursuant to said agreements.

Sec. 25. [BLOOD TYPING SERUMS, BLOOD DONOR LISTS.] Within the limitations of available funds, the board will provide blood typing serums to assist hospitals, blood banks, and bleeding centers in developing and enlarging a blood donor list of such size as to provide a ready source of whole blood for the treatment of casualties in the event of disaster. The hospitals, blood banks, and bleeding centers shall keep such donor lists current and shall report at such times as may be required by the board the total number of donors on the blood donor list and the number in the respective blood groups and RH types.

Sec. 26. [DIRECTOR OF DIVISION OF EMERGENCY SERVICES MAY HANDLE EXCESS FEDERAL PROPERTY.] Subdivision 1. The division is designated as the state agency to purchase, accept, lease, and distribute excess property made available by the federal government to a governmental or nonprofit organization for any purpose authorized by federal law and in accordance with any rules or regulation promulgated thereunder.

Subd. 2. The director may purchase, lease, or accept excess property for the state of Minnesota and may purchase, lease, or accept excess property for the benefit of any other governmental or nonprofit organization. And any such governmental or nonprofit organization may designate the director to purchase, lease, or accept excess property for it upon such terms and conditions as may be mutually agreed upon.

Sec. 27. [EXCESS PROPERTY REVOLVING FUND; ADVANCES FOR CERTAIN EXPENSES.] Subdivision 1. In order to enable the director to pay for excess property received from the federal government for any governmental or nonprofit organization, including the expenses of screening, accepting and distributing such property, there is hereby created an excess property revolving fund. Any moneys paid into said excess property revolving fund are hereby appropriated to the director for the purposes of sections 26 to 28. An excess property revolving account is established in the state treasury. All moneys or reimbursements received by the director of emergency services from the operation of the excess property program or any branch thereof shall be deposited in the state treasury and credited to this account.

Subd. 2. A sum not to exceed \$1,000 of the moneys credited to such fund may be advanced to the director of the division of emergency services or any state officer or employee engaged in performing duties under sections 18 to 27 for the purpose of defraying the expenses of travel, subsistence, toll charges, and other similar expenses, and in accordance with such requirements therefor as may be prescribed by the state auditor. Moneys so advanced when repaid shall be deposited in the state treasury to the credit of the excess property revolving fund.

Sec. 28. [EXCESS PROPERTY, STORAGE, TRANSFER REIMBURSEMENT OF REVOLVING FUND.] Subdivision 1. The director may store excess property until needed and any expenses incurred in connection therewith shall be paid from the excess property revolving fund.

Subd. 2. Wherever the state of Minnesota or any of its departments or agencies operating pursuant to a legislative appropriation obtain excess property from the director the state auditor upon request of the director shall transfer the cost thereof, including any expenses of screening, accepting and distributing such property, from the appropriation of the state department or agency receiving the excess property to the excess property revolving fund. The determination of the director as to the cost of such excess property to the state department or agency receiving the same shall be final.

Subd. 3. Whenever any governmental or nonprofit organization other than a state department or agency receives excess property from the director, such governmental or nonprofit organization shall reimburse the excess property revolving fund for the cost thereof, including the expenses of screening, accepting and distributing the same, in such amount as the director may determine. The director may, however, require such governmental or nonprofit organization to deposit in advance in the excess property revolving

fund moneys covering the cost of such excess property and upon such terms and conditions as may be mutually agreed upon.

Sec. 29. The revisor of statutes, in the next and subsequent editions of Minnesota Statutes, shall substitute the words "division of emergency services" for "Minnesota civil defense agency or division of civil defense" where the same appear in Minnesota Statutes, except in the interstate civil defense and disaster compact.

Sec. 30. Minnesota Statutes 1971, Section 15.0411, Subdivision 2, is amended to read:

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases. Sections 15.0411 to 15.0422 do not apply to (a) agencies directly in the legislative or judicial branches, (b) emergency powers in Laws 1951, Chapter 224, Title III, Sections 301 to 307 sections 1 to 28 of this act, (c) Adult Corrections Commission and Pardon Board. (d) the Youth Conservation Commission, (e) the Department of Manpower Services, (f) the Director of Mediation Services, (g) the department of labor and industry, (h) workmen's compensation commission.

Sec. 31. Minnesota Statutes 1971, Sections 12.01; 12.02; 12.03; 12.04; 12.11; 12.12; 12.21; 12.22; 12.23; 12.24; 12.25; 12.26, Subdivisions 1, 3 and 6; 12.27; 12.28; 12.31; 12.32; 12.33; 12.34; 12.35; 12.36; 12.37; 12.42; 12.43; 12.44; 12.45; 12.46; 12.56; and 12.57 and Minnesota Statutes, 1973 Supplement, Section 12.26, Subdivisions 2 and 4; and Laws 1951, Chapter 669, are repealed.

Sec. 32. This act is effective July 1, 1974."

Further, amend the title by striking it in its entirety and inserting in lieu thereof:

"A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the interstate civil defense and disaster compact; providing penalties; amending Minnesota Statutes 1971, Section 15.0411, Subdivision 2; repealing Minnesota Statutes 1971, Chapter 12, as amended; and laws 1951, Chapter 669."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2604: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law relating to the dependent care deduction, inheritance tax, and gift tax; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 26; 291.03, as amended; 291.05, as amended; 292.05, Subdivision 1, as amended; 292.07, Subdivision 3, as amended, and Subdivision 5, as amended.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, after "*for*" insert "*a*"

Page 2, line 3, strike "*taxpayers*" and insert "*taxpayer*"

Page 3, line 4, reinstate the stricken language

Page 3, lines 23 to 28, reinstate the stricken language and further amend as follows:

Page 3, line 23, strike (5) and insert (2)

Page 3, line 23, strike "woman" and insert "*taxpayer*"

Page 3, line 25, strike "she" and insert "*he*"

Page 3, line 25, strike "her" and insert "*his*"

Page 3, line 28, strike "she" and insert "*he*"

Page 3, line 28, strike "her" and insert "*his*"

Page 4, lines 1 to 5, reinstate the stricken language

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws.

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. 3434: A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Sections 201.061, by adding a subdivision; and 201.071, Subdivisions 1 and 3.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1, 2 and 3, strike all of Sec. 2 and Sec. 3.

Further, amend the title as follows:

Page 1, line 7, strike "Sections" and insert in lieu thereof "Section"

Page 1, line 8, strike "; and" and insert a period

Page 1, strike all of line 9.

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 3055 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.
		3055	3000		

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 referred

H. F. No. 2996 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2996	3047				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2996 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] The purpose of this section is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.

Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. These payments shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Beginning July 1, 1976, all vocational aid payments to the extent funds are available shall be made based on the approved budget for the current fiscal year.

Subd. 3. [BUDGETS.] Before May 1, 1974, and before January 1 of each year thereafter area vocational-technical institute budgets for the following fiscal year shall be submitted to the state board for vocational education. The commissioner, subject to the approval of the state board for vocational education, shall approve the overall budget for each district prior to June 15, 1974 and May 15 of each year thereafter. The total amount of reim-

bursement payments approved shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Inflation and expansion occurring in fiscal year 1976 shall be incorporated into the fiscal year 1976 budget request. No district shall increase its indebtedness during fiscal year 1976 unless authorized by the state board for vocational education. The state board for vocational education shall before October 1, 1974 promulgate rules and regulations which establish the approval criteria of budgets including but not limited to the following: responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which the local school districts shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1974 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before January 1, 1975 and January 1 of each year thereafter.

Sec. 2. [EARLY IDENTIFICATION AND EARLY CHILDHOOD PROGRAMS.] Subdivision 1. The board of any independent or special district may provide early identification and early childhood programs in one or more elementary school areas within the district and may receive state aids for such programs. In the 1974-75 school year such aids shall be provided for no more than 11 pilot program centers. The aids for such pilot programs shall be distributed in accordance with Minnesota Statutes, Sections 124.17 and 124.212.

Subd. 2. Each district providing such programs shall establish and maintain an account separate from all other district accounts for the receipt and disbursement of all funds related to such early identification and early childhood programs.

Subd. 3. Each district providing early identification and early childhood programs shall coordinate their services with any early identification and early childhood services provided in the district by other governmental agencies. A district may develop cooperative programs with private agencies providing early identification and early childhood services. All governmental agencies shall cooperate with the school district in these coordination efforts. Any district which provides early identification and early childhood programs but does not coordinate its efforts with other governmental agencies shall submit an explanatory report to the commissioner within one year after the implementation of its early identification and early childhood programs and each year thereafter in which such coordination is not established.

Subd. 4. A school district providing early identification and early childhood programs shall be eligible to receive funds for early identification and early childhood services from other government agencies and from private sources where such funds are available.

Subd. 5. A district may charge reasonable fees for early identification and early childhood services; however, a district shall waive such charge or fee if any pupil, his parent or guardian is unable to pay it.

Sec. 3. [TRANSITIONAL YEAR.] Subdivision 1. Notwithstanding any law to the contrary, in districts which have established an approved early identification and early childhood program, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to Minnesota Statutes, Section 124.212, plus that portion of the allowable foundation aid amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under Minnesota Statutes, Section 275.125, Subdivision 3 (5) shall continue to be earned by the district. All such transitional year funds shall be permanently transferred from the general fund to the early identification and early childhood account to provide for early identification and early childhood programs. Moneys so received shall be used only for purposes of the early identification and early childhood program.

Subd. 2. The commissioner shall promulgate rules and regulations setting forth the standards for application for and approval of this early graduation procedure.

Sec. 4. Minnesota Statutes 1971, Section 121.21, Subdivision 5, is amended to read:

Subd. 5. The commissioner with the approval of the state board for vocational education is authorized to apportion and distribute funds to the local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts; *provided however that in fiscal years 1975 and 1976 no district shall receive reimbursement for any costs in excess of those approved by the state board for vocational education*; *provided however further that those school districts enrolling more than the state average of resident students shall receive nonresident aids based on the average percentage of nonresident attendance for the preceding school year for the state in area vocational-technical schools.*

Sec. 5. Minnesota Statutes 1971, Section 123.37, Subdivision 1, is amended to read:

123.37 [INDEPENDENT SCHOOL DISTRICTS, CONTRACTS.] Subdivision 1. No contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws, or for the construction or repair of school houses, the estimated cost or value of which shall

exceed: (a) \$3,000 for school districts with an enrollment of students in grades 1 to 12 of less than 10,000, or (b) \$5,000 for all other school districts, shall be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. Such notice shall state the time and place of receiving bids and contain a brief description of the subject matter.

Such additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract shall be awarded to the lowest responsible bidder, duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance, and otherwise conditioned as required by law. A record shall be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid shall be rejected unless the alteration or erasure is corrected as herein provided. An alteration or erasure may be crossed out and the correction thereof printed in ink or type-written adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district shall be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts shall not exceed two years with an option on the part of the district to renew for an additional two years. Provided that in the case of purchase of perishable food items except milk for school lunches and vocational training programs a contract of any amount may be made by direct negotiation by obtaining two or more quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

Every contract made without compliance with the provisions of this section shall be void. Provided, that in case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

Firm bid contracts for the purchase of milk and ice cream nego-

tiated or renegotiated between September 1, 1973 and July 1, 1974 which provide for a price increase or decrease based upon a demonstrable industrywide or regional increase in the vendor's costs are not void under this subdivision, provided that the adjustment shall not exceed the increase or decrease authorized in the federal marketing order for raw milk between the dates of September 1, 1973 and July 1, 1974 for sales made between February 1, 1974 and July 1, 1974.

Sec. 6. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1a. [AUTHORITY TO PURCHASE.] The board may authorize its superintendent or business manager to lease, purchase, and contract for goods and services within the budget as approved by the board, provided that any transaction in an amount exceeding the minimum amount for which bids are required must first be specifically authorized by the board and must fulfill all other applicable requirements in section 123.37, subdivision 1.

Sec. 7. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1b. Notwithstanding the provisions of subdivision 1, a contract for the transportation of school children may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the school district shall, by published notice, request quotations for the service to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1.

Sec. 8. Minnesota Statutes 1971, Section 123.39, Subdivision 1, is amended to read:

123.39 [INDEPENDENT SCHOOL DISTRICTS, TRANSPORTATION.] Subdivision 1. The board may provide for the free transportation of pupils to and from school, and to schools, in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year as it may deem advisable, and subject to its rules. Every driver shall possess all the qualifications required by the rules of the state board of education. In any district which at the time of the adoption of this code was a consolidated district or enjoyed the privileges of a consolidated district, the board shall arrange for the attendance of all pupils living two miles or more from the school, through suitable provision for transportation or for the boarding and rooming of such pupils as may be more economically and conveniently provided for by such means. The district is authorized to provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by such means *or where pupils attend school in a*

building rented or leased by a district within the confines of an adjacent district .

Sec. 9. Minnesota Statutes 1971, Section 123.39, is amended by adding a subdivision to read:

Subd. 13. The board shall provide for the transportation of resident handicapped persons who fulfill the requirements of Minnesota Statutes, Section 252.23, Clause (1) to licensed daytime activity centers attended by these persons. Any aid received for transportation outside the district must be approved by the commissioner.

Sec. 10. Minnesota Statutes, 1973 Supplement, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount not to exceed \$65 per pupil unit and not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of 6 mills not to exceed \$65 per pupil unit in 1974 . The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to equip, re-equip, repair and improve buildings and permanent attached fixtures. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 11. Minnesota Statutes 1971, Section 124.13, is amended to read:

124.13 [LIMIT ON STATE AID.] The total amount of aid paid by the state to any district for *any purpose* in any year shall not exceed the total amount expended by the district for education of resident pupils ~~during for such purpose~~ for such year.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an early identification and early childhood program approved by the state board, one-tenth pupil unit for each child

served by the program. Any child prior to entering kindergarten or below age 6 may qualify for early identification and early childhood programs and aids provided that either the child or his parent or guardian is served by the program.

~~(1)~~ (2) 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)~~ (3) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle school~~ *any public school, including middle schools and elementary schools, in districts maintaining high schools, or those which will maintain a high school by the 1974-1975 school year, shall be counted as secondary pupils. Such aids will be paid for the 1973-1974 school year to districts now qualifying which previously were not eligible to receive the increased pupil weighing.*

~~(3)~~ (4) In area vocational-technical schools one and one-half pupil units.

~~(4)~~ (5) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil *in clauses (2) and (3) 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)~~ (6) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~ten~~ *nine* percent of the total actual pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional 35/100 of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ~~ten~~ *nine* percent of the total pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), 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)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighing shall be in addition to the weighing provided in clauses (1), (2), (3), (4) and ~~(4)~~ (5) of this

section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses ~~(4)~~ (5) and ~~(5)~~ (6) to primary grade programs and services, particularly to programs and services that involve participation of parents.

~~(6)~~ (7) 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 be increased by .7 times the difference between the units as computed in clauses (2) and (3) for the two years .

~~(7)~~ (8) Where the actual number of pupil units has increased from the prior year by more than ~~four~~ three percent, a number of pupil units equal to one fourth of the difference between the units as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3) for the two years shall be added to the other units for the district.

~~(8)~~ (9) Only pupil units in clauses ~~(1)~~, (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 13. Minnesota Statutes 1971, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve, for pupils in area vocational-technical schools and for handicapped pre-kindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction. A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student.

Sec. 14. Minnesota Statutes 1971, Section 124.17, is amended by adding a subdivision to read:

Subd. 2a. Notwithstanding subdivision 2, pupils granted transi-

tional year status shall continue to be counted as members on the current roll of the school for the remainder of the school year. Pupils enrolled in an early childhood program shall be counted for membership on the current roll of the school from the time of enrollment until the end of the school year if either the pupil or his parent or guardian is served by the program. For purposes of computing average daily membership transitional year pupils and early childhood pupils shall be considered to be enrolled every day school is in session.

Sec. 15. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [AID COMPUTATION FOR SUMMER SCHOOL AND YEAR-ROUND CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of year-round programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term, *provided that beginning June 1, 1974 no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs.*

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of ~~taxation~~ *revenue*, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of ~~taxation~~ *revenue* to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of ~~taxation~~ *revenue* shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of ~~taxation~~ *revenue* is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before ~~May 1~~ *March 15*, annually, the department of ~~taxation~~ *revenue* shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 17. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 1, is amended to read:

124.222 [TRANSPORTATION AID ENTITLEMENT.] Subdivision 1. [COMPUTATION.] For the 1974-1975 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either

(a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year times the number of eligible pupils transported during the 1975 fiscal year; or

(b) 110 118 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1974;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ten percent per year of the net cost of the fleet.

Sec. 18. Minnesota Statutes, 1973 Supplement, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.] For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;

(2) Transportation to or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) Transportation for residents to a state board approved secondary vocational center;

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the

conveying of handicapped pupils between home and school and within the school plant;

(5) Transportation of resident handicapped ~~children~~ *persons who fulfill the eligibility requirements of Minnesota Statutes, Section 252.23 (1) to licensed daytime activity centers attended by the children these persons* ;

(6) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(7) Services described in clauses (1) to (6) when provided in conjunction with a state board approved summer school program.

Sec. 19. Minnesota Statutes 1971, Section 124.28, Subdivision 1, is amended to read:

124.28 [GROSS EARNINGS REFUND.] Subdivision 1. When the properties of any district are made up, to the extent of at least 20 percent in value of property which is exempt from local taxation because taxes thereon are paid into the state treasury under the provisions of the gross earnings tax law, such district shall receive annually a refund from such gross earnings taxes in the amount that would be produced by a tax on such exempt property at *three times* the current tax rate for school purposes in the district including the rate for nonresident high school children levied by the county provided that any district which has 15 percent in value of such exempt property and presently receiving gross earnings refund shall continue to receive it until June 30, 1963. For the purpose of determining the amount of this refund, the value of such exempt property shall be set at 30 percent of its full and true value except that in no case shall the assessed value of said exempt property for this purpose exceed such an amount as when added to the assessed value of all other property in the district exceed \$3,000 per resident pupil unit. In the determination of the amounts to which districts shall be entitled in the distribution of any state aids that are based upon total valuation per pupil this valuation shall be included.

Sec. 20. Minnesota Statutes 1971, Section 270.11, Subdivision 2, is amended to read:

Subd. 2. [COUNTY AUDITOR'S REPORTS OF ASSESSMENT FILED WITH COMMISSIONER.] The commissioner of ~~taxation~~ *revenue* shall require the auditor of each county in the state to file with him, on or before August 1, each year, complete abstracts of all real and personal property in the county, as equalized by the county board of equalization, and itemized by assessment districts, accompanied by a printed or typewritten copy of the proceedings of the county board of equalization, and it shall be the duty of the county auditor to so report to the commissioner of ~~taxation~~ *revenue* .

The final abstract of assessments after adjustments by the state board of equalization and inclusion of any omitted property shall be submitted to the commissioner of revenue on or before January 1 of each calendar year.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, subdivision 2a, a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by clause (7) (C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation ; *and provided further that beginning with the levy certified in 1975, a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid because of extraordinary traffic hazards but for which no state aid was received for the previous fiscal year pursuant to section 124.223, clause (1) .*

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the adjusted assessed valuation of the district shall be allowed to levy 1.9 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) A district which qualified for a levy under clause (3) above shall be allowed to levy ~~that same amount per pupil unit~~ in 1974 *the sum of the amount per pupil unit permitted under clause (3) above and the amount per pupil unit equal to the district's reimbursement aid per pupil unit in average daily membership for 1970-1971 school year programs for handicapped children*, reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. *No district in any year shall increase its levy as a result of the addition of the reimbursement aid for 1970-1971 programs for handicapped children by an amount greater than the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year.* Provided, however, that a district within 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.

(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 124.212, subdivision 8a, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors ~~any errors made in 1971 and 1972 in general and special purpose levy amounts~~ *the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 as well as adjustments to final pupil unit counts.*

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

~~The county auditor is authorized to adjust the 1973 levy to correct for the errors~~ *shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years .*

(11) *The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to*

be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

Sec. 22. Minnesota Statutes 1971, Section 275.125, Subdivision 7, is amended to read:

Subd. 7. By November 1 of each year (~~December 1, in 1971 only~~) each district shall submit to the commissioner of education and the commissioner of taxation a certificate of compliance with the levy limitations of this section and of section 124.04. The commissioner of ~~taxation~~ education shall prescribe the form of this certificate.

Sec. 23. There is appropriated to the department of education the sum of \$300,000 for the fiscal year beginning July 1, 1974. This is to be added to the \$1,751,440 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 1, and shall be used solely to supplement the \$100,000 designated for the right to read program for the fiscal year beginning July 1, 1974.

Sec. 24. [APPROPRIATION.] There is appropriated from the general fund of the state treasury to the department of education the following sums for the year ending June 30, 1975 and for the purposes indicated:

(1) Foundation Aid	\$ 1,660,000
(2) Foundation Aid for Early Childhood Education	460,000
(3) Transportation Aid	5,480,000
(4) Educational television	325,000

The amount appropriated in (4) shall be made available to the Minnesota member stations of Midwestern Educational Television, Inc. by the commissioner.

Sec. 25. Sections 1, 5, 7, 10, and 14 of this act shall be effective the day following final enactment."

Further, strike the title and insert in lieu thereof the following:

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax

revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1, and by adding a subdivision; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, Subdivision 3."

And when so amended, H. F. No. 2996 will be identical to S. F. No. 3047 and further recommends that H. F. No. 2996 be given its second reading and substituted for S. F. No. 3047 and S. F. No. 3047 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2797 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 referred to its respective Committee as follows:

H. F. No. 2797 to the Committee on Labor and Commerce.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2954, 428, 3138, 3201 and 2853 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2764, 2926, 3055 and 2996 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 3308. The motion prevailed.

Mr. Novak moved that S. F. No. 3323 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

SUSPENSION OF RULES

Mr. Olson, H. D. moved that the Rules be so far suspended as to make S. F. No. 3464 a Special Order of business to be heard immediately. The motion prevailed.

SPECIAL ORDER

S. F. No. 3464: A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

Was read the third time 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	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Solon
Berg	Frederick	Kowalczyk	Olhoft	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
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	Perpich, G.	
Conzernius	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Mr. Hansen, Mel imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kleinbaum	Ogdahl	Solon
Arnold	Fitzsimons	Kowalczyk	Olhoft	Spear
Berg	Frederick	Krieger	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessen
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzernius	Josefson	Nelson	Purfeerst	
Davies	Keefe, S.	North	Renneke	
Doty	Kirchner	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Mel moved that pursuant to Rule 40, S. F. No. 1240 be withdrawn from the Committee on Transportation and General Legislation and placed on General Orders.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 25 and nays 38, as follows:

Those who voted in the affirmative were:

Berg	Fitzsimons	Josefson	Larson	Patton
Bernhagen	Frederick	Keefe, J.	Nelson	Pillsbury
Blatz	Hansen, Mel	Kirchner	Ogdahl	Renneke
Brown	Hanson, R.	Kowalczyk	Olson, J. L.	Stassen
Dunn	Jensen	Krieger	O'Neill	Ueland

Those who voted in the negative 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	Olhoft	Solon	

The motion did not prevail.

Mr. Spear moved that H. F. No. 835 and the Conference Committee Report thereon be taken from the table. The 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.

February 19, 1974

Honorable Martin O Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 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:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes 1971, Section 518.001, is amended to read:

518.001 [REPORTS OF DISSOLUTION AND ANNULMENT.] Subdivision 1. For each ~~divorce~~ *dissolution* and annulment of marriage granted by any court in this state, a report shall be prepared and filed by the clerk of court with the state regis-

trar of vital statistics. The report shall include only the following information: Name and date of birth of the husband and the wife, county of decree, date of decree, and the signature of the clerk of court and the date signed.

Subd. 2. On or before the 11th day of each month the clerk of court shall forward to the state registrar of vital statistics the report of each ~~divoree~~ *dissolution* and annulment granted during the preceding calendar month.

Sec. 2. Minnesota Statutes 1971, Section 518.01, is amended to read:

518.01 [VOID OR VOIDABLE MARRIAGES.] All marriages which are prohibited by law on account of consanguinity, or on account of either or both parties being under the age established for marriage by Minnesota Statutes, Section 517.03, or on account of either party having a former husband or wife then living, if solemnized within this state, shall be absolutely void, without any decree of ~~divoree~~ *dissolution* or other legal proceedings; provided, that if any person whose husband or wife has been absent for five successive years, without being known to such person to be living during that time, marries during the lifetime of such absent husband or wife, the marriage shall be void only from the time that its nullity is duly adjudged.

Sec. 3. Minnesota Statutes 1971, Section 518.03, is amended to read:

518.03 [ACTION TO ANNUL.] When the validity of a marriage is disputed for any of the causes mentioned in section 518.01 or 518.02, either party may begin an action in the district court of the county where either resides, to annul the same. In such action the complaint shall be filed and proceedings had thereon as in ~~actions for divoree proceedings for dissolution~~ and, upon due proof of the nullity of the marriage, it shall be adjudged null and void.

Sec. 4. Minnesota Statutes 1971, Section 518.06, is amended to read:

518.06 [GROUNDS.] A ~~divoree from the bonds of matrimony~~ may be adjudged by the district court for any of the following causes:

(1) Adultery;

(2) Impotency;

(3) A course of conduct detrimental to the marriage relationship of the party seeking the ~~divoree~~;

(4) Sentence to imprisonment in any state or United States prison or any state or United States reformatory subsequent to the marriage; and in such case a pardon shall not restore the conjugal rights;

(5) Wilful desertion for one year next preceding the commencement of the action;

(6) Habitual drunkenness for one year immediately preceding the commencement of the action;

(7) Three years under commitment pursuant to the provisions of chapter 253A for mental illness or previous commitment statutes, provided that: (a) Commitment itself be sufficient with or without institutionalization; (b) the three years need not be continuous; (c) in granting a divorce upon this ground, notice of the pendency of the action shall be served in such manner as the court may direct, upon the guardian of the person and the guardian of the estate of such mentally ill person, if such guardian or guardians have been appointed and have qualified, and if such mentally ill person be confined, upon the superintendent of the institution in which such mentally ill person is confined; (d) such guardian and superintendent of the institution shall be entitled to appear and be heard upon any and all issues; (e) the rights of the parties as to the support and maintenance of the mentally ill person shall not be altered in any way by the granting of the divorce; (f) the person be under commitment for mental illness at the time of the commencement of the action; and (g) a guardian ad litem shall be appointed for such mentally ill person;

(8) Continuous separation under decree of limited divorce for more than five years next preceding the commencement of the action, and continuous separation under an order or decree of separate maintenance for a period of two years immediately preceding the commencement of the action.

(9) A decree of divorce may be adjudged to either husband or wife notwithstanding that both have conducted themselves in such manner as to constitute grounds for divorce. *Subdivision 1. A dissolution of a marriage may be granted by a court of competent jurisdiction upon a showing to the satisfaction of the court that there has been an irretrievable breakdown of the marriage relationship.*

Subd. 2. A court may make a finding that there has been an irretrievable breakdown of the marriage relationship if the finding is supported by evidence of any of the following:

(1) *A course of conduct detrimental to the marriage relationship of the party seeking the dissolution;*

(2) *Sentence to imprisonment in any state or United States prison or any state or United States reformatory subsequent to the marriage; and in such case a pardon shall not restore the conjugal rights;*

(3) *Habitual alcoholism or chemical dependency for a period of one year immediately prior to the commencement of the proceedings;*

(4) *Commitment pursuant to the provisions of chapter 253A for mental illness or previous commitment statutes, provided that: (a) Commitment itself be sufficient with or without institutionalization; (b) in granting a dissolution upon this ground, notice of the pendency of the action shall be served in such manner as the*

court may direct, upon the guardian of the person and the guardian of the estate of such mentally ill person, if such guardian or guardians have been appointed and have qualified, and if such mentally ill person be confined, upon the superintendent of the institution in which such mentally ill person is confined; (c) such guardian and superintendent of the institution shall be entitled to appear and be heard upon any and all issues; (d) the rights of the parties as to the support and maintenance of the mentally ill person shall not be altered in any way by the granting of the dissolution; (e) the person be under commitment for mental illness at the time of the commencement of the action; and (f) a guardian ad litem shall be appointed for such mentally ill person;

(5) Continuous separation under an order of decree of separate maintenance for a period of one year immediately preceding the commencement of the proceeding;

(6) Serious marital discord adversely affecting the attitude of one or both of the parties toward the marriage.

Sec. 5. Minnesota Statutes 1971, Section 518.07, is amended to read:

518.07 [RESIDENCE OF PETITIONER.] No ~~divorce dissolution~~ shall be granted unless the ~~plaintiff petitioner~~ has resided in this state one year immediately preceding the filing of the ~~complaint, except for adultery committed while the plaintiff was a resident of this state~~ petition .

Sec. 6. Minnesota Statutes 1971, Section 518.09, is amended to read:

518.09 [PROCEEDING; HOW AND WHERE BROUGHT; VENUE.] An ~~action for divorce or separate maintenance may be brought by a wife in her own name, and all actions for divorce shall be commenced by summons and complaint in the county where the plaintiff resides, as hereinafter provided, subject to the power of the court to change the place of trial by consent of parties, or when it shall appear that an impartial trial cannot be had in the county where the action is pending, or that the convenience of witnesses and ends of justice would be promoted by the change. A proceeding for dissolution or separate maintenance may be brought by a petitioner and all such proceedings shall be commenced by summons and petition in the county where the petitioner resides, as hereinafter provided, subject to the power of the court to change the place of hearing by consent of the parties, or when it shall appear to the court that an impartial hearing cannot be had in the county where the proceedings are pending, or when the convenience of the parties or the ends of justice would be promoted by the change.~~

Sec. 7. Minnesota Statutes 1971, Section 518.10, is amended to read:

518.10 [REQUISITES OF PETITION.] The ~~complaint shall state:~~

(1) The names and ages of the parties, the date and place of marriage, and the facts relating to the residence of the plaintiff in this state;

(2) The names and dates of birth of the minor and dependent children of the parties;

(3) The statutory ground of the action.

The facts relied upon as the statutory ground of the action shall be furnished in a verified bill of particulars within ten days after a written demand therefor. The time to answer or reply shall begin to run from the time such bill of particulars is furnished. The court may, upon motion therefor, order either party to furnish such a verified bill of particulars, or if the bill of particulars furnished is insufficient, to require such additional facts so as to advise the other party of the facts relied upon as the statutory ground of the action. The petition for dissolution of marriage shall:

(1) State the name and address of the petitioner and his attorney;

(2) State the place and date of marriage of the parties;

(3) State the name and address, if known, of the respondent;

(4) State the name and age of each minor child by date of birth whose welfare may be affected by the controversy;

(5) State whether or not a separate proceeding for dissolution of marriage has been commenced by the respondent and whether such proceeding is pending in any court in this state or elsewhere;

(6) Allege that the petition has been filed in good faith and for the purposes set forth therein;

(7) Allege that there has been an irretrievable breakdown of the marriage relationship;

(8) Set forth any application for temporary support of the petitioner and any children;

(9) Set forth any application for permanent alimony or support, child custody, or disposition of property, as well as attorneys' fees and suit money, without enumerating the amounts thereof; and

(10) State that the petitioner has been for the last year a resident of the state.

The petition shall be verified by the petitioner, and its allegations established by competent evidence.

Sec. 8. Minnesota Statutes 1971, Section 518.11, is amended to read:

518.11 [SERVICE; PUBLICATION.] Copies of the summons and ~~complaint~~ petition shall be served on the ~~defendant~~ respondent personally, and, when such service is made out of this state and within the United States, it may be proved by the affidavit of the person making the same, ~~with the certificate of the clerk of~~

the court of the country to the identity of the officer taking the affidavit, and when made without the United States it may be proved by the affidavit of the person making the same, taken before and certified by any United States minister, charge d'affaires, commissioner, consul or commercial agent, or other consular or diplomatic officer of the United States appointed to reside in such country, including all deputies or other representatives of such officer authorized to perform their duties; or before an officer authorized to administer an oath with the certificate of an officer of a court of record of the country wherein such affidavit is taken as to the identity and authority of the officer taking the same, but, if personal service cannot well be made, the court may order service of the summons by publication, which publication shall be made as in other actions.

Sec. 9. Minnesota Statutes 1971, Section 518.12, is amended to read:

518.12 [TIME FOR ANSWERING.] The ~~defendant~~ *respondent* shall have 30 days in which to answer the ~~complaint~~ *petition*. In case of service by publication, the 30 days shall not begin to run until the expiration of the period allowed for publication.

Sec. 10. Minnesota Statutes 1971, Section 518.13, is amended to read:

518.13 [FAILURE TO ANSWER; REFERENCE.] If the ~~defendant~~ *respondent* does not appear after service duly made and proved, the court may hear and determine the ~~action~~ *proceeding* at a general or special term, or in vacation; provided, that the court or judge, upon application, may refer the ~~action~~ *proceeding* to a referee to take and report the evidence therein. ~~When issue is joined, like proceedings shall be had as in civil actions. Hearings for dissolution of marriage shall be heard in open court or before a referee appointed by the court to receive the testimony of the witnesses, or depositions taken as in other equitable actions. However, the court may in its discretion close the hearing. Hearings held for the purpose of determining child custody may be limited in attendance by the court to the affected parties and necessary witnesses if any.~~

Sec. 11. Minnesota Statutes 1971, Section 518.14, is amended to read:

518.14 [TEMPORARY SUPPORT MONEY; COSTS AND DISBURSEMENTS AND ATTORNEY'S FEES.] In any ~~action~~ *proceeding* brought either for ~~divorce~~ *dissolution* or separate maintenance, the court, in its discretion, may require one party to pay a reasonable amount, necessary to enable the other spouse to carry on, or to ~~defend the action~~ *contest the proceeding*, and to support such spouse and the children during its pendency. The court may adjudge costs and disbursements against either party. The court may authorize the collection of any money so awarded by execution, or out of any property sequestered, or in any other manner within the power of the court. An award of attorney's fees made by the court during the pendency of the ~~action~~ *proceeding* or in the final judgment survives the ~~action~~ *proceeding* and if not

paid by the party directed to pay the same may be enforced as above provided or by a separate civil action brought by the attorney in his own name. If the ~~action~~ *proceeding* is dismissed or abandoned prior to determination and award of attorney's fees the court may nevertheless award attorney's fees upon the attorney's motion and such award shall also survive the ~~action~~ *proceeding* and may be enforced in the same manner as last above provided.

Sec. 12. Minnesota Statutes 1971, Section 518.15, is amended to read:

518.15 [PROTECTION OF PARTY.] When ~~an action~~ *a proceeding* is commenced, or about to be commenced, to annul a marriage, or for a ~~divorce~~ *dissolution* or separation, the court may, at any time, on the petition of ~~the wife~~ *a party*, prohibit the ~~husband~~ *other party* from imposing any restraint on ~~her~~ *the petitioning party's* personal liberty during the pendency of the ~~action~~ *proceeding*.

Sec. 13. Minnesota Statutes 1971, Section 518.16, is amended to read:

518.16 [CUSTODY OF CHILDREN DURING PENDENCY.] The court, on the application of either party, may make such order concerning the care and custody of the minor children of the parties, and their suitable maintenance, during the pendency of such ~~action~~ *proceeding*, and such temporary orders relative to the persons or property of the parties, as shall be deemed necessary and proper.

Sec. 14. Minnesota Statutes 1971, Section 518.17, is amended to read:

518.17 [CUSTODY AND SUPPORT OF CHILDREN ON JUDGMENT.] Upon adjudging the nullity of a marriage, or a ~~divorce~~ *dissolution* or separation, the court may make such further order as it deems just and proper concerning the care, custody, and maintenance of the minor children of the parties and may determine with which of the parents they, or any of them, shall remain, having due regard to the age and sex of such children and the children's relationship with each parent prior to the commencement of the ~~action~~ *proceeding*. In determining the parent with whom a child shall remain, the court shall consider all facts in the best interest of the children and shall not prefer one parent over the other solely on the basis of the sex of the parent. In determining the ~~appropriate~~ amount of child support to be paid by each parent, the court shall consider the earning capacity and financial circumstances of each parent. On petition for any change in child support because of alleged change in circumstances the court shall take into consideration the earning capacity and financial circumstances of each parent and the custodial parent's spouse, if any.

Sec. 15. Minnesota Statutes 1971, Section 518.175, Subdivision 1, is amended to read:

518.175 [VISITATION OF CHILDREN AND NONCUSTODIAL PARENT.] Subdivision 1. In all *divorce* proceedings for *dissolution*, subsequent to the commencement of the *action proceeding* and continuing thereafter during the minority of the child, the court may, upon the request of the noncustodial parent, grant such rights of visitation as will enable the child and the noncustodial parent to maintain such child to parent relationship as will be beneficial to the child. The court shall consider the age of the child and the child's relationship with the noncustodial parent prior to the commencement of the *action proceeding*. The court may deny visitation rights to the noncustodial parent if such visitation is not in the best interest of the child. A parent's failure to pay support because of the parent's inability to do so shall not be sufficient cause for denial of visitation, unless such inability is willful.

Sec. 16. Minnesota Statutes 1971, Section 518.25, is amended to read:

518.25 [REMARriage; REVOCATION.] When a *divorce dissolution* has been granted, and the parties afterward intermarry, the court, upon their joint application, and upon satisfactory proof of such marriage, may revoke all decrees and orders of *divorce dissolution*, alimony, and subsistence which will not affect the rights of third persons.

Sec. 17. Minnesota Statutes 1971, Section 518.27, is amended to read:

518.27 [EFFECT OF DISSOLUTION; NAME OF PARTY.] When a decree of *divorce dissolution* from the bonds of matrimony is granted in this state, such decree shall completely dissolve the marriage contract as to both parties. In all *actions for a divorce brought by a woman*; If a *divorce dissolution* is granted, the court may change the name of such *woman either party, upon the request of the party*, who shall thereafter be known by such name as the court designates in its decree.

Sec. 18. Minnesota Statutes 1971, Section 518.54, is amended to read:

518.54 [DEFINITIONS.] Subdivision 1. [TERMS.] For the purposes of sections 518.54 to 518.67, the terms defined in this section shall have the meanings respectively ascribed to them.

Subd. 2. [CHILD.] "Child" means an individual under 18 years of age, or an individual who, by reason of his physical or mental condition, is unable to support himself.

Subd. 3. [ALIMONY.] "Alimony" means an award made in a *divorce dissolution* proceeding of payments from the future income or earnings of one spouse for the support and maintenance of the other.

Subd. 4. [SUPPORT MONEY.] "Support money" means an award in a *divorce dissolution* or annulment proceeding for the care, support and education of any child of the marriage or of the parties to the annulment proceeding.

Subd. 5. [PROPERTY ACQUIRED DURING COVERTURE.] Except as provided in this subdivision, "property acquired during coverture" means any property, real or personal, acquired by the parties, or either of them, to a *divorcee dissolution* or annulment proceeding at any time during the existence of the marriage relation between them, or at any time during which the parties were living together as husband and wife under a purported marriage relationship which is annulled in an annulment proceedings. "Property acquired during coverture" does not include any property real or personal, acquired by either spouse before, during, or after coverture, where said property is acquired as a gift, bequest, devise or inheritance made by a third party to one but not to the other spouse, or any property transferred from one spouse to the other.

Sec. 19. Minnesota Statutes 1971, Section 518.55, is amended to read:

518.55 [ALIMONY OR SUPPORT MONEY.] Every award of alimony or support money in a judgment of *divorcee dissolution* shall clearly designate whether the same is alimony or support money, or what part of the award is alimony and what part thereof is support money. Any award of payments from future income or earnings of the custodial parent shall be presumed to be alimony. Any award of payments from the future income or earnings of the non-custodial parent shall be presumed to be support money unless otherwise designated by the court. In any judgment of *divorcee dissolution* the court may determine, as one of the issues of the case, whether or not either spouse is entitled to an award of alimony notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of alimony for determination at a later date.

Sec. 20. Minnesota Statutes 1971, Section 518.551, is amended to read:

518.551 [ALIMONY AND SUPPORT PAYMENTS MADE TO WELFARE AGENCIES.] Notwithstanding any law to the contrary, any court having jurisdiction over ~~matters of~~ *divorcee proceedings for dissolution* shall direct that all payments ordered for alimony and support shall be made to the agency responsible for the welfare payments, when it appears that the party who is to receive the alimony and support payments will receive public assistance. Amounts so received by the board over and above the amount granted to the party receiving public assistance shall be remitted to that party.

The agency responsible for the welfare payments shall be notified by the ~~plaintiff~~ *petitioner* of all ~~actions for~~ *divorcee proceedings for dissolution*, separate maintenance or for the custody of a child if either party is receiving aid to families of dependent children or applies for such aid subsequent to the commencement of such ~~action proceeding~~. Failure of such notification shall not affect the validity of the ~~action for~~ *divorcee proceeding for dissolution*, separate maintenance, or custody of the child.

Sec. 21. Minnesota Statutes 1971, Section 518.57, is amended to read:

518.57 [MINOR CHILDREN, MAINTENANCE.] Upon a decree of ~~divorce~~ *dissolution* or annulment, the court may make such further order as it deems just and proper concerning the maintenance of the minor children as is provided by section 518.17, and for the maintenance of any child of the parties as defined in this act, as support money, and may make the same a lien or charge upon the property of the parties to such ~~action~~ *proceeding*, or either of them, either at the time of the entry of such judgment or by subsequent order upon proper application therefor.

Sec. 22. Minnesota Statutes 1971, Section 518.58, is amended to read:

518.58 [DISPOSITION OF PROPERTY ACQUIRED DURING COVERTURE.] Upon a ~~divorce~~ *for any cause dissolution of a marriage*, or upon an annulment, the court may make such disposition of the property of the parties acquired during coverture as shall appear just and equitable, having regard to the nature and determination of the issues in the case, the amount of alimony or support money, if any, awarded in the judgment, the manner by which said property was acquired and the persons paying or supplying the consideration therefor, the charges or liens imposed thereon to secure payment of alimony or support money, and all the facts and circumstances of the case.

Sec. 23. Minnesota Statutes 1971, Section 518.59, is amended to read:

518.59 [HOUSEHOLD GOODS, FURNITURE, AND OTHER PROPERTY.] Upon a ~~divorce~~ *for any cause dissolution of a marriage*, the court may also award to either spouse the household goods and furniture of the parties, whether or not the same was acquired during coverture, and may also order and decree to either spouse such part of the real and personal estate of the other not acquired during coverture, not exceeding in present value one-half thereof, as it deems just and reasonable, having regard to the amount of property decreed under section 518.58, the amount of alimony and support money awarded, if any, ~~the character and situation of the parties, the nature and determination of the issues,~~ and all other circumstances of the case.

Sec. 24. Minnesota Statutes 1971, Section 518.62, is amended to read:

518.62 [TEMPORARY ALIMONY.] Temporary alimony may be awarded as provided in section 518.14, and temporary support money may be awarded as provided in section 518.16, for the support of any children of the parties, including children as defined in section 518.54; and the court may also award to either party to the ~~action~~ *proceeding*, having due regard to all the circumstances and the party awarded the custody of the children, the right to the exclusive use of the household goods and furniture of the parties pending the ~~action~~ *proceeding* and the right to the use of the homestead of the parties, exclusive or otherwise, pend-

ing the ~~action~~ *proceeding*; and the court may order and direct either party to remove from the homestead of the parties upon proper application to the court for such order, pending the ~~action~~ *proceeding*.

Sec. 25. Minnesota Statutes 1971, Section 518.63, is amended to read:

518.63 [HOMESTEAD, OCCUPANCY.] The court, having due regard to all the circumstances and the custody of any children of the parties, may award to either party the right of occupancy of the homestead of the parties, exclusive or otherwise, upon a final decree of ~~divorce~~ *dissolution*, or proper modification thereof, for such period of time as may be determined by the court, and such award of the right of occupancy of the homestead, whether exclusive or otherwise, may be in addition to the maximum amount which may be awarded under section 518.59.

Sec. 26. Minnesota Statutes 1971, Section 518.64, is amended to read:

518.64 [ALTERATION OF ORDERS OR DECREES.] After an order or decree for alimony or support money, temporary or permanent, or for the appointment of trustees to receive and hold any property awarded as alimony or support money, the court may from time to time, on petition of either of the parties revise and alter such order or decree respecting the amount of such alimony, or support money, and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any order respecting these matters which it might have made in the original ~~action~~ *proceeding*, except as herein otherwise provided. Except for an award of the right of occupancy of the homestead, all divisions of real and personal property provided by sections 518.58 and 518.59 shall be final, and subject only to the power of the court to impose a lien or charge thereon at any time while such property, or subsequently acquired property, is owned by the parties or either of them, for the payment of alimony or support money, or to sequester the property as is provided by Minnesota Statutes 1949, Section 518.24.

Sec. 27. Minnesota Statutes 1971, Section 518.66, is amended to read:

518.66 [POWER OF COURT NOT LIMITED.] Nothing contained in sections 518.54 to 518.67 shall be construed as limiting the power of the court in appropriate cases to make adequate provision for the support and education of any children of the parties to any ~~divorce~~ *dissolution* or annulment action where such ~~divorce~~ *dissolution* or annulment is denied.

Sec. 28. Wherever the word "divorce" is used in the statutes, it has the same meaning as "dissolution" or "dissolution of marriage".

Sec. 29. Minnesota Statutes 1971, Sections 518.08; 518.26; and 518.28 are repealed.

Sec. 30. This act is effective on the day following final enactment and applies to all proceedings commenced after that date and may be invoked by either party in proceedings pending on that date."

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Phyllis Kahn, Charles Weaver, Robert C. Bell.

Senate Conferees: (Signed) Allan H. Spear, Robert Dunn, Edward Gearty.

CALL OF THE SENATE

Mr. Spear imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	Moe	Pillsbury
Arnold	Dunn	Kirchner	North	Purfeerst
Berg	Fitzsimons	Kleinbaum	Novak	Renneke
Bernhagen	Frederick	Knutson	Ogdahl	Schaaf
Blatz	Gearty	Kowalczyk	Olhoff	Solon
Borden	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Brown	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Chmielewski	Hughes	Lewis	O'Neill	Wegener
Coleman	Humphrey	Lord	Patton	Willet
Conzemius	Jensen	McCutcheon	Perpich, A. J.	
Davies	Keefe, J.	Milton	Perpich, G.	

The Sergeant-at-Arms was instructed to bring in the absent members.

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 motion prevailed. So the recommendations and Conference Committee Report were 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.

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 23, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Krieger	North	Stokowski
Arnold	Gearty	Larson	Ogdahl	Tennessee
Blatz	Hughes	Laufenburger	Olson, A. G.	Thorup
Borden	Humphrey	Lewis	Perpich, A. J.	Ueland
Chenoweth	Jensen	Lord	Perpich, G.	Wegener
Coleman	Keefe, J.	McCutcheon	Pillsbury	
Conzemius	Keefe, S.	Milton	Schaaf	
Davies	Kirchner	Moe	Spear	
Doty	Kleinbaum	Nelson	Stassen	

Those who voted in the negative were:

Berg	Frederick	Knutson	Olson, J. L.	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Solon
Brown	Hansen, Mel	Novak	Patton	Willet
Chmielewski	Hanson, R.	Olhoft	Purfeerst	
Fitzsimons	Josefson	Olson, H. D.	Renneke	

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that the report from the Committee on Education, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE BOARD OF COMMUNITY COLLEGES

Hugh V. Plunkett, III, 304 22nd Street Southwest, Austin, Mower County, appointed effective July 1, 1973, for a term expiring July 1, 1976.

John Sontorovich, 519 4th Avenue, International Falls, Koochi-ching County, appointed effective November 16, 1973, for a term expiring July 1, 1978.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that the report from the Committee on Education, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hughes moved that in accordance with the report from the

Committee on Education, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE BOARD OF EDUCATION

Henry Tweten, East Grand Forks, Polk County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

Dorothea Chelgren, 89 West Hawthorne Avenue, St. Paul, Ramsey County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

STATE BOARD OF COMMUNITY COLLEGES

Douglas Alan Bruce, 2108 Laurel Avenue West, Minneapolis, Hennepin County, appointed effective July 1, 1973, for a term expiring July 1, 1980.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

Was read the third time 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	Dunn	Keefe, S.	Nelson	Purfeerst
Arnold	Fitzsimons	Kirchner	North	Renneke
Berg	Frederick	Kleinbaum	Novak	Schaaf
Bernhagen	Gearty	Knutson	Ogdahl	Schrom
Borden	Hansen, Mel	Kowalczyk	Olhoft	Solon
Brown	Hanson, R.	Krieger	Olson, A. G.	Spear
Chenoweth	Hughes	Larson	Olson, H. D.	Stokowski
Chmielewski	Humphrey	Laufenburger	Olson, J. L.	Thorup
Coleman	Jensen	Lewis	Patton	Ueland
Davies	Josefson	Lord	Perpich, A. J.	Wegener
Doty	Keefe, J.	Moe	Pillsbury	Willet

Messrs. Hansen, Baldy; Perpich, G. and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

Mr. Kirchner moved that S. F. No. 2812, No. 2 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

S. F. No. 3031: A bill for an act relating to wild animals; altering certain provisions regarding commercial fishing in Lake Superior; amending Minnesota Statutes 1971, Sections 98.46, Subdivision 12; 102.28, Subdivisions 2 and 4; repealing Laws 1963, Chapter 70, Section 1.

Was read the third time 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:

Anderson	Dunn	Keefe, S.	Nelson	Schaaf
Arnold	Fitzsimons	Kirchner	North	Schrom
Berg	Frederick	Kleinbaum	Novak	Solon
Bernhagen	Gearty	Knutson	Ogdahl	Spear
Blatz	Hansen, Baldy	Kowalczyk	Olhoff	Stokowski
Borden	Hansen, Mel	Krieger	Olson, A. G.	Tennessee
Brown	Hanson, R.	Larson	Olson, H. D.	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Coleman	Jensen	McCutcheon	Perpich, G.	Willet
Davies	Josefson	Milton	Pillsbury	
Doty	Keefe, J.	Moe	Purfeerst	

Messrs. Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2661: A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; reappropriating money from the site determination study to the authority; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

Was read the third time 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	Knutson	Ogdahl	Schrom
Arnold	Frederick	Kowalczyk	Olhoff	Solon
Berg	Gearty	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Mel	Laufenburger	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
Coleman	Josefson	Moe	Pillsbury	
Davies	Keefe, S.	Nelson	Purfeerst	
Doty	Kirchner	North	Renneke	
Dunn	Kleinbaum	Novak	Schaaf	

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2919: A bill for an act relating to Koochiching county; authorizing the 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,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 27, and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	North	Solon
Arnold	Coleman	Keefe, S.	Olson, A. G.	Spear
Berg	Conzemius	Lewis	Olson, H. D.	Willet
Borden	Davies	Lord	Perpich, A. J.	
Brown	Fitzsimons	Milton	Perpich, G.	
Chenoweth	Hanson, R.	Moe	Pillsbury	

Those who voted in the negative were:

Bernhagen	Hansen, Mel	Knutson	Ogdahl	Schrom
Blatz	Humphrey	Kowalczyk	Olhoft	Stassen
Doty	Jensen	Krieger	Olson, J. L.	Stokowski
Dunn	Josefson	Larson	O'Neill	Thorup
Frederick	Keefe, J.	Laufenburger	Patton	Ueland
Gearty	Kirchner	Nelson	Purfeerst	Wegener
Hansen, Baldy	Kleinbaum	Novak	Renneke	

So the bill failed to pass.

H. F. No. 2717: A bill for an act relating to the city of Island View; authorizing issuance of two additional 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 59 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Schaaf
Arnold	Dunn	Kirchner	North	Schrom
Berg	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bernhagen	Frederick	Knutson	Olson, A. G.	Spear
Blatz	Gearty	Krieger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Larson	O'Neill	Stokowski
Brown	Hansen, Mel	Laufenburger	Patton	Tennessee
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chmielewski	Hughes	Lord	Perpich, G.	Ueland
Coleman	Humphrey	McCutcheon	Pillsbury	Wegener
Conzemius	Jensen	Milton	Purfeerst	Willet
Davies	Keefe, J.	Moe	Renneke	

Messrs. Josefson, Novak, Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 978: A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

Was read the third time 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Novak	Schaaf
Arnold	Doty	Krieger	Olhoft	Solon
Berg	Frederick	Larson	Olson, A. G.	Spear
Blatz	Gearty	Lewis	O'Neill	Stokowski
Borden	Hansen, Baldy	Lord	Patton	Tennessee
Brown	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet
Conzemius	Keefe, S.	North	Renneke	

Those who voted in the negative were:

Bernhagen	Hanson, R.	Kirchner	Laufenburger	Olson, J. L.
Dunn	Jensen	Knutson	Ogdahl	Schrom
Fitzsimons	Keefe, J.	Kowalczyk	Olson, H. D.	Stassen

So the bill passed and its title was agreed to.

H. F. No. 2148: A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

Was read the third time 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:

Arnold	Frederick	Kleinbaum	Novak	Schaaf
Berg	Gearty	Knutson	Ogdahl	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Blatz	Hansen, Mel	Krieger	Olson, A. G.	Spear
Brown	Hanson, R.	Larson	Olson, H. D.	Stassen
Chenoweth	Hughes	Laufenburger	Olson, J. L.	Stokowski
Chmielewski	Humphrey	Lewis	O'Neill	Tennessee
Conzemius	Jensen	McCutcheon	Patton	Thorup
Davies	Josefson	Milton	Perpich, G.	Ueland
Doty	Keefe, J.	Moe	Pillsbury	Wegener
Dunn	Keefe, S.	Nelson	Purfeerst	Willet
Fitzsimons	Kirchner	North	Renneke	

Messrs. Anderson, Borden and Perpich, A. J. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients;

providing for the administration and agency and judicial review thereof.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Solon
Blatz	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, A. J.	Ueland
Conzemius	Josefson	Milton	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

H. F. No. 2888: A bill for an act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

Was read the third time 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	Doty	Keefe, J.	Moe	Renneke
Arnold	Dunn	Keefe, S.	Nelson	Schrom
Berg	Fitzsimons	Kirchner	North	Solon
Bernhagen	Frederick	Kleinbaum	Ogdahl	Spear
Blatz	Gearty	Knutson	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Larson	O'Neill	Tennessee
Chenoweth	Hanson, R.	Laufenburger	Patton	Thorup
Chmielewski	Hughes	Lewis	Perpich, A. J.	Ueland
Coleman	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Jensen	McCutcheon	Pillsbury	Willet
Davies	Josefson	Milton	Purfeerst	

Messrs. Novak, Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chenoweth moved that the report from the Committee on Metropolitan and Urban Affairs, reported May 12, 1973, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chenoweth moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Chenoweth moved that in accordance with the report from the Committee on Metropolitan and Urban Affairs, reported May 12, 1973, the Senate, having advised with, do now consent to and confirm the appointment of:

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.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that S. F. No. 3366 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Finance. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 3367 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Finance. The motion prevailed.

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 3271: A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.

With the unanimous consent of the Senate, Mr. Bernhagen moved to amend S. F. No. 3271, as follows:

Page 1, after line 12, insert:

“Sec. 2. This act shall be effective upon approval by the board of county commissioners of Wright county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.”

The motion prevailed. So the amendment was adopted.

S. F. No. 3271 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoft	Schrom
Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Spear
Bernhagen	Frederick	Krieger	Olson, H. D.	Stassen
Blatz	Gearty	Larson	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Laufenburger	O'Neill	Tennessee
Brown	Hansen, Mel	Lord	Patton	Thorup
Chenoweth	Hansen, R.	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Hughes	Milton	Perpich, G.	Wegener
Coleman	Humphrey	Moe	Pillsbury	Willet
Conzemius	Jensen	Nelson	Purfeerst	
Davies	Josefson	North	Renneke	
Doty	Keefe, J.	Ogdahl	Schaaf	

So the bill, as amended, passed and its title was agreed to.

Mr. North moved that S. F. No. 3422 be stricken from the Calendar of Ordinary Matters and placed at the top of General Orders. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirements on Senate Files and revert to the Senate Calendar, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3218: A bill for an act relating to municipalities, local improvements, special assessments; amending Minnesota Statutes, 1973 Supplement, Sections 429.011, Subdivision 2b; and 429.021, Subdivision 1.

Was read the third time 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	Frederick	Krieger	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
Borden	Hanson, R.	Lord	O'Neill	Thorup
Brown	Hughes	McCutcheon	Patton	Ueland
Chmielewski	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Jensen	Moe	Perpich, G.	Willet
Conzemius	Josefson	Nelson	Pillsbury	
Davies	Keefe, S.	North	Purfeerst	
Dunn	Kirchner	Novak	Renneke	
Fitzsimons	Knutson	Ogdahl	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2497: A bill for an act relating to taxation; providing a special levy for the costs of any levy authorized by special act for joint recreation park board purposes of the city of Hibbing and the town of Stuntz.

Was read the third time 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	Kirchner	North	Renneke
Berg	Fitzsimons	Kleinbaum	Novak	Solon
Bernhagen	Frederick	Knutson	Olhoft	Spear
Blatz	Gearty	Krieger	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hanson, R.	Lewis	O'Neill	Ueland
Chmielewski	Hughes	Lord	Patton	Wegener
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Willet
Conzemius	Jensen	Milton	Perpich, G.	
Davies	Josefson	Moe	Pillsbury	
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

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, 1973 Supplement, Section 273.13, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Nelson	Pillsbury
Berg	Fitzsimons	Kirchner	North	Purfeerst
Bernhagen	Frederick	Kleinbaum	Novak	Renneke
Blatz	Gearty	Knutson	Ogdahl	Schaaf
Borden	Hansen, Baldy	Krieger	Olhoft	Solon
Brown	Hansen, Mel	Larson	Olson, A. G.	Spear
Chenoweth	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Chmielewski	Hughes	Lewis	Olson, J. L.	Stokowski
Coleman	Humphrey	Lord	O'Neill	Thorup
Conzemius	Jensen	McCutcheon	Patton	Ueland
Davies	Josefson	Milton	Perpich, A. J.	Wegener
Doty	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 1018: A bill for an act relating to highway traffic regulations; requiring certain equipment on motor vehicles sold after a certain date; amending Minnesota Statutes 1971, Sections 169.57, Subdivision 1; and 169.64, Subdivision 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 28 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Kleinbaum	Olson, H. D.	Stokowski
Brown	Hanson, R.	Knutson	O'Neill	Thorup
Chmielewski	Hughes	Krieger	Schaaf	Wegener
Conzemius	Josefson	Larson	Solon	Willet
Dunn	Keefe, J.	Laufenburger	Spear	
Frederick	Keefe, S.	Olhoft	Stassen	

Those who voted in the negative were:

Berg	Doty	Lord	Ogdahl	Purfeerst
Bernhagen	Fitzsimons	McCutcheon	Olson, A. G.	Renneke
Blatz	Gearty	Milton	Olson, J. L.	Ueland
Borden	Hansen, Baldy	Moe	Patton	
Chenoweth	Humphrey	Nelson	Perpich, A. J.	
Coleman	Kirchner	North	Pillsbury	

So the bill failed to pass.

S. F. No. 2295: A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

Was read the third time 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.	Nelson	Pillsbury
Berg	Fitzsimons	Kirchner	North	Purfeerst
Bernhagen	Frederick	Kleinbaum	Novak	Renneke
Blatz	Gearty	Knutson	Ogdahl	Schaaf
Borden	Hansen, Baldy	Krieger	Olhoft	Solon
Brown	Hansen, Mel	Larson	Olson, A. G.	Spear
Chenoweth	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Chmielewski	Hughes	Lewis	Olson, J. L.	Stokowski
Coleman	Humphrey	Lord	O'Neill	Thorup
Conzemius	Jensen	McCutcheon	Patton	Ueland
Davies	Josefson	Milton	Perpich, A. J.	Wegener
Doty	Keefe, J.	Moe	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 2516: A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

Was read the third time 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	Coleman	Gearty	Josefson	Larson
Berg	Conzemius	Hansen, Baldy	Keefe, J.	Laufenburger
Bernhagen	Davies	Hansen, Mel	Keefe, S.	Lewis
Blatz	Doty	Hanson, R.	Kirchner	Lord
Borden	Dunn	Hughes	Kleinbaum	McCutcheon
Brown	Fitzsimons	Humphrey	Knutson	Milton
Chmielewski	Frederick	Jensen	Krieger	Moe

Nelson	Olson, A. G.	Perpich, A. J.	Schaaf	Thorup
North	Olson, H. D.	Perpich, G.	Solon	Ueland
Novak	Olson, J. L.	Pillsbury	Spear	Wegener
Ogdahl	O'Neill	Purfeerst	Stassen	Willet
Olhoff	Patton	Renneke	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 2558: A bill for an act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

Was read the third time 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	Fitzsimons	Kirchner	Novak	Renneke
Berg	Frederick	Kleinbaum	Ogdahl	Schaaf
Bernhagen	Gearty	Knutson	Olhoff	Solon
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Borden	Hansen, Mel	Larson	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Stokowski
Chmielewski	Hughes	Lewis	O'Neill	Thorup
Coleman	Humphrey	Lord	Patton	Ueland
Conzemius	Jensen	McCutcheon	Perpich, A. J.	Wegener
Davies	Josefson	Milton	Perpich, G.	Willet
Doty	Keefe, J.	Moe	Pillsbury	
Dunn	Keefe, S.	North	Purfeerst	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3002: A bill for an act relating to Lake county; consolidating the offices of treasurer and auditor.

Was read the third time 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 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Novak	Spear
Blatz	Hansen, Mel	Larson	Ogdahl	Stassen
Borden	Hanson, R.	Laufenburger	Olson, A. G.	Stokowski
Brown	Hughes	Lewis	O'Neill	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Keefe, J.	Milton	Pillsbury	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kleinbaum	North	Solon	

Those who voted in the negative were:

Berg	Fitzsimons	Krieger	Olson, J. L.	Schrom
Bernhagen	Frederick	Moe	Patton	Willet
Chmielewski	Hansen, Baldy	Olhoff	Purfeerst	
Dunn	Josefson	Olson, H. D.	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3016: A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

Was read the third time 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	Schrom
Berg	Frederick	Knutson	Olhoff	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	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Coleman	Jensen	Milton	Perpich, G.	Willet
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2753: A bill for an act relating to taxation; assessment of property; classifying vacant, unimproved wild lands; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Purfeerst
Berg	Fitzsimons	Kleinbaum	Novak	Renneke
Bernhagen	Frederick	Knutson	Ogdahl	Schaaf
Blatz	Gearty	Krieger	Olhoff	Schrom
Borden	Hansen, Mel	Larson	Olson, A. G.	Solon
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Spear
Chenoweth	Hughes	Lewis	Olson, J. L.	Stassen
Chmielewski	Humphrey	Lord	O'Neill	Stokowski
Coleman	Jensen	McCutcheon	Patton	Thorup
Conzemius	Josefson	Milton	Perpich, A. J.	Ueland
Davies	Keefe, J.	Moe	Perpich, G.	Wegener
Doty	Keefe, S.	Nelson	Pillsbury	Willet

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2865: A bill for an act relating to courts; providing for the salary of county court judges of St. Louis county; amend-

ing Minnesota Statutes, 1973 Supplement, Section 15A.083, 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 8, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	North	Renneke
Berg	Frederick	Knutson	Novak	Schaaf
Bernhagen	Gearty	Krieger	Ogdahl	Solon
Blatz	Hansen, Mel	Larson	Olhoft	Spear
Borden	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Brown	Hughes	Lewis	O'Neill	Stokowski
Chenoweth	Humphrey	Lord	Patton	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Ueland
Coleman	Keefe, J.	Milton	Perpich, G.	Wegener
Davies	Keefe, S.	Moe	Pillsbury	
Doty	Kirchner	Nelson	Purfeerst	

Those who voted in the negative were:

Conzemius	Hansen, Baldy	Olson, A. G.	Schrom	Willet
Dunn	Josefson	Olson, J. L.		

So the bill passed and its title was agreed to.

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

Was read the third time 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 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Nelson	Pillsbury
Berg	Fitzsimons	Kleinbaum	North	Purfeerst
Bernhagen	Gearty	Knutson	Novak	Schaaf
Blatz	Hansen, Baldy	Krieger	Ogdahl	Solon
Borden	Hansen, Mel	Larson	Olhoft	Spear
Brown	Hanson, R.	Laufenburger	Olson, A. G.	Stassen
Chenoweth	Hughes	Lewis	Olson, H. D.	Stokowski
Chmielewski	Humphrey	Lord	O'Neill	Thorup
Coleman	Jensen	McCutcheon	Patton	Ueland
Conzemius	Keefe, J.	Milton	Perpich, A. J.	Willet
Davies	Keefe, S.	Moe	Perpich, G.	

Those who voted in the negative were:

Dunn	Josefson	Renneke	Schrom	Wegener
Frederick	Olson, J. L.			

So the bill passed and its title was agreed to.

S. F. No. 1253: A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein;

amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, and by adding subdivisions.

Was read the third time 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 5, as follows:

Those who voted in the affirmative were:

Berg	Gearty	Kleinbaum	North	Renneke
Bernhagen	Hansen, Baldy	Knutson	Novak	Schaaf
Blatz	Hansen, Mel	Krieger	Ogdahl	Schrom
Brown	Hanson, R.	Larson	Olhoft	Solon
Chenoweth	Hughes	Laufenburger	Olson, H. D.	Spear
Chmielewski	Humphrey	Lewis	Olson, J. L.	Stassen
Conzemius	Jensen	Lord	O'Neill	Stokowski
Doty	Josefson	McCutcheon	Patton	Thorup
Dunn	Keefe, J.	Milton	Perpich, A. J.	Ueland
Fitzsimons	Keefe, S.	Moe	Pillsbury	Wegener
Frederick	Kirchner	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Anderson	Borden	Davies	Olson, A. G.	Perpich, G.
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So the bill passed and its title was agreed to.

S. F. No. 2830: A bill for an act relating to St. Louis county; authorizing the issuance of 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 56 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Solon
Berg	Frederick	Knutson	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	Jensen	Milton	Purfeerst	
Conzemius	Keefe, J.	Moe	Renneke	
Davies	Keefe, S.	Nelson	Schaaf	
Dunn	Kirchner	North	Schrom	

Those who voted in the negative were:

Doty	Josefson	Novak	Olhoft	Olson, J. L.
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So the bill passed and its title was agreed to.

S. F. No. 2794 A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

Was read the third time 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	North	Renneke
Berg	Fitzsimons	Kleinbaum	Novak	Schaaf
Bernhagen	Gearty	Knutson	Ogdahl	Schrom
Blatz	Hansen, Baldy	Krieger	Olhoft	Solon
Borden	Hansen, Mel	Larson	Olson, A. G.	Spear
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hughes	Lewis	Olson, J. L.	Stokowski
Chmielewski	Humphrey	Lord	O'Neill	Ueland
Coleman	Jensen	McCutcheon	Patton	Wegener
Conzemius	Josefson	Milton	Perpich, A. J.	Willet
Davies	Keefe, J.	Moe	Perpich, G.	
Doty	Keefe, S.	Nelson	Pillsbury	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: S. F. Nos. 3360, 3355 and 1985 and H. F. No. 3009. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 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	Dunn	Josefson	Moe	Schrom
Berg	Fitzsimons	Keefe, S.	Novak	Solon
Borden	Gearty	Kirchner	Olhoft	Spear
Chenoweth	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Chmielewski	Hansen, Mel	Laufenburger	Olson, J. L.	Willet
Coleman	Hanson, R.	Lewis	Perpich, G.	
Conzemius	Hughes	Lord	Pillsbury	
Davies	Humphrey	McCutcheon	Purfeerst	
Doty	Jensen	Milton	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED NOTICE OF RECONSIDERATION

Mr. McCutcheon gave notice of intention to move for reconsideration of S. F. No. 1018.

Mr. Coleman moved that the Senate take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Olhoft in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Olhoft reported that the committee had considered S. F. Nos. 2820, 2347, 2576, 2332, 2685, 2759, 3039, 2639, 2640, 2518, 707 which the committee recommends to pass.

S. F. No. 2812, which the committee recommends to pass with the following amendment offered by Mr. Kirchner:

Page 2, line 1, after the period, insert "The conveyance shall also be subject to any lease executed pursuant to subdivision 3."

Page 2, line 14, delete ", and not for" and insert a period

Page 2, delete all of line 15 and insert "The historical society shall be responsible for the control, maintenance and upkeep of the Fort Snelling Chapel.

Subd. 3. Consistent with the provisions of subdivision 1, the commissioner of administration may lease the sanctuary and supporting area, excluding the apartment and basement, to a bona fide veteran's organization designated by the United Veteran's Committee, for use as a veteran's memorial and as a military chapel. The lease shall be upon an annual renewable basis, subject to cancellation by either party upon 90 days notice. The rental payment shall be an amount which represents that portion of the total cost of maintenance and upkeep of the entire chapel, exclusive of any depreciation or capital improvements, which is attributable to the sanctuary and supporting area, computed upon a space or area basis. Rental payments shall be deposited in the general fund. The leasing organization or group may authorize the use of the premises or any portion thereof for a fee for any purposes within the scope of the basic lease, and may accept and retain any fees received for the use of the premises, providing an annual statement is filed before January 1 of each year with the commissioner of administration detailing the purposes and amount derived from any permitted use and identifying each user."

Further, amend the title in line 7 after "money" by inserting " ; authorizing the leasing of a portion of the premises"

S. F. No. 3287, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 402.02, Subdivision 2, is amended to read:

Subd. 2. A human services board shall possess all the powers and duties now assigned by law to:

(a) Manage the existing public resources devoted to human services delivered or purchased by the counties, which are subsidized or regulated by the departments of corrections, health, and public welfare;

(b) Employ staff to carry out the purposes of sections 402.01 to 402.10;

(c) Deliver services directly, or through contract with other governmental or nongovernmental providers;

(d) Develop a plan for the delivery of human services, which shall include court services, public health services, public assistance, mental retardation services, social services, mental health services, and others of similar classification \ddagger , and *shall show evidence of participation in the development of the plan by major private sector providers of related services*;

(e) Receive and expend for the purposes of sections 402.01 to 402.10 funds from the departments of corrections, health and public welfare, or from any other lawful source, including any governmental source.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 402.03, is amended to read:

402.03 [ADVISORY COMMITTEE.] Each human services board shall appoint an advisory committee, which shall actively participate in the formulation of the plan for the development, implementation and operation of the programs and services by the board, and shall make a formal recommendation to the board at least annually concerning the annual budget of the board and the implementation of the plan during the ensuing year.

Membership on the advisory committee shall consist of no more than 25 persons serving three year terms. The chairman shall be appointed by the human services board and may not be a member of a county board.

One-third of the members of the advisory committee shall be representatives of those persons receiving services provided by the human services board. *No more than Up to one third may be providers or employees of providers of services and must include representatives of private providers if such providers exist in the county or counties party to the agreement.* The remaining members shall represent the citizens of the counties.

The advisory committee shall appoint at least three permanent task forces to assist it in its functions: Corrections, social and mental health services, and public health.

Task force membership shall be constituted to fulfill state agency requirements for receiving categorical funds. Where appropriately constituted, these task forces may replace those advisory bodies required by statute and regulation to advise county welfare boards and other county and area boards. Individuals not mem-

bers of the advisory committee may be appointed to the task forces; provided, however, that each task force shall be chaired by a member of the advisory committee.

The human services board shall provide staff assistance to the advisory committee.”

Page 1, line 9, strike “1” and insert “3”

Page 1, after line 20, insert:

“Sec. 4. Minnesota Statutes, 1973 Supplement, Section 402.06, is amended to read:

402.06 [IMPLEMENTATION.] Upon the designation as a human services board, the board shall transmit copies of the agreement documents to each affected state agency, the regional development commission, if established, and the governor. Each affected department shall assign personnel to assist the board in preparing its organization and initial plan for receipt of operating funds. Within six months of its creation, each human services board shall present its initial plan and budget to affected state agencies.

Prior to adoption of the plan by the human services board there shall be a public hearing on the plan. As far as practicable, the human services board shall annually publish or otherwise circulate notice of its proposed plan and afford interested persons opportunity to submit data or views orally or in writing.”

Page 1, line 21, strike “2” and insert “5”

Further, amend the title as follows:

Line 6, after “sections” insert “402.02, Subdivision 2; 402.03;”

Line 7, after the semicolon insert “402.06;”

H. F. No. 577 which the committee reports progress, subject to the following motions:

Mr. Wegener moved to amend H. F. No. 577 the printed bill, as follows:

Page 12, strike lines 21 to 23 and insert:

“Sec. 11. [EFFECTIVE DATE; EXPIRATION DATE; REPEALER.] This act shall take effect the day following its final enactment. Unless renewed by law the provisions of this act shall expire July 1, 1976. If this act expires Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05 and 32A.09, Subdivisions 1, 2, 3, 5, and 6, are repealed effective July 1, 1976.”

Further, amend the title by inserting after “subdivision 4” in the last line:

“; repealing Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05 and 32A.09, Subdivisions 1, 2, 3, 5 and 6 upon the expiration of this act”

The motion prevailed. So the amendment was adopted.

Mr. Olson, J. L. moved to amend the amendment placed on H. F. No. 577, the printed bill, by the Committee on Governmental Operations, adopted by the Senate February 22, 1974, as follows:

Amend the Committee amendments to page 8, lines 9, 11, and 12; lines 20 through 22 and line 29, as follows:

Page 8, line 9, strike "*eleven*" and insert "*seven*"

Page 8, line 9, strike the words "*one from each congressional district and three members at large*" added by the Committee amendment

Page 8, line 11, strike "*two manufacturers*" and insert "*one manufacturer*"

Page 8, line 12, strike "*five consumers*" and insert "*two consumers*"

Page 8, line 12, after "*not*" and before "*involved*" insert "*otherwise*"

Page 8, line 20, after "*terms,*" strike "*one consumer and one*" and insert "*the*"

Page 8, line 21, after the semicolon, strike "*one consumer and one*" and insert "*the*"

Page 8, line 22, after "*three year term,*" strike "*one consumer and two manufacturers*" and insert "*the manufacturer*"

Page 8, line 29, strike "*Seven*" and insert "*Five*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 25, as follows:

Those who voted in the affirmative were:

Berg	Conzemius	Jensen	Nelson	Purfeerst
Bernhagen	Dunn	Josefson	Olhoff	Renneke
Borden	Fitzsimons	Kirchner	Olson, J. L.	Schrom
Brown	Frederick	Knutson	O'Neill	Willet
Chmielewski	Hanson, R.	Moe	Patton	

Those who voted in the negative were:

Coleman	Keefe, J.	Laufenburger	Olson, A. G.	Solon
Davies	Keefe, S.	Lewis	Olson, H. D.	Spear
Gearly	Kleinbaum	Milton	Perpich, G.	Stokowski
Hansen, Mel	Kowalczyk	North	Pillsbury	Tennessee
Humphrey	Larson	Novak	Schaaf	Wegener

The motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation to pass H. F. No. 577,

And the roll being called, there were yeas 17 and nays 37, as follows:

Those who voted in the affirmative were:

Borden	Kirchner	Olhoff	Schrom	Thorup
Brown	Kleinbaum	Perpich, G.	Stassen	Wegener
Fitzsimons	Laufenburger	Pillsbury	Stokowski	Willet
Hanson, R.	Milton			

Those who voted in the negative were:

Anderson	Hansen, Baldy	Knutson	North	Schaaf
Bernhagen	Hansen, Mel	Kowalczyk	Novak	Solon
Chenoweth	Hughes	Krieger	Olson, A. G.	Spear
Conzemius	Humphrey	Larson	Olson, H. D.	Tennessee
Davies	Jensen	Lewis	Olson, J. L.	Ueland
Dunn	Josefson	McCutcheon	Patton	
Frederick	Keefe, J.	Moe	Purfeerst	
Gearty	Keefe, S.	Nelson	Renneke	

The motion did not prevail. The committee then progressed H. F. No. 577.

S. F. No. 2975, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 2, line 3, strike "agrees to contribute" and insert "contributes"

Page 2, line 4, after "board" insert "and the city by agreement"

Page 2, line 4, strike "determines" and insert "determine"

Page 2, line 5, strike "ten" and insert "45"

S. F. No. 2918, which the committee recommends to pass with the following amendment offered by Mr. Humphrey:

Pages 8 and 9, strike all of section 10

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 10, strike "546.27;"

S. F. No. 3160, which the committee recommends to pass with the following amendment offered by Mr. Lord:

Page 2, line 15, strike "1974" and insert "1975"

Page 5, line 20, strike "and one copy to each member of the legislature"

Page 7, line 3, strike "June 30, 1974" and insert "July 1, 1975"

S. F. No. 3234 which the committee reports progress, subject to the following motion:

Mr. Conzemius moved to amend S. F. No. 3234 as follows:

Page 1, line 15, strike "terms and provisions"

Page 1, line 16, strike "of" and insert "competitive bidding procedures of Minnesota Statutes, Sections 16.06, 16.07, and 16.28 but shall remain subject to all other provision of Minnesota Statutes,"

The motion prevailed. So the amendment was adopted. The committee then progressed S. F. No. 3234.

And then, on motion of Mr. Olhoft, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1489, pursuant to the request of the House:

Messrs. Solon, Sillers, Lewis.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1530, pursuant to the request of the Senate:

Messrs. Doty, Willet, Dunn.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Willet moved that S. F. No. 3463, on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Keefe, J. moved that his name be stricken and the name of Mr. Blatz be added as co-author to S. F. No. 1944. The motion prevailed.

Mr. Josefson moved that his name be stricken as co-author to S. F. No. 2695. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p. m. The motion prevailed.

The hour of 7:00 o'clock p. m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Chmielewski, Doty, Nelson and Kirchner were excused from this evening's Session.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names at 7:28 p.m.

Anderson	Davies	Laufenburger	Novak	Schrom
Berg	Gearty	Lewis	Olhoft	Solon
Borden	Hansen, Baldy	Lord	Olson, A. G.	Spear
Brown	Hughes	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Milton	Perpich, G.	Tennessee
Coleman	Keefe, S.	Moe	Purfeerst	Wegener
Conzemius	Kleinbaum	North	Schaaf	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Olhoft in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Olhoft reported that the committee had considered S. F. Nos. 1482, 3338, 3292, 2004, 3372, 3033, 2533, 3163, 3224, 3189, 3180, 2878, 3183, 3162, 2005, 2105, 3233 and 3023 which the committee recommends to pass.

S. F. No. 3123, which the committee recommends to pass with the following amendments offered by Messrs. Keefe, S. and Kowalczyk:

Mr. Keefe, S. moved to amend S. F. No. 3123 as follows:

Page 2, line 10, after the period insert "Money received by a club from a financial institution upon assignment of a contract shall be considered prepayment when and to the extent the member is required to make prepayments to the financial institution pursuant to the contract."

Page 2, after line 10, insert:

"Subd. 9. "Business day" means any day other than a Saturday, Sunday, or holiday as defined in section 645.44."

Page 4, line 7, strike "in force" and insert "entered into after May 31, 1974,"

Page 4, line 8, before the period insert ", pursuant to contracts entered into after May 31, 1974"

Page 4, line 13, strike "in" and insert "entered into after May 31, 1974."

Page 4, strike line 14

Page 4, line 18, after "any" strike the rest of the line and insert "member who suffers loss of prepayment made pursuant to a contract entered into after May 31, 1974, due to insolvency of the club or the cessation of business by the club."

Page 4, strike line 19

Page 4, line 20, strike everything before "A copy"

Mr. Kowalczyk moved to amend the Keefe, S. amendment to S. F. No. 3123 as follows:

In the amendment to page 4, line 18, after "due to" insert "a breach of contract,"

Mr. Kowalczyk moved to amend S. F. No. 3123 as follows:

Page 3, line 22, strike "two years" and insert "one year"

Mr. Keefe, S. moved to amend S. F. No. 3123 as follows:

Page 3, line 25, strike "two years" and insert "one year"

S. F. No. 2177, which the committee recommends to pass with the following amendment offered by Mr. North:

Page 2, lines 1 and 2, strike "in a single family dwelling in a residential area"

S. F. No. 1483, which the committee recommends to pass with the following amendment offered by Mr. Humphrey:

Page 2, line 25, after the period insert "*No lien for engineering or land surveying services rendered with respect to a homestead shall attach if the services are contracted for by one whose sole interest is that of a purchaser under an executory contract, and the value of those services does not exceed \$250.*"

S. F. No. 3246, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 1, is amended to read:

378.52 [FINANCING.] Subdivision 1. The county board or boards in order to accomplish the purposes specified in the resolution or order creating a lake improvement district, may impose service charges on the users of such services within the area and may levy an ad valorem tax solely on property situated within the lake improvement district, to be appropriated and expended solely on projects of special benefit to the area, or any combination of service charges and taxes. *The county board or boards may also issue obligations and levy special assessments in the manner provided by chapter 429 against the property within the county benefited by facilities or projects constructed or undertaken pursuant to Minnesota Statutes, 1973 Supplement, Section 378.31.*

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2a, is amended to read:

Subd. 2a. "Municipality" also includes a county in the case of construction, reconstruction or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers outside of the boundaries of any city, village or borough and includes a county exercising its powers and duties under *Minnesota Statutes, 1973 Supplement, Section 378.31 and Minnesota Statutes, Section 444.075, Subdivision 1.*

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2, is repealed."

Strike the title and insert in lieu thereof:

"A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemp-

tion; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2."

S. F. No. 3325, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Page 1, line 13, after "information" insert "about emergency service"

Page 1, line 16, after the period insert: "No reports shall be required for non-emergency service."

Page 1, line 17, after the period insert "In determining the nature, scope, use, and form of the information to be reported, the board shall consult with its designated ambulance service sub-committee."

Page 1, line 24, after the period insert "Information contained in the reports may only be disseminated to the extent prescribed by the board."

S. F. No. 3354, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Page 1, line 17, after "facility" insert "except a dental facility"

The question being taken on the committee recommendation to pass S. F. No. 3354,

And the roll being called, there were yeas 23 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	McCutcheon	Perpich, G.	Stokowski
Chenoweth	Keefe, S.	Milton	Purfeerst	Wegener
Davies	Kleinbaum	North	Schaaf	Willet
Gearty	Lewis	Olson, H. D.	Solon	
Hughes	Lord	Patton	Spear	

Those who voted in the negative were:

Berg	Frederick	Josefson	Larson	Pillsbury
Bernhagen	Hansen, Mel	Knutson	Ogdahl	Tennessee
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Ueland
Dunn	Jensen	Krieger	O'Neill	

The motion prevailed. So the committee recommended S. F. No. 3354 to pass.

S. F. No. 3247, which the committee recommends to pass with the following amendments offered by Messrs. Spear and McCutcheon:

Mr. Spear moved to amend S. F. No. 3247, as follows:

Page 1, line 22, strike "business" and insert "businesses"

Page 1, line 27, after "registrations" insert a comma

Page 2, line 3, after "agencies" insert a comma

Page 3, line 6, after "capacity" insert a comma

Page 3, line 18, after "state" insert a comma

Page 4, line 13, after "including" insert a comma

Page 4, line 13, after "to" insert a comma

Page 4, line 16, after "state" insert a comma

Page 4, line 18, after "distributed" insert a comma

Page 5, line 25, after "suspend" insert a comma

Mr. McCutcheon moved to amend S. F. No. 3247 as follows:

Page 6, after line 10, insert:

"Sec. 9. This chapter shall not apply to the practice of law enforcement; but nothing in this section shall be construed to preclude the Minnesota police and peace officers training board from recommending policies set forth in this chapter to the attorney general for adoption in his discretion."

Renumber the remaining sections

S. F. No. 2933, which the committee recommends to pass with the following amendment offered by Mr. Kleinbaum:

Page 1, line 18, after "basis" insert "*on the same terms as it provides coverage in other facilities*"

Page 1, line 26, after "basis" insert "*on the same terms as it provides coverage in other facilities*"

S. F. No. 3301, which the committee recommends to pass with the following amendments offered by Messrs. Spear and Schaaf:

Mr. Spear moved to amend S. F. No. 3301 as follows:

Page 1, line 11, after "to" insert a comma

Page 1, line 11, strike "provisions" and insert "provision"

Page 2, line 7, strike "to"

Mr. Schaaf moved to amend S. F. No. 3301 as follows:

Page 2, strike lines 1 to 3

Reletter the remaining clauses

S. F. No. 3144, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 21, line 3, strike "July 1, 1974" and insert "the day following its final enactment"

And then, on motion of Mr. Olhoft, 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 revert to the Order of Business of Messages from the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. The 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. 625, 1721, 2796, 3084, 3085, 3200, 1427, 2944, 3001, 3053, 3069 and 2780.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 6, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2675:

H. F. No. 2675: A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Munger, Kelly and Andersen, R. have been appointed as such committee on the part of the House.

House File No. 2675 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 March 6, 1974

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2675, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2200:

H. F. No. 2200: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Carlson, A.; Quirin and McFarlin have been appointed as such committee on the part of the House.

House File No. 2200 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 March 6, 1974

Mr. Stassen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2200, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2829, 3143, 3312, 3394, 3512, 3202, 3340, 3357, 3384, 3509, 3230, 3289, 3322, 3479, 3533, 2186, 2236, 2791, 3372, 3450, 3556, 3326, 3327 and 3329.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 6, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2829: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

H. F. No. 3143: A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

H. F. No. 3312: A bill for an act relating to public employees; insurance benefits for retired employees; amending Minnesota Statutes, 1973 Supplement, Section 471.61, Subdivision 2a.

H. F. No. 3394: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

H. F. No. 3230: A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

H. F. No. 3289: A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

H. F. No. 3322: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

H. F. No. 3479: A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

H. F. No. 3533: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3340: A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3357: A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3384: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

H. F. No. 3509: A bill for an act relating to the city of Bloomington; authorizing municipal liquor stores therein.

H. F. No. 2186: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and La Grand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

H. F. No. 2236: A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

H. F. No. 2791: A bill for an act relating to taxation; providing for the ad valorem taxation of certain property subject to leasehold agreements; amending Minnesota Statutes 1971, Section 273.19, Subdivision 1.

H. F. No. 3372: A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

H. F. No. 3450: A bill for an act relating to St. Louis county; intoxicating liquor; authorizing one additional on-sale license within St. Louis county.

H. F. No. 3556: A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

H. F. No. 3326: A bill for an act relating to taxation; providing for reimbursement for certain exempt real property; amending Minnesota Statutes, 1973 Supplement, Section 273.138, Subdivisions 1, 2, 3 and 4.

H. F. No. 3327: A bill for an act relating to personal property taxes on mobile homes; amending Minnesota Statutes 1971, Sections 277.011, Subdivision 1; 277.02; and 277.05.

H. F. No. 3329: A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 3312, 3479, 3289, 3340, 3509, 3143, 3230, 3512, 2186, 2236, 3372, 3556, 3326, 3327, 3329, 2791 and 3450 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. 3372 to the Committee on Education.

H. F. No. 2236 to the Committee on Finance.

H. F. Nos. 3312 and 3479 to the Committee on Governmental Operations.

H. F. No. 3289 to the Committee on Judiciary.

H. F. Nos. 3340, 3509 and 3450 to the Committee on Labor and Commerce.

H. F. Nos. 3143, 3230, and 2186 to the Committee on Local Government.

H. F. Nos. 3512 and 3556 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2791, 3326, 3327 and 3329 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.

Mr. Coleman moved the adoption of the foregoing Committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that the vote whereby H. F. No. 2854 failed to pass the Senate on March 5, 1974, be now reconsidered.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Friday March 8, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

NINETY-NINTH DAY

St. Paul, Minnesota, Thursday, March 7, 1974.

The House of Representatives met on Thursday, March 7, 1974, which was the Ninety-Ninth Legislative Day of the Sixty-Eighth Session of the Minnesota State Legislature. The Senate did not meet on this date.

ONE HUNDREDTH DAY

St. Paul, Minnesota, Friday, March 8, 1974.

The Senate met at 12:00 o'clock noon 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:

Anderson	Davies	Humphrey	Olhoft	Spear
Arnold	Doty	Keefe, S.	Olson, H. D.	Stokowski
Berg	Dunn	Kirchner	Olson, J. L.	Tennessee
Bernhagen	Fitzsimons	Kowalczyk	O'Neill	Thorup
Blatz	Frederick	Larson	Patton	Ueland
Borden	Gearty	Lewis	Perpich, A. J.	Wegener
Brown	Hansen, Baldy	Lord	Perpich, G.	Willet
Coleman	Hanson, R.	North	Pillsbury	
Conzemius	Hughes	Novak	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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Wegener
Doty	Keefe, S.	Nelson	Purfeerst	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Ashbach, Bang and Wegener were excused from the Session of today. Messrs. Fitzsimons, Blatz and Wegener were excused from Saturday's Session. Mr. Lewis was excused from

Saturday's Session until 1:00 o'clock p.m. Messrs. Novak and Ueland were excused from Saturday's Session, beginning at 4:00 o'clock p.m. Mr. Blatz was excused from Monday's Session. Mr. Nelson was excused from Saturday morning's Session. Mr. Olson, J. L. was excused from Saturday's Session, beginning at 1:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
190		81	March 4, 1974	March 5, 1974
283		82	March 4, 1974	March 5, 1974
534		83	March 4, 1974	March 5, 1974
951		84	March 4, 1974	March 5, 1974
980		85	March 4, 1974	March 5, 1974
1138		86	March 4, 1974	March 5, 1974
1213		87	March 4, 1974	March 5, 1974
1434		88	March 4, 1974	March 5, 1974
1712		89	March 5, 1974	March 5, 1974
1859		90	March 4, 1974	March 5, 1974
2256		91	March 4, 1974	March 5, 1974
2370		92	March 4, 1974	March 5, 1974
2967		93	March 4, 1974	March 5, 1974
	1630	94	March 4, 1974	March 5, 1974
	1829	95	March 4, 1974	March 5, 1974
	2425	96	March 4, 1974	March 5, 1974
	2652	97	March 4, 1974	March 5, 1974
	2667	98	March 4, 1974	March 5, 1974
	2822	99	March 4, 1974	March 5, 1974
	2856	100	March 4, 1974	March 5, 1974

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Mr. Brown introduced—

S. F. No. 3527: A bill for an act relating to Forest Lake; exempting town from limitation on levies made for fire protection.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Olson, J. L., by request, introduced—

S. F. No. 3528: A bill for an act relating to the claim of Gary Frakes; arising from legal fees incurred in order to retain status as a student at the college of veterinary medicine; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Olson, A. G.; Knutson and Olson, H. D. introduced—

S. F. No. 3529: A bill for an act relating to legislative review of administrative rules and regulations; establishing and prescribing duties of the legislative regulatory review commission; appropriating money.

Which was read the first time and referred to the Committee on Rules and Administration.

Messrs. Olson, A. G.; Schrom and Brown introduced—

S. F. No. 3530: A bill for an act relating to municipalities; repealing various obsolete provisions of municipal laws; repealing Minnesota Statutes 1971, Sections 197.64, Subdivisions 1 and 2; 274.013; 275.24; 275.36; 368.12; 368.50 to 368.84; 412.841; 415.031 to 415.07; 416.03; 416.04; 416.07; 418.13 to 418.15; 423.21; 426.09; 426.10; 426.15 to 426.18; 435.05; 435.41; 436.02; 436.04; 437.01; 438.03; 438.04; 438.07; 440.12; 440.15 to 440.22; 440.25 to 440.32; 440.39; 441.15 to 441.20; 441.265 to 441.35; 441.37 to 441.46; 443.14 to 443.17; 444.15; 447.10 to 447.13; 447.23; 448.04 to 448.16; 448.26 to 448.49; 449.04; 449.05; 450.06 to 450.08; 451.06; 452.18 to 452.20; 453.01 to 453.14; 454.044; 454.045; 455.02 to 455.04; 455.06 to 455.11; 455.15 to 455.22; 456.01 to 456.15; 456.23; 456.31; 457.02; 458.26 to 458.31; 458.33 to 458.35; 458.48; 459.08 to 459.13; 461.01; 461.07 to 461.09; 465.27 to 465.48; 465.50 to 465.52; 465.59 to 465.63; 471.05 to 471.15; 471.47; and 471.48; Minnesota Statutes, 1973 Supplement, Sections 197.64, Subdivision 3; 205.041; 412.017; and 465.57; and Laws 1941, Chapter 266; Laws 1947, Chapter 470; Laws 1901, Chapter 379; Laws 1897, Chapter 85; Laws 1915, Chapter 125; Laws 1915, Chapter 230, Sections 2 and 3; Laws 1937, Chapter 198; Laws 1907, Chapter 22; Laws 1911, Chapter 53; Extra Session Laws 1935, Chapter 8; Laws 1917, Chapter 190; and Laws 1953, Chapter 697.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Nelson, Ashbach and Perpich, A. J. introduced—

S. F. No. 3531: A bill for an act relating to Minnesota Veterans Home; increasing veterans home board members compensation; amending Minnesota Statutes 1971, Section 198.071.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Purfeerst, Thorup and Willet introduced—

S. F. No. 3532: A bill for an act relating to probate proceedings; requiring the final account of the representative to include a statement of attorney fees; providing for the determination of reasonable attorney fees and the removal of an attorney if a final decree is not filed within a certain time; amending Minnesota Statutes 1971, Sections 525.48 and 525.515; and Chapter 525, by adding a section.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Nelson, O'Neill and Gearty introduced—

S. F. No. 3533: A bill for an act relating to taxation; permitting credits for contributions to be carried forward for income tax purposes; amending Minnesota Statutes 1971, Section 290.21, Subdivision 3.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Humphrey introduced—

S. F. No. 3534: A bill for an act relating to Hennepin county; purchase of prior service credit in the public employees retirement association by certain employees.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Borden, Ueland and Milton introduced—

S. F. No. 3535: A bill for an act relating to nursing; providing for continuing education; amending Minnesota Statutes 1971, Sections 148.191, Subdivision 2; and 148.231.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Doty, Stokowski and Krieger introduced—

S. F. No. 3536: A resolution memorializing the President and Congress to repeal prime tolls and other miscellaneous charges on the St. Lawrence Seaway.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Perpich, A. J. introduced—

S. F. No. 3537: A bill for an act relating to taxation; providing an income tax deduction for certain catastrophic funeral expenses;

amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Spear, Gearty and Ogdahl introduced—

S. F. No. 3538: A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

Which was read the first time and referred to the Committee on Education.

Messrs. Milton, O'Neill and North introduced—

S. F. No. 3539: A bill for an act relating to Ramsey county; providing for the establishment of county visitation teams to make on site inspections of nursing homes, board and care homes and day care centers where county funds are expended for the care of persons therein.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Milton, Kirchner and Lewis introduced—

S. F. No. 3540: A bill for an act relating to welfare; authorizing the establishment of county visitation teams to make on-site inspections of nursing homes, board and care homes, day care centers and other facilities where county funds are expended for the care of persons therein.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Lord, Keefe, J. and Humphrey introduced—

S. F. No. 3541: A bill for an act relating to conservation of energy; authorizing the Minnesota housing finance agency to grant low interest loans for residential housing insulation improvements; exempting insulation materials from the sales and use tax; authorizing a credit against income tax for insulation material; amending Minnesota Statutes 1971, Sections 290.06, by adding a subdivision; 462A.02, by adding a subdivision; 462A.05, by adding a subdivision; Minnesota Statutes, 1973 Supplement, Section 297A.25.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. O'Neill, Coleman and McCutcheon introduced—

S. F. No. 3542: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Min-

nesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371, as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311

and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35, as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556, as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and Chapter 851, as amended by Laws 1973, Chapters 695, 611, and 950, as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Schrom introduced—

S. F. No. 3543: A bill for an act relating to municipalities; prohibiting annexation or incorporation unless approved by a majority of the people residing in the area at an election; amending Minnesota Statutes 1971, Chapter 414, by adding a section.

Which was read the first time and referred to the Committee on Local Government.

Mr. Kirchner introduced—

S. F. No. 3544: A bill for an act relating to education; vocational rehabilitation sheltered employment; amending Minnesota Statutes, 1973 Supplement, Sections 121.71; 121.711; 121.712; 121.713; and 121.714.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Mr. Wegener introduced—

S. F. No. 3545: A resolution memorializing the President and Congress to establish a freedom train that would travel throughout the United States during the year 1976.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Chenoweth introduced—

S. F. No. 3546: A bill for an act relating to liens; changing certain notice requirements; amending Minnesota Statutes, 1973 Supplement, Section 514.011, Subdivisions 1 and 2.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Perpich, A. J. introduced—

S. F. No. 3547: A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Arnold introduced—

S. F. No. 3548: A bill for an act relating to waters; limitation upon classification of wild and scenic rivers; amending Minnesota Statutes, 1973 Supplement, Section 104.35, Subdivision 4.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Keefe, S. and Gearty introduced—

S. F. No. 3549: A bill for an act relating to Hennepin county; providing for election of the county attorney with party designation.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Keefe, S. introduced—

S. F. No. 3550: A bill for an act relating to tort liability of cities, counties, towns, public authorities, certain public corporations, school districts and other political subdivisions of the state;

time for notice of claim; amending Minnesota Statutes 1971, Section 466.05, Subdivision 1.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Keefe, S. introduced—

S. F. No. 3551: A bill for an act relating to the legislature; coverage of temporary employees for life and health benefits and federal social security; amending Minnesota Statutes, 1973 Supplement, Section 43.43; and Minnesota Statutes 1971, Section 355.02, by adding a subdivision.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. North introduced—

S. F. No. 3552: A bill for an act relating to mobile homes; certain devices not to be included in the advertised length of mobile homes by dealers and manufacturers; prescribing penalties.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. North introduced—

S. F. No. 3553: A bill for an act relating to state agencies; requiring a state agency when referring any person to another state agency to furnish the agency to which such person is referred with copies of all records or other information pertaining to the claim, problem or subject for which such person was referred.

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, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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.

Senate File No. 1269 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned March 7, 1974.

CONCURRENCE AND REPASSAGE

Mr. Pillsbury moved that the Senate do now concur in the amendments by the House to S. F. No. 1269 and that the bill be placed on its repassage as amended. The 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, 1973 Supplement, Section 290.01, by adding a subdivision; Minnesota Statutes 1971, Sections 290.21, Subdivision 3; 290.26, by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 291.05; and 292.04.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Novak	Schaaf
Arnold	Frederick	Kleinbaum	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Borden	Hansen, Mel	Larson	Olson, J. L.	Spear
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Stassen
Chmielewski	Hughes	Lewis	Patton	Stokowski
Coleman	Humphrey	Lord	Perpich, A. J.	Tennessen
Conzemius	Jensen	McCutcheon	Perpich, G.	Thorup
Davies	Josefson	Milton	Pillsbury	Ueland
Doty	Keefe, J.	Moe	Purfeerst	Willet
Dunn	Keefe, S.	North	Renneke	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 3330, 3102, 3147, 3398, 3438, 3473, 2169, 2335, 2339, 2777 and 3334.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 7, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2688.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 7, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1740, 2331, 3278, 3310, 3470, 2125, 2883, 2923, 3264, 3331, 2950, 3057, 3240, 3328, 3030, 3121 and 3368.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 7, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 3330: A bill for an act relating to taxation; providing for the imposition of inheritance and gift tax on disclaimed interests; amending Minnesota Statutes 1971, Sections 291.111, Subdivision 1; and 292.031, Subdivision 1.

H. F. No. 3102: A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

H. F. No. 3147: A bill for an act relating to commerce; real estate brokers and salesmen; licensure; trust account requirements; amending Minnesota Statutes, 1973 Supplement, Sections 82.18; 82.19, Subdivision 3; 82.24, by adding a subdivision; and 82.28.

H. F. No. 3398: A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee shares therefrom and transfer such shares to the highway patrolmen's retirement fund.

H. F. No. 3438: A bill for an act relating to licensing and registration 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; 326.13; and 326.14.

H. F. No. 3473: A bill for an act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

H. F. No. 2169: A bill for an act relating to taxation; Minnesota tree growth tax law; amending Minnesota Statutes 1971, Sections 270.36, by adding subdivisions; and 273.13, Subdivision 8a.

H. F. No. 2335: A bill for an act relating to public welfare, authorizing access to certain records for the purpose of verifying assets of recipients and applicants; providing penalties; amending Minnesota Statutes 1971, Section 256.978.

H. F. No. 2339: A bill for an act relating to intoxicating liquor;

places where sales prohibited; amending Minnesota Statutes 1971, Section 340.14, Subdivision 3, as amended.

H. F. No. 2777: A bill for an act relating to mining; requiring reports of exploratory drilling; providing a penalty.

H. F. No. 3334: A bill for an act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 4.

H. F. No. 1740: A bill for an act relating to state agencies; requiring a state agency when referring any client to another state agency to furnish the agency to which such client is referred with copies of all records or other information pertaining to the claim, problem or subject for which such client was referred.

H. F. No. 2331: A bill for an act relating to welfare; defining county of financial responsibility in medical assistance; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, by adding a subdivision.

H. F. No. 3278: A bill for an act relating to housing and redevelopment; waiver of state building code requirements for housing and redevelopment projects; amending Minnesota Statutes, 1973 Supplement, Section 462.581.

H. F. No. 3310: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, 10, and by adding a subdivision; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

H. F. No. 3470: A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

H. F. No. 2125: A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

H. F. No. 2883: A bill for an act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement, Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and Laws 1973, Chapter 650, Article XXIV, Section 6.

H. F. No. 2923: A bill for an act relating to reimbursement of non-public school pupil expenditures in certain cases; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

H. F. No. 3264: A bill for an act relating to taxes on and measured by net income; credits against tax, amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

H. F. No. 3331: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amend-

ing Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5 and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

H. F. No. 3057: A bill for an act relating to insurance; group hospital and medical coverage; requiring inclusion of certified consulting psychologist services and the services of a psychiatric team under group accident and health policies and subscriber contracts.

H. F. No. 3240: A bill for an act relating to the legislature; Indian affairs commission; raising the per diem pay of members; amending Minnesota Statutes 1971, Section 3.922, Subdivision 3.

H. F. No. 3328: A bill for an act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; defining qualified home owner eligible for senior citizen property tax freeze; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivision 6 and 273.011, Subdivision 2.

H. F. No. 3030: A bill for an act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

H. F. No. 3121: A bill for an act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.

H. F. No. 3368: A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

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 the reports on S. F. Nos. 3395, 3433, 3088, 2683, 2315 and 998 be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

H. F. No. 568: A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a); providing that changes from gross earnings taxation of railroads may be made without referendum.

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. An amendment to the Minnesota Constitution repealing Article IV, Section 32 (a), is proposed to the people. If the amendment is approved, Article IV, Section 32 (a), shall be repealed.

Sec. 2. The proposed amendment shall be submitted to the voters at the general election for the year 1974. The ballots used at the election shall have the following question printed thereon:

"Shall the Constitution of the State of Minnesota be amended to permit the legislature to establish the rate and method of taxing railroads?"

Yes

No" "

Strike the title and insert in lieu thereof:

"A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a); permitting the legislature to establish the rate and method of taxing railroads."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

S. F. No. 2610: A resolution urging Congress to establish a commission to study energy resources and civil defense capabilities.

Reports the same back with the recommendation that the resolution be re-referred to the Committee on Natural Resources and Agriculture. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 2680: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the crime of prostitution; creating a cause of action for solicitation or inducement into prostitution; amending Minnesota Statutes 1971, Sections 540.07; and 609.32, Subdivisions 2 and 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 2553: A bill for an act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

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 re-referred

H. F. No. 1795: A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

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 re-referred

H. F. No. 2833: A bill for an act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

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 re-referred

H. F. No. 2589: A bill for an act relating to professional corporations; including podiatrists and psychologists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

S. F. No. 3433: A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 24, strike "2" and insert "3"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3088: A bill for an act relating to courts, Ramsey county; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 25, line 13, after "Maplewood," strike "and"

Page 25, line 13, after "North Saint Paul" insert ", White Bear Lake, and Saint Paul"

Page 25, after line 15, add a new section to read:

"Sec. 39. Minnesota Statutes, 1973 Supplement, Section 488A.20, Subdivision 4, is amended to read:

Subd. 4. [DISPOSITION OF FINES, FEES AND OTHER MONEYS; ACCOUNTS.]

(a) Except as otherwise provided herein and except as otherwise provided by law, the clerk shall pay to the Ramsey county treasurer all fines and penalties collected by him, all fees collected by him for services of himself, all sums forfeited to the court as hereinafter provided, and all other moneys received by the clerk.

(b) The clerk of court shall for each fine or penalty, provide the county treasurer with the name of the municipality or other subdivision of government where the offense was committed and the total amount of the fines or penalties collected for each such municipality or other subdivision of government.

(c) The state of Minnesota and any governmental subdivision within the jurisdictional area of the municipal court herein established may present cases for hearing before said municipal court. In the event that the court takes jurisdiction of a prosecution for the violation of a statute or ordinance by a governmental subdivision other than a city or village town in Ramsey county, all fines, penalties and forfeitures collected shall be paid over to the county treasurer except where a different disposition is provided by law.

(d) At the beginning of the first day of any month, the amount in the hands of the clerk which is owing to any municipality or county shall not exceed \$5,000.

(e) On or before the last day of each month, the county treasurer shall pay over to the treasurer of each municipality or subdivision of government in Ramsey county one half of all fines or penalties collected during the previous month from those im-

posed for offenses committed within such municipality or subdivision of government in violation of a statute, an ordinance, charter provision, rule or regulation of a city or village. All other fines and forfeitures and all fees and costs collected by the county municipal court shall be paid to the treasurer of Ramsey county who shall dispense the same as provided by law.

(f) Amounts represented by checks issued by the clerk or received by the clerk which have not cleared by the end of the month may be shown on the monthly account as having been paid or received, subject to adjustment on later monthly accounts.

(g) The clerk may receive negotiable instruments in payment of fines, penalties, fees, or other obligations as conditional payments, and is not held accountable therefor but if collection in cash is made and then only to the extent of the net collection after deduction of the necessary expense of collection."

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 6, after "2," insert "4"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2683: A bill for an act relating to the metropolitan airports commission; membership; selection, qualification and compensation of the chairman; amending Minnesota Statutes 1971, Sections 360.104, Subdivision 1; and 360.105, 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:

"Section 1. Minnesota Statutes 1971, Section 360.101, is amended to read:

360.101 [DECLARATION OF PURPOSES.] It is the purpose of sections 360.101 to ~~360.123~~ 360.144 to promote the public welfare and national security; serve public interest, convenience, and necessity; promote air navigation and transportation, international, national, state, and local, in and through this state; ~~increase air commerce~~ and promote the efficient, safe and economical handling of such air commerce; assure the inclusion of this state in national and international programs of air transportation; and to those ends to develop the full potentialities of the metropolitan ~~areas~~ area in this state as an aviation ~~centers~~ center, and to correlate ~~these areas~~ that area with all aviation facilities in the entire state so as to provide for the most economical and effective

use of aeronautic facilities and services in these areas that area; assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, and to that end provide for noise abatement, control of airport area land use, and other protective measures; and to this end the corporation shall cooperate with and assist the metropolitan council, the federal government, the commissioner of aeronautics of this state and others engaged in aeronautics or the promotion and regulation of aeronautics and shall seek to coordinate its activities with the aeronautical activities of these bodies.

Sec. 2. Minnesota Statutes 1971, Section 360.102, Subdivision 2, is amended to read:

Subd. 2. "Commission" and "corporation," each means a corporation created under Laws 1943, Chapter 500, as a metropolitan airports commission, organized and existing under the provisions of sections 360.101 to 360.144.

Sec. 3. Minnesota Statutes 1971, Section 360.102, Subdivision 3, is amended to read:

Subd. 3. "City council" or "council" means the governing body of a city, however designated by law or charter each of the cities of Minneapolis and St. Paul.

Sec. 4. Minnesota Statutes 1971, Section 360.102, Subdivision 4, is amended to read:

Subd. 4. "Commissioner" means a person appointed or otherwise selected as, and, after his qualification, acting as, a member of a the corporation created under Laws 1943, Chapter 500.

Sec. 5. Minnesota Statutes 1971, Section 360.102, Subdivision 5, is amended to read:

Subd. 5. "The commissioners" means a quorum of the members of a the corporation created under Laws 1943, Chapter 500, acting as the governing body of such the corporation.

Sec. 6. Minnesota Statutes 1971, Section 360.102, Subdivision 9, is amended to read:

Subd. 9. "City" or "each city" means one of the two contiguous cities of the first class in and for which a corporation shall be created under Laws 1943, Chapter 500 Minneapolis and St. Paul.

Sec. 7. Minnesota Statutes 1971, Section 360.102, is amended by adding a subdivision to read:

Subd. 11. "Metropolitan area" means the metropolitan area as defined in Minnesota Statutes 1971, Section 473B.02.

Sec. 8. Minnesota Statutes 1971, Section 360.103, Subdivision 1, is amended to read:

360.103 [METROPOLITAN AIRPORTS COMMISSION; CREATION.] Subdivision 1. For the purposes herein provided there shall be in sections 360.101 to 360.144 the metropolitan airports commission has been created as a public corporation in

and for any two contiguous cities of the first class in this state, to be known as the Metropolitan Airports Commission of these cities. Except as provided otherwise in this act, the existence and the powers, responsibilities, rights, and obligations of this corporation are confirmed and extended in accordance with the provisions of those sections, as they now exist and as they are now and may hereafter be amended and supplemented.

Sec. 9. Minnesota Statutes 1971, Section 360.103, Subdivision 2, is amended to read:

Subd. 2. ~~Laws 1943, Chapter 500, is expressly declared to be applicable to all such cities whether or not they are new or hereafter existing under a charter framed and adopted under Section 36 of Article IV, of the State Constitution~~ *The commission shall be organized, structured and administered as provided in this act.*

Sec. 10. Minnesota Statutes 1971, Section 360.104, Subdivision 1, is amended to read:

360.104 [MEMBERSHIP, GOVERNMENT.] Subdivision 1. The following persons and their respective successors, herein termed commissioners, shall constitute the members and governing body of the corporation, namely:

(1) *All of the members and commissioners in office January 1, 1973, for the remainder of the terms for which they were appointed or otherwise selected, respectively;*

(2) *The mayor of each of the respective cities, or a qualified voter appointed by him, for his term of office as mayor;*

(3) *A member of the council of each of the respective cities, appointed by such the council for a term of four years commencing in July, 1977;*

(4) *A member of the park board of commissioners having jurisdiction at the time of the passage of Laws 1943, Chapter 500, of airports of each of the respective cities, Minneapolis appointed by such that board or commission, or, in case the council of either of such cities has jurisdiction of airports in said city, then and a second member of such the council of St. Paul, appointed by it, each for a term of six years commencing in July in 1975;*

(5) *One additional commissioner from resident of each city, who is a freholder, has resided in the city from which he is appointed at least ten years, and does not hold any office under the state or any of its political subdivisions except that of notary public, herein termed a "citizen commissioner," such member in a city having the commission form of government St. Paul to be appointed by the mayor, with the approval of the council, and in other cities Minneapolis by the council, with the approval of the mayor; one member appointed by the governor of the state, who shall be a qualified voter of a county not contiguous to either of the counties in which the respective cities are located, who shall be chairman of the corporation each for a term of two years commencing in July 1979;*

(6) Six additional members, each appointed by the governor on a non-partisan basis, and each holding no other office under the state or any of its political subdivisions except that of notary public; for terms and with residence qualifications as follows:

(a) (1) A resident of the area of the counties of Washington and Ramsey, outside of St. Paul, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981;

(2) A resident of the county of Anoka, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981;

(3) Three residents of the area of the counties of Carver, Scott and Hennepin, outside Minneapolis, for a two year term commencing in July, 1974, and their successors for a term ending July 1, 1981;

(4) A resident of the county of Dakota, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981;

(b) As successors to all members referred to in paragraphs (2) to (6) (a), whose terms will expire in July, 1981, a number of members appointed from precincts equal or nearest to but not exceeding half the number of districts which are provided by law for the selection of members of the metropolitan council in Minnesota Statutes, Section 473B.02. Each member shall be a resident of the precinct which he represents. The members shall be appointed by the governor as follows: a number as near as possible to one-fourth, for a term of one year; a similar number for a term of two years; a similar number for a term of three years; and a similar number for a term of four years, all of which terms shall commence on July 1, 1981. The successors of each member shall be appointed for four year terms commencing in July of each fourth year after the expiration of the original term;

(7) One member appointed by the governor of the state, who shall be chairman of the corporation, appointed for a six year term commencing in July, 1977 and his successors for six year terms commencing in July in each sixth year thereafter.

Sec. 11. Minnesota Statutes 1971, Section 360.104, Subdivision 2, is amended to read:

Subd. 2. Each mayor, or any voter appointed by him in his stead, shall serve as a commissioner for the term of office of such mayor or for the consecutive terms thereof if he be re-elected. Of the first commissioners, one appointed by each city council from its members shall serve for a term of four years, and one for six years, or if one is appointed by a board or commission having jurisdiction of airports instead of by the council, he shall serve for six years. The commissioner appointed by the governor shall serve for four years, and each of the citizen commissioners for six years. Each of said terms shall date from the election or appointment and qualification of the commissioner. Thereafter the term of each commissioner, except that of a mayor, of an appointee of such mayor in his stead, and of one appointed to fill a vacancy, shall be

for six years. Notwithstanding the foregoing provisions of this subdivision, ~~the term.~~ *The office of any commissioner who is a member of a city council or board or commission having jurisdiction of airports shall terminate become vacant when for any reason he ceases to hold the city office to which he was elected, and a successor shall be immediately appointed to fill his unexpired term the office of any commissioner shall become vacant upon the occurrence of any event referred to in section 351.02.* Except as provided in the ~~last sentences~~ *preceding sentences of this subdivision*, each commissioner shall serve until his successor is duly appointed and has qualified. Any vacancy in the office of a commissioner shall *immediately* be filled for the unexpired term, and in such case, or when the term of a commissioner expires, his successor shall be chosen in the same manner as was his predecessor, and his appointment shall be evidenced in the same manner.

Sec. 12. Minnesota Statutes 1971, Section 360.104, Subdivision 3, is amended to read:

Subd. 3. ~~Within 30 days after the effective date of Laws 1943, Chapter 500, the commissioners shall be selected as provided in subdivision 1.~~ The clerk, secretary, or other appropriate official of each appointing public body shall immediately thereafter file with the secretary of state a certified copy or copies of ~~the each resolution or resolutions of such appointing body appointing commissioners from its own membership.~~ *At the same time* The city clerk of each city, *upon the election and qualification of each new mayor thereof*, shall file with the secretary of state a certificate stating ~~the his~~ full name and address ~~of the mayor of such city~~, and that such mayor has elected to act as a commissioner, or, in the event such mayor has appointed some other qualified voter in his place, shall file a certified copy of the order of the mayor appointing such commissioner. ~~Such city clerk shall also file a certified copy of the record of appointment of the citizen commissioner.~~ The governor shall file his ~~appointment~~ *appointments* in the same office. Each person selected as a commissioner shall thereupon file in the same office the oath of office prescribed by the State Constitution, Article V, Section 8, subscribed by him and certified by the officer administering the same.

Sec. 13. Minnesota Statutes 1971, Section 360.104, Subdivision 4, is amended to read:

Subd. 4. Should any of the said appointments not be made, ~~or any certification of appointments or any certificate as to a mayor electing to act as a commissioner, or any oath of office, not be filed as required;~~ all within the time limits specified herein, *within 60 days after the commencement of the term for which it is to be made*, the governor shall ~~thereupon~~ *upon the request of the chairman* select and appoint such commissioners as have not been so designated. Any commissioner so appointed by the governor shall be a legal voter of the city or county for which he was appointed. Upon his filing the oath of office required by subdivision 3, he shall have all the rights, privileges, and powers of a commissioner duly elected or appointed as provided herein *in subdivision 2*. If

thereafter any vacancy in the office of a commissioner shall not be promptly filled, the governor may upon request of the chairman proceed as in this subdivision provided.

Sec. 14. Minnesota Statutes 1971, Section 360.104, is amended by adding a subdivision to read:

Subd. 5a. [REGULAR AND SPECIAL MEETINGS.] The commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of all the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

Sec. 15. Minnesota Statutes 1971, Section 360.105, is amended by adding a subdivision to read:

Subd. 2a. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive such compensation as the commission shall determine and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 16. Minnesota Statutes 1971, Section 360.105, Subdivision 4, is amended to read:

Subd. 4. The removal of residence of any commissioner from the city of area from which he was appointed or otherwise selected as a representative shall operate as a resignation of his office. Any commissioner may be removed from office by the body or person appointing him; or by the governor, for misfeasance, malfeasance, or nonfeasance in office, upon written charges and after an opportunity to be heard in his defense.

Sec. 17. Minnesota Statutes 1971, Section 360.107, Subdivision 2, is amended to read:

Subd. 2. It may acquire by lease, purchase, gift, devise, or condemnation proceedings all necessary right, title, and interest in and to lands and personal property required for airports and all other real or personal property required for the purposes contemplated by Laws 1943, Chapter 500, either within or without the limits of the cities in and for which it is created; within the metropolitan area, pay therefor out of funds obtained as herein-

after provided, and hold and dispose of the same, subject to the limitations and conditions herein prescribed. Title to any such property acquired by condemnation or purchase shall be in fee simple, absolute, unqualified in any way, but any such real or personal property or interest therein otherwise acquired may be so acquired or accepted subject to any condition which may be imposed thereon by the grantor or donor and agreed to by the corporation, not inconsistent with the proper use of the property by the corporation for the purposes herein provided. Any properties, real or personal, acquired, owned, leased, controlled, used, and occupied by the corporation for any of the purposes of Laws 1943, Chapter 500, are declared to be acquired, owned, leased, controlled, used, and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any of its political subdivisions. Nothing contained in Laws 1943, Chapter 500, or sections 360.101 through 360.144, shall be construed as exempting properties, real or personal, leased from the metropolitan airports commission to a tenant or lessee who is a private person, association, or corporation from assessments or taxes.

Sec. 18. Minnesota Statutes 1971, Section 360.107, Subdivision 15, is amended to read:

Subd. 15. Without limitation upon any other powers in Laws 1943, Chapter 500, granted, whether general or special, it may contract with any person for the use by such person of any property and facilities under its control, for such purposes, and to such an extent as will, in the opinion of the commissioners, further the interests of aeronautics in this state and particularly in and about the cities in and for which the corporation has been created *within the metropolitan area*, including, but without limitation, the right to lease any such property or facilities, or any part thereof, for a term not to exceed 99 years, to any person, the national government, or any foreign government, or any department of either, or to the state or any municipality; provided, however, that said corporation shall not have the authority to lease, in its entirety, any municipal airport taken over by it under the provisions of this act. Without intending hereby to limit the generality of the purposes aforementioned, it may contract with any person for the use of any property and facilities under its control, or lease the same as aforementioned, for motel, hotel and garage purposes, and for such other purposes as, in the opinion of the commissioners, are desirable to furnish goods, wares, services and accommodations to or for the passengers and other users of airports under the control of the corporation, provided however that nothing herein shall be interpreted to permit the sale of intoxicating liquor upon such property or facilities.

Sec. 19. Minnesota Statutes 1971, Section 360.107, Subdivision 17, is amended to read:

Subd. 17. (1) It may from time to time make, adopt and enforce such rules, regulations, and ordinances as it may find expedient or necessary for carrying into effect the purposes of this act, including those relating to the internal operation of the corpo-

ration and to the management of airports and the operation thereof owned or operated by it, subject to the conditions and limitations hereinafter set forth. Any person violating any such rule, regulation or ordinance shall be guilty of a misdemeanor.

(2) The prosecution may be in any municipal court sitting within either city, or before a municipal court or justice of the peace having jurisdiction over the place where the violation occurs. Every sheriff, constable, policeman, and other peace officer shall see that all rules, regulations, and ordinances are obeyed, and shall arrest and prosecute offenders. The fines collected shall be paid into the treasury of the corporation, provided, however, that the corporation shall pay and there shall be first deducted and paid over to the office of the clerk of any municipal court processing and prosecuting violations such portion of such fines as shall be necessary to cover all costs and disbursements incurred in the matter of the processing and prosecuting of such violations in such court. All persons committed shall be received into any penal institution in the county in which the offense was committed. All persons shall take notice of such rules, regulations, and ordinances without pleading or proof of the same.

(3) As to rules, regulations and ordinances relating to the internal operation of the commission or to the management of airports or operation thereof, owned or operated by it, unless such rule, regulation or ordinance affects substantial rights thereon, a public hearing need not be held.

(4) As to all other rules, regulations or ordinances where deemed immediately necessary by the corporation, it may adopt and put the same into effect, but it shall within 30 days thereafter hold a public hearing thereon, after giving at least 15 days notice thereof by publication in a legal newspaper in each of the cities of Minneapolis and St. Paul, mailing a copy thereof at least 15 days prior to the hearing to all interested parties who have registered their names with the corporation for that purpose. As to all such other rules, regulations, or ordinances which the corporation does not deem immediately necessary, the corporation shall hold a public hearing thereon following the giving of at least 15 days notice thereof by publication and mailing as aforesaid, and such rules, regulations, or ordinances shall not be adopted and put into effect until after said hearing.

(5) Not later than 90 days after the date on which this amendatory act becomes effective the corporation shall prepare and file with the secretary of state its rules, regulations, and ordinances in effect at the time of the passage of this amendatory act, not theretofore filed with the secretary of state, and as to rules, regulations and ordinances adopted hereafter, said *From and after January 1, 1975, notice of the adoption of rules, regulations and ordinances ; before going into force and effect, shall, within 20 days as soon as possible after the adoption thereof, be published in a legal newspaper of general circulation in each of the cities of Minneapolis and St. Paul the metropolitan area and filed with proof of such publication shall be filed with the secretary of state . Upon such filing with the secretary of state , together with a copy*

of the rule, regulation, or ordinance, as the case may be, which shall thenceforth be in full force and effect.

(6) Any person substantially interested or affected in his rights as to person or property by a rule, regulation or ordinance adopted by the corporation, may petition the corporation for a reconsideration of such rule, regulation or ordinance, or for an amendment, modification or waiver thereof. Such petition shall set forth a clear statement of the facts and grounds upon which reconsideration, amendment, modification or waiver is sought. The corporation shall grant the petitioner a public hearing within 30 days after the filing of said petition.

Sec. 20. Minnesota Statutes 1971, Section 360.108, Subdivision 5, is amended to read:

~~Subd. 5. Thirty days after the submission of the findings and proposed plans provided for in this section, public hearings, of which two weeks published notice shall be given by the corporation, shall be held in the cities involved, by the corporation. After such hearings the corporation shall adopt and file with the governor and the city councils and boards or commissions having jurisdiction of airports of the cities, a permanent plan of operation, which shall be subject to such additions, revisions and modifications as may from time to time seem to the corporation to be proper and best calculated to carry out the purposes of Laws 1943, Chapter 590, as amended, provided that when a material change in such plan is proposed by the corporation, there shall be public hearings of which two weeks' published notice shall be given by the corporation. Any plans adopted by the commission pursuant to this section after January 1, 1975, shall be consistent with the development guide of the council.~~

Sec. 21. Minnesota Statutes 1971, Section 360.109, Subdivision 1, is amended to read:

360.109 [EXERCISE OF POWERS.] Subdivision 1. Immediately after the adoption and filing of its permanent plan of operation, the corporation shall proceed to exercise the powers herein granted. These powers may be exercised at any place within either 25 35 miles of the city hall of either city, or within the metropolitan area, except as limited by section 360.111 as amended.

Sec. 22. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 5. The investment of the cities of Minneapolis and St. Paul in the metropolitan airports system, from the date of the original enactment of this section to January 1, 1973, includes the land comprising airports owned by them and taken over pursuant to subdivision 2, and taxes levied on property within the cities in the years 1944 to 1969, the proceeds of which, together with revenues of the system and federal funds, were expended for the operation, administration, maintenance, improvement, and extension of the system and the service of debt incurred for such improvement and extension, including improvement of the city lands. The aggregate amount of such taxes was \$19,816,873, of

which \$7,294,022 would have been assessed and extended against property outside the cities if the entire metropolitan area, which will be taxable by the corporation in 1973 and subsequent years under section 360.114, as amended, had been within its taxing jurisdiction when those levies were made. If it should become necessary for the corporation to levy any such taxes for any purpose other than the payment of bonds and interest, they shall be extended and assessed exclusively against taxable property outside the cities until the total amount so assessed and extended equals \$7,294,022. In the event that the airport land owned by either city should no longer be used for airport purposes, the corporation's control thereof shall cease, and title to the land and all improvements shall be and remain in the city, but the city shall become liable to the corporation for the repayment, without interest, of an amount of the taxes so paid which is proportionate to its own share of the cities' original investment, being 60 percent for Minneapolis and 40 percent for St. Paul. In the event that any other land or improvements owned or controlled by the corporation should ever cease to be used for airport purposes, all income therefrom and all proceeds received upon disposal thereof shall continue to be used for purposes of the metropolitan airports system, subject to federal laws and regulations governing such disposal; or if the operation of the system should ever be terminated, all such income and proceeds shall be distributed to the seven counties in the metropolitan area, in amounts proportionate to the assessed valuation of taxable property in each county at the time of such distribution.

Sec. 23. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 6. All capital projects of the commission shall be submitted to the metropolitan council for review. No capital project which the council determines to have a significant effect on land use in, or the orderly and economic development of the metropolitan area may be commenced without the approval of the metropolitan council.

Sec. 24. Minnesota Statutes 1971, Section 360.111, is amended to read:

360.111 [EXISTING AIRPORTS; CONTROL, JURISDICTION.] ~~After taking over operation and maintenance of the municipally owned airports, in accordance with the provisions of section 360.109, subdivision 2, The corporation shall exercise control and jurisdiction over any other airport within 25 miles of the city hall of either city either 35 miles of the city hall of either city or within the metropolitan area. Control and jurisdiction of the corporation over any such other privately or publicly owned airport, whether licensed and operating at the time of the passage of this act or hereafter established, shall be limited to control and jurisdiction of the flight and traffic patterns of such airport in the interests of safety of the operation of any airport owned or operated by the corporation. No airport shall be acquired or operated within the metropolitan area above set forth without first securing the approval of the corporation, provided, however, such approval~~

shall not be withheld except after notice to all interested parties and a public hearing held thereon, as provided in Minnesota Statutes 1945, Section 360.018, Subdivision 7, as amended by this act, and then only upon a finding by the corporation that the acquisition or operation of such airport would create a flight hazard to any airport or airports owned or operated by it. As to any airport once licensed with the approval of the corporation, approval of the continued operation of such airport shall at no time be withdrawn by the corporation except after notice to all interested parties, a public hearing had, and a finding by the corporation based on substantial evidence that the operation of such airport is inconsistent with the safety of flight to and from an airport owned or operated or presently to be or being constructed to be operated by the corporation, and then only after payment of just compensation to cover the loss sustained by reason of such withdrawal, such just compensation, if not arrived at by agreement, to be ascertained in the condemnation of said airport by the corporation under the power of eminent domain, the commission to institute the condemnation proceedings promptly and to pay in connection with the prosecution thereof all reasonable and necessary expenses incurred not only by it but also by the owner of such airport.

Sec. 25. Minnesota Statutes 1971, Section 360.113, Subdivision 1, is amended to read:

360.113 [PUBLIC AND GOVERNMENTAL PURPOSES.] Subdivision 1. It is hereby determined and declared that the purposes of ~~Laws 1943, Chapter 500, sections 360.101 to 360.144~~ are public and governmental, and ; that the establishment development of airport systems, in the state of Minnesota, including the ~~airport metropolitan airports system to be established by the corporation created by Laws 1943, Chapter 500,~~ will promote be consistent with the airport chapter of the council's development guide and promote the public safety and welfare of the state; and that the acquisition, construction, development, extension, maintenance, and operation of such airport systems are the system in such a manner as to assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, with provision for noise abatement, control of airport area land use, and other protective measures, is essential to the development of air navigation and transportation in and through this state, and ~~is~~ is necessary in order to assure the inclusion of this state in national and international systems of air transportation now being planned; that the airport systems to be developed under ~~Laws 1943, Chapter 500,~~ will benefit , benefits the people of the state as a whole, and will render renders a general public service ; that the establishment of such airport systems as soon as practicable is essential in order to make adequate provision for state and national defense that the development of such airport systems will provide , and provides employment and will reduce unemployment after the war , and will thereby aid in other ways and be is of great public economic benefit in post war readjustment .

Sec. 26. Minnesota Statutes 1971, Section 360.114, Subdivision 1, is amended to read:

360.114 [BUDGET.] Subdivision 1. ~~Thereafter,~~ The commissioners shall, on or before the first day of July of each year, prepare a detailed budget of the needs of the corporation for the next fiscal year, specifying separately in said budget the amounts to be expended for acquisition of property, construction, payments on bonded indebtedness, if any, operation, and maintenance, respectively, and shall certify the same on said date to the council of each city, together with a statement of the proportion of the budget to be provided by each city, determined as provided in section 360.113, subdivision 5. The council of each such city shall review the budget, and the commissioners, upon notice from any such city, shall hear objections to the budget and may, after hearing, modify or amend it, and shall give due notice to the cities of such modification or amendment. It shall be the duty of the council of each city in and for which the corporation is created to provide the funds necessary to meet its proportion of the total cost for acquisition of property, payment on bonded indebtedness, if any, construction, operation, and maintenance as finally certified by the commissioners, such funds to be raised by the tax levies, bond sales, or by other means within the authority of said cities, and to pay the same over to the treasurer of the corporation in such amounts and at such times as he may require. Each city is authorized to issue and sell such bonds as may be necessary to meet its obligations under this section irrespective of any limitation in any home rule charter or special or general law, without a vote upon said question by the electors of said city, and bonds so determined to be issued and sold shall be issued and sold in the manner provided by section 360.113 and section 360.121 *subject only to such changes as the commissioners may from time to time approve.*

Sec. 27. Minnesota Statutes 1971, Section 360.114, Subdivision 2, is amended to read:

Subd. 2. If any such city shall fail to take the necessary action to provide the funds required by the corporation as in section 360.113 and this section provided, The commissioners shall on or before October 10th of each calendar year, certify to the county auditor of the *each* county in which the city so failing to comply shall be located, the amount determined by the commissioners to be raised by that city, and the metropolitan area the total amount to be raised by the commissioners during the next calendar year through taxation, and each county auditor shall extend and assess against all property in his county which is then taxable by the corporation for the purpose for which the levy is made under the provisions of section 360.109, subdivision 5, that sum which bears the same proportion to the total amount as the assessed valuation of such taxable property bears to the assessed valuation of all property in the metropolitan area which is then taxable by the corporation for the purpose for which the levy is made. The county auditor shall extend, spread, and include the same with and as a part of the general taxes for state, county, and municipal purposes, to be collected and enforced therewith, together with penalties and interest and costs, and the county treasurer, upon collection of the same, shall transfer the same to the treasurer of the corporation.

Sec. 28. Minnesota Statutes 1971, Section 360.114, Subdivision 3, is amended to read:

Subd. 3. In any budget certified by the commissioners, pursuant to any of the provisions of this section or of section 360.113, the amount included for operation and maintenance shall not exceed an amount which, when apportioned to the cities affected extended against the assessed valuation of property then taxable therefor under the provisions of section 360.109, subdivision 5, will require the payment by either city for these items of an amount greater than would be produced by a levy at the rate of one third of one mill upon the such assessed valuation of such city. Taxes levied by the corporation shall not affect the amount or rate of taxes which may be levied by any other local government unit within the metropolitan area under the provisions of any law or charter.

Sec. 29. Minnesota Statutes 1971, Section 360.116, is amended to read:

360.116 [LIMIT OF TAX LEVY.] The taxes levied against the property of each city the metropolitan area in any one year shall not exceed one third of one mill upon the assessed valuation thereof, exclusive of the taxes it may be necessary to levy to pay the principal or interest on any bonds or indebtedness of said city issued by it under the provisions of Laws 1943, Chapter 500, and exclusive of any amounts required to pay the share of such city for payments on bonded indebtedness of the corporation provided for in Laws 1943, Chapter 500. The levy of taxes authorized in Laws 1943, Chapter 500, shall be in addition to the maximum rate allowed to be levied to defray the cost of government under the provisions of the charter of any city affected by Laws 1943, Chapter 500.

Sec. 30. Minnesota Statutes 1971, Chapter 360, is amended by adding a section to read:

[360.1161] *Notwithstanding the provisions of section 360.116 or any other provision of chapter 360, any tax levy required to be made to pay debt service on any bonds heretofore or hereafter issued by the commission shall not be restricted to the cities of Minneapolis and Saint Paul but shall be levied against all the taxable property in the metropolitan area in accordance with the provisions of section 24 of this act.*

Sec. 31. [360.120] [GENERAL OBLIGATION REVENUE FINANCING.] *Subdivision 1. [SCOPE.] The Minneapolis-St. Paul Metropolitan Airports Commission shall have all the powers and duties set forth in this section, in addition to the powers granted and the duties imposed and notwithstanding any limitations of such powers set forth in any other law or city charter provision. These powers and duties are likewise granted to and imposed upon any successor public corporation, agency, or subdivision of the state in which the commission's property, rights, powers, obligations, and duties, or any of them, may in the future be vested by law.*

Subd. 2. [BORROWING AUTHORIZATION.] No additional bonds shall be issued under the provisions of section 360.117, over and above the amount outstanding April 1, 1974. Except for refunding bonds and certificates of indebtedness, the amount of borrowing authorized by this section, over and above the amount of bonds of the commission outstanding July 1, 1974, is limited to \$20,000,000 until and unless this limitation is increased by law. The pledge of revenues of the commission to its debt service fund in lieu of the taxes otherwise required by section 360.117 to be assessed and extended shall be and remain a first charge on all current revenues of the commission to the extent required annually to cancel such taxes.

Subd. 3. [GENERAL OBLIGATION REVENUE BONDS.] Subject to the provisions of subdivision 2 the commission may issue bonds for the acquisition and betterment of airports and air navigation facilities, and for the refunding of such bonds and of certificates of indebtedness issued under subdivision 10, in the same manner and with the same powers and duties as a municipality under the provisions of chapter 475 except as otherwise provided in this section. The bonds shall be designated as general obligation revenue bonds, and shall be payable primarily from and secured under resolutions of the commission by an irrevocable pledge and appropriation of the revenues to be derived from rates, fees, charges, and rentals to be imposed, maintained, and collected for all use, service, and availability of airport and air navigation facilities owned and to be owned or operated by the commission. They shall be further secured by the pledge of the full faith and credit of the commission, which shall be obligated to levy upon all taxable property within the metropolitan area a tax at such times and in such amounts, if any, as may be required to provide funds sufficient to pay all of the bonds and interest thereon when due and to maintain a reserve securing such payments in the manner and to the extent provided in this section. This tax, if ever required to be levied, shall not be subject to any limitation of rate or amount. The security afforded by this section extends equally and ratably to all general obligation revenue bonds of the commission, except that nothing herein shall prevent the commission from pledging current revenues from a particular facility or group of facilities first to the payment and security of bonds issued to finance such facilities.

Subd. 4. [DEBT SERVICE FUND.] The commission shall maintain permanently on its official books and records an account or accounts referred to herein collectively as the debt service fund, separate from all other funds and accounts, to record all receipts and disbursements of money for principal and interest payments on its bonds, and on certificates of indebtedness issued pursuant to subdivision 10. At or before the due date of each principal and interest payment on said bonds and certificates the treasurer shall remit from the debt service fund to the payment agent for the issue an amount sufficient for such payment, without further order from the commission. At or before the time of delivery of any series of bonds the commission shall withdraw from the proceeds thereof, or from revenues then on hand and available for the purpose, and shall

deposit in the debt service fund such amount, if any, as may be required to establish in the fund a balance of cash and investments at least equal to the total amount of principal and interest then due and to become due on bonds of the commission to the end of the following year. The commission shall also deposit in the fund as needed and available, from revenues received in excess of budgeted current expenses of operation and maintenance of its property and of carrying on its business and activities, and in excess of amounts required to cancel taxes under subdivision 2, such amounts as shall be required to reimburse the fund for bond and certificate payments and to produce a balance of cash and investments therein by October 10 in each year at least equal to the total amount of principal and interest due and to become due on general obligation revenue bonds of the commission to the end of the following year. If the revenues are insufficient in any year to produce the required balance, then unless provision is made for restoring the deficiency in accordance with the provisions of subdivision 8, the commission shall levy and appropriate to the debt service fund, and certify to the county auditors of all counties in the metropolitan area, a tax in accordance with subdivision 3 in an amount at least five percent in excess of the deficiency. For the purpose of determining the balance in the debt service fund at any time, investments held therein shall be valued at the principal amount payable at maturity if they mature in the following year, or otherwise at market value, plus the amount of interest receivable thereon to the end of the following year.

Subd. 5. [RATES, FEES, CHARGES, AND RENTALS.] The commission shall be obligated to the holders of its bonds, and to the owners of all property subject to taxation for the payment thereof, to establish, revise from time to time, and collect rates, fees, charges, and rentals for all airport and air navigation facilities and service used by and made available to any person, firm, association, or corporation according to schedules such as to produce revenues at all times sufficient for the requirements of the debt service fund as provided in subdivision 4, and sufficient also to pay when due all expenses of operation and maintenance of the commission's property and of carrying on its business and activities in accordance with law. The payment of such rates, charges, fees, and rentals by any party for the use of any facility or service for any period, other than use permitted to the public generally, shall be secured by a lease or other agreement requiring such party to pay each year an amount sufficient to provide for the payment of a share of the principal and interest due during this period on all bonds of the commission, proportionate to the amount of such bonds issued to provide the facility or service and to the amount of use thereof assured to such party in comparison with others. If a tax is ever required to be levied for a debt service fund deficiency under the provisions of subdivision 4, the commission shall immediately take all action permitted by law and under its leases and other agreements to enforce the payment of rates, fees, charges, and rentals then due, and to raise the amounts thereof payable in the future to the extent required for conformity with subdivision 4 and for repayment of the deficiency with interest at six percent per annum.

Subd. 6. [REIMBURSEMENT OF DEBT SERVICE FUND DEFICIENCIES.] If a debt service fund deficiency tax is ever cer-

tified in accordance with subdivision 4, each county auditor shall extend it on the tax roll of his county in that proportion which the assessed valuation of taxable property within his county then bears to the assessed valuation of all taxable property within the metropolitan area, and shall certify to the commission the amount so extended. Thereafter the commission shall be obligated to repay to the treasurer of each county the amount extended upon its tax roll with interest at six percent per annum from the dates of payment of the deficiency tax to the commission to the date or dates of repayment. The commission shall certify to each county auditor the principal amount to be so paid to the county before October 10 in each subsequent year, and the county auditor shall reduce by this amount the taxes levied by the county which are to be extended upon its tax rolls then in preparation.

Subd. 7. [CONDITIONS.] Bonds of the commission shall not be conditioned upon an election, but no bonds shall be issued at any time, except for refunding in the cases described in subdivision 8, unless the required balance in the debt service fund is first established in accordance with subdivision 4, and the commission determines on one of the bases described in this subdivision that the revenues to be received by it each year during the term of the proposed issue will be at least sufficient to pay when due all of the commission's bonds and interest thereon, including the new issue but excluding any bonds refunded thereby, and to establish the balance required in the debt service fund by October 10. Before the bonds are delivered to the purchaser, the commission shall secure either:

(a) A report of audit of the commission's financial records for the fiscal year most recently ended or, if this is not yet available, a report for the preceding year, prepared by a nationally recognized firm of certified public accountants, showing that the net revenues received that year, computed as the gross receipts less any refunds of rates, fees, charges, and rentals for airport and air navigation facilities and service, less the aggregate amount of current expenses, paid or accrued, of operation and maintenance of property and carrying on the commission's business and activities, equaled or exceeded the maximum amount of then outstanding bonds of the commission and interest thereon to become due in any fiscal year; or

(b) A lease or other agreement or agreements for the operation or use by one or more airline corporations of the facility for which the bonds are proposed to be issued, requiring such corporation or corporations to pay all costs of operation and maintenance thereof and to pay additional rentals or charges at the times and in not less than the amounts required to pay all of the bonds and interest thereon when due and to establish the annual balance required in the debt service fund to secure such payments, together with a report of audit showing net revenues fulfilling the condition in clause (a) as to all other bonds then outstanding or then to be issued; or

(c) A written report prepared by a nationally recognized consultant on airport management and financing, projecting gross receipts, current expenses, and net revenues at least sufficient during each year of the term of the proposed bonds to pay all principal and interest due on all

bonds and to establish and maintain the required annual debt service fund balance, and stating the estimates of air traffic, rate increases, inflation, and other factors on which the projection is based.

Subd. 8. [REFUNDING DEFICIENCIES.] If in any year the revenues available for transfer to the debt service fund are or will in the judgment of the commission be insufficient to produce the balance required thereon on October 10 under the provisions of subdivision 4, or to make any interest or principal payment due on certificates of indebtedness issued under the provisions of subdivision 10, the commission may, with the approval of the council, issue refunding bonds and appropriate the proceeds to the debt service fund in the amount needed to restore the deficiency, provided that the refunding bonds shall not mature earlier than the date or dates when the commission estimates that the revenues from enforced or increased rates, fees, charges, and rentals will be sufficient to pay them and to meet all other requirements of the debt service fund as stated in subdivision 4.

Subd. 9. [ADDITIONAL TAXES.] Nothing herein shall prevent the commission from levying a tax not to exceed in any year one twentieth of one mill on the assessed valuation of taxable property within its taxing jurisdiction, over and above any levies found necessary for the debt service fund, as authorized by section 360.116. Nothing herein shall prevent the levy and appropriation for purposes of the commission of any other tax on property or on any income, transaction, or privilege, when and if authorized by law. All collections of any taxes so levied shall be included in the revenues appropriated for the purposes referred to in this section, unless otherwise provided in the law authorizing such levies; but no covenant as to the continuance or as to the rate and amount of any such levy shall be made with the holders of the commission's bonds unless specifically authorized by law.

Subd. 10. [EMERGENCY BORROWING.] If in any budget year revenue receipts should from any unforeseen cause become insufficient to pay budgeted current expenses, or if a public emergency should necessitate expenditures in excess of revenues anticipated to meet the current budget, the commission may make an emergency appropriation sufficient to meet the deficiency and may authorize the issuance and sale of general obligation certificates of indebtedness in this amount, maturing not later than October 10 in the following budget year, at public or private sale and upon such other terms and conditions as the commission may determine. The principal of and interest on such certificates of indebtedness, unless paid from other revenues, shall be payable from the debt service fund.

Sec. 32. Minnesota Statutes 1971, Section 360.124, is amended by adding a subdivision to read:

Subd. 4. The metropolitan airports commission shall not initiate land acquisition for a new major airport without explicit authorization from the legislature.

Sec. 33. Minnesota Statutes 1971, Sections 360.104, Subdivision 5; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5 are repealed.

Sec. 34. [EFFECTIVE DATE.] This act is effective on the day following final enactment.²⁶

Further amend the title by striking the title and inserting in lieu thereof:

"A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition; amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2 and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivision 5; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 2315: A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties.

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. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 11, 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 sports commission established by section 2 of this act.

Subd. 4. "Council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 5. "Policy plan" means a plan adopted by the council relating to sports pursuant to section 3 of this act.

Subd. 6. "Development program" means a program adopted by the commission pursuant to section 4 relating to sports.

Sec. 2. [METROPOLITAN SPORTS COMMISSION.] Subdivision 1. [GENERAL.] A metropolitan sports commission is established as an agency of the council and shall be organized and structured and administered as provided in this section.

Subd. 2. [MEMBERSHIP.] The commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the governor.

One member shall be appointed from each of two contiguous council districts as the districts are structured on the effective date of this act.

Subd. 3. [CHAIRMAN.] The chairman of the commission shall be appointed by the governor with the advice and consent of the senate and shall be the ninth member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the 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. Each commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] Each member shall be a resident of the precinct for which he is appointed and shall not during his term of office as a commission member hold the office of metropolitan council member, or be a member of the metropolitan transit commission, metropolitan sewer service board, or metropolitan airports commission; or any other metropolitan agency, board, or commission hereafter established by the legislature or hold any judicial office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 8. The oath, duly certified by the official administering the same, shall be filed with the executive director of the metropolitan council.

Subd. 5. [TERMS, REMOVAL.] Commencing in April 1974 the terms of members of the commission shall be as follows: four members for terms ending the first Monday in January 1977, four members for terms ending the first Monday in January 1979. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified. Members, other than the chairman, may be removed by the council only for cause in the manner specified in chapter 351.

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, including 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 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.

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] The commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all 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. [FUNCTIONS; STUDY.] The metropolitan sports commission is created, charged and empowered to do and accomplish the following subject to the terms, conditions and limitations prescribed in this act:

(a) to review, advise and comment to the metropolitan council on any plans for the construction or modification of metropolitan sports facilities, including those facilities located at the University of Minnesota,

(b) to conduct studies and investigations and make plans and determinations relating to the remodeling, siting, acquisition, construction, operation and financing of sports facilities in and for the metropolitan area, including those facilities located at the University of Minnesota.

Sec. 3. [POLICY PLAN.] Subdivision 1. [GENERAL.] Within 90 days after the effective date of this section, the council shall adopt after appropriate study and such public hearings as may be necessary, as a part of its development guide, a long-range comprehensive policy plan for the commission and when adopted, the policy plan shall be followed by the council and the commission. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council and the commission. The plan shall include policies for the location, financing and development of sports facilities in the metropolitan area, giving regard to: highways, transit, the environment, land use, water, sewer, police and fire services, and such other factors as the council deems relevant.

Subd. 2. [PROCEDURE.] Before adopting the policy plan the council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 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 the hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. An amendment to the policy plan may be initiated by the council or by the commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council pursuant to Minnesota Statutes, Chapters 473A, 473B, and 473C, shall continue in force and effect until expressly superseded by the policy plan adopted pursuant to this subdivision. The council shall not amend the policy plan except in accordance with the procedures herein established.

Sec. 4. [DEVELOPMENT PROGRAM.] Subdivision 1. [GENERAL.] On or before January 1, 1975, and at least biennially thereafter, the commission shall prepare a development program covering the activities and functions prescribed herein and those that may hereinafter be prescribed by statute. The first development program shall include a detailed technical plan for the location, financing, and development of sports facilities. The following elements, without limitation, shall be considered and included in the development and formulation of the development program:

(a) specific needs of the area with respect to new or improved sports facilities;

(b) adequacy and suitability of existing sports facilities;

(c) specific alternatives, facilities and proposals including evaluation, a recommendation and priority determination, considering at least: economic cost, benefit and viability, possible and probable usage, impact of development on residents and property near site location, compatibility with, impact on and requisite development of public services and facilities;

(d) specific development and financing programs with projections and evaluations and analysis of public impact;

(e) such other matters as the council may direct.

Subd. 2. [SUBMISSION TO AND APPROVAL BY COUNCIL.] The development program prepared by the commission shall be submitted to the council for review and approval or disapproval. The council shall complete its review within 90 days after receipt of the proposed development program. If the council determines that the program is consistent with the policy plan it shall approve the program as submitted. If it determines that the program is inconsistent with the policy plan, it shall disapprove it and return it to the commission with the 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 commission, the council shall hold a public hearing for the purpose of considering the program and the council's comments thereon, if requested to do so by the commission.

Subd. 3. [REPORT TO THE LEGISLATURE.] After approval by the council, the development program shall be submitted to the legislature during the session in the year 1975, together with recommendations by the council.

Sec. 5. [GENERAL POWERS.] Subdivision 1. The commission shall have all 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 employ such persons and contract for such services and materials, supplies and equipment as may be necessary to carry out its functions.

Subd. 3. The commission may sue and be sued.

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 property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 5. 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 functions.

Subd. 6. Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with Minnesota Statutes, Section 471.345.

Sec. 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 8. The tax levied for any year shall not exceed one-twentieth of one mill for all purposes on each dollar of assessed valuation of all such taxable property. The tax shall be levied and collected in the manner provided by Minnesota Statutes, Section 473.08.

Sec. 7. [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. 8. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 998: A bill for an act relating to the regulation of the practice of farrier science; and appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 5, add the following:

“Section 1. Subdivision 1. For purposes of this act the terms defined in this section have the meanings given them unless the context clearly indicates to the contrary.”

Page 1, line 6, strike “Section 1” and insert “Subd. 2.”

Page 1, line 6, insert quotation marks around the phrase “The practice of farrier science”

Page 1, after line 10, insert the following:

“Subd. 3. “Public member” means a person who is not, or never was, a farrier or the spouse of any such person who has no, or never has had, a material financial interest in acting as a farrier or a directly related activity.

Subd. 4. “Board” means the state veterinary examining board.”

Page 1, line 11, strike “other than a person owning his own”

Page 1, line 12, strike “animal”

Page 1, line 12, after “science” insert “except on his own animal”

Page 1, line 15, strike “examining board” and insert “advisory commission”

Page 1, line 15, after “shall” insert “be advisory to the state veterinary examining board in matters involving farrier science. The advisory commission shall”

Page 1, line 16, strike “seven” and insert “five”

Page 1, line 16, after “farriers” insert “and two public members”

Page 1, line 17, after “and” insert “the members who are farriers”

Page 1, line 20, strike “board” and insert “advisory commission”

Page 1, line 22, strike “board” and insert “advisory commission”

Page 1, line 28, strike “board” and insert “advisory commission who is a farrier”

Page 1, line 29, after “governor” insert a comma

Page 2, line 1, after “shall” strike “recommend to the governor”

Page 2, line 3, after “made,” insert “recommend to the governor”

Page 2, line 3, strike “board” and insert “advisory commission”

Page 2, line 6, strike “board” and insert “advisory commission”

Page 2, line 8, strike “board” and insert “advisory commission”

Page 2, strike line 10 and insert "ordinary and necessary expenses in the same manner and"

Page 2, line 11, strike "mileage and subsistence"

Page 2, line 13, strike "farrier science" and insert "veterinary"

Page 2, line 18, strike "farrier science" and insert "veterinary"

Page 3, line 4, strike "farrier science" and insert "veterinary"

Page 6, line 16, strike "gross" and insert "petty"

Page 7, line 17, strike "sister"

Page 8, line 2, after "(9)" strike the remainder of the line

Page 8, line 3, strike "profession of farrier science or"

Page 8, line 12, strike "(13)"

Page 8, strike lines 16 to 28

Page 9, strike line 1

Page 9, line 2, strike "farrier" and insert "veterinary"

Page 9, line 3, strike "science"

Page 9, line 5, strike "farrier" and insert "veterinary"

Page 9, line 6, strike "science"

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 3395: A bill for an act relating to labor relations; allowing area vocational technical institute teachers to become an appropriate bargaining unit; amending Minnesota Statutes 1971, Section 179.63, Subdivision 17.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Spear questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

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.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 2799: A bill for an act relating to charitable organizations; exempting firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "*act*" and insert "*chapter*"

Page 1, line 6, strike "*such an*" and insert "*the*"

Page 1, after line 7, insert:

"Sec. 2. This act shall apply only to actions which arise after the effective date."

And when so amended the bill do pass and be re-referred to the Committee on Natural Resources and Agriculture. Amendments adopted. Report adopted.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 2980: A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 2, strike "*After*"

Page 1, strike line 3

Page 1, line 4, strike "*242.11, and except as hereinafter provided,*"

Page 1, line 4, strike "*such*" and insert "*any*"

Page 1, line 9, strike "*Such*" and insert "*The*"

- Page 1, line 11, strike "such" and insert "that"
- Page 1, line 12, strike "any such" and insert "that"
- Page 1, line 13, strike "such"
- Page 1, line 15, strike "such" and insert "that"
- Page 1, line 16, strike "such" and insert "that"
- Page 2, line 7, strike "such"

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. 1205, 1739, 2580, 2604, 2748, 3008, 3221, 3222, 3295, 3337, 3419, 3428.

Reports the same back with the recommendation that the bill receive the action of the previous referring committees.

This report is submitted by the Secretary of the Senate pursuant to the direction of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 3322, 3384, 2829, 3533 and 3394 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.
3533	3463	2829	2712	3322	3224
		3394	3158	3384	3292

And that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. Nos. 3202 and 3357 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.
3357	3273			3202	3180

Pursuant to Rule 49 the Committee recommends that H. F. No. 3202 be amended as follows:

Page 1, line 8, strike "15" and insert in lieu thereof "six additional"

And when so amended, H. F. No. 3202 will be identical to S. F. No. 3180 and further recommends that H. F. No. 3202 be given its second reading and substituted for S. F. No. 3180 and S. F. No. 3180 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3357 be amended as follows:

Page 1, line 7, after "Statutes" and before the comma insert "1971"

And when so amended, H. F. No. 3357 will be identical to S. F. No. 3273 and further recommends that H. F. No. 3357 be given its second reading and substituted for S. F. No. 3273 and S. F. No. 3273 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 3330, 3147, 3398 3438, 3473, 2169, 2335, 2339, 2777 and 3334 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. 3398 to the Committee on Governmental Operations.

H. F. No. 2335 to the Committee on Health, Welfare and Corrections.

H. F. Nos. 3147, 3438, 2339 to the Committee on Labor and Commerce.

H. F. Nos. 3473, 2777 to the Committee on Natural Resources and Agriculture.

H. F. Nos. 2169, 3330, 3334 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.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1740, 2331, 3278, 3470, 2125, 2923, 3030, 3368, 2950, 3240 and 3057 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. 3470 to the Committee on Education.

H. F. Nos. 2331, 2125, 2950, 3240 to the Committee on Finance.

H. F. Nos. 1740, 3278 to the Committee on Governmental Operations.

H. F. No. 3030 to the Committee on Health, Welfare and Corrections.

H. F. No. 3057 to the Committee on Labor and Commerce.

H. F. No. 2923 to the Committee on Taxes and Tax Laws.

H. F. No. 3368 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. 1739, 2580, 2748, 3008, 3221, 3295, 3337, 3419 and 3428 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 568, 2680, 2553, 1795, 2833, 2589, 1986, 2799, 2980, 3322, 3384, 2829, 3533, 3394, 3202 and 3357 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Milton moved that the name of Mr. Keefe, S. be added as co-author to S. F. No. 3354. The motion prevailed.

Mr. Milton moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 3439. The motion prevailed.

Mr. Milton moved that the name of Mr. Kowalczyk be added as co-author to S. F. No. 3499. The motion prevailed.

RECONSIDERATION

Mr. McCutcheon moved that the vote whereby S. F. No. 1018 failed to pass the Senate on March 6, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

S. F. No. 1018: A bill for an act relating to highway traffic regulations; requiring certain equipment on motor vehicles sold after a certain date; amending Minnesota Statutes 1971, Sections 169.57, Subdivision 1; and 169.64, Subdivision 3.

Was read the third time 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 24, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Milton	Solon
Borden	Fitzsimons	Keefe, S.	Moe	Spear
Brown	Frederick	Krieger	Novak	Stokowski
Chenoweth	Gearty	Larson	Olhoft	Tennessee
Chmielewski	Hansen, Mel	Lewis	Olson, A. G.	Thorup
Conzemius	Hanson, R.	Lord	Perpich, A. J.	Wegener
Doty	Hughes	McCutcheon	Perpich, G.	Willet

Those who voted in the negative were:

Berg	Hansen, Baldy	Knutson	Olson, J. L.	Renneke
Bernhagen	Humphrey	Kowalczyk	O'Neill	Schrom
Blatz	Jensen	Nelson	Patton	Stassen
Coleman	Keefe, J.	North	Pillsbury	Ueland
Davies	Kirchner	Ogdahl	Purfeerst	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Wegener renewed his motion that the vote whereby H. F. No. 2854 failed to pass the Senate on March 5, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Mr. Borden moved that H. F. No. 2854 be placed at the top of General Orders. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Humphrey moved that S. F. No. 2222, No. 54 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. North moved that S. F. No. 2367 be recalled from the House of Representatives for further consideration. The motion did not prevail.

RECONSIDERATION

Mr. Laufenburger moved that the vote whereby H. F. No. 2919 failed to pass the Senate on March 6, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Mr. Arnold moved that H. F. No. 2919 be placed at the top of General Orders. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 2996, No. 86 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2996: A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of edu-

cation; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1, and by adding a subdivision; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Arnold	Frederick	Knutson	Olhoff	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	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	Josefson	Milton	Perpich, G.	Willet
Davies	Keefe, J.	Moe	Pillsbury	
Doty	Keefe, S.	Nelson	Renneke	
Dunn	Kirchner	North	Schrom	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that S. F. No. 3354, No. 34 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named person be and he is hereby appointed to the position hereinafter stated and at the salary heretofore fixed.

Robert Graham, Sergeant, effective February 23, 1974.

Mr. Coleman moved that the foregoing resolution be adopted. The motion prevailed. So the resolution was adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on H. F. No. 2675, pursuant to the request of the House:

Messrs. Conzemius, Borden, Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2200, pursuant to the request of the House:

Messrs. Stassen, Moe, Stokowski.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2812: A bill for an act relating to state parks; authorizing the commissioner of natural resources to transfer administration and control of the Fort Snelling chapel to the Minnesota historical society; transferring money; authorizing the leasing of a portion of the premises.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 32 and nays 26, as follows:

Those who voted in the affirmative were:

Bernhagen	Hanson, R.	Lewis	Olson, A. G.	Schrom
Blatz	Hughes	Lord	Olson, H. D.	Stokowski
Brown	Keefe, S.	McCutcheon	Olson, J. L.	Ueland
Dunn	Kleinbaum	Milton	Patton	Willet
Fitzsimons	Krieger	North	Perpich, G.	
Frederick	Larson	Ogdahl	Pillsbury	
Hansen, Baldy	Laufenburger	Olhoft	Renneke	

Those who voted in the negative were:

Anderson	Conzemius	Josefson	O'Neill	Tennessee
Berg	Davies	Keefe, J.	Perpich, A. J.	Thorup
Borden	Doty	Kirchner	Sillers	
Chenoweth	Gearty	Knutson	Solon	
Chmielewski	Hansen, Mel	Kowalczyk	Spear	
Coleman	Humphrey	Moe	Stassen	

So the bill failed to pass.

S. F. No. 2576: A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25,

Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

Was read the third time 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	Kleinbaum	Novak	Sillers
Arnold	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	Hanson, R.	Lewis	O'Neill	Thorup
Chenoweth	Hughes	Lord	Patton	Ueland
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Willet
Coleman	Jensen	Milton	Perpich, G.	
Conzemius	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 2347: A bill for an act relating to taxation; county legal assistance; 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Milton	Pillsbury
Arnold	Dunn	Keefe, S.	Moe	Renneke
Berg	Fitzsimons	Kirchner	North	Schrom
Bernhagen	Frederick	Kleinbaum	Novak	Sillers
Blatz	Gearty	Knutson	Ogdahl	Solon
Borden	Hansen, Baldy	Kowalczyk	Olhoft	Spear
Brown	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Larson	Olson, J. L.	Stokowski
Chmielewski	Hughes	Laufenburger	O'Neill	Tennessee
Coleman	Humphrey	Lewis	Patton	Thorup
Conzemius	Jensen	Lord	Perpich, A. J.	Ueland
Davies	Josefson	McCutcheon	Perpich, G.	Willet

So the bill passed and its title was agreed to.

S. F. No. 2975: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for county road and bridge purposes.

Was read the third time 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	North	Schaaf
Arnold	Fitzsimons	Kleinbaum	Novak	Sillers
Berg	Frederick	Knutson	Ogdahl	Solon
Bernhagen	Gearty	Kowalczyk	Olhoft	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.	Willet
Conzemius	Josefson	Milton	Pillsbury	
Davies	Keefe, J.	Moe	Purfeerst	
Doty	Keefe, S.	Nelson	Renneke	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3287: A bill for an act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Statutes, 1973 Supplement, Sections 402.02, Subdivision 2; 402.03; 402.05, Subdivision 2; 402.06; and 402.08.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2820: A bill for an act relating to McLeod county; authorizing one additional on-sale intoxicating liquor license.

Was read the third time 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	Dunn	Keefe, S.	Moe	Schaaf
Arnold	Fitzsimons	Kirchner	Nelson	Schrom
Berg	Frederick	Kleinbaum	North	Sillers
Bernhagen	Gearty	Knutson	Ogdahl	Solon
Blatz	Hansen, Baldy	Kowalczyk	Olson, A. G.	Spear
Borden	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Brown	Hanson, R.	Larson	O'Neill	Stokowski
Chenoweth	Hughes	Laufenburger	Patton	Tennessee
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Thorup
Conzemius	Jensen	Lord	Perpich, G.	Ueland
Davies	Josefson	McCutcheon	Purfeerst	Willet
Doty	Keefe, J.	Milton	Renneke	

Messrs. Novak, Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2332: A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

Was read the third time 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	Dunn	Kleinbaum	Ogdahl	Schrom
Arnold	Fitzsimons	Knutson	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	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	Nelson	Renneke	
Doty	Kirchner	North	Schaaf	

Messrs. Hansen, Mel; and Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3123: A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhofs	Sillers
Blatz	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
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2685: A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; 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 61 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Olhofs	Sillers
Arnold	Frederick	Krieger	Olson, A. G.	Solon
Berg	Gearty	Larson	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stassen
Blatz	Hanson, R.	Lewis	O'Neill	Stokowski
Borden	Hughes	Lord	Patton	Tennessee
Brown	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Jensen	Milton	Perpich, G.	Ueland
Chmielewski	Keefe, J.	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Purfeerst	
Conzernius	Kirchner	North	Renneke	
Doty	Kleinbaum	Novak	Schaaf	
Dunn	Knutson	Ogdahl	Schrom	

Messrs. Davies; Hansen, Baldy; and Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 3039: A bill for an act relating to courts; prescribing requirements for decisions of courts of record; prescribing penalties; amending Minnesota Statutes 1971, Section 546.27.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2639: A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

Was read the third time 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	Chenoweth	Fitzsimons	Jensen	Kowalczyk
Arnold	Chmielewski	Frederick	Josefson	Krieger
Berg	Coleman	Gearty	Keefe, J.	Larson
Bernhagen	Conzemius	Hansen, Mel	Keefe, S.	Laufenburger
Blatz	Davies	Hanson, R.	Kirchner	Lewis
Borden	Doty	Hughes	Kleinbaum	Lord
Brown	Dunn	Humphrey	Knutson	McCutcheon

Milton	Olhoft	Perpich, A. J.	Sillers	Thorup
Moe	Olson, A. G.	Perpich, G.	Solon	Ueland
Nelson	Olson, H. D.	Pillsbury	Spear	Willet
North	Olson, J. L.	Furfeerst	Stassen	
Novak	O'Neill	Renneke	Stokowski	
Ogdahl	Patton	Schaaf	Tennessee	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2177: A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; providing for notice to affected municipalities and political subdivisions; amending Minnesota Statutes 1971, Section 257.101, by adding subdivisions.

Was read the third time 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	Knutson	Ogdahl	Schrom
Arnold	Fitzsimons	Kowalczyk	Olhoft	Sillers
Berg	Frederick	Krieger	Olson, A. G.	Solon
Bernhagen	Gearty	Larson	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Borden	Hansen, Mel	Lord	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Patton	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Pillsbury	Willet
Conzemius	Keefe, J.	Nelson	Purfeerst	
Davies	Keefe, S.	North	Renneke	
Doty	Kleinbaum	Novak	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2918: A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

Was read the third time 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	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoft	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	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
Conzemiun	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2640: A bill for an act relating to courts; allowance of costs and disbursements in the supreme court.

Was read the third time 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:

Anderson	Frederick	Kowalczyk	Ogdahl	Sillers
Arnold	Gearty	Krieger	Olhoft	Solon
Bernhagen	Hansen, Mel	Larson	Olson, A. G.	Spear
Blatz	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Borden	Hughes	Lewis	O'Neill	Stokowski
Brown	Humphrey	Lord	Patton	Tennessee
Chenoweth	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Keefe, J.	Milton	Perpich, G.	Ueland
Davies	Keefe, S.	Moe	Pillsbury	
Doty	Kirchner	Nelson	Purfeerst	
Dunn	Kleinbaum	North	Renneke	
Fitzsimons	Knutson	Novak	Schaaf	

Those who voted in the negative were:

Berg	Hansen, Baldy	Olson, J. L.	Schrom	Willet
Chmielewski	Josefson			

So the bill passed and its title was agreed to.

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.

Was read the third time 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:

Anderson	Doty	Hughes	Kirchner	Laufenburger
Arnold	Dunn	Humphrey	Kleinbaum	Lord
Blatz	Fitzsimons	Jensen	Knutson	Milton
Borden	Gearty	Josefson	Kowalczyk	Nelson
Brown	Hansen, Mel	Keefe, J.	Krieger	North
Davies	Hanson, R.	Keefe, S.	Larson	Novak

Ogdahl	O'Neill	Pillsbury	Spear	Thorup
Olhoff	Patton	Purfeerst	Stassen	Ueland
Olson, H. D.	Perpich, A. J.	Sillers	Stokowski	
Olson, J. L.	Perpich, G.	Solon	Tennessee	

Those who voted in the negative were:

Berg	Coleman	Hansen, Baldy	Moe	Schaaf
Bernhagen	Conzemius	Lewis	Olson, A. G.	Schrom
Chenoweth	Frederick	McCutcheon	Renneke	Willet
Chmielewski				

So the bill passed and its title was agreed to.

S. F. No. 707: A bill for an act relating to tort liability; political subdivisions; defining notice; extending time for notice of claims and eliminating notice requirements for intentional torts and vehicular accidents; amending Minnesota Statutes 1971, Section 466.05.

Was read the third time 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Nelson	Renneke
Arnold	Fitzsimons	Kleinbaum	North	Schaaf
Berg	Frederick	Knutson	Ogdahl	Sillers
Bernhagen	Gearty	Kowalczyk	Olhoff	Solon
Blatz	Hansen, Mel	Krieger	Olson, A. G.	Spear
Borden	Hanson, R.	Larson	Olson, H. D.	Stassen
Brown	Hughes	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Humphrey	Lewis	O'Neill	Tennessee
Coleman	Jensen	Lord	Patton	Ueland
Conzemius	Josefson	McCutcheon	Perpich, A. J.	Willet
Davies	Keefe, J.	Milton	Perpich, G.	
Doty	Keefe, S.	Moe	Pillsbury	

Those who voted in the negative were:

Chmielewski	Hansen, Baldy	Novak	Purfeerst	Schrom
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So the bill passed and its title was agreed to.

S. F. No. 3160: A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

Was read the third time 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 22, as follows:

Those who voted in the affirmative were:

Anderson	Hanson, R.	Krieger	Novak	Schaaf
Arnold	Hughes	Larson	Ogdahl	Solon
Berg	Humphrey	Laufenburger	Olhoff	Spear
Blatz	Jensen	Lewis	Olson, A. G.	Stokowski
Chenoweth	Josefson	Lord	Olson, H. D.	Tennessee
Coleman	Keefe, J.	McCutcheon	O'Neill	Thorup
Davies	Keefe, S.	Milton	Perpich, A. J.	
Frederick	Kirchner	Nelson	Perpich, G.	
Gearty	Kleinbaum	North	Purfeerst	

Those who voted in the negative were:

Bernhagen	Doty	Knutson	Pillsbury	Ueland
Borden	Dunn	Kowalczyk	Renneke	Willet
Brown	Fitzsimons	Moe	Schrom	
Chmielewski	Hansen, Baldy	Olson, J. L.	Sillers	
Conzemius	Hansen, Mel	Patton	Stassen	

So the bill passed and its title was agreed to.

S. F. No. 1482: A bill for an act relating to limitation of action for damages based on errors in the survey of land, services or construction to improve real property; amending Minnesota Statutes 1971, Section 541.051, Subdivision 1.

Was read the third time 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	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Arnold	Frederick	Knutson	Olhofs	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.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessee
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Doty	Keefe, S.	Nelson	Renneke	
Dunn	Kirchner	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 1483: A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes, 1973 Supplement, Sections 514.01; and 514.05.

Was read the third time 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	Olhofs	Sillers
Arnold	Frederick	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	Lord	Perpich, A. J.	Thorup
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	
Doty	Kirchner	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3338: A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.

Was read the third time 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	Dunn	Keefe, S.	Nelson	Pillsbury
Arnold	Fitzsimons	Kleinbaum	North	Renneke
Berg	Frederick	Knutson	Novak	Schaaf
Bernhagen	Gearty	Kowalczyk	Ogdahl	Schrom
Blatz	Hansen, Baldy	Krieger	Olhoff	Sillers
Borden	Hansen, Mel	Larson	Olson, A. G.	Solon
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hughes	Lewis	Olson, J. L.	Stokowski
Chmielewski	Humphrey	Lord	O'Neill	Tennessee
Coleman	Jensen	McCutcheon	Patton	Ueland
Conzemius	Josefson	Milton	Perpich, A. J.	Willet
Davies	Keefe, J.	Moe	Perpich, G.	

Messrs. Doty and Thorup voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3246: A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

Was read the third time 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	Fitzsimons	Knutson	Olhoff	Sillers
Arnold	Frederick	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessee
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Jensen	Moe	Pillsbury	Willet
Coleman	Josefson	Nelson	Purfeerst	
Conzemius	Keefe, J.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	
Dunn	Kleinbaum	Ogdahl	Schrom	

Mr. Doty voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2004: A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of high-

way patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoft	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	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Coleman	Jensen	Milton	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3372: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

Was read the third time 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	Ogdahl	Schrom
Arnold	Fitzsimons	Kleinbaum	Olhoft	Sillers
Berg	Frederick	Knutson	Olson, A. G.	Solon
Bernhagen	Gearty	Kowalczyk	Olson, H. D.	Spear
Blatz	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Borden	Hansen, Mel	Larson	O'Neill	Stokowski
Brown	Hanson, R.	Laufenburger	Patton	Tennessee
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Willet
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 3325: A bill for an act relating to public health; requiring reporting of certain information by ambulance service operators; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

Was read the third time 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	Dunn	Knutson	Olhoff	Sillers
Arnold	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stassen
Blatz	Hanson, R.	Laufenburger	O'Neill	Stokowski
Borden	Hughes	Lewis	Patton	Tennessee
Brown	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Jensen	Milton	Perpich, G.	Ueland
Chmielewski	Josefson	Moe	Pillsbury	Willet
Coleman	Keefe, S.	Nelson	Purfeerst	
Conzemius	Keefe, J.	North	Renneke	
Davies	Kirchner	Novak	Schaaf	
Doty	Kleinbaum	Ogdahl	Schrom	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3033: A bill for an act relating to retirement; revising the law governing the teachers retirement association and fund; amending Minnesota Statutes 1971, Sections 354.045; 354.05, Subdivisions 2, 8, 14, 15, 21, and 29, and by adding subdivisions; 354.06, Subdivisions 1 and 3; 354.09, Subdivision 4; 354.10; 354.201; 354.33, Subdivision 6; 354.35; 354.43, Subdivisions 1 and 2; 354.44, Subdivisions 1 and 5; 354.46, Subdivisions 2 and 3; 354.47, Subdivision 1; 354.48, Subdivisions 4 and 10; 354.49, Subdivisions 1 and 3; 354.50, Subdivisions 1 and 2; 354.51, Subdivision 1; 354.52, Subdivisions 2, 4 and 5; 354.55, Subdivision 11, and by adding a subdivision; and 354.58; and Chapter 354, by adding sections; and Minnesota Statutes, 1973 Supplement, Sections 354.07, Subdivision 5; 354.39; 354.42, Subdivisions 2 and 3; 354.44, Subdivisions 2, 6 and 7; 354.46, Subdivision 1; 354.48, Subdivision 3; 354.49, Subdivision 5; 354.50, Subdivision 4; 354.53, Subdivision 1; 354.55, Subdivisions 3, 12, 13, 16, and 17; 354.62, Subdivisions 2 and 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Section 354.05, Subdivision 18; 354.08; 354.09, Subdivision 2; 354.11; 354.12; 354.13; 354.14; 354.145, Subdivisions 3 and 4; 354.33, Subdivisions 2, 3, 4, and 9; 354.34, Subdivision 1; 354.36; 354.37; 354.41, Subdivision 1; 354.42, Subdivisions 1 and 6; 354.46, Subdivision 4; 354.47, Subdivision 3; 354.50, Subdivision 3; 354.51, Subdivisions 2 and 3; 354.511; 354.52, Subdivision 1; 354.54; 354.55, Subdivisions 1, 4, 7, and 9; and 354.581; and Minnesota Statutes, 1973 Supplement, Sections 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.31; 354.32; 354.33, Subdivisions 1, 7, and 8; 354.34, Subdivision 2; 354.38; and 354.55, Subdivision 8.

Was read the third time 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Doty	Hughes	Knutson
Arnold	Chenoweth	Dunn	Humphrey	Kowalczyk
Berg	Chmielewski	Fitzsimons	Jensen	Krieger
Bernhagen	Coleman	Gearty	Keefe, J.	Larson
Blatz	Conzemius	Hansen, Baldy	Keefe, S.	Laufenburger
Borden	Davies	Hanson, R.	Kleinbaum	Lewis

Lord	Novak	O'Neill	Renneke	Stassen
McCutcheon	Ogdahl	Patton	Schaaf	Stokowski
Milton	Olhoft	Perpich, A. J.	Schrom	Tennessee
Moe	Olson, A. G.	Perpich, G.	Sillers	Thorup
Nelson	Olson, H. D.	Pillsbury	Solon	Ueland
North	Olson, J. L.	Purfeerst	Spear	Willet

Messrs. Hansen, Mel; and Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

Was read the third time 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	Davies	Keefe, S.	Milton	Purfeerst
Arnold	Dunn	Kirchner	Nelson	Schaaf
Berg	Fitzsimons	Kleinbaum	North	Sillers
Bernhagen	Gearty	Knutson	Ogdahl	Solon
Blatz	Hansen, Baldy	Kowalczyk	Olson, A. G.	Spear
Borden	Hanson, R.	Krieger	Olson, H. D.	Stassen
Brown	Hughes	Larson	O'Neill	Stokowski
Chenoweth	Humphrey	Laufenburger	Patton	Tennessee
Chmielewski	Jensen	Lewis	Perpich, A. J.	Thorup
Coleman	Josefson	Lord	Perpich, G.	Ueland
Conzemius	Keefe, J.	McCutcheon	Pillsbury	Willet

Those who voted in the negative were:

Doty	Moe	Olhoft	Olson, J. L.	Renneke
Hansen, Mel	Novak			

So the bill passed and its title was agreed to.

S. F. No. 3189: A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Kleinbaum	Milton
Arnold	Coleman	Hanson, R.	Knutson	Moe
Berg	Conzemius	Hughes	Krieger	Nelson
Bernhagen	Davies	Humphrey	Larson	North
Blatz	Doty	Jensen	Laufenburger	Ogdahl
Borden	Dunn	Keefe, J.	Lewis	Olhoft
Brown	Fitzsimons	Keefe, S.	Lord	Olson, A. G.
Chenoweth	Frederick	Kirchner	McCutcheon	Olson, J. L.

O'Neill	Pillsbury	Schrom	Stassen	Willet
Patton	Purfeerst	Sillers	Stokowski	
Perpich, A. J.	Renneke	Solon	Tennessee	
Perpich, G.	Schaaf	Spear	Thorup	

Those who voted in the negative were:

Hansen, Baldy	Hansen, Mel	Josefson	Olson, H. D.	Ueland
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So the bill passed and its title was agreed to.

S. F. No. 2878: A bill for an act relating to intoxicating liquor; authorizing wine research by higher educational institutions; amending Minnesota Statutes 1971, Section 340.11, Subdivision 1.

Was read the third time 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	Dunn	Keefe, S.	North	Schaaf
Arnold	Fitzsimons	Kleinbaum	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	Tennessee
Chmielewski	Hughes	Lord	Perpich, A. J.	Thorup
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	

Those who voted in the negative were:

Chenoweth	Josefson	Moe	Olson, J. L.	Schrom
Doty	Kirchner	Novak		

So the bill passed and its title was agreed to.

S. F. No. 3247: A bill for an act relating to licensing and public employment; ex-criminal offenders; providing that persons shall not be disqualified from certain occupations solely because of prior criminal convictions.

Was read the third time 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 14, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kirchner	Novak	Solon
Borden	Gearty	Kleinbaum	Olhoft	Spear
Brown	Hansen, Mel	Kowalczyk	Olson, A. G.	Stassen
Chenoweth	Hanson, R.	Lewis	O'Neill	Stokowski
Chmielewski	Hughes	Lord	Perpich, A. J.	Tennessee
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Willet
Davies	Josefson	Moe	Renneke	
Doty	Keefe, J.	Nelson	Schaaf	
Dunn	Keefe, S.	North	Sillers	

Those who voted in the negative were:

Anderson	Blatz	Krieger	Olson, J. L.	Schrom
Berg	Fitzsimons	Larson	Patton	Thorup
Bernhagen	Hansen, Baldy	Olson, H. D.	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2933: A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

Was read the third time 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 9, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Knutson	Olhoff	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Brown	Hanson, R.	Lord	Patton	Tennessee
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Willet
Conzemius	Jensen	Moe	Purfeerst	
Davies	Keefe, S.	Nelson	Renneke	
Doty	Kirchner	North	Schaaf	
Dunn	Kleinbaum	Novak	Sillers	

Those who voted in the negative were:

Chmielewski	Josefson	Krieger	Olson, J. L.	Ueland
Frederick	Keefe, J.	Ogdahl	Pillsbury	

So the bill passed and its title was agreed to.

S. F. No. 3301: A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims.

Was read the third time 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:

Arnold	Frederick	Kleinbaum	North	Purfeerst
Berg	Gearty	Knutson	Novak	Renneke
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Schaaf
Blatz	Hansen, Mel	Krieger	Olhoff	Sillers
Borden	Hanson, R.	Larson	Olson, A. G.	Solon
Brown	Hughes	Laufenburger	Olson, H. D.	Spear
Chenoweth	Humphrey	Lewis	Olson, J. L.	Stassen
Coleman	Jensen	Lord	O'Neill	Stokowski
Conzemius	Josefson	McCutcheon	Patton	Tennessee
Doty	Keefe, J.	Milton	Perpich, A. J.	Ueland
Dunn	Keefe, S.	Moe	Perpich, G.	Willet
Fitzsimons	Kirchner	Nelson	Pillsbury	

Messrs. Anderson, Chmielewski and Thorup voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3183: A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; permitting mortgage liens on the property of the authority; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Section 7, Subdivisions 1 and 3; and by adding a section.

Was read the third time 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Larson	Olson, A. G.	Sillers
Arnold	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Borden	Hanson, R.	Lewis	O'Neill	Spear
Brown	Hughes	Lord	Patton	Stassen
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Stokowski
Chmielewski	Jensen	Milton	Perpich, G.	Thorup
Coleman	Keefe, S.	Moe	Pillsbury	Ueland
Doty	Kirchner	Nelson	Purfeerst	Willet
Dunn	Kleinbaum	North	Schaaf	
Fitzsimons	Krieger	Ogdahl	Schrom	

Those who voted in the negative were:

Berg	Conzemius	Hansen, Mel	Knutson	Olson, J. L.
Bernhagen	Davies	Josefson	Novak	Renneke
Blatz	Frederick	Keefe, J.	Olhoft	Tennessee

So the bill passed and its title was agreed to.

S. F. No. 3162: A bill for an act relating to the city of Minneapolis; survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 23, Subdivision 7.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2005: A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2105: A bill for an act relating to game and fish; wearing of red or orange clothing; amending Minnesota Statutes 1971, Section 100.29, Subdivision 8.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 3233: A bill for an act relating to the organization of the Minnesota zoological garden with reference to its officers, agents and employees; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 2.

Was read the third time 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 4, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Moe	Purfeerst
Arnold	Dunn	Kirchner	Nelson	Renneke
Berg	Fitzsimons	Kleinbaum	North	Schaaf
Bernhagen	Frederick	Knutson	Ogdahl	Sillers
Blatz	Gearty	Kowalczyk	Olson, A. G.	Solon
Borden	Hansen, Mel	Krieger	Olson, H. D.	Spear
Brown	Hanson, R.	Larson	Olson, J. L.	Stassen
Chenoweth	Hughes	Laufenburger	O'Neill	Stokowski
Chmielewski	Humphrey	Lewis	Patton	Tennessee
Coleman	Jensen	Lord	Perpich, A. J.	Thorup
Conzemius	Josefson	McCutcheon	Perpich, G.	Ueland
Davies	Keefe, J.	Milton	Pillsbury	

Messrs. Hansen, Baldy; Olhoff; Schrom and Willet voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3144: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the Association of Minnesota Counties in membership in the public employees retirement association; amending Minnesota Statutes 1971, Sections 353.01, Subdivisions 19 and 24; 353.05; 353.16; 353.32, by adding a subdivision; and 353.36, by adding a subdivision; and Chapter 353, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 353.01, Subdivisions 2b, 6, 10, 12, 16, and 20; 353.03, Subdivision 1; 353.27, Subdivisions 4 and 13; 353.29, Subdivision 2; 353.31, Subdivision 1; 353.32, Subdivision 1; 353.651, Subdivision 2; 353.657, Subdivision 3; and 353.71, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 353.40.

Was read the third time 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	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoff	Sillers
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Solon
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	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
Conzemius	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3023: A bill for an act relating to municipal industrial development; definitions; issuance of bonds; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 474.06.

Was read the third time 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 11, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Nelson	Sillers
Arnold	Frederick	Knutson	North	Solon
Berg	Gearty	Kowalczyk	Ogdahl	Spear
Blatz	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Borden	Hanson, R.	Larson	Olson, J. L.	Stokowski
Brown	Hughes	Laufenburger	O'Neill	Thorup
Chenoweth	Humphrey	Lewis	Patton	Ueland
Coleman	Jensen	Lord	Pillsbury	Willet
Conzemius	Keefe, J.	McCutcheon	Purfeerst	
Doty	Keefe, S.	Milton	Schaaf	
Dunn	Kirchner	Moe	Schrom	

Those who voted in the negative were:

Bernhagen	Josefson	Olhoft	Perpich, A. J.	Renneke
Chmielewski	Novak	Olson, A. G.	Perpich, G.	Tennessee
Davies				

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Kirchner moved that the vote whereby S. F. No. 2812 failed to pass the Senate on March 8, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

CALL OF THE SENATE

Mr. Kirchner imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Berg	Frederick	Knutson	Olhoft	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	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Coleman	Jensen	Milton	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Willet
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 2812: A bill for an act relating to state parks; authorizing the commissioner of natural resources to transfer administration and control of the Fort Snelling chapel to the Minnesota historical society; transferring money; authorizing the leasing of a portion of the premises.

And the roll being called, there were yeas 36 and nays 25, as follows:

Those who voted in the affirmative were:

Bernhagen	Fitzsimons	Krieger	Olson, H. D.	Solon
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Chmielewski	Hanson, R.	Lord	Patton	Ueland
Coleman	Hughes	Milton	Perpich, G.	Willet
Conzemius	Jensen	North	Pillsbury	
Davies	Keefe, S.	Ogdahl	Purfeerst	
Doty	Kirchner	Olhoft	Schaaf	
Dunn	Kleinbaum	Olson, A. G.	Schrom	

Those who voted in the negative were:

Anderson	Chenoweth	Keefe, J.	Moe	Sillers
Arnold	Gearty	Knutson	Novak	Spear
Berg	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Borden	Humphrey	Laufenburger	Perpich, A. J.	Tennessee
Brown	Josefson	McCutcheon	Renneke	Thorup

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 3409: A bill for an act relating to the department of corrections; the select advisory committee on corrections; authorizing the committee to submit a report on January 2, 1975; amending Laws 1973, Chapter 765, Section 3, Subdivision 1.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 3394: A bill for an act relating to workmen's compensation; definition of family farm to include family farm corporation; amending Minnesota Statutes, 1973 Supplement, Section 176.011, Subdivision 11a.

Was read the third time 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	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schaaf
Berg	Frederick	Knutson	Ogdahl	Schrom
Bernhagen	Gearty	Kowalczyk	Olhoft	Sillers
Blatz	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
Conzemius	Josefson	Milton	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet
Doty	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes, 1973 Supplement, Section 326.19, Subdivision 2.

With the unanimous consent of the Senate, Mr. Olhoft moved to amend S. F. No. 2621, as follows:

Page 2, line 18, after "school" and before the comma insert "*which fulfills the requirements of Minnesota Statutes, Sections 141.21 to 141.36*"

Page 3, line 15, after "school" insert "*which fulfills the requirements of Minnesota Statutes, Sections 141.21 to 141.36*"

Page 3, after line 22, add:

"Sec. 2. Minnesota Statutes 1971, Section 326.20, Subdivision 3, is amended to read:

Subd. 3. [UNREGISTERED PRACTICE.] It shall be unlawful for any certified public accountant or any partnership containing one or more certified public accountants to engage in public practice within this state unless such certified public accountant or partnership is duly registered as provided by this section. A partnership shall be deemed in public practice within this state if it performs professional accounting services for a fee while maintaining an office within this state. A certified public accountant shall be deemed in public practice within this state if he performs professional accounting services for a fee incidental to an office which he, or an employer engaged in public practice, maintains within this state."

Further amend the title as follows:

Page 1, line 5, after "Statutes" insert "1971, Section 326.20, Subdivision 3; and Minnesota Statutes"

The motion prevailed. So the amendment was adopted.

S. F. No. 2621: A bill for an act relating to accounting; educational requirements for certification as a certified public accountant; amending Minnesota Statutes 1971, Section 326.20, Subdi-

vision 3; and Minnesota Statutes, 1973 Supplement, Section 326.19, 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Arnold	Frederick	Knutson	Olhoft	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Tennessee
Brown	Hughes	Lewis	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Willet
Conzemius	Josefson	Milton	Pillsbury	
Davies	Keefe, J.	Moe	Purfeerst	
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

So the bill, as amended, passed and its title was agreed to.

S. F. No. 3360: A bill for an act relating to independent school district No. 535 at Rochester; permitting and providing an alley system for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

Was read the third time 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	Frederick	Kleinbaum	North	Purfeerst
Berg	Gearty	Knutson	Novak	Renneke
Bernhagen	Hansen, Baldy	Kowalczyk	Ogdahl	Schaaf
Blatz	Hansen, Mel	Krieger	Olhoft	Schrom
Borden	Hanson, R.	Larson	Olson, A. G.	Sillers
Brown	Hughes	Laufenburger	Olson, H. D.	Solon
Coleman	Humphrey	Lewis	Olson, J. L.	Spear
Conzemius	Jensen	Lord	O'Neill	Stassen
Davies	Josefson	McCutcheon	Patton	Stokowski
Doty	Keefe, J.	Milton	Perpich, A. J.	Tennessee
Dunn	Keefe, S.	Moe	Perpich, G.	Thorup
Fitzsimons	Kirchner	Nelson	Pillsbury	Ueland

So the bill passed and its title was agreed to.

S. F. No. 3355: A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

Was read the third time 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	Fitzsimons	Knutson	Ogdahl	Schrom
Arnold	Frederick	Kowalczyk	Olhoff	Sillers
Berg	Gearty	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
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Pillsbury	
Davies	Keefe, S.	Nelson	Purfeerst	
Doty	Kirchner	North	Renneke	
Dunn	Kleinbaum	Novak	Schaaf	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 3055: A bill for an act authorizing the issuance of certain refunding bonds by independent school district No. 748.

Was read the third time 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	Novak	Schaaf
Arnold	Frederick	Knutson	Ogdahl	Schrom
Berg	Gearty	Kowalczyk	Olhoff	Sillers
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Solon
Blatz	Hansen, Mel	Larson	Olson, H. D.	Spear
Borden	Hanson, R.	Laufenburger	Olson, J. L.	Stassen
Brown	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	Willet
Doty	Keefe, S.	Nelson	Purfeerst	
Dunn	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 3009: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Conzemius	Frederick	Humphrey
Arnold	Brown	Davies	Gearty	Jensen
Berg	Chenoweth	Doty	Hansen, Mel	Josefson
Bernhagen	Chmielewski	Dunn	Hanson, R.	Keefe, J.
Blatz	Coleman	Fitzsimons	Hughes	Keefe, S.

Kirchner	Lewis	Ogdahl	Perpich, A. J.	Spear
Kleinbaum	Lord	Olhoff	Perpich, G.	Stassen
Knutson	McCutcheon	Olson, A. G.	Pillsbury	Stokowski
Kowalczyk	Milton	Olson, H. D.	Purfeerst	Tennessee
Krieger	Moe	Olson, J. L.	Renneke	Thorup
Larson	Nelson	O'Neill	Sillers	Ueland
Laufenburger	North	Patton	Solon	Willet

Messrs. Hansen, Baldy; Novak and Schrom voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:15 o'clock a. m., Saturday, March 9, 1974.

Mr. Jensen moved to amend Mr. Coleman's motion to adjourn until 9:00 o'clock a. m., Monday, March 11, 1974.

The question being taken on the adoption of the motion of Mr. Jensen,

And the roll being called, there were yeas 14 and nays 42, as follows:

Those who voted in the affirmative were:

Bernhagen	Frederick	Jensen	Patton	Stassen
Blatz	Hansen, Mel	Knutson	Renneke	Ueland
Fitzsimons	Hanson, R.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olson, A. G.	Solon
Arnold	Hansen, Baldy	Lewis	Olson, H. D.	Spear
Borden	Hughes	Lord	O'Neill	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Tennessee
Coleman	Josefson	Milton	Perpich, G.	Thorup
Conzemius	Keefe, S.	Moe	Pillsbury	Willet
Davies	Kirchner	North	Purfeerst	
Doty	Kleinbaum	Novak	Schaaf	
Dunn	Larson	Olhoff	Schrom	

The motion did not prevail.

The question recurred on Mr. Coleman's motion that the Senate do now adjourn until 9:15 o'clock a. m., Saturday, March 9, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED FIRST DAY

St. Paul, Minnesota, Saturday, March 9, 1974.

The Senate met at 9:15 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	Dunn	Kleinbaum	Novak	Renneke
Arnold	Frederick	Knutson	Ogdahl	Schaaf
Ashbach	Gearty	Kowalczyk	Olhoft	Schrom
Berg	Hansen, Baldy	Krieger	Olson, A. G.	Sillers
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Solon
Brown	Hughes	Laufenburger	Olson, J. L.	Spear
Chenoweth	Humphrey	Lewis	O'Neill	Stassen
Chmielewski	Jensen	Lord	Patton	Stokowski
Coleman	Josefson	McCutcheon	Perpich, A. J.	Tennessee
Conzemius	Keefe, J.	Milton	Perpich, G.	Thorup
Davies	Keefe, S.	Moe	Pillsbury	Ueland
Doty	Kirchner	North	Purfeerst	Willet

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Fitzsimons, Blatz, Wegener, Bang and Hanson, R. were excused from the Session of today. Mr. Nelson was excused from this morning's Session. Mr. Lewis was excused from the Session of today until 1:00 o'clock p.m. Mr. Olson, J. L. was excused from the Session of today beginning at 1:00 o'clock p.m. Mr. Hansen, Baldy was excused from the Session of today, beginning at 2:45 o'clock p.m. Messrs. Novak and Ueland were excused from the Session of today beginning at 4:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 8, 1974

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. 21, An act relating to insurance; group hospital and medical coverage; continuation of group coverage upon termination of employment.

S. F. No. 2537, An act relating to highways; adding an additional highway route to the highway routes designated as the Blue Star memorial highway; amending Minnesota Statutes 1971, Section 161.14, Subdivision 13.

S. F. No. 2952, An act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobile on the streets and highways between certain dates without payment of the motor vehicle registration tax.

S. F. No. 3032, An act authorizing the annexation of certain state owned land by the city of Breckenridge.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Gearty, Coleman and Krieger introduced—

S. F. No. 3554: A bill for an act relating to the legislature; regulating leaving private employment by members for the purpose of serving in the legislature; providing for the restoration of their positions, and all other rights incident to employment, and providing for enforcement; amending Minnesota Statutes 1971, Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085, 3.086 and 3.087.

Which was read the first time and referred to the Committee on Rules and Administration.

Mr. Wegener introduced—

S. F. No. 3555: A bill for an act relating to Indians; criminal jurisdiction of the Nonremoval Mille Lacs Band of Chippewa Indians; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Spear and Solon introduced—

S. F. No. 3556: A bill for an act relating to state colleges; providing a cost of living increase for state college faculty.

Which was read the first time and referred to the Committee on Education.

Messrs. Stokowski, Humphrey and Keefe, S. introduced—

S. F. No. 3557: A resolution memorializing the President and Congress to enact legislation establishing a national health security program for all Americans.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. Keefe, S.; Gearty and Spear introduced—

S. F. No. 3558: A bill for an act relating to taxation; income tax; providing a deduction for expenses of day care centers; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Laufenburger, Chmielewski and Purfeerst introduced—

S. F. No. 3559: A resolution memorializing Congress to restore the Federal Aid Secondary Highway System to its original concept to provide the roads necessary for the economic health of rural America.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Mr. Laufenburger introduced—

S. F. No. 3560: A bill for an act providing additional bond issuing authority to provide compensation to those members of the armed forces who served during the Vietnam conflict; and appropriating the proceeds thereof.

Which was read the first time and 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. 1099, 2055, 2353, 2449, 2910, 3267 and 3151.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 8, 1974.

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. 1877: A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts.

Senate File No. 1877 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 8, 1974

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate do now concur in the amendments by the House to S. F. No. 1877 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1877: A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts; and providing for delayed payments of special assessment on senior citizens' homesteads.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Schrom
Arnold	Gearty	Knutson	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Berg	Hansen, Mel	Krieger	O'Neill	Spear
Bernhagen	Hughes	Larson	Patton	Stokowski
Brown	Humphrey	Laufenburger	Perpich, A. J.	Tennessen
Chmielewski	Jensen	Lord	Perpich, G.	Thorup
Coleman	Josefson	Milton	Pillsbury	Ueland
Conzemius	Keefe, J.	Novak	Purfeerst	Willet
Davies	Keefe, S.	Ogdahl	Renneke	
Doty	Kirchner	Olhoft	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. 2996:

H. F. No. 2996: A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Subdivisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Graba; Johnson, C.; Berg; Adams, S. and Esau have been appointed as such committee on the part of the House.

House File No. 2996 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 March 8, 1974

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2996, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2323, 2920, 3029, 3223, 3288, 3352, 3000, 3140, 3149, 3249, 3325, 2692, 3233, 3281, 773, 3090, 3157, 3261, 3317 and 3498.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 8, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2323: A bill for an act relating to travel expenses of the state board of education; amending Minnesota Statutes 1971, Section 121.02, Subdivision 1.

H. F. No. 2920: A bill for an act relating to control of shade tree disease in the metropolitan area; appropriating money therefor.

H. F. No. 3029: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

H. F. No. 3223: A bill for an act relating to the governor's citizens council on aging; duties of council; disbursement of funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2; and 256.01, Subdivision 10.

H. F. No. 3288: A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

H. F. No. 3352: A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

H. F. No. 3000: A bill for an act relating to taxation; tax-forfeited lands; repurchase after forfeiture for taxes; amending Minnesota Statutes 1971, Section 282.241.

H. F. No. 3140: A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

H. F. No. 3149: A bill for an act relating to education; authorizing school districts to contract for transportation of school children either by sealed bids or direct negotiation; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

H. F. No. 3249: A bill for an act relating to education; school aids; changing the adjusted assessed valuation of Independent School District No. 93 and No. 99 for the use of the equalization aid review committee.

H. F. No. 3325: A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

H. F. No. 2692: A bill for an act relating to the use of flame resistant fabric in camping tentage; providing standards.

H. F. No. 3233: A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

H. F. No. 3281: A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

H. F. No. 773: A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

H. F. No. 3090: A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

H. F. No. 3157: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

H. F. No. 3261: A bill for an act relating to Olmsted county; taxation; county legal assistance; appropriating money.

H. F. No. 3317: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

H. F. No. 3498: A bill for an act relating to commerce; requiring fuel information reporting; providing penalties; amending Minnesota Statutes, 1973 Supplement, Sections 325.811, Subdivision 2, and by adding subdivisions; 325.812, and by adding subdivisions.

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. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 1662: A bill for an act relating to pollution; providing for a deputy director of the Minnesota pollution control agency; removing certain exemptions from the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; abolishing the water pollution control advisory committee; amending Minnesota Statutes 1971, Sections 43.09, Subdivision 2; 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding a subdivision; 116.07, Subdivisions 2, 4, and 4a; 116.08, Subdivision 1; 116.081, Subdivision 1; 161.242, Subdivision 2.

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, 1973 Supplement, Section 43.09, Subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED SERVICE.] The unclassified service comprises positions held by state officers or employees who are:

- (1) Chosen by election or appointed to fill an elective office;
- (2) Heads of department required by law to be appointed by the governor or other elective officers, except the department of public service, and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;
- (3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;
- (4) Seasonal help employed by the commissioner of public safety to assist in the issuance of motor vehicle licenses;
- (5) Employees in the office of the governor, and one confidential employee for the governor in the office of the adjutant general;

(6) Officers and employees of the senate and house of representatives of the legislature including temporary or permanent employees of legislative committees or commissions. Employees of the legislative audit commission, except for the legislative auditor, his deputy, and his confidential secretary, however, shall be employees in the classified civil service of the state;

(7) Teachers, research assistants, student employees on less than half-time pay basis or eligible under terms of the federal economic opportunity act work study program, presidents, deans, and administrative officers in the state colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;

(8) Officers and enlisted men in the national guard;

(9) Deputy attorneys general, assistant attorneys general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general or employed with his authorization;

(10) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(11) Patient and inmate help in state institutions;

(12) Members of the state highway patrol; provided that selection and appointment of highway patrol officers shall be made in accordance with applicable laws governing the classified state civil service.

(13) The deputy commissioner of agriculture, *and the deputy director and assistant director of the Minnesota pollution control agency*;

(14) One employee of the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act;

(15) Seasonal help employed by the department of taxation.

Sec. 2. Minnesota Statutes 1971, Section 116.03, Subdivision 1, is amended to read:

116.03 [DIRECTOR.] Subdivision 1. (a) The office of director of the pollution control agency is created and is under the supervision and control of the director, who is appointed by the governor by and with the consent of the senate for a four year term, which shall coincide with the term of the governor, and until his successor is duly appointed and qualifies. The governor may remove the director at any time at his pleasure. A vacancy in the office of director shall be filled by the governor by and with the consent of the senate, for the unexpired portion of the term.

(b) In order to expedite the establishing and functioning of the pollution control agency, the governor shall forthwith appoint an acting director, who shall have all the powers and duties of the director as provided in sections 116.01 to 116.09. The acting director may be a person in the service of the state at the time of his appointment, and who while serving as acting director is on leave of absence from his regular office or position in the state service. The acting director shall serve as such until the director is appointed and qualifies as such director. Pending the abolishment of the water pollution control commission as specified in section 116.02, subdivision 5, the director or acting director, as the case may be, is the secretary of such commission in lieu of the secretary and executive officer of the state board of health.

(c) *The director may appoint a deputy director and an assistant director who shall be in the unclassified service. The director may designate the deputy director to the agency to act in his stead as a member, with all his rights and privileges therein, of any agency, board, committee, or commission that the director is made a member of by law. The designation shall be filed with secretary of state. The salary of the deputy director and of the assistant director shall be provided by law.*

Sec. 3. Minnesota Statutes 1971, Section 116.06, Subdivision 10, is amended to read:

Subd. 10. "Solid waste" means garbage, refuse and other discarded solid materials, ~~except animal waste used as fertilizer~~ including solid waste materials *and waste sludges* resulting from industrial, commercial and agricultural operations, and from community activities, but does not include *animal waste used as fertilizer*, earthen fill, boulders, rock ~~and other materials normally handled in construction operations~~, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.

Sec. 4. Minnesota Statutes 1971, Section 116.06, is amended by adding subdivisions to read:

Subd. 13. "Deputy director" means the deputy director of the Minnesota pollution control agency.

Subd. 14. "Assistant director" means the assistant director of the Minnesota pollution control agency.

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution.

The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants

from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, *storage*, and disposal of solid waste for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of solid waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of solid waste control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another

area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

Sec. 6. Minnesota Statutes 1971, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [REGULATIONS AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such regulation or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, regulations or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, *storage*, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. Any such regulation or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, regulations or standards may relate to collection, transportation, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be advised through the control of collection, transportation, and disposal of solid waste, and the deposit in or on land of any other material that may tend to cause pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1971, Chapter 727, for the prevention, abatement, or control of noise pollution. Any such regulation or standard may be of general application throughout the state, or may be limited as to times, places, cir-

cumstances or conditions in order to make due allowances for variations therein. Without limitation, regulations or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to chapter 116, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Sec. 7. Minnesota Statutes 1971, Section 116.07, Subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, *or for the sources or emissions of noise pollution.*

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the collection, transportation, *storage*, or disposal of solid waste, or for the installation or operation of any system or facility, or any part thereof, related to the collection, transportation or disposal of solid waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

Sec. 8. Minnesota Statutes 1971, Section 116.081, Subdivision 1, is amended to read:

116.081 [PROHIBITIONS.] Subdivision 1. [OBTAIN PERMIT.] It shall be unlawful for any person to construct, install or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, *storage*, or disposal of solid waste, or any part thereof unless otherwise exempted by any agency regulation now in force or hereinafter adopted, until plans therefor shall have been submitted to the agency, and a written permit therefor shall have been granted by the agency. The requirements of this section shall not be applied to motor vehicles.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 161.242, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (1) For the purposes of this section, the terms defined in this subdivision shall have the meanings given them.

(2) Junk yard means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills *not regulated by the Minnesota pollution control agency*, any of which are wholly or partly within one half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

(3) Dealer means any person, partnership, or corporation engaged in the operation of a junk yard.

(4) Junk means old or scrap copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(5) Automobile graveyard means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(6) Unzoned industrial area means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

(7) Industrial activities means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state, except that none of the following shall be considered industrial activities:

(a) Outdoor advertising devices as defined in Minnesota Statutes 1969, Sections 173.02, Subdivision 2, and 173.32, Subdivision 2.

(b) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands.

(c) Activities normally and regularly in operation less than three months of the year.

(d) Activities not visible from the traffic lanes of the main traveled way.

(e) Activities conducted in a building principally used as a residence.

(f) Railroad tracks, minor sidings, and passenger depots.

(g) Junk yards, as defined herein."

Strike the title and insert in lieu thereof

"A bill for an act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2."

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. 102: A bill for an act relating to public employment; providing for leave of absence for employees who serve in the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 6, after "*during*" insert "*any part or all of*"

Page 1, line 9, strike "*service or at the end of the first part of the regular legislative session*" and insert "*last legislative day in each calendar year*"

Page 1, line 10, strike "*service*" and insert "*legislature*"

Page 2, line 2, strike "*termination of the service*" and insert "*the last legislative day in a calendar year*"

Page 2, line 4, after "*vacation,*" insert "*insurance benefits,*"

Page 2, line 8, strike "*which the legislature, as a whole, is not convened*" and insert "*the period between the first and last legislative day in each calendar year*"

Page 2, line 12, after "*section*" insert "*or who is elected as a state constitutional officer*"

Page 2, line 15, after "*legislature*" and before "*shall*" insert "*or who is elected as a state constitutional officer*"

Page 2, line 17, after "*system.*" insert "*Under no circumstances shall two governmental units pay the employee's share of pension contributions for that period on which he is on leave of absence to serve in the legislature.*"

Page 2, line 28, strike "service" and insert "legislative office"

Page 2, after line 29, add a new subdivision as follows:

"Subd. 6. Notwithstanding the provisions of any other law or ordinance or the provisions of any state, municipal, or other public retirement or relief association regulation or by-law, a person who has served as a member of the legislature and has qualified for a legislative retirement pension or allowance shall not be disqualified from receiving that retirement pension or allowance by reason of the fact that he is entitled to receive a public pension or retirement benefit as a result of employment by another public employer, and the person shall receive both the legislative retirement pension or allowance and any state, municipal or other public pension or retirement benefit for which he has qualified."

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. 2377: A bill for an act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3, and by adding a subdivision.

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. 2120: A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 5, strike "\$85" and insert "\$70"

Page 1, line 8, strike "\$85" where it appears in that line and insert "\$70"

Page 2, line 4, strike "\$85" and insert "\$70"

Page 2, line 15, strike "\$85" and insert "\$70"

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. 3060: A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to

the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivisions 2 and 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 7, strike lines 4 to 13

Renumber the remaining sections

Further, amend the title as follows:

Line 6, strike "Subdivisions 2 and" and insert "Subdivision"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 9, strike all the language beginning with "Any"

Page 1, strike all of line 10

Page 1, line 11, strike "*ensation is paid, must obtain an agency license*" and insert the following:

"Any party performing the services of an employment agency as herein defined, is not an employment agency if the performance of these services is peripheral to the primary business of that party, and if no part of any fees or compensation is paid by the person seeking employment"

Page 3, line 34, strike "1971" and insert ", 1973 Supplement"

Page 3, line 34, after "184.33," insert "Subdivision 1,"

Page 4, strike lines 1 through 20, and insert the following:

"184.33 [ISSUANCE OR REFUSAL TO ISSUE; REVOCATION OR SUSPENSION.] Subdivision 1. The department shall issue a license as an employment agent, employment agency man-

ager or counselor to any person who qualifies for such license under the terms of sections 184.21 to 184.40. *The department may refuse to issue an employment agency license whenever, after due investigation, the department finds that the character of the applicant makes him unfit to be an employment agent, or when the premises for conducting the business of an employment agent is found upon investigation to be unfit for such use. No agency license shall be issued to any person, firm, corporation or association that has, within the past three years, been convicted in any court of fraud or felony. No license shall be issued to any attorney whose license to practice law has been suspended or revoked, for a period of three years after the date of such suspension or revocation.* The department may refuse to issue a license to any person or may suspend or revoke the license of any employment agent, employment agency manager or counselor when it finds that any of the following conditions exist:

(a) That the employment agent or counselor has violated any condition of the bond required by sections 184.21 to 184.40;

(b) That the person, employment agent or counselor has personally engaged in a fraudulent, deceptive, or dishonest practice;

(c) That the person, employment agent or counselor has violated any provisions of sections 184.21 to 184.40;

(d) That the person, employment agent or counselor has been legally adjudicated incompetent and has not been restored to capacity."

Further amend the title as follows:

Page 1, third line of title strike "184.33;";

Fourth line of title, strike "and" and after "184.41;" insert "and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1;";

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. 2051: A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

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. 3041: A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

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. 3086: A bill for an act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

S. F. No. 3494: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 2386 together with the committee report thereon: A bill for an act relating to domestic relations; child support payments and the validity of certain marriages; amending Minnesota Statutes 1971, Sections 393.07, Subdivision 9; and Chapter 517, by adding a section.

Reports the same back with the recommendation that the report from the Committee on Health, Welfare and Corrections be adopted and the bill be placed on the General Orders Calendar. 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. 3434 and 2769.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. This report is submitted by the Secretary of the Senate pursuant to the direction of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

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 was re-referred

S. F. No. 3286: A bill for an act relating to liens; exceptions to the requirement of notice; amending Minnesota Statutes, 1973 Supplement, Section 514.011, Subdivision 4.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2323, 2920, 3029, 3288, 3000, 3140, 3149, 3249, 3325, 773, 3090, 3157, 3261, 3317, 3498, 2692 and 3281 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. 3149 and 3249 to the Committee on Education.

H. F. Nos. 3029 and 3140 to the Committee on Finance.

H. F. No. 2323 to the Committee on Governmental Operations.

H. F. Nos. 3288, 3157, 3261 and 3317 to the Committee on Judiciary.

H. F. Nos. 3498 and 2692 to the Committee on Labor and Commerce.

H. F. No. 3090 to the Committee on Local Government.

H. F. No. 2920 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 3281 to the Committee on Natural Resources and Agriculture.

H. F. Nos. 3000 and 3325 to the Committee on Taxes and Tax Laws.

H. F. No. 773 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. 3494, 2386, 3434, and 2769 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1662, 102, 2377, 2120, 3060, 1191, 2051, 3041 and 3086 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Gearty moved that S. F. No. 3522 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Schaaf moved that the name of Mr. Krieger be added as co-author to S. F. No. 2798. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 3384: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

Was read the third time 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	Gearty	Kowalczyk	Olson, A. G.	Sillers
Arnold	Hansen, Baldy	Krieger	Olson, H. D.	Solon
Ashbach	Hansen, Mel	Larson	Olson, J. L.	Spear
Berg	Hughes	Laufenburger	O'Neill	Stokowski
Bernhagen	Humphrey	Lord	Patton	Tennessen
Brown	Jensen	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Josefson	Milton	Perpich, G.	Ueland
Coleman	Keefe, J.	Moe	Pillsbury	Willet
Conzemius	Keefe, S.	North	Purfeerst	
Doty	Kirchner	Novak	Renneke	
Dunn	Kleinbaum	Ogdahl	Schaaf	
Frederick	Knutson	Olhoft	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3322: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

Was read the third time 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, A. G.	Solon
Arnold	Frederick	Kowalczyk	Olson, H. D.	Spear
Ashbach	Gearty	Krieger	O'Neill	Stassen
Berg	Hansen, Baldy	Larson	Patton	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessee
Brown	Hughes	Lord	Perpich, G.	Thorup
Chmielewski	Humphrey	McCutcheon	Pillsbury	Ueland
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Moe	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kleinbaum	Ogdahl	Sillers	

Those who voted in the negative were:

Josefson	Novak	Olhoff	Olson, J. L.	Renneke
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So the bill passed and its title was agreed to.

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

With the unanimous consent of the Senate, Mr. Frederick moved to amend H. F. No. 3202, the printed bill, as follows:

Page 1, after line 4, insert:

"Sec. 2. Notwithstanding the requirements of Minnesota Statutes 1971, Section 340.353, Subdivision 5, or any other law to the contrary, the city of Stewartville may issue two on-sale licenses for the sale of intoxicating liquor without discontinuing operation of its municipal on-sale or off-sale operations. The requirements as to type of premises to be licensed and voter approval as contained in section 340.353, subdivision 5, shall apply to the licenses issued pursuant to this section."

Renumber the sections in sequence

Page 1, line 5, before "This" insert "Section 1 of"

Page 1, after line 6, insert:

"Sec. 4. Section 2 of this act is effective upon approval by the city council of the city of Stewartville and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, first line, strike "city" and insert "cities" and after "Rapids" insert "and Stewartville"

The motion prevailed. So the amendment was adopted.

H. F. No. 3202 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 13, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Olson, A. G.	Stassen
Ashbach	Gearty	Knutson	Olson, H. D.	Stokowski
Berg	Hughes	Kowalczyk	O'Neill	Tennessee
Brown	Humphrey	Krieger	Patton	Thorup
Chmielewski	Jensen	Lord	Perpich, A. J.	Ueland
Coleman	Josefson	Milton	Perpich, G.	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Sillers	
Dunn	Kirchner	Ogdahl	Spear	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Novak	Pillsbury	Solon
Bernhagen	Larson	Olhoft	Renneke	
Doty	Laufenburger	Olson, J. L.	Schaaf	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 3142: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

Was read the third time 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	Frederick	Kleinbaum	Ogdahl	Renneke
Arnold	Gearty	Knutson	Olhoft	Schaaf
Ashbach	Hansen, Baldy	Krieger	Olson, A. G.	Schrom
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Sillers
Brown	Hughes	Laufenburger	Olson, J. L.	Solon
Chenoweth	Humphrey	Lord	O'Neill	Spear
Chmielewski	Jensen	McCutcheon	Patton	Stassen
Coleman	Josefson	Milton	Perpich, A. J.	Stokowski
Conzemius	Keefe, J.	Moe	Perpich, G.	Thorup
Doty	Keefe, S.	North	Pillsbury	Ueland
Dunn	Kirchner	Novak	Purfeerst	Willet

So the bill passed and its title was agreed to.

H. F. No. 3394: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoff	Schrom
Arnold	Gearty	Kowalczyk	Olson, A. G.	Sillers
Ashbach	Hansen, Baldy	Krieger	Olson, H. D.	Solon
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Spear
Brown	Hughes	Laufenburger	O'Neill	Stassen
Chenoweth	Humphrey	Lord	Patton	Stokowski
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Pillsbury	Willet
Davies	Keefe, S.	North	Purfeerst	
Doty	Kirchner	Novak	Renneke	
Dunn	Kleinbaum	Ogdahl	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 2829: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

Was read the third time 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	Schaaf
Arnold	Frederick	Knutson	Olhoff	Schrom
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Sillers
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Solon
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Spear
Brown	Hughes	Laufenburger	O'Neill	Stassen
Chenoweth	Humphrey	Lord	Patton	Stokowski
Chmielewski	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Josefson	Milton	Perpich, G.	Ueland
Conzemius	Keefe, J.	Moe	Pillsbury	Willet
Davies	Keefe, S.	North	Purfeerst	
Doty	Kirchner	Novak	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The 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 S. F. Nos. 3479, 2635, 3406, 3061 and 3331, also H. F. No. 1136 which the committee recommends to pass.

H. F. No. 3533, which the committee recommends to pass with the following amendment offered by Mr. Brown:

Amend H. F. No. 3533, the printed bill, as follows:

Page 1, after line 6, insert:

"Sec. 2. Notwithstanding the provisions of Minnesota Statutes, Section 365.19, the governing body of the town of Forest Lake may levy in any one year a tax for fire protection authorized under Minnesota Statutes, Sections 365.15 to 365.18 in an amount determined to be adequate and reasonable, at the annual town meeting."

Page 1, line 7, strike "This act" and insert "Section 1"

Page 1, line 8, after "Backus" insert "and Section 2 upon its approval by the governing body of the town of Forest Lake;"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, third line, before the period insert "; and exempting the town of Forest Lake from limitation on levies made for fire protection"

S. F. No. 3175, which the committee recommends to pass with the following amendment offered by Mr. Milton:

Page 4, line 19, delete "No"

Page 4, delete lines 20 through 25.

Page 4, line 26, delete "*organization or any members thereof*"

And then, on motion of Mr. Ogdahl, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate on all proceedings on H. F. No. 951. The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	Olson, H. D.	Solon
Arnold	Frederick	Krieger	Olson, J. L.	Spear
Berg	Gearty	Larson	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Lord	Patton	Stokowski
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Chenoweth	Jensen	Moe	Pillsbury	Willet
Coleman	Kirchner	Novak	Purfeerst	
Conzemius	Kleinbaum	Ogdahl	Renneke	
Davies	Knutson	Olson, A. G.	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration designated H. F. No. 951, No. 112 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Mr. Keefe, S. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 6, line 27 after "of" insert "dues or"

Page 20, strike lines 14-21 and insert in lieu thereof the following:

"Subd. 2. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from that part of its treasury financed by dues or membership fees. Pursuant to section 21, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year."

Mr. Knutson moved a substitute amendment to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 20, strike lines 14-21

Renumber the remaining subdivision.

The question being taken on the adoption of the substitute amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Ogdahl	Purfeerst
Berg	Hansen, Mel	Knutson	Olson, J. L.	Renneke
Bernhagen	Jensen	Kowalczyk	O'Neill	Sillers
Brown	Josefson	Krieger	Patton	Stassen
Dunn	Keefe, J.	Larson	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Olson, H. D.	Tennessee
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Schaaf	
Coleman	Keefe, S.	North	Schrom	
Conzemius	Kleinbaum	Novak	Solon	
Davies	Laufenburger	Olhoft	Spear	

The motion did not prevail. So the substitute amendment was not adopted.

Mr. Ashbach moved to amend the Keefe, S. amendment to H. F. No. 951, the unofficial engrossment, as follows:

Line 3 of subdivision 2, after "fees" and before the period, insert "provided such fees or dues are not required by law"

The question being taken on adoption of the amendment to the Keefe, S. amendment,

And the roll being called, there were yeas 23 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olson, J. L.	Sillers
Berg	Hansen, Mel	Knutson	O'Neill	Stassen
Bernhagen	Jensen	Kowalczyk	Patton	Ueland
Brown	Josefson	Krieger	Pillsbury	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Spear
Arnold	Gearty	Lord	Olson, H. D.	Tennessee
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Willet
Chmielewski	Humphrey	Moe	Purfeerst	
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoft	Solon	

The motion did not prevail. So the amendment to the Keefe, S. amendment was not adopted.

The question recurred on the Keefe, S. amendment. The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 1, strike "15" and insert in lieu thereof "12½"

Page 36, line 2, strike "four" and insert in lieu thereof "2½"

The question being taken on the adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 45 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olhoff	Renneke
Berg	Frederick	Kowalczyk	Olson, A. G.	Schaaf
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Schrom
Brown	Hughes	Larson	Olson, J. L.	Sillers
Chenoweth	Jensen	Laufenburger	O'Neill	Spear
Chmielewski	Josefson	Lewis	Patton	Stassen
Conzemius	Keefe, J.	McCutcheon	Perpich, A. J.	Tennessee
Davies	Kirchner	Moe	Pillsbury	Thorup
Doty	Kleinbaum	Ogdahl	Purfeerst	Ueland

Those who voted in the negative were:

Anderson	Hansen, Baldy	Lord	Novak	Stokowski
Borden	Humphrey	Milton	Perpich, G.	Willet
Gearty	Keefe, S.	North	Solon	

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, after line 24, insert a new subdivision to read as follows:

“Subd. 6. In a year in which a candidate does not stand for election, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.”

Renumber the remaining subdivisions.

Mr. Brown moved a substitute amendment to amend H. F. No. 951 the unofficial engrossment as follows:

Page 35, strike line 19

Page 35, in line 20 strike “election no” and insert “Subd. 2. No”

The question being taken on the adoption of the substitute amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olson, J. L.	Stassen
Berg	Hansen, Mel	Knutson	O'Neill	Ueland
Bernhagen	Jensen	Kowalczyk	Patton	
Brown	Josefson	Krieger	Pillsbury	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative 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	Willet
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoff	Solon	

The motion did not prevail. So the substitute amendment was not adopted.

The question recurred on the second Keefe, S. amendment. The motion prevailed. So the amendment was adopted.

Mr. Borden moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 45, line 28, strike "\$12.50" and insert "\$5"

Page 46, line 3, strike "\$25" and insert "\$10"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 42 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lewis	Olson, A. G.	Spear
Arnold	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Berg	Hughes	McCutcheon	O'Neill	Tennessee
Borden	Humphrey	Milton	Perpich, A. J.	Thorup
Brown	Keefe, J.	Moe	Perpich, G.	Ueland
Chmielewski	Keefe, S.	North	Purfeerst	Willet
Coleman	Kirchner	Novak	Schaaf	
Conzemius	Kleinbaum	Ogdahl	Schrom	
Doty	Laufenburger	Olhoff	Solon	

Those who voted in the negative were:

Ashbach	Gearty	Josefson	Krieger	Pillsbury
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Renneke
Frederick	Jensen	Kowalczyk	Patton	Stassen

The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 5, strike "25" and insert "20"

Page 36, line 6, strike "25" and insert "20"

Mr. Dunn moved to amend the Conzemius amendment to H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 5, strike "20" and insert "15"

Page 36, line 6, strike "20" and insert "15"

The question being taken on adoption of the amendment to the Conzemius amendment,

And the roll being called, there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Patton	Stassen
Ashbach	Hansen, Mel	Kowalczyk	Perpich, G.	Ueland
Berg	Jensen	Krieger	Pillsbury	Willet
Bernhagen	Josefson	Nelson	Renneke	
Brown	Keefe, J.	Olson, H. D.	Schrom	
Dunn	Kirchner	Olson, J. L.	Sillers	

Those who voted in the negative were:

Borden	Hughes	McCutcheon	Olson, A. G.	Stokowski
Chenoweth	Humphrey	Milton	O'Neill	Tennessen
Chmielewski	Keefe, S.	Moe	Perpich, A. J.	Thorup
Coleman	Kleinbaum	North	Purfeerst	
Davies	Laufenburger	Novak	Schaaf	
Doty	Lewis	Ogdahl	Solon	
Hansen, Baldy	Lord	Olhoft	Spear	

The motion did not prevail. So the amendment to the Conzemius amendment was not adopted.

The question recurred on the Conzemius amendment.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olhoft	Renneke
Ashbach	Frederick	Kleinbaum	Olson, A. G.	Schrom
Berg	Hansen, Mel	Knutson	Olson, H. D.	Sillers
Bernhagen	Hughes	Kowalczyk	Olson, J. L.	Spear
Brown	Josefson	Krieger	Patton	Stassen
Chenoweth	Josefson	Laufenburger	Perpich, G.	Thorup
Chmielewski	Keefe, J.	Moe	Pillsbury	Ueland
Conzemius	Keefe, S.	Novak	Purfeerst	Willet

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	O'Neill	Tennessen
Borden	Hansen, Baldy	Milton	Perpich, A. J.	
Coleman	Humphrey	Nelson	Schaaf	
Davies	Lewis	North	Solon	
Doty	Lord	Ogdahl	Stokowski	

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, after line 6, insert a new subdivision as follows:

"Subd. 3. When an incumbent seeks reelection to an office to which he has previously been elected, the spending limitation imposed by subdivision 2 shall be reduced by 10 percent for that incumbent. The provisions of this subdivision are not applicable if a candidate opposing the incumbent has held an elected public office during the four years prior to the election in a district which includes more than 40 percent of the population of the district in which the incumbent is a candidate."

Renumber the remaining subdivisions

The question being taken on the adoption of the amendment,

Mr. Perpich, G. 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 50 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoff	Schrom
Arnold	Dunn	Krieger	Olson, A. G.	Sillers
Ashbach	Frederick	Laufenburger	Olson, H. D.	Solon
Bernhagen	Gearty	Lewis	Olson, J. L.	Spear
Borden	Hansen, Baldy	Lord	O'Neill	Stassen
Brown	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Pillsbury	Tennessee
Coleman	Keefe, J.	Nelson	Purfeerst	Thorup
Conzemius	Keefe, S.	Novak	Renneke	Ueland
Davies	Kirchner	Ogdahl	Schaaf	Willet

Those who voted in the negative were:

Hansen, Mel	Josefson	Knutson	Kowalczyk	Perpich, G.
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The motion prevailed.

And the roll being called, there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Krieger	Olson, H. D.	Schaaf
Bernhagen	Josefson	Larson	Olson, J. L.	Schrom
Brown	Keefe, J.	Lord	O'Neill	Sillers
Conzemius	Kirchner	Nelson	Patton	Stassen
Dunn	Knutson	North	Pillsbury	Ueland
Frederick	Kowalczyk	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olhoff	Tennessee
Arnold	Doty	Laufenburger	Olson, A. G.	Thorup
Berg	Gearty	Lewis	Perpich, A. J.	Willet
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	
Chenoweth	Hughes	Milton	Purfeerst	
Chmielewski	Humphrey	Moe	Solon	
Coleman	Keefe, S.	Novak	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Mr. Ashbach moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, after line 5, insert:

"Sec. 39. Minnesota Statutes 1971, Chapter 211, is amended by adding a section to read:

[211.031] [RIGHT TO ADVERTISE.] *Every candidate for public office shall have the right to advertise in any newspaper published within this state, the circulation of which exceeds 1,000 copies, which accepts paid advertising from any candidate.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, after "1971" insert "Chapter 211 by adding a section; and"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 2, line 7, strike "\$50" and insert "\$25"

Page 13, line 27, strike "\$50" and "\$25"

Page 20, line 20, strike "\$50" and insert "\$25"

Page 27, line 25, strike "\$50" and insert "\$25"

Page 28, line 22, strike "\$50" and insert "\$25"

Page 28, line 27, strike "\$50" and insert "\$25"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 30, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Mel	Knutson	O'Neill	Sillers
Bernhagen	Jensen	Kowalczyk	Patton	Spear
Brown	Josefson	Lord	Perpich, A. J.	Stassen
Doty	Keefe, J.	Nelson	Pillsbury	Ueland
Dunn	Keefe, S.	North	Renneke	
Frederick	Kirchner	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Conzemius	Kleinbaum	Ogdahl	Schaaf
Arnold	Davies	Laufenburger	Olhoff	Solon
Borden	Gearty	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	McCutcheon	Olson, H. D.	Tennessee
Chmielewski	Hughes	Moe	Perpich, G.	Thorup
Coleman	Humphrey	Novak	Purfeerst	Willet

The motion did not prevail. So the amendment was not adopted.

Mr. Keefe, J. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 20, line 28, strike "\$20" and insert "\$10"

Page 21, line 3, strike "\$20" and insert "\$10"

Page 23, line 4, strike "\$20" and insert "\$10"

Page 23, line 9, strike "\$20" and insert "\$10"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Bernhagen	Hughes	Lord	O'Neill	Stassen
Brown	Jensen	Nelson	Patton	Ueland
Dunn	Keefe, J.	North	Pillsbury	
Frederick	Kirchner	Olson, H. D.	Sillers	
Hansen, Mel	Knutson	Olson, J. L.	Spear	

Those who voted in the negative were:

Anderson	Davies	Kowalczyk	Ogdahl	Schrom
Arnold	Doty	Krieger	Olhoft	Solon
Borden	Gearty	Laufenburger	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Thorup
Coleman	Keefe, S.	Moe	Purfeerst	Willet
Conzemius	Kleinbaum	Novak	SchAAF	

The motion did not prevail. So the amendment was not adopted.

Mr. Hansen, Mel moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 23, after "No" insert the following:

"political committee or political fund except a political party or the principal campaign committee of a candidate shall make an expenditure on behalf of or in opposition to the opponent of a candidate. A political committee or a political fund may transfer funds to a political party or the principal campaign committee of a candidate in an amount not in excess of 10 percent of the amount that may be spent by the candidate. Nothing contained in this subdivision shall prohibit the right of a political committee or a political fund to expend money to advocate ideas or causes so long as that advocacy does not mention the name of a single political party or less than six candidates.

Subd. 2. No natural person shall make expenditures on behalf of a candidate in excess of \$100. A natural person may transfer funds to a political party or the principal campaign committee of the candidate in an amount not in excess of 5 percent of the amount that may be spent by such candidate. Nothing contained in this subdivision shall prohibit the right of a natural person to expend money to advocate ideas or causes so long as such advocacy does not mention the name of a single political party or less than six candidates."

Renumber the subdivisions accordingly

Page 37, strike lines 24 through 28

Page 38, strike lines 1 and 2

Mr. Tennessee moved a substitute amendment to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 29, strike lines 19 to 27 and renumber the remaining subdivisions

Page 37, line 24, strike the first comma and insert in lieu thereof "and"

Page 37, line 24, strike “, or individual”

Page 37, line 24, after “except” insert “the candidate,”

Page 39, line 23, after the brackets insert “Subdivision 1.”

Page 39, after line 26, insert:

“Subd. 2. Any person who circumvents or conspires to circumvent the disclosure provisions or spending limitations of sections 12 to 30 by falsely alleging that he is independent from the candidate or the candidate’s agents is guilty of a felony.

Subd. 3. Any candidate or agent of a candidate who seeks to circumvent the disclosure provisions or spending limitations of sections 12 to 30 by conspiring with another person is guilty of a felony.”

The question being taken on adoption of the substitute amendment,

And the roll being called, there were yeas 17 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Lewis	Sillers	Thorup
Borden	Doty	Moe	Spear	
Coleman	Jensen	Novak	Stassen	
Conzemius	Laufenburger	Olson, A. G.	Tennessee	

Those who voted in the negative were:

Berg	Hansen, Mel	Krieger	Olson, H. D.	Renneke
Bernhagen	Hughes	Lord	Olson, J. L.	Schaaf
Brown	Humphrey	McCutcheon	O’Neill	Schrom
Chenoweth	Keefe, J.	Milton	Patton	Stokowski
Dunn	Keefe, S.	Nelson	Perpich, A. J.	Ueland
Frederick	Kirchner	North	Perpich, G.	Willet
Gearty	Knutson	Ogdahl	Pillsbury	
Hansen, Baldy	Kowalczyk	Olhoft	Purfeerst	

The motion did not prevail. So the substitute amendment was not adopted.

The question recurred on the Hansen, Mel amendment.

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:

Bernhagen	Hansen, Mel	Krieger	Patton	Renneke
Brown	Keefe, J.	Ogdahl	Pillsbury	Ueland
Frederick				

Those who voted in the negative were:

Berg	Hansen, Baldy	Lord	Olson, H. D.	Stassen
Borden	Hughes	McCutcheon	Olson, J. L.	Stokowski
Chenoweth	Humphrey	Milton	O’Neill	Tennessee
Coleman	Keefe, S.	Moe	Perpich, A. J.	Thorup
Conzemius	Kirchner	Nelson	Perpich, G.	Willet
Davies	Knutson	North	Purfeerst	
Doty	Kowalczyk	Novak	Schaaf	
Dunn	Laufenburger	Olhoft	Sillers	
Gearty	Lewis	Olson, A. G.	Spear	

The motion did not prevail. So the amendment was not adopted.

Mr. Pillsbury moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 45, line 27, strike "*a taxpayer*" and insert "*an individual*"

Page 45, line 27, before "*credit*" insert "*refundable*"

Page 45, line 27, strike "*against the tax due under*"

Page 45, line 28, strike "*chapter 290*"

Page 46, line 3, before "*For*" insert "*An individual need not have a tax liability to claim this credit.*"

The question being taken on adoption of the amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kowalczyk	O'Neill	Spear
Berg	Hansen, Mel	Krieger	Patton	Stassen
Bernhagen	Josefson	Lord	Pillsbury	Ueland
Brown	Keefe, J.	Nelson	Renneke	
Doty	Kirchner	Ogdahl	Schaaf	
Dunn	Knutson	Olson, J. L.	Sillers	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Tennessee
Arnold	Gearty	McCutcheon	Olson, H. D.	Thorup
Borden	Hughes	Milton	Perpich, A. J.	Willet
Chenoweth	Humphrey	Moe	Perpich, G.	
Chmielewski	Keefe, S.	North	Purfeerst	
Coleman	Kleinbaum	Novak	Schrom	
Conzemius	Laufenburger	Olhoft	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Mr. Pillsbury moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 2, line 19, strike "36" and insert "32"

Page 6, line 15, strike "and which provides that the signators desire to"

Page 6, strike lines 16 and 17

Page 6, line 18, strike "parties"

Page 8, line 25, strike "36" and insert "32"

Page 10, line 1, strike "36" and insert "32"

Page 10, line 7, strike "36" and insert "32"

Page 10, line 25, strike "36" and insert "32"

Page 11, line 1, strike "36" and insert "32"

Page 11, line 7, strike "36" and insert "32"

Page 11, line 8, strike "36" and insert "32"

Page 11, line 12, strike "36" and insert "32"

Page 12, line 3, strike "36" and insert "32"

Page 12, line 10, strike "36" and insert "32"

Page 19, line 17, strike "and transfers from the state election"

Page 19, line 18, strike "campaign fund"

Page 23, line 6, after "general" insert "fund of the state."

Page 23, strike line 7

Page 32, line 6, strike "36" and insert "32"

Page 39, line 21, strike "account" and insert "fund"

Page 39, line 22, strike "elections campaign fund"

Page 39 to 45, strike sections 32 to 35

Page 45, line 12, strike "36" and insert "32"

Page 45, line 16, strike "36" and insert "32"

Page 45, line 18, strike "36" and insert "32"

Renumber the sections in sequence

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Brown	Jensen	Krieger	Patton	
Conzemius	Josefson	Larson	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	Olson, A. G.	Spear
Arnold	Hughes	Milton	Olson, H. D.	Stokowski
Borden	Keefe, S.	Moe	Perpich, A. J.	Tennessee
Chenoweth	Kleinbaum	North	Perpich, G.	Thorup
Coleman	Laufenburger	Novak	Purfeerst	Willet
Doty	Lewis	Olhoff	Schaaf	

The motion did not prevail. So the amendment was not adopted.

Mr. Hughes moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 7, strike "1/67 of the total population of the state" and insert "the population of each senatorial election district"

Page 37, line 9, strike "1/134 of the total population of the state" and insert "one-half of the population of the senatorial election district in which it lies"

Page 37, line 12, after "state" insert "and of each senatorial and house election district"

The motion did not prevail. So the amendment was not adopted.

Mr. Berg moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 38, line 6, strike "40" and insert "20"

The motion did not prevail. So the amendment was not adopted.

Mr. Berg moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 38, line 2, after "26" insert "; provided, however, an independent candidate may expend on behalf of his own candidacy up to 30 percent of the amount that may be spent by or on behalf of that candidacy"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Olson, H. D.	Renneke	Tennessee
Berg	Jensen	Olson, J. L.	Schaaf	Ueland
Borden	Josefson	O'Neill	Sillers	
Brown	Kirchner	Patton	Spear	
Davies	Nelson	Pillsbury	Stassen	

Those who voted in the negative were:

Anderson	Hughes	Krieger	North	Schrom
Arnold	Humphrey	Laufenburger	Novak	Thorup
Chenoweth	Keefe, J.	Lewis	Ogdahl	Willet
Coleman	Keefe, S.	Lord	Olhoft	
Conzemius	Kleinbaum	McCutcheon	Perpich, A. J.	
Dunn	Knutson	Milton	Perpich, G.	
Gearty	Kowalczyk	Moe	Purfeerst	

The motion did not prevail. So the amendment was not adopted.

Mr. Chenoweth moved to amend the Ashbach amendment to H. F. No. 951, the unofficial engrossment, as follows:

In the amendment to page 46, before "Every" insert "Subdivision 1."

After the line ending with "candidate." insert:

"Subd. 2. Every newspaper published within the state, the circulation of which exceeds 1,000 copies and which accepts paid advertising from any candidate, shall provide a rate for an advertisement by or on behalf of a candidate which does not exceed the lowest rate charged any other advertiser."

The motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, line 5, after "4" insert "*and "political party" means those political parties defined in section 2, subdivision 15*"

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 39, line 27, strike "Subdivision"

Page 39, line 28, strike "1."

Page 40, strike lines 3, 4 and 5

Page 40, strike lines 14, 15 and 16

Renumber the remaining subdivisions

Page 40, line 22, strike the last "of"

Page 40, line 23, strike "the party of your choice"; strike "state" and insert "statewide"

Page 40, line 27, strike all the language after the quotation mark

Page 40, strike line 28

Page 41, line 2, strike "state" and insert "statewide"

Page 41, line 3, strike "boxes" and insert "a box"

Page 41, line 4, after "marked" insert a period and strike the remainder of the line

Page 41, strike lines 5 to 12

Page 41, line 15, strike "the appropriate account in"

Page 41, line 16, strike "annually"

Page 41, line 17, strike "5, 6, and 7" and insert "4 and 5"

Page 41, strike lines 18 to 28

Page 42, strike lines 1 to 9 and insert:

"Subd. 4. In each fiscal year, the moneys in the statewide elections campaign fund shall be set aside as follows:

(a) 40 percent to the candidates for governor and lieutenant governor jointly;

(b) 24 percent to the candidate for attorney general; and

(c) 12 percent each to the candidates for secretary of state, state treasurer and state auditor."

Page 42, line 10, strike "(d)" and insert "Subd. 5."

Page 42, line 13, strike "general account" and insert "state elections campaign fund"

Page 42, line 14, strike "clause (b)" and insert "subdivision 4"

Page 42, strike lines 18 to 28

Page 43, strike lines 1 to 28

Page 44, strike lines 1 to 9

Page 44, strike line 28

Page 45, strike lines 1 to 5

Page 45, line 7, strike "and primary"

Page 45, line 8, strike "elections preceding general elections"

Page 45, line 8, after "include" insert "primary elections,"

The question being taken on adoption of the amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Ogdahl	Renneke
Berg	Jensen	Kowalczyk	Olson, J. L.	Schrom
Bernhagen	Josefson	Krieger	O'Neill	Sillers
Brown	Keefe, J.	Larson	Patton	Stassen
Davies	Kirchner	Nelson	Pillsbury	Ueland

Those who voted in the negative were:

Arnold	Gearty	Lewis	Olhoft	Stokowski
Borden	Hansen, Mel	Lord	Olson, A. G.	Tennessee
Chenoweth	Hughes	McCutcheon	Olson, H. D.	Thorup
Chmielewski	Humphrey	Milton	Perpich, A. J.	Willet
Coleman	Keefe, S.	Moe	Perpich, G.	
Conzemius	Kleinbaum	North	Schaaf	
Doty	Laufenburger	Novak	Spear	

The motion did not prevail. So the amendment was not adopted.

Mr. Brown moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, after line 5, insert the following:

"Any taxpayer taking this credit shall attach to his individual income tax form a receipt or receipts substantiating his claim. A canceled check is acceptable as a receipt."

The motion prevailed. So the amendment was adopted.

Mr. Brown moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 12, after line 28, add a new subdivision 3 to read as follows:

"Subd. 3. No registered lobbyist shall make a contribution to a candidate, political committee or political fund."

Page 13, line 26, strike "excluding"

Page 13, line 27, strike "contributions to a candidate,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Olson, J. L.	Stassen
Berg	Frederick	Kirchner	Patton	Ueland
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Brown	Jensen	Larson	Renneke	
Conzemius	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olhoft	Schrom
Arnold	Hughes	Lord	Olson, A. G.	Spear
Borden	Humphrey	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Keefe, S.	Milton	O'Neill	Tennessee
Chmielewski	Kleinbaum	Moe	Perpich, A. J.	Thorup
Coleman	Knutson	North	Perpich, G.	Willet
Davies	Kowalcyk	Novak	Purfeerst	
Doty	Laufenburger	Ogdahl	Schaaf	

The motion did not prevail. So the amendment was not adopted.

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 26, after "of" insert "or in opposition to the opponent of"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. "Candidate" means an individual who files for election in any primary or general election for the office of senator or representative in congress, a constitutional office of this state, the office of state senator or state representative, county offices, or municipal offices in municipalities having more than 20,000 inhabitants.

Subd. 3. "Contribution" means:

(a) A gift, subscription, advance, deposit of money or anything of value. Loans of money shall be considered as contributions for reporting purposes;

(b) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution;

(c) A transfer of funds between political committees; or

(d) Any amounts paid to any person for services performed, or to be performed, in connection with the election of a candidate.

Sec. 2. [REPORTS BY CANDIDATES OF TOTAL CONTRIBUTIONS.] Each candidate shall make a report of contributions which shall disclose:

(a) The total dollar amount of contributions made to the candidate and to all committees promoting the election of the candidate. The candidate filing the report shall include all contributions to himself and to all committees known to the candidate to be working in his behalf whether or not they are personal campaign committees. If a committee working on behalf of the candidate refuses to disclose this information to the candidate he shall state this fact in his report; and

(b) The name, address and amount of each person or organization who made a contribution of more than \$50 to the candidate or any committee working in his behalf.

Sec. 3. [REPORT OF DISBURSEMENTS.] Each candidate shall make a report of disbursements which shall disclose the name of the person to whom the disbursement is made, the purpose for which it was made, the date when made and the total disbursements. The report shall also include an itemized list of unpaid commitments.

Sec. 4. [SIGNING AND FILING REPORTS.] Reports of contributions and disbursements shall be signed by the candidate and filed with the secretary of state on or before 15 days prior to the general election and on January 5 of each year following the general election. The report due 15 days prior to the general election shall include contributions and disbursements made from January 1 to 20 days prior to the general election. The report due on January 5 of each year thereafter shall include all contributions received or disbursements made during the preceding year. Such reports shall be filed by both the successful candidate and the defeated candidates until the end of that term of office for which the person filed.

Sec. 5. [REPORTS OF ORGANIZATIONS.] Any organization of any kind making contributions to any candidate as defined herein, political party, or other organization for the purpose of influencing or supporting the election of any candidate or group of candidates shall report the contributions made to the organization during each calendar year. The report shall be filed on or before January 5. The report shall include the name of the organization, the officers, and the persons who made the decisions as to the distribution of funds to candidates or organizations. The report shall indicate what organization it is affiliated with, the method by which the funds were obtained, and the name and address of each person who made a contribution. The report shall include the amount of each contribution made to any candidate or committee and the date the contribution was made. Any organization making disbursements on behalf of, or in opposition to, any candidate shall include in the report an itemized statement of such disbursements.

Sec. 6. [FILING REPORTS.] Each report required herein shall be made on forms provided by the secretary of state, shall be

filed with the secretary of state during the hours in which the office of the secretary of state is open for business, and shall be filed on or before the date on which the report is due. Whenever a reporting date falls on a day on which the office of the secretary of state is closed, the report shall be due on the next day on which that office is open for business.

Sec. 7. [VIOLATIONS.] Any person violating any provisions of this act shall be guilty of a gross misdemeanor. The filing officer of any candidate shall refuse to accept the filing for election or re-election in any subsequent year by any person who has failed to file any past reports required herein.

Sec. 8. [REPORTS; DUE DATE.] The first reports required by state senators, United States senators, and organizations covered by sections 1 to 7 shall be those due January 5, 1975. The first reports by all other candidates or other officeholders covered by sections 1 to 7 shall be those due October 20, 1974.

Sec. 9. [EFFECTIVE DATE.] This act shall take effect on the day following final enactment.

Sec. 10. Minnesota Statutes 1971, Sections 211.06, 211.16, 211.17, 211.20, 211.25, are repealed."

Further amend the title by striking it and inserting in lieu thereof:

"A bill for an act relating to elections; disclosure of campaign contributions and expenditures; providing penalties; repealing Minnesota Statutes 1971, Sections 211.06; 211.16; 211.17; 211.20; and 211.25."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Kowalczyk	Patton	Stassen
Bernhagen	Josefson	Krieger	Pillsbury	Thorup
Brown	Kirchner	Larson	Renneke	Ueland
Frederick	Knutson	Olson, J. L.	Sillers	

Those who voted in the negative were:

Arnold	Doty	Laufenburger	Novak	Purfeerst
Berg	Dunn	Lewis	Ogdahl	Schaaf
Borden	Gearty	Lord	Olhoft	Schrom
Chenoweth	Hansen, Mel	McCutcheon	Olson, A. G.	Spear
Chmielewski	Hughes	Milton	Olson, H. D.	Stokowski
Coleman	Humphrey	Moe	O'Neill	Tennessee
Conzemius	Keefe, S.	Nelson	Perpich, A. J.	Willet
Davies	Kleinbaum	North	Perpich, G.	

The motion did not prevail. So the amendment was not adopted.

Mr. Kirchner moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 23, line 17, strike "five" and insert "15"

The motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 40, line 8, strike "whose" and insert "having"

Page 40, line 9, strike "is \$1"

Page 40, line 10, strike "or more"

Page 40, line 10, strike "designate that \$1 shall be paid" and insert "elect to pay an additional \$1 in Tax"

Page 40, line 12, strike "of \$2 or"

Page 40, line 13, strike "more"

Page 40, line 13, strike "designate that" and insert "elect to pay an additional"

Page 40, line 13, strike "shall be paid" and insert "in Tax"

Page 40, line 21, strike "allocate" and insert "pay an additional"

Page 40, line 22, strike "your"

Page 40, line 22, strike "to" and insert "for"

Page 40, line 24, strike "not"

Page 40, line 24, before "\$1" insert "an additional"

Page 41, line 2, before "\$1" insert "an additional"; strike "of" and insert "be added to"

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	Ogdahl	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Tennessee
Brown	Jensen	Krieger	Patton	Ueland
Conzemius	Josefson	Larson	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Spear
Arnold	Hughes	McCutcheon	Olson, H. D.	Stokowski
Borden	Humphrey	Milton	Perpich, A. J.	Thorup
Chenoweth	Keefe, S.	Moe	Perpich, G.	Willett
Chmielewski	Kleinbaum	North	Purfeerst	
Coleman	Laufenburger	Novak	Schaaf	
Doty	Lewis	Olhoft	Schrom	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 951 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. Conzemius moved that those not voting be excused from voting.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 32 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Olson, A. G.	Spear
Arnold	Doty	Laufenburger	Olson, H. D.	Stokowski
Berg	Gearty	Lewis	Perpich, A. J.	Tennessee
Borden	Hansen, Mel	Lord	Perpich, G.	Thorup
Chenoweth	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Milton	Schaaf	
Coleman	Keefe, S.	Olhoft	Schrom	

Those who voted in the negative were:

Ashbach	Kirchner	Nelson	Patton	Ueland
Bernhagen	Knutson	Novak	Pillsbury	Willet
Dunn	Kowalczyk	Ogdahl	Renneke	
Jensen	Krieger	Olson, J. L.	Sillers	
Keefe, J.	Larson	O'Neill	Stassen	

The motion prevailed.

And the roll being called, there were yeas 52 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olhoft	Schrom
Arnold	Dunn	Kowalczyk	Olson, A. G.	Spear
Ashbach	Frederick	Laufenburger	Olson, H. D.	Stassen
Berg	Gearty	Lewis	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lord	O'Neill	Tennessee
Borden	Hughes	McCutcheon	Patton	Thorup
Brown	Humphrey	Milton	Perpich, A. J.	Ueland
Chenoweth	Keefe, J.	Nelson	Perpich, G.	Willet
Chmielewski	Keefe, S.	North	Purfeerst	
Coleman	Kirchner	Novak	Renneke	
Conzemius	Kleinbaum	Ogdahl	Schaaf	

Those who voted in the negative were:

Jensen	Josefson	Krieger	Larson	Sillers
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So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that S. F. No. 2954, No. 114 on General Orders, be stricken and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Monday, March 11, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED SECOND DAY

St. Paul, Minnesota, Monday, March 11, 1974.

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:

Arnold	Doty	Humphrey	Olson, H. D.	Spear
Ashbach	Dunn	Keefe, S.	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Kleinbaum	Patton	Tennessee
Borden	Frederick	Knutson	Perpich, A. J.	Thorup
Brown	Gearty	Kowalczyk	Perpich, G.	Wegener
Chenoweth	Hansen, Baldy	Laufenburger	Pillsbury	Willet
Coleman	Hansen, Mel	Lewis	Purfeerst	
Conzemius	Hanson, R.	Milton	Renneke	
Davies	Hughes	Olhoff	Sillers	

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.	North	Schrom
Arnold	Dunn	Kirchner	Novak	Sillers
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoff	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Krieger	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	McCutcheon	Perpich, G.	Wegener
Coleman	Jensen	Milton	Pillsbury	Willet
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Blatz and Lord were excused from the Session of today. Mr. Olson, A. G. was excused from this morning's Session. Messrs. Krieger and Moe were excused from the Session of today until

10:30 o'clock a.m. Messrs. O'Neill and Nelson were excused from the Session of today until 11:00 o'clock a.m. Mr. Chenoweth was excused from the Session of today from 11:00 o'clock a.m. until 1:00 o'clock p.m. Mr. Blatz was excused from tomorrow's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
21		101	March 8, 1974	March 8, 1974
2537		102	March 8, 1974	March 8, 1974
2952		103	March 8, 1974	March 8, 1974
3032		104	March 8, 1974	March 8, 1974
	2889	105	March 8, 1974	March 8, 1974

Sincerely,
Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Mr. Laufenburger introduced—

S. F. No. 3561: A bill for an act relating to taxation; sales and use tax; exemptions; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1967: A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

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. 998, 2315, 2683 and 3088.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees.

This report is submitted by the Secretary of the Senate pursuant to the direction of the Committee on Rules and Administration. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 987: A bill for an act relating to Scott county; authorizing that county to establish a housing and redevelopment authority.

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. [SCOTT COUNTY; HOUSING AND REDEVELOPMENT.] There is hereby created in Scott county a public body corporate and politic, to be known as the Scott county housing and redevelopment authority, having all of the powers and duties of a housing and redevelopment authority under the provisions of the municipal housing and redevelopment act, Minnesota Statutes, Sections 462.411 to 462.711, and acts amendatory thereof, which act applies to the county of Scott. For the purposes of applying the provisions of the municipal housing and redevelopment act to Scott county, the county has all the powers and duties of a municipality, the county board has all of the powers and duties of a governing body, the chairman of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county.

Sec. 2. [APPLICATION.] Subdivision 1. This act shall not limit or restrict any existing housing and redevelopment authority or prevent a municipality from creating an authority. The county shall not exercise jurisdiction in any municipality where a municipal housing and redevelopment authority is established.

Subd. 2. A municipal housing and redevelopment authority may request the Scott county housing and redevelopment authority to handle the housing duties of the authority and, in such an event, the Scott county housing and redevelopment authority shall act and have exclusive jurisdiction for housing in the municipality pursuant to the provisions of the municipal housing and redevelopment act, Minnesota Statutes, Sections 462.411 to 462.711, and acts amendatory thereof. A transfer of duties relating to housing shall not transfer any duties relating to redevelopment.

Sec. 3. [MUNICIPAL APPROVAL.] If any housing or redevelopment project is undertaken in Scott county pursuant to this authorization, and such project is within the boundaries of any incorporated village, city or township, the location of such project shall be approved by the governing body of such village, city or township.

Sec. 4. [EFFECTIVE DATE.] This act takes effect when approved by a majority of the board of county commissioners of Scott county and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title by striking the title and inserting in lieu thereof:

"A bill for an act creating a housing and redevelopment authority in Scott county; applying the provisions of the municipal housing and redevelopment act to Scott county."

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. 1075: A bill for an act creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act to Washington county.

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. 2978: A bill for an act relating to the city of Minneapolis; authorizing the city to appoint a public officer or employee as commissioner on the city housing and redevelopment authority.

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. 1952: A bill for an act relating to the construction, maintenance and repair of county ditches in Ramsey county repealing Laws 1957, Chapter 682.

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. 2936: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

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. 2595: A bill for an act relating to the Minnehaha creek watershed district; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

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. 1966: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

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 referred

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 9, strike "1973" and insert in lieu thereof "1974"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 3331, 2883, 3264 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.
3331	3138	3264	3136		
2883	2717				

And that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. Nos. 3233, 3356, 3328, 3223, 3121, 3310 and 3352 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.
3233	3139			3121	2533
3356	3295				
3328	3201				
3223	3111				
3310	3419				
3352	3318				

Pursuant to Rule 49 the Committee recommends that H. F. No. 3233 be amended as follows:

Page 11, line 17, delete "through" and insert in lieu thereof "to"

Further, amend the title as follows:

Page 1, line 5, after "aids" insert "and inheritance tax distributions"

And when so amended, H. F. No. 3233 will be identical to S. F. No. 3139 and further recommends that H. F. No. 3233 be given its second reading and substituted for S. F. No. 3139 and S. F. No. 3139 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3356 be amended as follows:

Page 2, line 14, after "violation" and before the comma, insert the following language: "within the jurisdiction of the issuer's department"

Page 2, line 18, after "violation" and before the period, insert the following language: "and, if a traffic tag, shall comply with Minnesota Statutes, Section 169.99"

And when so amended, H. F. No. 3356 will be identical to S. F. No. 3295 and further recommends that H. F. No. 3356 be given its second reading and substituted for S. F. No. 3295 and S. F. No. 3295 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3328 be amended as follows:

Page 2, delete lines 16 through 28

Page 3, delete lines 1 through 12

In the title, lines 5 through 7, delete "defining qualified home owner eligible for senior citizen property tax freeze;" and in lines 9 and 10, delete "and 273.011, Subdivision 2"

And when so amended, H. F. No. 3328 will be identical to S. F. No. 3201 and further recommends that H. F. No. 3328 be given its second reading and substituted for S. F. No. 3201 and S. F. No. 3201 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3223 be amended as follows:

In the title, page 1, line 4, delete "disbursement of funds;" and insert in lieu thereof "authority over funds;"

And when so amended, H. F. No. 3223 will be identical to S. F. No. 3111 and further recommends that H. F. No. 3223 be given its second reading and substituted for S. F. No. 3111 and S. F. No. 3111 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3121 be amended as follows:

Page 1, line 19, restore the stricken "~~villages~~" and delete "*statutory cities*"

Page 1, lines 23 and 24, restore the stricken "~~villages~~" and delete "*statutory cities*"

And when so amended, H. F. No. 3121 will be identical to S. F. No. 2533 and further recommends that H. F. No. 3121 be given its second reading and substituted for S. F. No. 2533 and S. F. No. 2533 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3310 be amended as follows:

Page 2, delete all of lines 27 and 28

Page 3, delete all of lines 1 to 12

Page 6, line 3, after "of" insert "*Minnesota Statutes 1971,*"

Page 6, delete all of lines 24 to 28

Page 7, delete lines 1 and 2

Page 9, line 28, delete "*the director of the Minnesota state retirement*"

Page 10, lines 1 and 2 delete "*system shall pay out of the judges' retirement fund an amount for each member*" and insert in lieu thereof "*the employer shall pay an amount for each member*"

Page 10, delete lines 8, 9, and 10

Page 10, line 11, strike "*subdivisions*" and insert in lieu thereof "*subdivision*" and delete "*and*"

Page 10, line 12, delete "*14*"

Further, amend the title:

Page 1, line 7, after "9," insert "and" and after "10" strike the comma and insert a semicolon and delete "and"

Page 1, line 8, delete "by adding a subdivision;"

And when so amended, H. F. No. 3310 will be identical to S. F. No. 3419 and further recommends that H. F. No. 3310 be given its second reading and substituted for S. F. No. 3419 and S. F. No. 3419 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3352 be amended as follows:

Page 1, line 13, strike "department of agriculture"

Page 1, line 21, strike "the Minnesota department of"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 12, strike "department" and insert "commissioner"

Page 2, line 25, strike "department" and insert "commissioner"

Page 5, line 14, strike "department" and insert "commissioner"

Page 5, line 21, strike "department" and insert "commissioner"

Page 5, line 23, strike "department" and insert "commissioner"

Page 5, line 27, strike "department" and insert "commissioner"

Page 6, line 4, strike "It" and insert "He"

Page 7, line 4, strike "department" and insert "commissioner"

Page 9, line 1, strike "department" and insert "commissioner"

Page 10, line 2, strike "department" and insert "commissioner"

Page 10, line 12, strike "department" and insert "commissioner"

Page 12, line 10, strike "department" and insert "commissioner"

Page 12, line 13, strike "department" and insert "commissioner"

Page 12, line 18, strike "department" and insert "commissioner"

Page 13, line 10, strike "department" and insert "commissioner"

Page 13, line 24, strike "department" and insert "commissioner"

Page 14, line 11, strike "of agriculture"

Page 14, line 12, strike "of agriculture"

And when so amended, H. F. No. 3352 will be identical to S. F. No. 3318 and further recommends that H. F. No. 3352 be given its second reading and substituted for S. F. No. 3318 and S. F. No. 3318 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2996, pursuant to the request of the House:

Messrs. Anderson, Hughes, Sillers, O'Neill, Arnold.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

SECOND READING OF SENATE BILLS

Senate File Nos. 2315, 2683 and 3088 were read the second time.

SECOND READING OF HOUSE BILLS

House File Nos. 1967, 1966, 2595, 2936, 1952, 2978, 1075, 987, 3002, 3352, 3121, 3223, 3356, 3233, 3310, 3328, 3331, 2883 and 3264 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Gearty moved that H. F. No. 2323 and S. F. No. 2336 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files and House Files on the Senate Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3061: A bill for an act relating to state parks; prohibiting littering; providing a penalty; amending Minnesota Statutes 1971, Section 85.20, by adding a subdivision.

Was read the third time 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	Keefe, S.	Novak	Sillers
Ashbach	Fitzsimons	Kirchner	Olhoft	Solon
Bang	Frederick	Kleinbaum	Olson, H. D.	Spear
Bernhagen	Gearty	Knutson	Olson, J. L.	Stassen
Brown	Hansen, Baldy	Kowalczyk	Patton	Stokowski
Chenoweth	Hansen, Mel	Larson	Perpich, A. J.	Tennessee
Chmielewski	Hanson, R.	Laufenburger	Perpich, G.	Thorup
Coleman	Hughes	Lewis	Pillsbury	Ueland
Conzemius	Humphrey	McCutcheon	Purfeerst	Wegener
Davies	Jensen	Milton	Renneke	Willet
Doty	Josefson	North	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5, and by adding a subdivision; 145.63; and 145.64.

Was read the third time 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.	Olhoff	Spear
Ashbach	Fitzsimons	Kirchner	Olson, H. D.	Stassen
Bang	Frederick	Kleinbaum	Olson, J. L.	Stokowski
Bernhagen	Gearty	Knutson	Patton	Tennessee
Borden	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Larson	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Laufenburger	Pillsbury	Wegener
Chmielewski	Hughes	Lewis	Purfeerst	Willet
Coleman	Humphrey	McCutcheon	Renneke	
Conzemius	Jensen	Milton	Schrom	
Davies	Josefson	North	Sillers	
Doty	Keefe, J.	Novak	Solon	

So the bill passed and its title was agreed to.

S. F. No. 3406: A bill for an act relating to historic sites; designating additional historical sites and historic districts; amending Minnesota Statutes 1971, Sections 138.081; 138.52, Subdivision 1, and by adding a subdivision; 138.53, by adding subdivisions; 138.54, by adding a subdivision; 138.58, by adding subdivisions; and 138.73, by adding subdivisions.

Was read the third time 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.	Olhoff	Spear
Arnold	Dunn	Keefe, S.	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Kirchner	Olson, J. L.	Stokowski
Bang	Frederick	Kleinbaum	Patton	Tennessee
Bernhagen	Gearty	Knutson	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	Kowalczyk	Perpich, G.	Ueland
Brown	Hansen, Mel	Larson	Pillsbury	Wegener
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	Willet
Chmielewski	Hughes	McCutcheon	Renneke	
Coleman	Humphrey	Milton	Schrom	
Conzemius	Jensen	North	Sillers	
Davies	Josefson	Novak	Solon	

So the bill passed and its title was agreed to.

S. F. No. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Was read the third time 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	Doty	Josefson	North	Sillers
Arnold	Dunn	Keefe, J.	Novak	Solon
Bang	Fitzsimons	Keefe, S.	Olhoft	Spear
Bernhagen	Frederick	Kirchner	Olson, J. L.	Stokowski
Borden	Gearty	Kleinbaum	Patton	Thorup
Brown	Hansen, Baldy	Knutson	Perpich, A. J.	Ueland
Chenoweth	Hansen, Mel	Kowalczyk	Perpich, G.	Wegener
Chmielewski	Hanson, R.	Larson	Pillsbury	Willet
Coleman	Hughes	Laufenburger	Purfeerst	
Conzemius	Humphrey	Lewis	Renneke	
Davies	Jensen	Milton	Schrom	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olhoft	Spear
Arnold	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Bang	Frederick	Knutson	Olson, J. L.	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Tennessee
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Lewis	Pillsbury	Wegener
Chmielewski	Hughes	McCutcheon	Purfeerst	Willet
Coleman	Humphrey	Milton	Renneke	
Conzemius	Jensen	North	Schrom	
Davies	Keefe, J.	Novak	Sillers	
Doty	Keefe, S.	Ogdahl	Solon	

So the bill passed and its title was agreed to.

H. F. No. 3533: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

Was read the third time 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.	Ogdahl	Solon
Arnold	Dunn	Keefe, S.	Olhoft	Spear
Ashbach	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Bang	Frederick	Knutson	Olson, J. L.	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Tennessee
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Lewis	Pillsbury	Wegener
Chmielewski	Hughes	McCutcheon	Purfeerst	Willet
Coleman	Humphrey	Milton	Renneke	
Conzemius	Jensen	North	Schrom	
Davies	Josefson	Novak	Sillers	

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

With the unanimous consent of the Senate, Mr. Davies moved to amend S. F. No. 1985, as follows:

Page 1, strike lines 8 to 21

Renumber the remaining sections

Amend the title in line 6 by striking "281.04;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 508.79; and 541.15.

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	Doty	Keefe, J.	Novak	Sillers
Arnold	Dunn	Keefe, S.	Ogdahl	Solon
Ashbach	Fitzsimons	Kirchner	Olhoft	Spear
Bang	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Patton	Tennessee
Brown	Hansen, Mel	Larson	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Laufenburger	Perpich, G.	Ueland
Chmielewski	Hughes	Lewis	Pillsbury	Wegener
Coleman	Humphrey	McCutcheon	Purfeerst	Willet
Conzemius	Jensen	Milton	Renneke	
Davies	Josefson	North	Schrom	

So the bill, as amended, passed and its title was agreed to.

H. F. No. 2553: A bill for an act relating to garnishment proceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

Was read the third time 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.	Ogdahl	Solon
Arnold	Dunn	Keefe, S.	Olhoft	Spear
Ashbach	Fitzsimons	Kirchner	Olson, H. D.	Stassen
Bang	Frederick	Kleinbaum	Olson, J. L.	Stokowski
Berg	Gearty	Knutson	Patton	Tennessee
Bernhagen	Hansen, Baldy	Larson	Perpich, A. J.	Thorup
Borden	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Brown	Hanson, R.	Lewis	Pillsbury	Wegener
Chenoweth	Hughes	McCutcheon	Purfeerst	Willet
Chmielewski	Humphrey	Milton	Renneke	
Coleman	Jensen	North	Schrom	
Davies	Josefson	Novak	Sillers	

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Josefson	North	Schrom
Arnold	Doty	Keefe, J.	Novak	Sillers
Ashbach	Dunn	Keefe, S.	Ogdahl	Solon
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Berg	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Patton	Tennessee
Brown	Hansen, Mel	Larson	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Laufenburger	Perpich, G.	Ueland
Chmielewski	Hughes	Lewis	Pillsbury	Wegener
Coleman	Humphrey	McCutcheon	Purfeerst	Willet
Conzemius	Jensen	Milton	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 waive the lie-over requirement on Senate Files and House Files on the Calendar of Ordinary Matters. The motion prevailed.

S. F. No. 2954: A bill for an act relating to the department of

education; division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

Was read the third time 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.	Novak	Sillers
Arnold	Doty	Keefe, S.	Ogdahl	Solon
Ashbach	Dunn	Kirchner	Olhoft	Spear
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Stassen
Berg	Frederick	Knutson	Olson, J. L.	Stokowski
Bernhagen	Gearty	Kowalczyk	Patton	Tennessee
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Chenoweth	Hanson, R.	Lewis	Pillsbury	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3041: A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

Was read the third time 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, J.	North	Schrom
Arnold	Doty	Keefe, S.	Novak	Sillers
Ashbach	Dunn	Kirchner	Ogdahl	Solon
Bang	Fitzsimons	Kleinbaum	Olhoft	Spear
Berg	Frederick	Knutson	Olson, H. D.	Stassen
Bernhagen	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Larson	Patton	Tennessee
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Ueland
Chmielewski	Humphrey	McCutcheon	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Moe	Renneke	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. North in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. North reported that the

committee had considered S. F. Nos. 3212, 2850, 2898, 2477, 3408, 1823, 1888 and 2042 which the committee recommends to pass.

S. F. No. 3354 which the committee reports progress, subject to the following motions:

Mr. Milton moved to amend S. F. No. 3354 as follows:

Page 2, line 25, delete "*the areawide health plan*" and insert "*any state and applicable area wide health plans adopted pursuant to state or federal requirements*"

Page 5, line 8, delete "*or forward the proposal with*"

Page 5, line 9, delete "*recommendations for modification of the proposal*"

Page 5, line 14, delete "*may*" and insert "*shall*"

Page 5, line 14, after "*it*" insert "*within 90 days*"

Page 5, delete lines 24 and 25

Page 5, line 26, delete "*(c)*" and reinstate the stricken language

Page 5, line 28, delete "*(d)*" and reinstate the stricken language

Page 6, line 2, after the period, insert:

"This alternative may be utilized only twice with respect to any single proposal. The area wide comprehensive health planning agency must act on any referral within 60 days."

Page 6, after line 2, insert:

"Where the staff or any committee of the state board of health makes a recommendation to the state board of health contrary to the recommendation of the area wide comprehensive health planning agency, the recommendation must be forwarded to all parties known to be interested in the proposal involved, and to the appropriate area wide comprehensive health planning agency at least 10 days prior to any state board of health action on the proposal. An opportunity must be given to interested parties and to the appropriate areawide comprehensive health planning agency to appear before the board to comment on the recommendation made by the staff or committee."

Page 6, line 7, after the period, insert:

"If the decision of the state board of health is adverse to the applicant, the state board of health shall prepare and serve a written opinion setting forth in detail the reasons for its decision and shall serve the opinion on the applicant and inform the applicant that it has exhausted its administrative remedies."

Page 6, line 13, after the period, insert:

"Upon a showing of good cause, a certificate may be renewed once for a period not to exceed six months."

Page 6, line 13, after "*which*" insert "*has been renewed once and*"

Page 7, line 6, after "*application*" insert "*to district court*"

Page 7, line 7, after the period, insert "*For the purposes of this section, the decision of the state board of health shall be deemed a*

decision by an agency on a contested case as defined in Minnesota Statutes, Chapter 15."

Page 7, line 9, after the period, insert:

"This act shall not apply to any application for a certificate of need submitted prior to the effective date of this act."

Mr. Kirchner moved to amend S. F. No. 3354 as follows:

Pages 6 and 7, strike all of section 7 and strike Mr. Milton's amendment to section 7

Renumber the sections in sequence

Further, amend the title as follows:

Line 6, strike "; and" and insert a period

Strike line 7

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Olson, J. L.	Sillers
Ashbach	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bang	Hanson, R.	Krieger	Patton	Thorup
Berg	Jensen	Larson	Pillsbury	Ueland
Bernhagen	Josefson	McCutcheon	Purfeerst	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative were:

Borden	Doty	Kleinbaum	North	Solon
Chenoweth	Gearty	Knutson	Novak	Spear
Coleman	Hughes	Laufenburger	Olhoft	Stokowski
Conzemius	Humphrey	Lewis	Perpich, A. J.	Tennessee
Davies	Keefe, S.	Milton	Perpich, G.	Wegener

The motion prevailed. So the amendment was adopted.

The question recurred on the Milton amendment. The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S. F. No. 3354 as follows:

Page 2, line 2, strike "*change*" and insert in lieu thereof "*up-grade*"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend S. F. No. 3354 as follows:

Page 3, line 20, after "*the*" insert "*present*"

The motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend his amendment to S. F. No. 3354 as follows:

In the language added to page 6, line 7, after the period, second line, after "*prepare*" strike "*and serve*" and in the fourth line, strike "*serve the opinion on*" and insert "*mail the opinion to*"

The motion prevailed. So the amendment was adopted.

Mr. Milton then moved to amend S. F. No. 3354 as follows:

Page 1, line 17, after "*facility*" insert a comma

Page 1, line 18, after "*facility*" insert a comma

The motion prevailed. So the amendment was adopted.

The question being taken on the committee recommendation to pass S. F. No. 3354,

And the roll being called, there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kirchner	North	Solon
Borden	Gearty	Kleinbaum	Novak	Spear
Chmielewski	Hughes	Lewis	Olson, H. D.	Stokowski
Coleman	Humphrey	Milton	Perpich, A. J.	Tennessee
Conzemius	Keefe, S.	Moe	Perpich, G.	Willet

Those who voted in the negative were:

Anderson	Fitzsimons	Knutson	Olson, J. L.	Sillers
Ashbach	Frederick	Kowalczyk	O'Neill	Stassen
Bang	Hansen, Baldy	Krieger	Patton	Ueland
Berg	Hansen, Mel	Larson	Pillsbury	
Bernhagen	Hanson, R.	Laufenburger	Purfeerst	
Brown	Jensen	Nelson	Renneke	
Dunn	Josefson	Ogdahl	Schrom	

The motion did not prevail. The committee then progressed S. F. No. 3354.

S. F. No. 2003 which the committee reports progress, subject to the following motion:

Mr. Kirchner moved to amend S. F. No. 2003 as follows:

Page 2, line 9, strike "*withhold*" and re-insert "*reserve*"

The motion prevailed. So the amendment was adopted.

S. F. No. 3193, which the committee recommends to pass with the following amendment offered by Mr. Gearty:

Page 8, strike lines 23 to 28

Page 9, strike lines 1 to 3

Renumber the remaining sections

Further, amend the title as follows:

Page 1, line 12, strike "*sections*" and insert "*a section*"

S. F. No. 1704, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 21, strike "*and that*" and insert a semicolon

Page 1, line 23, after "*year*" insert "*and*"

S. F. No. 2747, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 1, line 13, strike the comma

Page 1, line 14, strike "*determining*,"

Page 1, strike line 31

Page 2, line 1, strike "(g)" and insert "(f)"

Page 2, line 3, strike "(h)" and insert "(g)"

Page 2, line 4, strike "(i)" and insert "(h)"

Page 2, line 5, strike "(j)" and insert "(i)"

Page 2, line 8, strike "(k)" and insert "(j)"

Page 2, line 15, strike the comma and insert "and"

Page 2, line 15, strike "and determined"

Page 2, line 22, after "any" insert ", or culture"

Page 3, line 5, strike the entire line after "(f)" and insert "*The cultural background of the child*;"

S. F. No. 2994, which the committee recommends to pass with the following amendments offered by Messrs. Hughes and Olson, J. L.:

Mr. Hughes moved to amend S. F. No. 2994 as follows:

Page 1, line 27, after "pupils" insert "or for area vocational-technical institutes"

Page 5, line 1, after "board" insert "approves or"

Page 5, line 16, after "priority" insert "in scheduling" and further strike "to" and insert "of"

Page 6, strike lines 17 through 21, and renumber the sections accordingly

Page 6, line 23, strike "July 1, 1974" and insert "January 1, 1975"

Mr. Olson, J. L. moved to amend the Hughes amendment to S. F. No. 2994 as follows:

In the Hughes amendment to page 6, line 23, strike "January 1, 1975" and insert "July 1, 1975"

S. F. No. 3080, which the committee recommends to pass with the following amendment offered by Mr. Brown:

Page 2, line 10, strike "*the*" and insert "*any*"

Page 2, line 11, strike "*reformatory for men*" and insert "*correctional institution*"

Page 2, line 14, strike "*reformatory for men*" and insert "*state correctional institution*"

S. F. No. 3388, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 11, strike "*occurring*" and insert "*occurs*"

S. F. No. 3196, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Amend the title as follows:

Page 1, line 3, strike "commission" and insert "taxing district"

Page 1, lines 4 and 5, strike "of the metropolitan transit taxing district" and insert "as existing on October 31, 1973"

S. F. No. 2110 which the committee reports progress, subject to the following motions:

Mr. Milton moved to amend S. F. No. 2110 as follows:

Page 1, line 22, strike "purpose" and insert in lieu thereof "purposes"

Page 2, line 6, after "shall" insert ", after public hearings,"

Further, amend the title as follows:

Page 1, line 2, strike "natural resources" and insert "metropolitan government"

Page 1, line 5, before the period, insert "; providing for adoption of ordinances therefor"

The motion prevailed. So the amendment was adopted.

Mr. Milton then moved to amend S. F. No. 2110 as follows:

Page 1, line 30, strike "having planning and" and insert a period

Page 2, strike lines 1 and 2

The motion prevailed. So the amendment was adopted.

Mr. Milton then moved to amend S. F. No. 2110 as follows:

Page 3, line 3, strike "minimum"

The motion prevailed. So the amendment was adopted.

Mr. Hansen, Mel moved to amend S. F. No. 2110 as follows:

Page 4, line 21, delete "may" and insert "shall"

The motion prevailed. So the amendment was adopted.

Th committee then progressed S. F. No. 2110.

And then, on motion of Mr. North, 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 9:00 o'clock a.m., Tuesday, March 12, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED THIRD DAY

St. Paul, Minnesota, Tuesday, March 12, 1974.

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	Fitzsimons	Knutson	Olson, H. D.	Spear
Arnold	Frederick	Kowalczyk	Olson, J. L.	Stassen
Berg	Gearty	Krieger	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Larson	Perpich, A. J.	Tennessee
Borden	Hansen, R.	Lewis	Perpich, G.	Thorup
Chenoweth	Hughes	McCutcheon	Pillsbury	Ueland
Coleman	Humphrey	Milton	Purfeerst	Wegener
Conzemius	Josefson	North	Renneke	Willet
Davies	Keefe, S.	Ogdahl	Schaaf	
Doty	Kleinbaum	Olson, A. G.	Sillers	

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	Schrom
Arnold	Dunn	Kleinbaum	Olhoff	Sillers
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Kowalczyk	Olson, H. D.	Spear
Berg	Gearty	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Borden	Hansen, Mel	Laufenburger	Patton	Tennessee
Brown	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet
Conzemius	Keefe, J.	North	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Blatz and Lord were excused from the Session of today. Messrs. Brown, Nelson and Jensen were excused from the early part of today's Session. Mr. Kirchner was excused from the Session

of today until 10:30 o'clock a.m. Mr. Willet was excused from the Session of today, beginning at 10:00 o'clock a.m.

INTRODUCTION OF BILLS

Mr. Ogdahl introduced—

S. F. No. 3562: A bill for an act relating to the city of Minneapolis; purchase of retirement credit by certain former elected officials.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Hansen, Baldy introduced—

S. F. No. 3563: A bill for an act relating to the policemen's relief association and the firemen's relief association in the city of Albert Lea, and membership in the public employees police and fire fund.

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. 1902, 2568, 2607, 3169, 3426, 2450, 2781, 2949, 2951, 2972, 3249, 3389, 1865, 2953 and 3432.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 11, 1974

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. 1282: A bill for an act relating to taxation; exempt property; providing that property exempt from taxation shall be taxed in full for the year in which it is sold or otherwise loses its exempt status; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

Senate File No. 1282 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 11, 1974

Mr. Perpich, A. J. moved that S. F. No. 1282 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2498: A bill for an act relating to the city of Hibbing; taxation; levy for library purposes.

Senate File No. 2498 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1974

Mr. Perpich, G. moved that S. F. No. 2498 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1558: A bill for an act appropriating money to the state department of education for deficiencies in special education for the handicapped reimbursement aids.

Senate File No. 1558 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1974

CONCURRENCE AND REPASSAGE

Mr. Hughes moved that the Senate do now concur in the amendments by the House to S. F. No. 1558 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1558 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	Doty	Kleinbaum	Olson, A. G.	Sillers
Arnold	Fitzsimons	Knutson	Olson, H. D.	Solon
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Spear
Bang	Gearty	Krieger	O'Neill	Stassen
Berg	Hansen, Baldy	Larson	Patton	Stokowski
Bernhagen	Hansen, Mel	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hanson, R.	Milton	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Pillsbury	Ueland
Chmielewski	Humphrey	North	Purfeerst	Willet
Coleman	Josefson	Novak	Renneke	
Conzeman	Keefe, J.	Ogdahl	Schaaf	
Davies	Keefe, S.	Olhoft	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

H. F. No. 1839: A bill for an act relating to workmen's 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "1971" and insert ", 1973 Supplement"

Page 1, line 4, strike "commission" and insert "division"

Page 1, line 8, strike "commission" and insert "division"

Page 1, line 10, strike "~~commission~~" and insert "division"

Page 2, strike lines 20 through 26

Page 2, line 27, strike "1971" and insert ", 1973 Supplement"

Page 2, line 33, strike "\$73" and insert "\$100"

Page 3, line 1, after "for" insert "his or her"

Page 3, line 6, strike "1971" and insert ", 1973 Supplement"

Page 3, line 12, strike "\$73" and insert "\$100"

Page 5, after line 21 insert

"(39) For head injuries resulting in permanent partial disability, 66 $\frac{2}{3}$ percent of the daily wage at the time of injury for that proportion of 500 weeks 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;

(40) For permanent partial disability resulting from injury to any internal organ, including the heart, 66 $\frac{2}{3}$ percent of the daily wage at time of injury for that proportion of 500 weeks 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 5, line 22, strike "39" and insert "41"

Page 5, line 25, after "as the" insert "compensation judge or the"

Page 5, line 25, after "commission" insert "in cases on appeal"

Page 5, line 26, strike "40" and insert "42"

Page 5, line 30, strike "41" and insert "43"

Page 5, line 35, strike "42" and insert "44"

Page 6, line 11, strike "43" and insert "45"

Page 6, line 15, strike "44" and insert "46"

Page 6, line 21, strike "45" and insert "47"

Page 6, line 21, after "The" and before "commission" insert "commissioner of the department of labor and industry with the"

Page 6, line 25, strike "46" and insert "48"

Page 6, line 31, strike "47" and insert "49"

Page 6, line 34, strike "\$73" and insert "\$100"

Page 7, delete lines 5 and 6 and insert:

"at a hearing before a compensation judge, or the commission in cases upon appeal the employee shall be paid at his or her maximum rate of compensation for total disability."

Page 7, strike lines 14 through 36

Page 8, strike lines 1 through 28

Renumber sections accordingly

Amend the title as follows:

In the third line strike "176.021, Subdivision 3; 176.041, Subdivision 3;"

In the 3rd and 4th lines after "176.101," strike "Subdivisions 2, 3, and" and insert "Subdivision"

In the 4th line strike "176.662;"

In the 4th line, after "section;" insert "and Minnesota Statutes, 1973 Supplement, Sections 176.021, Subdivision 3; and 176.101, Subdivisions 2 and 3;"

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. 2163: A bill for an act relating to register of deeds; fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

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. 2191: A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 13, strike "*public examiner*" and insert "*legislative auditor*"

Page 2, line 13, strike "*taxation*" and insert "*revenue*"

Page 2, line 17, strike "*and shall implement the plan*"

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. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 24, strike "*an office of*" and insert in lieu thereof "*the position of special assistant for*"

Page 2, line 25, strike "*. This office*" and insert in lieu thereof "*and an assistant to that position.*"

Page 2, strike line 26 and insert in lieu thereof "*The special assistant position shall be filled by a native American who shall be responsible*"

Page 2, line 27, strike "*associate director*"

Page 3, strike line 2 and insert in lieu thereof "*(a) With the approval of the director, administer funds appropriated for*"

Page 3, line 6, strike "*the office*" and insert in lieu thereof "*such native American programs*"

Page 3, line 8, strike the period and insert in lieu thereof "*, and the native American advisory board.*"

Page 3, strike lines 9 through 13 and insert in lieu thereof the following:

"Sec. 2. The sum of \$35,000 or as much of that sum as may be necessary may be expended from the funds appropriated by Laws 1973, Chapter 765, Section 5, Subdivisions 1 and 2, and Laws 1973, Chapter 765, Section 2, Subdivisions 1 and 2, for the office of native American programs within the alcohol and drug abuse section of the department of public welfare."

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. 2588: A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, after "Section 1." strike the remainder of the line and insert "Minnesota Statutes, 1973 Supplement, Section 352E.01, Subdivision 2, is amended to read:"

Further, amend the title as follows:

Line 8, strike "Laws 1973, Chapter 248, Section 1" and insert "Minnesota Statutes, 1973 Supplement, Section 352E.01"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 2669: A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 4, after "or" insert "state"

Page 3, line 21, strike "2" and insert in lieu thereof "3"

Page 3, line 27, after the dollar sign insert "100,000"

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. 2670: A bill for an act relating to economic development; restrictions upon public relations expenditures by the department of economic development; amending Laws 1973, Chapter 720, Section 31, Subdivision 2.

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. 3398: A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

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. 2161: A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 22, strike "*and*" and insert "*or*"

Page 1, line 31, strike "*or*" and insert "*for*"

Page 2, line 20, strike "*other mobile home installation code*" and insert "*support system or ground anchoring system standards*"

Page 2, line 21, strike "*a code*" and insert "*those adopted and*"

Page 4, line 9, after "*in*" insert "*the*"

Page 4, line 23, after "*in*" insert "*or connect to*"

Page 8, line 20, after "*home*" strike "*, or*"

Page 8, line 21, strike line 21 and insert "*he proposes to deal in.*"

Page 8, strike lines 22 through 28

Page 9, strike lines 1 through 6

Page 12, strike lines 15 and 16 and insert in lieu thereof:

"Sec. 12. Except as otherwise specifically provided, the effective date of this act is January 1, 1975."

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. 974: A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42;

326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 3, line 6, strike "21" and insert "18"

Page 5, line 25, strike "21" and insert "18"

Page 12, line 9, strike "1974" and insert "1975"

Further, amend the title as follows:

Line 3, strike "144.60;"

Line 3, strike "149.03;"

Line 5, before the period insert "and Minnesota Statutes, 1973 Supplement, Sections 144.60 and 149.03"

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2964, 2669, 2670, 3398 and 2161 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1839, 2163, 2191, 2588 and 974 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. Ashbach be added as co-author to S. F. No. 3308. The motion prevailed.

Mr. North moved that S. F. No. 3552 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Kleinbaum moved that S. F. No. 1788 be recalled from the House of Representatives for further consideration by the Senate. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. No. 2144, S. F. No. 2748 and S. F. No. 3088. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Was read the third time 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	Frederick	Kowalczyk	Olson, A. G.	Sillers
Arnold	Gearty	Krieger	Olson, H. D.	Solon
Bang	Hansen, Baldy	Lewis	Olson, J. L.	Spear
Berg	Hanson, R.	McCutcheon	O'Neill	Stassen
Bernhagen	Hughes	Milton	Patton	Stokowski
Borden	Humphrey	Moe	Perpich, A. J.	Tennessee
Chmielewski	Josefson	North	Pillsbury	Ueland
Coleman	Keefe, J.	Novak	Purfeerst	Wegener
Davies	Keefe, S.	Ogdahl	Renneke	Willet
Doty	Knutson	Olhoft	Schrom	

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2635: A bill for an act relating to courts; allowing clerks of the district county courts to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Sections 357.021, by adding a subdivision; and 487.31 by adding a subdivision.

With the unanimous consent of the Senate, Mr. Krieger moved to amend S. F. No. 2635 as follows:

Amend the title in line 3, after "district" by inserting "and"

The motion prevailed. So the amendment was adopted.

S. F. No. 2635: A bill for an act relating to courts; allowing clerks of the district and county courts to accept advance deposits to discharge fees; amending Minnesota Statutes 1971, Sections 357.021, by adding a subdivision; and 487.31 by adding a subdivision.

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 7, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Ogdahl	Renneke
Arnold	Dunn	Kowalczyk	Olhoft	Schaaf
Bang	Fitzsimons	Krieger	Olson, A. G.	Solon
Berg	Gearty	Larson	Olson, J. L.	Spear
Bernhagen	Hanson, R.	Lewis	O'Neill	Stassen
Borden	Hughes	McCutcheon	Patton	Stokowski
Chenoweth	Humphrey	Milton	Perpich, A. J.	Tennessee
Coleman	Keefe, J.	Moe	Perpich, G.	Thorup
Conzemius	Keefe, S.	North	Pillsbury	Ueland
Davies	Kleinbaum	Novak	Purfeerst	Wegener

Those who voted in the negative were:

Chmielewski	Hansen, Baldy	Olson, H. D.	Schrom	Willet
Frederick	Josefson			

So the bill, as amended, passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 3121: A bill for an act relating to intoxicating liquor; redefining the term "restaurant"; amending Minnesota Statutes 1971, Section 340.07, Subdivision 14.

Was read the third time 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olson, A. G.	Spear
Arnold	Davies	Kleinbaum	O'Neill	Stassen
Ashbach	Fitzsimons	Krieger	Perpich, A. J.	Stokowski
Bang	Gearty	Lewis	Perpich, G.	Tennessee
Berg	Hansen, Baldy	McCutcheon	Pillsbury	Thorup
Borden	Hanson, R.	Milton	Purfeerst	Ueland
Chenoweth	Hughes	Moe	Schaaf	Wegener
Chmielewski	Humphrey	North	Sillers	
Coleman	Keefe, J.	Ogdahl	Solon	

Those who voted in the negative were:

Bernhagen	Frederick	Kowalczyk	Olson, H. D.	Renneke
Doty	Hansen, Mel	Larson	Olson, J. L.	Schrom
Dunn	Josefson	Olhoft	Patton	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 waive the lie-over requirement on Senate Files on the Senate Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS—CONTINUED

S. F. No. 2747: A bill for an act relating to children; requiring the court to consider the best interest of the child in any proceeding to establish custody; amending Minnesota Statutes 1971, Chapter 257, by adding a section; and Section 518.17.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Schaaf
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Sillers
Bang	Frederick	Kowalczyk	Olson, H. D.	Solon
Berg	Gearty	Krieger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Josefson	North	Purfeerst	Wegener
Davies	Keefe, J.	Novak	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 2850: A bill for an act relating to St. Louis county; authorizing issuance of seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

Was read the third time 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	Dunn	Knutson	O'Neill	Spear
Arnold	Fitzsimons	Krieger	Patton	Stassen
Ashbach	Frederick	Larson	Perpich, A. J.	Stokowski
Bang	Gearty	Lewis	Perpich, G.	Tennessee
Berg	Hansen, Baldy	McCutcheon	Pillsbury	Thorup
Borden	Hansen, Mel	Milton	Purfeerst	Ueland
Chenoweth	Hanson, R.	Moe	Renneke	Wegener
Chmielewski	Hughes	North	Schaaf	Willet
Coleman	Humphrey	Ogdahl	Schrom	
Conzemius	Keefe, J.	Olson, A. G.	Sillers	
Davies	Kleinbaum	Olson, H. D.	Solon	

Those who voted in the negative were:

Bernhagen	Josefson	Novak	Olhoft	Olson, J. L.
Doty				

So the bill passed and its title was agreed to.

S. F. No. 3212: A bill for an act relating to game and fish; eligibility for free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivision 8.

Was read the third time 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.	Ogdahl	Schaaf
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Sillers
Bang	Frederick	Krieger	Olson, H. D.	Solon
Berg	Gearty	Larson	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Josefson	North	Purfeerst	Willet
Davies	Keefe, J.	Novak	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2898: A bill for an act relating to game and fish; bow and arrow deer seasons; amending Minnesota Statutes 1971, Section 100.27, Subdivision 2, as amended.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Schaaf
Arnold	Dunn	Kleinbaum	Olhoff	Schrom
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Sillers
Bang	Frederick	Krieger	Olson, H. D.	Solon
Berg	Gearty	Larson	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stassen
Borden	Hansen, Mel	Lewis	Patton	Stokowski
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessee
Chmielewski	Hughes	Milton	Perpich, G.	Thorup
Coleman	Humphrey	Moe	Pillsbury	Ueland
Conzemius	Josefson	North	Purfeerst	Wegener
Davies	Keefe, J.	Novak	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 3193: A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding a section; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Renneke
Arnold	Dunn	Kleinbaum	Ogdahl	Schaaf
Ashbach	Fitzsimons	Knutson	Olhoff	Sillers
Bang	Frederick	Kowalczyk	Olson, A. G.	Solon
Berg	Gearty	Krieger	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Chenoweth	Hanson, R.	Lewis	Patton	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	North	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 1704: A bill for an act relating to education; providing for the appointment of six citizens to the board of directors of the Minnesota high school league; requiring open league meetings and financial reporting; amending Minnesota Statutes, 1973 Supplement, Section 129.121, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Schaaf
Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Fitzsimons	Knutson	Olhoft	Sillers
Bang	Frederick	Kowalczyk	Olson, H. D.	Solon
Berg	Gearty	Krieger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stassen
Borden	Hansen, Mel	Laufenburger	Patton	Stokowski
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Davies	Keefe, J.	North	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 2994: A bill for an act relating to education; buildings; certificates of need; providing for the economical joint use of school and other public buildings.

Was read the third time 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 21, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lewis	Perpich, G.	Stokowski
Arnold	Hughes	McCutcheon	Pillsbury	Tennessee
Chenoweth	Humphrey	Milton	Purfeerst	Thorup
Chmielewski	Keefe, J.	North	Schaaf	Ueland
Coleman	Keefe, S.	Novak	Sillers	Wegener
Davies	Kleinbaum	Olson, J. L.	Solon	Willet
Doty	Larson	O'Neill	Spear	
Gearty	Laufenburger	Perpich, A. J.	Stassen	

Those who voted in the negative were:

Berg	Fitzsimons	Knutson	Olhoft	Schrom
Bernhagen	Frederick	Kowalczyk	Olson, A. G.	
Borden	Hansen, Baldy	Krieger	Olson, H. D.	
Conzemius	Hanson, R.	Moe	Patton	
Dunn	Josefson	Ogdahl	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2477: A bill for an act adding a new route to the trunk highway system.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 11, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Olson, H. D.	Sillers
Arnold	Doty	Knutson	Olson, J. L.	Solon
Ashbach	Dunn	Lewis	O'Neill	Spear
Bang	Fitzsimons	McCutcheon	Patton	Stassen
Berg	Gearty	Milton	Perpich, A. J.	Stokowski
Bernhagen	Hanson, R.	Moe	Perpich, G.	Thorup
Borden	Hughes	North	Pillsbury	Ueland
Chmielewski	Humphrey	Novak	Purfeerst	Wegener
Coleman	Keefe, J.	Ogdahl	Renneke	Willet
Conzemiuss	Keefe, S.	Olson, A. G.	Schaaf	

Those who voted in the negative were:

Chenoweth	Hansen, Mel	Krieger	Laufenburger	Schrom
Frederick	Josefson	Larson	Olhoft	Tennessee
Hansen, Baldy				

So the bill passed and its title was agreed to.

S. F. No. 3408: A bill for an act relating to elections; providing for the single joint vote for the governor and lieutenant governor; amending Minnesota Statutes, 1973 Supplement, Section 206.07, Subdivision 1; and Minnesota Statutes 1971, Section 206.07, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Novak	Renneke
Arnold	Dunn	Kleinbaum	Ogdahl	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
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Chenoweth	Hanson, R.	Lewis	Patton	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Ueland
Conzemiuss	Keefe, J.	Moe	Pillsbury	Wegener
Davies		North	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 1823: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1971, Section 169.14, Subdivision 5, and by adding a subdivision.

Was read the third time 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	Kleinbaum	Ogdahl	Schrom
Arnold	Dunn	Knutson	Olhoft	Sillers
Ashbach	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Bang	Frederick	Krieger	Olson, H. D.	Spear
Berg	Gearty	Larson	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Borden	Hansen, Mel	Lewis	Patton	Tennessee
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Hughes	Milton	Perpich, G.	Ueland
Coleman	Humphrey	Moe	Pillsbury	Wegener
Conzemius	Keefe, J.	North	Purfeerst	Willet
Davies	Keefe, S.	Novak	Renneke	

Mr. Josefson voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1888: A bill for an act relating to adoption; providing for appointment of guardian ad litem and attorney for child.

Was read the third time 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	Fitzsimons	Knutson	Olhoft	Sillers
Arnold	Frederick	Kowalczyk	Olson, A. G.	Solon
Ashbach	Gearty	Krieger	Olson, H. D.	Spear
Bang	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Berg	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Bernhagen	Hanson, R.	Lewis	Patton	Tennessee
Borden	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Ueland
Chmielewski	Josefson	Moe	Pillsbury	Wegener
Conzemius	Keefe, J.	North	Purfeerst	Willet
Doty	Keefe, S.	Novak	Renneke	
Dunn	Kleinbaum	Ogdahl	Schrom	

Mr. Coleman voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2042: A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Borden	Davies	Gearty	Humphrey
Ashbach	Chenoweth	Doty	Hansen, Baldy	Josefson
Bang	Chmielewski	Dunn	Hansen, Mel	Keefe, J.
Berg	Coleman	Fitzsimons	Hanson, R.	Keefe, S.
Bernhagen	Conzemius	Frederick	Hughes	Kirchner

Kleinbaum	McCutcheon	Olson, A. G.	Pillsbury	Stassen
Knutson	Milton	Olson, H. D.	Purfeerst	Stokowski
Kowalczyk	Moe	Olson, J. L.	Renneke	Tennessee
Krieger	North	O'Neill	Schrom	Thorup
Larson	Novak	Patton	Sillers	Ueland
Laufenburger	Ogdahl	Perpich, A. J.	Solon	Wegener
Lewis	Olhoff	Perpich, G.	Spear	Willet

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

H. F. No. 3264: A bill for an act relating to taxes on and measured by net income; credits against tax; amending Minnesota Statutes 1971, Section 290.0601, Subdivision 9, as amended.

Was read the third time 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	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
Bernhagen	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessee
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Moe	Pillsbury	Wegener
Conzemius	Keefe, J.	North	Purfeerst	Willet
Doty	Keefe, S.	Novak	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 revert to the Order of Business of Motions and Resolutions. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3233, No. 53 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3233: A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids and inheritance tax distributions; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

Was read the third time 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	Schrom
Arnold	Dunn	Kleinbaum	Olson, A. G.	Sillers
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Solon
Bang	Frederick	Kowalczyk	Olson, J. L.	Stassen
Berg	Gearty	Krieger	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Larson	Patton	Tennessee
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	Lewis	Perpich, G.	Ueland
Chmielewski	Hughes	McCutcheon	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Novak	Renneke	
Davies	Keefe, S.	Ogdahl	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated S. F. No. 428, No. 91 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Perpich, A. J. moved to amend S. F. No. 428 as follows:

Page 1, after line 29, add a new section 2 to read as follows:

“Sec. 2. [EFFECTIVE DATE.] This act shall apply to all taxes payable after December 31, 1974.”

The motion prevailed. So the amendment was adopted.

S. F. No. 428 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	Doty	Keefe, S.	Novak	Schaaf
Arnold	Dunn	Kleinbaum	Olhoft	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Sillers
Berg	Frederick	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Gearty	Krieger	Olson, J. L.	Spear
Borden	Hansen, Baldy	Larson	O'Neill	Stassen
Brown	Hansen, Mel	Laufenburger	Patton	Stokowski
Chenoweth	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chmielewski	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Davies	Keefe, J.	North	Renneke	Willet

So the bill, as amended, passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. McCutcheon in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. McCutcheon reported that the committee had considered S. F. Nos. 3008, 3297, 2832, 3428 which the committee recommends to pass.

S. F. No. 2853, which the committee recommends to pass with the following amendment offered by Mr. Dunn:

Page 1, line 23, after "drinks" insert "in non-returnable containers"

Further, amend the title as follows:

Line 5, after "for" insert "certain"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 36 and nays 19, as follows:

Those who voted in the affirmative were:

Berg	Fitzsimons	Kirchner	Ogdahl	Renneke
Bernhagen	Frederick	Knutson	Olhoft	Schaaf
Borden	Hansen, Mel	Kowalczyk	Olson, A. G.	Sillers
Brown	Hanson, R.	Krieger	Olson, H. D.	Spear
Chenoweth	Humphrey	Larson	Olson, J. L.	
Conzemius	Josefson	Lewis	O'Neill	
Doty	Keefe, J.	Moe	Patton	
Dunn	Keefe, S.	North	Pillsbury	

Those who voted in the negative were:

Arnold	Gearty	McCutcheon	Perpich, G.	Ueland
Chmielewski	Hansen, Baldy	Milton	Schrom	Wegener
Coleman	Hughes	Novak	Tennessee	Willet
Davies	Kleinbaum	Perpich, A. J.	Thorup	

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend S. F. No. 2853 as follows:

Page 1, strike lines 22 to 24

Further, amend the title as follows:

Page 1, lines 4 and 5, strike "repealing sales tax exemption for carbonated soft drinks,"

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 affirmative were:

Ashbach	Frederick	Kirchner	Olson, J. L.	Renneke
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Sillers
Brown	Hanson, R.	Krieger	Patton	Stassen
Fitzsimons	Keefe, J.	Ogdahl	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Novak	Solon
Arnold	Dunn	Larson	Olhoff	Spear
Borden	Gearty	Laufenburger	Olson, A. G.	Stokowski
Chenoweth	Hansen, Mel	Lewis	Olson, H. D.	Tennesen
Chmielewski	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Purfeerst	
Davies	Keefe, S.	North	Schaaf	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 3422, which the committee recommends to pass with the following amendment offered by Mr. North:

Page 1, line 19, after "the" insert "same in one or more series in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required."

Page 1, strike lines 20 to 25

S. F. No. 3120, which the committee recommends to pass with the following amendment offered by Mr. McCutcheon:

Page 1, line 12, after "Washington." and before "The" insert "Based on the report entitled "Engineering Study of the Battle Creek Drainage Area for the Joint Exercise of Powers Agreement" prepared by Eugene A. Hickok and Associates and dated June 8, 1973,"

S. F. No. 3059, which the committee recommends to pass with the following amendments offered by Messrs. Stokowski and Hansen, Mel:

Mr. Stokowski moved to amend S. F. No. 3059, as follows:

Page 1, line 15, strike "*or in any county having a population of*"

Page 1, line 16, strike "*350,000 or more,*"

Page 1, line 16, strike the comma and insert "*. In the counties of Hennepin and Ramsey the commissioners shall*"

Page 1, line 17, strike the first "*to*"

Further amend the title as follows:

Line 2, strike "county boards" and insert "the counties of Hennepin and Ramsey"

Line 3, strike "in counties" and insert "; providing for redistricting commissions;

Strike line 4

Mr. Stokowski moved to amend S. F. No. 3059 as follows:

Page 2, line 22, strike "Sec. 2." and insert "Subd. 4."

Underline lines 22 to 28

Page 2, after line 28, add a section to read:

"Sec. 2. [REPEALER.] Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended by Laws 1971, Chapter 386; and Laws 1963, Chapter 789 are repealed."

Amend the title in line 6, before the period, by inserting "; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789"

Mr. Stokowski moved to amend S. F. No. 3059 as follows:

Page 1, line 20, strike "15" and insert "30"

Page 2, line 6, strike "45" and insert "90"

Page 2, line 21, strike "1974" and insert "1976"

Page 2, line 24, strike "1974" and insert "1976"

Page 3, line 1, before "This" insert "Section 2 of"

Page 3, line 1, strike "the day following" and insert "November 1, 1976."

Page 3, strike line 2

Mr. Hansen, Mel moved to amend S. F. No. 3059 as follows:

Page 1, line 22, strike "*nonpartisan*"

Page 1, line 22, after "*commission*" insert "*on a bipartisan or nonpartisan basis*"

And then, on motion of Mr. Keefe, S., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to revert to the Order of Business of Messages from the House, First Reading of House Bills, Reports of Committees and Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 798, 2918, 3033, 3434, 3535, 21, 858, 2848, 3129, 3287, 993, 2639, 2773, 2967, 3232, 1498, 2990, 3027, 3319, 3395, 1995, 2963, 3104, 3335, 3400, 3032, 3190, 1634, 2608, 2872, 3399 and 3544.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 11, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1866:

H. F. No. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Samuelson, Resner and McCauley have been appointed as such committee on the part of the House.

House File No. 1866 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 March 11, 1974

Mr. Tennesen moved that H. F. No. 1866 be laid on the table. The motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 798: A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

H. F. No. 2918: A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

H. F. No. 3033: A bill for an act relating to natural gas pipeline safety; modifying the definition of the term "gas"; changing the procedure by which civil penalties may be imposed for violations of the natural gas pipeline safety act; providing for fire marshal regulations thereunder; granting certain powers to the state fire marshal in regard to civil penalties for violations; imposing penalties; amending Minnesota Statutes 1971, Sections 299F.56 and 299F.60, Subdivisions 1 and 2.

H. F. No. 3434: A bill for an act relating to insurance; governmental units; requiring that contracts for employee group insurance be let on competitive bidding; providing for the disclosure of the particulars of such policies of insurance; amending Minnesota Statutes, 1973 Supplement, Section 471.616, Subdivision 1.

H. F. No. 3535: A bill for an act relating to state employees; including trainees among employees eligible for life and health benefit coverage; amending Minnesota Statutes, 1973 Supplement, Section 43.43; and Minnesota Statutes 1971, Section 43.47.

H. F. No. 21: A bill for an act relating to juries; affording witnesses at grand jury hearings the right to counsel.

H. F. No. 858: A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; and 360.014.

H. F. No. 2848: A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

H. F. No. 3129: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

H. F. No. 3287: A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

H. F. No. 993: A bill for an act relating to special assessments; assessment against governmental units; amending Minnesota Statutes 1971, Section 435.19.

H. F. No. 2639: A bill for an act relating to taconite and semi-taconite companies; restricting the right of taconite and semi-taconite companies to exercise the power of eminent domain; amending Minnesota Statutes 1971, Sections 117.46; and 117.461, Subdivision 1.

H. F. No. 2773: A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

H. F. No. 2967: A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

H. F. No. 3232: A bill for an act relating to taxation; property tax exempt property; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

H. F. No. 1498: A bill for an act providing for the authorization of personalized license plates for passenger automobiles and the imposition of fees therefor; and appropriating money.

H. F. No. 2990: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

H. F. No. 3027: A bill for an act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 1; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

H. F. No. 3319: A bill for an act relating to courts; county courts; clerks fees; disposition of fines, fees and other money; amending Minnesota Statutes, 1973 Supplement, Section 487.31, Subdivisions 1, 2, and 3; Minnesota Statutes 1971, Sections 487.31, Subdivision 4; and 487.33, Subdivision 1; repealing Minnesota Statutes 1971, Section 487.33, Subdivision 2.

H. F. No. 3395: A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

H. F. No. 1995: A bill for an act relating to state colleges; permitting the state college board to designate certain colleges as state universities.

H. F. No. 2963: A resolution memorializing the President and Congress to abolish daylight savings time in Minnesota during the winter months.

H. F. No. 3104: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in certain statutes; amending Minnesota Statutes 1971, Sections 3A.02, Subdivision 1, as amended; 43.30; 88.11, Subdivision 1; 144.06; 144.201, Subdivision 2; 144.203; 178.08; 246.53; 315.40; 317.66, Subdivision 1; 323.06; 323.24; 352B.26, Subdivision 3, as amended; 352B.28, as added; 352C.04, Subdivisions 1 and 2; 352C.05; 352C.06; 352C.07; 356.20, Subdivision 4; 356.21, Subdivision 4 and Subdivision 5, as amended; 358.14; 387.15; 387.16; 393.01, Subdivisions 2, as amended, and 7; 423.34; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.809, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; 459.16; 490.102, Subdivision 6; 490.105; 510.06; 517.07; 518.15; 519.01; 525.05; 525.082; 525.14; 525.60, Subdivision 1, as amended; 540.08; 540.09; 548.06; 550.37, Subdivision 10; 558.28; 576.08; 617.22; 624.61; 629.55; 631.09; 631.412; 641.06; 641.14; repealing Minnesota Statutes 1971, Section 352C.02, Subdivision 3.

H. F. No. 3335: A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

H. F. No. 3400: A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; and highway patrolmen retirement; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; and 352D.02, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

H. F. No. 3032: A bill for an act relating to the department of human rights; providing that no bids be accepted or contracts be awarded on public contracts until a certificate of compliance is obtained from the department of human rights or an application is made therefor; amending Minnesota Statutes 1971, Section 363.073, Subdivision 1.

H. F. No. 3190: A bill for an act relating to the metropolitan transit taxing district; establishing the outer limits as existing on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

H. F. No. 1634: A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

H. F. No. 2608: A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivision 13 and adding a subdivision.

H. F. No. 2872: A bill for an act relating to public safety; providing for emergency measures to meet disasters; vesting certain powers in the governor and executive council; amending Minnesota Statutes 1971, Section 9.061.

H. F. No. 3399: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; common carrier duties; fees for certain motor carrier certificates, registrations and permits; transfer of certain permits; inspection of commercial vehicles; enforcement; defining warehouseman and providing supervisory powers of the department of public service over warehousemen; prescribing penalties; amending Minnesota Statutes 1971, Sections 218.031, Subdivision 2; 219.39; 221.071; 221.211; 221.221; 231.01, Subdivision 5; 231.02; 231.16; Minnesota Statutes, 1973 Supplement, Sections 221.131; 221.151, Subdivision 1, and by adding a subdivision; 221.291; and 221.64; repealing Minnesota Statutes, 1973 Supplement, Section 221.191.

H. F. No. 3544: A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1634, 2608, 2872, 3399, 3544, 993, 2639, 2773, 3232, 21, 858, 3129, 3287, 798, 2918, 3033, 3434, 3535, 1995, 3104, 3335, 1498, 3027 and 3319 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. 858 and 1995 to the Committee on Finance.

H. F. No. 2872 to the Committee on Governmental Operations.

H. F. No. 3544 to the Committee on Health, Welfare and Corrections.

H. F. Nos. 1634, 2639, 21, 3287, 798, 2918, 3104 and 3319, to the Committee on Judiciary.

H. F. Nos. 2608, 3399, 3033, 3434 and 3535 to the Committee on Labor and Commerce.

H. F. No. 3027 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2773 and 3129 to the Committee on Natural Resources and Agriculture.

H. F. Nos. 993, 3232 and 3335 to the Committee on Taxes and Tax Laws.

H. F. No. 1498 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.

Mr. Coleman moved the adoption of the foregoing Committee Report. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. Nos. 1967, 1966, 2595 and 1952. The motion prevailed.

Mr. Tennessen moved that H. F. No. 1866 be taken from the table. The motion prevailed.

Mr. Tennessen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1866, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 2140 be stricken from General Orders and returned to its author. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Wednesday, March 13, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED FOURTH DAY

St. Paul, Minnesota, Wednesday, March 13, 1974.

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	Davies	Kirchner	Ogdahl	Schrom
Arnold	Doty	Kleinbaum	Olhoft	Spear
Ashbach	Dunn	Kowalczyk	Olson, A. G.	Stassen
Berg	Fitzsimons	Larson	Olson, H. D.	Stokowski
Bernhagen	Gearty	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Baldy	Lord	O'Neill	Thorup
Brown	Hansen, Mel	McCutcheon	Patton	Ueland
Chenoweth	Hughes	Milton	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Moe	Perpich, G.	Willet
Coleman	Jensen	North	Pillsbury	
Conzemius	Keefe, S.	Novak	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	Keefe, S.	North	Renneke
Arnold	Dunn	Kirchner	Novak	Schrom
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olhoft	Solon
Berg	Gearty	Krieger	Olson, A. G.	Spear
Bernhagen	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
Davies	Keefe, J.	Nelson	Purfeerst	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Blatz, Schaaf and Knutson were excused from the Session of today. Mr. Nelson was excused from the early part of

today's Session. Mr. Solon was excused from the Session of today until 10:00 o'clock a.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 26, 1974

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:

Harry Munger, 2921 North 22nd Avenue West, Duluth, St. Louis County, has been appointed by me to the Tax Court, effective February 25, 1974, for a term expiring March 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

March 6, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

David Lieberman, 4721 East Lake Harriet Boulevard, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1973, for a term expiring January 1, 1976.

Rita Keyes, 116 2nd Avenue S.W., Pipestone, Pipestone County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Andrew Haines, East First National Bank Building, St. Paul, Ramsey County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Clarence Harris, 1579 Grand View Avenue East, North St. Paul, Ramsey County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Dulcie Alfton, 1814 - 11th Avenue South, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

John Redhorse, Legal Rights Center, 808 East Franklin, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Chuck Lilligren, 1156 Andover Boulevard N.E., Anoka, Anoka County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Elizabeth Gurno, 171 Reservation Road, Cloquet, Carlton County, has been appointed by me to the State Board of Human Rights, effective March 6, 1974, for a term expiring January 1, 1977.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

March 7, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

I have received and accepted the resignation of Harry Munger from the Cable Communications Commission. Therefore, I respectfully request that his name be removed from Senate consideration.

Sincerely,
Wendell R. Anderson, Governor

Which communication was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Messrs. Nelson, Krieger and Berg introduced—

S. F. No. 3564: A bill for an act creating an office of special prosecutor in the office of the attorney general of the state of Minnesota to investigate allegations of illegal corporate campaign contributions; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Chmielewski introduced—

S. F. No. 3565: A bill for an act relating to trade regulations; prohibiting reproductions of recorded material unless done in compliance with applicable federal statutes; amending Minnesota Statutes, 1973 Supplement, Section 325.841; repealing Minnesota Statutes, 1973 Supplement, Section 325.842.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Chmielewski introduced—

S. F. No. 3566: A bill for an act relating to highways; adding

new routes to the trunk highway system; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing that such discontinued route and any eliminated portion of the route substituted for be part of the county state-aid highway system.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Stassen, Chenoweth and Moe introduced—

S. F. No. 3567: A bill for an act relating to charitable organizations; solicitation; limitations and prohibitions; amending Minnesota Statutes, 1973 Supplement, Section 309.55, Subdivision 5; and Minnesota Statutes 1971, Section 309.55, by adding a subdivision.

Which was read the first time and referred to the Committee on Judiciary.

Mr. Arnold introduced—

S. F. No. 3568: A bill for an act relating to retirement; military service credit of members of the teachers retirement fund; amending Minnesota Statutes, 1973 Supplement, Sections 354.38, Subdivisions 1 and 3; and 354.53, Subdivisions 1 and 3.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Perpich, G. and Perpich, A. J. introduced—

S. F. No. 3569: A bill for an act relating to taxation; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Section 273.02, by adding a subdivision.

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 House Files, herewith transmitted:

H. F. Nos. 2477, 2930, 3422, 3436, 3506, 3507 and 2525.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 12, 1974

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. 892, and repassed said bill in accordance with the report of the Committee, so adopted.

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. 892 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 892

A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

March 7, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 892, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments placed on H. F. No. 892 on May 7, 1973 and that H. F. No. 892 be repassed.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Jerry Knickerbocker, Gary W. Laidig, Jack LaVoy.

Senate Conferees: (Signed) Mel Frederick, John M. Patton, Roger Laufenburger.

Mr. Frederick moved that the foregoing recommendations and Conference Committee Report on H. F. No. 892 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 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.

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	Kirchner	Novak	Renneke
Arnold	Doty	Kleinbaum	Ogdahl	Schrom
Ashbach	Dunn	Kowalczyk	Olhoft	Sillers
Bang	Fitzsimons	Krieger	Olson, A. G.	Spear
Berg	Frederick	Larson	Olson, H. D.	Stassen
Bernhagen	Gearty	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Baldy	Lewis	O'Neill	Thorup
Brown	Hansen, Mel	Lord	Patton	Ueland
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Willet
Chmielewski	Hughes	Milton	Perpich, G.	
Coleman	Humphrey	Moe	Pillsbury	
Conzemius	Keefe, S.	North	Purfeerst	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

FIRST READING OF HOUSE BILLS

H. F. No. 2477: A bill for an act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities.

H. F. No. 2930: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

H. F. No. 3422: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

H. F. No. 3436: A bill for an act relating to the state building code; adopting the uniform fire code.

H. F. No. 3506: A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

H. F. No. 3507: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

H. F. No. 2525: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter

438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapter 236, 237, 238, 373, 451, 497, 523 and Extra

Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

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 S. F. No. 3109, be now adopted. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 3479: A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

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. 3210: A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 3277: A bill for an act relating to taxation; disallow-

ing certain interest costs to determine occupation tax due; amending Minnesota Statutes 1971, Section 298.03.

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. 2923: A bill for an act relating to reimbursement of nonpublic school pupil expenditures in certain cases; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

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. 2670: A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

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. 1403: A bill for an act relating to the state building code; authorizing municipalities to impose certain fire prevention standards; amending Minnesota Statutes 1971, Section 16.851.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 3109: A bill for an act relating to the capitol area architectural and planning commission, redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1 and 2, and by adding a subdivision; 16.02, Subdivisions 5, 6, 9, 10, 14, and 25; 16.025, Subdivision 1; 16.22; 16.23; 16.25; 16.32, by adding a subdivision; 16.72, by adding a subdivision; 16.82, Subdivision 1; 138.53, by adding a subdivision; 138.68; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; and 138.67, Subdivision 3.

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 15.50, Subdivision 1, is amended to read:

15.50 [CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION.] Subdivision 1. (a) The legislature finds that the purposes of the commission are to (1) preserve the dignity and , beauty and architectural integrity of the capitol and , the buildings immediately adjacent to it and the capitol grounds ; (2) protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof ; (3) develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and (4) establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.

(b) A capitol area architectural and planning commission, herein referred to as the commission, consisting of seven members is hereby created. The ~~governor~~ lieutenant governor shall be a member of the commission. Three members shall be appointed by the governor, at least two of whom shall not be residents of Ramsey county, by and with the advice and consent of the senate; three members shall be appointed by the mayor of the city of Saint Paul, with the advice and consent of the city council. Each person appointed to the commission shall qualify by taking the oath of office.

(c) The term of all appointed members of the commission is four years, ~~except that one of the members first appointed by the governor and one of the members first appointed by the mayor shall be appointed for terms of two years. Thereafter the terms of such appointees shall be for four years.~~ Vacancies in any office shall be filled by the appointing authority and for the unexpired term. ~~The term of the first members of the commission shall commence on July 1, 1967.~~

(d) The ~~governor~~ lieutenant governor is the chairman of the commission. The attorney general is the legal advisor to the commission. The commission may elect a vice chairman who may preside at meetings in the absence of the ~~governor~~ lieutenant governor and such other officers as it may deem necessary to carry out its duties.

(e) The commission shall select an executive secretary to serve the commission. It may employ such other officers and employees as it may deem necessary all of whom shall be in the classified service of the state civil service. The commission may contract for professional and other similar service on such terms as it may deem desirable.

(f) The members of the commission shall serve without compensation, but each shall be reimbursed for his expenses incurred in the performance of his duties , not including the chairman, shall receive upon application a sum of \$35 each for each day on which they are in attendance at meetings of the commission.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, is amended to read:

Subd. 2. (a) The commission shall prepare, prescribe, and from time to time amend a comprehensive use plan for the capitol area, herein called the area which shall initially consist of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street to the north line of the right-of-way of Interstate Highway 94, thence easterly along the said north line to the centerline of Cedar Avenue, thence southeasterly along the centerline of Cedar Avenue to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. Pursuant to the comprehensive plan, or any portion thereof, the commission may regulate, by means of zoning regulations adopted pursuant to the administrative procedures act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. The violation of such zoning regulations shall be a misdemeanor. The commission may, at its option, proceed to abate any such violation by injunction. The commission and the city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the commission and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the commission with regard to the physical structural needs of the state. He shall make studies and report the results to the commission when they request him to do so for their planning purpose.

(c) No public building, street, parking lot, or monument, or other construction shall be built or altered on any public lands within the area unless the plans for the same conforms to the comprehensive use plan as specified in clause (d) and to the requirement for competitive plans as specified in clause (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or *the exterior or interior design* of any *proposed* new public building the plans for which were secured by competition under clause (e), may be made without the prior consent of the commission. The commissioner of administration shall consult with the commission regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan shall show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas and open spaces; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement shall be made to public lands or buildings in the area save with the written approval of the commission.

(e) The commission shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition, which may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. Such competition shall be conducted under rules prescribed by the commission and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected shall become the property of the state of Minnesota and the commission may award one or more premiums in each such competition and may pay such costs and fees as may be required for the conduct thereof. At the option of the commission, plans for projects estimated to cost less than \$500,000 may be approved without competition provided such plans have been considered by the architectural committee described in clause (f). Plans for projects estimated to cost less than \$200,000 and for construction of streets need not be considered by the architectural committee if in conformity with the comprehensive plan.

(f) The commission shall not adopt any plan under clause (e) hereof unless it shall first receive the comments and criticism of a committee of three architects who have been selected and appointed as follows: one by the state arts council, one by the commission, and one by the Minnesota Society of the American Institute of Architects. Members of such committee shall not be contestants under clause (e) hereof. Such comments and criticism shall be a matter of public information. Such committee shall advise the commission on all architectural and planning matters. For that purpose:

(1) Such committee shall be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the same are developed or in the process of preparation whether by the ~~commission~~ *commissioner* of administration, the state planning director, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the commission or not retained and engaged in any work or planning relating to the area. A copy of any such data prepared by any public employee or agency shall be filed with the commission promptly upon completion;

(2) The commission may employ such stenographic or technical help as may be reasonable to assist such committee perform its duties;

(3) When so directed by the commission; such committee may serve as, and any member or members thereof may serve on, the jury or as professional advisor for any architectural competition. The commission shall select the architectural advisor and jurors for any competition with the advice of the committee.

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the state planning agency and the planning department and the council for the city of Saint Paul and the State Arts Council, and no such plan or amendment thereof shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the State Arts Council.

(h) The commission and the commissioner of administration jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. Pursuant to this power, the commission shall consult with the director of the Minnesota state historical society and receive his advice regarding the historic fidelity of plans for the capitol building. The standards and policies developed as herein provided shall be binding upon the commissioner of administration. The provisions of Minnesota Statutes, Sections 15.0411 to 15.0426 shall not apply to this clause.

(i) The commission in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for such a program.

~~(j)~~ (j) The state shall, by the attorney general upon the recommendation of the commission and within appropriations available for that purpose, acquire by gift, purchase or eminent domain proceedings any real property situated in the area described in this section and it shall also have the power to acquire an interest less than a fee simple interest in the property, if it finds that it is needed for future expansion or beautification of the area.

(k) All appropriations for the study and long range planning of land and building purchases, dispositions, and uses within the capitol area shall be appropriated directly to and shall be under the control of the commission. This provision shall apply to any act now in effect or hereafter enacted unless it shall be expressly provided in such act that this provision is superseded, modified, or repealed; however this provision shall not apply to appropriations for the architectural programming or design of new public buildings or for the remodeling of existing public buildings.

~~(l)~~ (l) The commission is the successor of the state veterans' service building commission, and as such may adopt regulations and may reenact the regulations adopted by its predecessor under Laws 1945, Chapter 315, and acts amendatory thereof.

(j) (m) The commission shall meet at the call of the chairman and at such other times as it may prescribe.

(k) The members of the legislative building commission shall constitute an advisory commission to the capitol area architectural and planning commission. This architectural and planning commission may consult and confer with the advisory commission; but the advisory commission's recommendation shall be advisory only. The members of the advisory commission shall serve without compensation, but shall be reimbursed for their expenses when called upon to meet.

(l) (n) The commissioner of administration is authorized to and shall assign quarters in the state veterans service building to (1) the department of veterans affairs of which such part as the commissioner of administration and commissioner of veterans affairs may mutually determine shall be on the first floor above the ground and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available to such other state departments and agencies as he may deem desirable.

Sec. 3. Minnesota Statutes 1971, Section 15.50, Subdivision 6, is amended to read:

Subd. 6. (a) The city of Saint Paul shall have the power to convey without compensation therefor to the state any property owned by it within the boundaries of the capitol area pursuant to the plan adopted by the commission; and the state shall have the authority to transfer to the city of Saint Paul without compensation any property acquired by it for the purposes of Laws 1969, Chapter 1150, which lies within the street lines of the streets to be established as a part of the city's portion of said plan.

(b) The tax-forfeited lands which are held by the state in trust for the several taxing subdivisions of the state and which are within the boundaries of the capitol area as fixed by the plan recommended to the governor by the governor's advisory committee or by the plan adopted by the commission as provided in Laws 1969, Chapter 1150, shall not be subject to sale or repurchase under any act, now in effect or hereafter enacted unless it shall be expressly provided in such act that the provisions of Laws 1969, Chapter 1150, shall be superseded, modified or repealed.

(c) The county auditor of Ramsey county shall forthwith withdraw from sale or repurchase all lands referred to in clause (b) hereof.

(d) The commissioner of taxation shall have power upon application by the commission to release any lands referred to in clause (b) from the trust in favor of the taxing subdivisions of the state. Upon the execution of such release, the commissioner shall certify the fact of such release to the county auditor of Ramsey county. The forms of such release and certificate shall be prescribed by the attorney general.

(e) Any member of the commission, or any employee thereof, who shall be financially interested, either directly or indirectly, in the location of the approach to the capitol, or in any contract, or part thereof, for the construction of the approach, or for any work connected therewith, or for the furnishing of any supplies or material therefor or for the sale of any real property therefor, so as to receive any financial benefits therefrom, or the promise of any financial benefit therefrom, either by way of commission, rebate, bonus, division of profits, or otherwise, shall be guilty of a felony and shall be incapable of holding any office or employment under the state. Neither any member of the commission, nor any person employed or retained by the commission shall have any financial interest, direct or indirect, in any business enterprise or activity, or in the construction or maintenance of facilities for such enterprise or activity, within the capitol area for which approval of the commission is in any way required by law. Any person violating the provisions of this paragraph shall be guilty of a gross misdemeanor.

Sec. 4. Minnesota Statutes 1971, Section 16.02, Subdivision 5, is amended to read:

Subd. 5. To cause to be prepared plans and specifications for the construction, alteration, or enlargement of all state buildings, structures, and other improvements except highways and bridges; to approve such plans and specifications; *provided that the preparation of such plans and specifications for the capitol area as defined in Minnesota Statutes 1971, Section 15.50 shall not be initiated, contracted for, or conducted without consultation with the capitol area architectural and planning commission insofar as such plans and specifications involve the public and ceremonial areas and the exterior of the capitol building and the lobbies, public concourses, and other features of other public buildings in the capitol area which the capitol area architectural and planning commission may deem to possess architectural significance, and provided further that the commissioner shall not approve or adopt any such plans and specifications for the capitol area unless such plans and specifications have received the approval of the capitol area architectural and planning commission;* to advertise for bids and award all contracts in connection with such improvements; to supervise and inspect all work relating thereto; after any contract for such an improvement is let, to approve all lawful changes in plans and specifications, *provided that the capitol area architectural and planning commission is advised of and gives its approval to, all such changes affecting projects within the capitol area as provided for in this subdivision;* to approve estimates for payment; and to accept such improvements when completed according to such plans and specifications.

Sec. 5. Minnesota Statutes 1971, Section 16.02, Subdivision 6, is amended to read:

Subd. 6. To maintain and operate the state capitol building and grounds, *subject to whatever standards and policies may be set for the appearance and cleanliness thereof by the capitol area architectural and planning commission and the commissioner of ad-*

ministration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h), state office building, historical society building, the Normandale, Anoka-Ramsey, North Hennepin, Lakewood, Metropolitan, and South East Metropolitan Junior Colleges, the manpower services buildings in Minneapolis and St. Paul, the state department of health building, the surplus property building, and the grounds appertaining thereto, also, where deemed advisable and practicable by the commissioner, any other building or premises owned or rented by the state for the use of any state department or other administrative agency; provided, that this shall not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 6. Minnesota Statutes 1971, Section 16.02, Subdivision 9, is amended to read:

Subd. 9. To supervise and control the making of necessary repairs to all state buildings and structures, except structures, other than buildings, under the control of the state highway department ; provided that all repairs to the public and ceremonial areas and the exterior of the state capitol building shall be carried out subject to the standards and policies of the capitol area architectural and planning commission and the commissioner of administration adopted pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h) .

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 16.02, Subdivision 10, is amended to read:

Subd. 10. [RENTAL OF LAND.] To rent land and other premises when necessary for state purposes. No such land or premises shall be rented for a term exceeding two years at a time; except that, with the approval of the legislative advisory committee, the commissioner may lease land or premises for a term not exceeding five years, subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use ; *provided further that the rental of non-state owned land and buildings, or substantial portions thereof, by the commissioner within the capitol area as defined in Minnesota Statutes 1971, Section 15.50 shall not take place unless the commissioner first consults with the capitol area architectural and planning commission .* Lands needed by the department of highways for storage of vehicles or road materials may be rented for a term not exceeding five years without the approval of the legislative advisory committee, such leases for terms over two years being subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use.

Sec. 8. Minnesota Statutes 1971, Section 16.025, Subdivision 1, is amended to read:

16.025 [PERFORMANCE OF CERTAIN WORK FOR STATE AGENCIES.] Subdivision 1. **[NATURE OF WORK.]** The com-

missioner of administration may repair, alter, or construct machinery, furniture, or other property for any officer, department, or agency of the state, or construct any partition or alter any arrangement of an office upon written requisition by such officer or the head of such department or agency. *Any such requisitions involving the public or ceremonial areas of the state capitol building shall be executed in conformance with the policies and standards set for the capitol by the capitol area architectural and planning commission and the commissioner of administration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h).* Such requisition shall be subject to the allotment and encumbrance provisions of Laws 1939, Chapter 431. In addition to the foregoing, the commissioner may provide centralized operation and maintenance services, excluding janitorial cleaning, for such state owned buildings as are specified in section 16.02, subdivision 6. The commissioner shall charge and collect for such services in the manner prescribed in section 16.025, subdivision 2 for repairs, alteration, or construction.

Sec. 9. Minnesota Statutes 1971, Section 16.22, is amended to read:

16.22 [RIGHTS AND POWERS TRANSFERRED TO COMMISSIONER; EXCEPTIONS.] All the rights, powers, and duties now by law imposed upon and vested in the commission of administration and finance, the constituent members thereof, the state printing commission, and the state expert printer, except those transferred by Laws 1939, Chapter 431, to the state auditor and the public examiner, are hereby transferred to and imposed upon the commissioner of administration. The commissioner of administration shall appoint a qualified printer, who shall be known as the state printer, and may delegate to him the exercise of the existing rights, powers, and duties heretofore appertaining to the state printing commissioner and the state expert printer, subject to the control of the commissioner. The commission of administration and finance is hereby abolished. The state printing commission is hereby abolished. The offices of comptroller, commissioner of the budget, commissioner of purchases, and state expert printer are hereby abolished. All the rights, powers and duties of the governor relating to the control, care, operation, and maintenance of the state capitol and grounds and to the appointment of employees therefor are hereby transferred to, vested in, and imposed upon the commissioner of administration; *provided that these rights, powers, and duties relating to the state capitol and grounds shall be exercised by the commissioner of administration according to the standards and policies for the appearance and cleanliness thereof set by the capitol area architectural and planning commission and the commissioner of administration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h).*

Sec. 10. Minnesota Statutes 1971, Section 16.23, is amended to read:

16.23 [OFFICE SPACE ASSIGNED.] The commissioner shall assign and reassign the office space in the capitol and other state

buildings so far as necessary to carry out the purposes of Laws 1939, Chapter 431, and to make an equitable division of available space among the several departments and agencies. *The commissioner's assignments in the capitol shall be in keeping with the ceremonial character of the building and shall follow guidelines for the public and ceremonial areas of the capitol set by the capitol area architectural and planning commission.*

Sec. 11. Minnesota Statutes 1971, Section 16.32, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding any provision of this section to the contrary, plans for proposed new buildings and for features of existing public buildings in the capitol area which the capitol area architectural and planning commission shall deem to possess architectural significance shall be subject to the provisions of Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clauses (c) and (e).

Sec. 12. Minnesota Statutes 1971, Section 138.53, is amended by adding a subdivision to read:

Subd. 58. The Minnesota state capitol in St. Paul.

Sec. 13. Minnesota Statutes 1971, Section 138.68, is amended to read:

138.68 [SUPERVISION OF PRESERVATION.] The works of art in the public and ceremonial areas of the state capitol are declared to possess historical value for the people of Minnesota. The Minnesota state historical society and the capitol area architectural and planning commission shall approve the design, structural composition, and location; ~~repair or removal~~ of all public monuments, memorials or works of art presently located in the public and ceremonial areas of the state capitol or which shall be placed in such public or ceremonial areas after June 4, 1971. No ~~public~~ monument, memorial or work of art shall be relocated or removed from, or placed in such areas or altered or repaired in any way without the approval of the Minnesota state historical society. *The Minnesota state historical society shall have final authority over the disposition of any monuments, memorials or works of art removed from the state capitol or the capitol grounds.*

Sec. 14. Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; and 138.67, Subdivision 3, are repealed."

Further, strike the title and insert in lieu thereof the following:

"A bill for an act relating to the capitol area architectural and planning commission, redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, before "Contributions" insert "Notwithstanding any other law,"

Page 1, line 2, strike "determined as a"

Page 1, strike lines 3, 4 and 5, and insert in lieu thereof "7 percent of the prevailing base pay of members of the association for the year 1975 and 8 percent of such prevailing base pay beginning January 1, 1976, and for each year thereafter."

Page 2, line 4, strike "may" and insert "shall"

Page 2, line 5, after "69" strike the comma, insert a period, and strike the rest of the line

Page 2, strike lines 6, 7 and 8

Page 2, line 18, strike "salary paid an employee" and insert "prevailing base pay of the highest ranking patrol officer"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 3312: A bill for an act relating to public employees; insurance benefits for retired employees; amending Minnesota Statutes, 1973 Supplement, Section 471.61, Subdivision 2a.

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. 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.

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. [POLICY AND PURPOSE.] The legislature finds that a more effective system is required to control the collection, storage, dissemination, and usage, by or on behalf of the state and its political subdivisions of data on individuals. Improvements in the organization and control of records are imperative to strengthen the administration of governmental programs, to assure the public’s right to public information, and to guarantee protection of individual privacy. The legislature further finds that vigorous protection of individual privacy is an indispensable element of a fair and effective record-keeping system. The purposes of sections 1 to 8 are (1) to encourage more secure systems of records on individuals; (2) to establish more effective structures and procedures for the protection of individual privacy; and (3) to assure periodic reporting to the legislature and the general public concerning record-keeping.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 8 the terms defined in this section have the meanings given them.

Subd. 2. “Commissioner” means the commissioner of the department of administration.

Subd. 3. “Data on individuals” includes all records, files and processes which contain any data on any individual and which is kept or intended to be kept on a permanent or semipermanent basis. It includes that collected, stored, and disseminated by manual, mechanical, electronic or any other means.

Subd. 4. “Individual” means a natural person.

Subd. 5. “Political subdivision” includes counties, municipalities, towns and school districts. It includes any nonprofit corporation which is a community action agency initially organized to qualify for public funds.

Subd. 6. “Responsible authority” at the state level means any office established by law as the body responsible for the collection and use of any set of data on individuals or summary data. “Responsible authority” in any political subdivision means the person designated by the governing board of that political subdivision, unless otherwise provided by state law. With respect to statewide systems, “responsible authority” means the state official involved, or if more than one state official, the official designated by the commissioner.

Subd. 7. “State” means the state, the university of Minnesota, and any office, officer, department, division, bureau, board, commission or agency of the state.

Subd. 8. “Statewide system” includes any record-keeping system in which data on individuals is collected, stored, disseminated and used by means of a system common to the state or common to the state and one or more of its political subdivisions.

Subd. 9. “Summary data” means statistical records and reports

derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

Sec. 3. [REPORTS TO THE LEGISLATURE.] On or before December 1 of each year the commissioner shall prepare a report to the legislature. Summaries of the report shall be available to the public at a nominal cost. The report shall contain to the extent feasible at least the following information:

(a) A complete listing of all systems of data on individuals which is kept by the state and its political subdivisions, a description of the information contained therein, and the reason that the data is kept;

(b) A statement of which types of data on individuals, in the commissioner's opinion, are public records as defined by Minnesota Statutes, Section 15.17, which types of data are confidential and which types of data are neither;

(c) The title, name, and address of the responsible authority for the system and for each data bank and associated procedures:

(1) The categories and number of individuals in each category on whom data is or is expected to be maintained,

(2) The categories of data maintained, or to be maintained, indicating which categories are or will be stored in computer-accessible files,

(3) The categories of data sources,

(4) A description of all types of use made of data, indicating those involving computer-accessible files, and including all classes of users,

(5) The responsible authority's and the commissioner's policies and practices regarding data storage, duration of retention of data, and disposal thereof,

(6) A description of the provisions for maintaining the integrity of the data pursuant to section 4 (d), and

(7) The procedures pursuant to section 5 whereby an individual can (i) be informed if he is the subject of data in the system, (ii) gain access to the data, and (iii) contest its accuracy, completeness, pertinence, and the necessity for retaining it; and

(d) Any recommendations concerning appropriate legislation.

Sec. 4. [COMMISSIONER SHALL PROMULGATE RULES.] The commissioner shall with the advice of the intergovernmental information services advisory council promulgate rules and regulations, in accordance with Minnesota Statutes, Chapter 15, which shall apply to the state and political subdivisions and shall implement the enforcement and administration of the following:

(a) Collection of data on individuals and establishment of related files of the data shall be limited to that necessary for

the administration and management of programs enacted by the legislature or local governing body.

(b) Data on individuals shall be under the jurisdiction of the responsible authority. An individual shall be appointed to be in charge of each system containing data on individuals. The responsible authority shall document and file with the commissioner the nature of all data on individuals collected and stored and the need for and intended use of the data and any other information required by section 3. Use of data on individuals by other than the responsible authority or for other than intended uses, and the interrelation by manual, mechanical, or electronic means of data on individuals under the jurisdiction of two or more responsible authorities, may be permitted by the responsible authorities only when required by law or where clearly necessary to the health, safety or welfare of the public, or clearly in the interest of the individual involved.

(c) The use of summary data from data on individuals under the jurisdiction of one or more responsible authorities shall be permitted, subject to the requirements that the data be summarized by and under the direction of the responsible authority. Requests for use of the data must be in writing, stating the intended use and approved by the responsible authority. The responsible authority may, however, delegate such authority to the administrative officer responsible for any central repository of summary data. A reasonable fee may be charged for the summarization of data, and any additional cost caused by such summarization shall be borne by the requestor. Refusal of any request for use of summary data by the responsible authority or his delegate is appealable in accordance with Minnesota Statutes, Chapter 15. The responsible authority may delegate to a person outside of its agency, other than the requestor, its responsibility for summarizing data if it obtains a written agreement from the delegate providing for nondisclosure of data on individuals.

(d) Regarding the collection, storage, dissemination and use of data on individuals, the responsible authority shall establish reasonable and appropriate safeguards to assure that the data is accurate, complete and current. Emphasis shall be placed on the data security requirements of computerized files which are accessible directly via telecommunications technology, including security during transmission.

(e) Data on individuals shall be stored only so long as necessary to the administration of authorized programs or as authorized by statute.

Sec. 5. [RIGHTS OF SUBJECTS OF DATA.] The rights of individuals on whom the data is stored or to be stored and the responsibilities of the responsible authority shall be as follows:

(a) The purposes for which data on individuals is collected and used or to be collected and used shall be filed in writing by the responsible authority with the commissioner and shall be a matter of public record pursuant to section 3.

(b) An individual asked to supply personal data shall be informed of the purpose of intended uses of the requested data.

(c) An individual asked to supply personal data shall be informed whether he may refuse or is legally required to supply the requested data. He shall be informed of any known consequence arising from his supplying or refusing to supply the personal data.

(d) Data shall not be used for any purpose other than as stated in clause (a) of this section unless (1) the responsible authority first makes an additional filing in accordance with clause (a); (2) the legislature gives its approval by law; or (3) the individuals to whom the data pertain give their informed consent.

(e) Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data and if so, and upon his additional request, shall be informed of the content and meaning of the data recorded about him or shown the data without any charge to him. After an individual has been so informed, data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending. This clause does not apply to data on individuals which is defined by statute as confidential or to records relating to the medical or psychiatric treatment of the individual.

(f) An individual shall have the right to contest the accuracy or completeness of data about him. If contested, the individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days correct the data if the data is found to be inaccurate or incomplete and attempt to notify past recipients of the inaccurate or incomplete data, or notify the individual of disagreement. The determination of the responsible authority is appealable in accordance with Minnesota Statutes, Chapter 15. Data in dispute shall not be disclosed except under conditions of demonstrated need and then only if the individual's statement of disagreement is included with the disclosed data.

Sec. 6. [CIVIL PENALTIES.] Subdivision 1. Notwithstanding Minnesota Statutes, Section 466.03, a political subdivision, responsible authority or state which violates any provisions of sections 1 to 5 is liable to a person who suffers any damage as a result of the violation, and the person damaged may bring an action against the political subdivision, responsible authority or state to cover any damages sustained, plus costs and reasonable attorney fees. In the case of a willful violation, the violator shall, in addition, be liable to exemplary damages of not less than \$100, nor more than \$1,000 for each violation. The state is deemed to have waived any immunity to a cause of action brought under sections 1 to 5.

Subd. 2. A political subdivision, responsible authority or state which violates or proposes to violate sections 1 to 5 may be enjoined by the district court. The court may make an order or

judgment as may be necessary to prevent the use or employment by any person of any practices which violate sections 1 to 5.

Subd. 3. An action filed pursuant to sections 1 to 5 may be commenced in the county in which the individual alleging damage or seeking relief resides, or in the county wherein the political subdivision exists, or, in the case of the state, any county.

Sec. 7. [PENALTIES.] Any person who willfully violates the provisions of sections 1 to 5 or any lawful rules and regulations promulgated thereunder is guilty of a misdemeanor. Any public employee who willfully violates sections 1 to 5 may be suspended without pay or discharged after a hearing as prescribed by law.

Sec. 8. [APPLICATION.] Sections 1 to 5 shall not apply to data on individuals relating to criminal histories, criminal records or criminal investigations. Nothing in sections 1 to 5 shall be construed to restrict or modify right of access to public records guaranteed by Minnesota Statutes, Section 15.17, or by any other statute."

Further amend by striking the title and insert in lieu thereof:

"A bill for an act relating to the collection, security and dissemination of records and information by the state and its political subdivisions; providing a civil cause of action; providing penalties."

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. 3015: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and anti-trust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

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 325.8021, is amended to read:

325.8021 [AUTHORITY OF THE ATTORNEY GENERAL.] The attorney general may investigate any alleged violation of sections 325.8011 to 325.8028 and if he has reasonable cause to believe that a violation is imminent, is occurring or has occurred, he may institute on behalf of the state of Minnesota, any of its departments and agencies, or any of its political subdivisions a court action seeking appropriate relief. *The investigatory authority of the attorney general under sections 325.8011 to 325.8028 shall in-*

clude, but not be limited to, the authority provided for in Minnesota Statutes, Section 325.907.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 1, is amended to read:

325.907 [ADDITIONAL DUTIES OF THE ATTORNEY GENERAL.] Subdivision 1. [INVESTIGATE OFFENSES AGAINST THE PROVISIONS OF CERTAIN DESIGNATED SECTIONS; ASSIST IN ENFORCEMENT.] The attorney general shall investigate violations of the law of this state respecting unfair, discriminatory and other unlawful practices in business, commerce, or trade, and specifically, but not exclusively, the act against unfair discrimination and competition (sections 325.02 to 325.075), the fair trade act (sections 325.08 to 325.14), the unlawful trade practices act (sections 325.141 to 325.148), the automobile dealer's anticoercion act (sections 325.15 to 325.24), the *anti-trust act (sections 325.8011 to 325.8028)*, section 325.905 and other laws against false or fraudulent advertising, the antidiscrimination acts contained in section 325.82, the act against monopolization of food products (section 325.83), and the prevention of consumer fraud act (sections 325.78 to 325.80) and assist in the enforcement of those laws as in this section provided.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2, is amended to read:

Subd. 2. [ATTORNEY GENERAL TO ASSIST IN DISCOVERY AND PUNISHMENT OF ILLEGAL PRACTICES.] When the attorney general, from information in his possession, has reasonable ground to believe that any person has ~~within one year~~ violated, or is about to violate, any of the laws of this state referred to in subdivision 1, he shall have power to investigate those violations, or suspected violations, and to take such steps as are necessary to cause the arrest and prosecution of all persons violating any of the statutes specifically mentioned in subdivision 1 or any other laws respecting unfair, discriminatory, or other unlawful practices in business, commerce, or trade. *In connection with investigation under this section the attorney general upon specifying the nature of the violation or suspected violation may obtain discovery from any person regarding any matter, fact or circumstance, not privileged, which is relevant to the subject matter involved in the pending investigation, in accordance with the provisions of this subdivision. The discovery may be obtained without commencement of a civil action and without leave of court, except as expressly required by the provisions of subdivision 2a. The applicable protective provisions of rules 26.02, 30.02, 30.04 and 31.04 of the rules of civil procedure for the district courts shall apply to any discovery procedures instituted pursuant to this section. The attorney general or any person to whom discovery is directed may apply to and obtain leave of the district court in order to reduce or extend the time requirements of this subdivision, and upon a showing of good cause the district court shall order such a reduction or extension. In order to obtain discovery, the attorney general may:*

- (a) *Serve written interrogatories on any person. Within 20 days*

after service of interrogatories, separate written answers and objections to each interrogatory shall be mailed to the attorney general.

(b) Upon reasonable written notice of no less than 15 days, require any person to produce for inspection and copying any documents, papers, books, accounts, letters, photographs, objects, or tangible things which are in his possession, custody, or control.

(c) Upon reasonable written notice of no less than 15 days, take the testimony of any person by deposition as to any fact or opinion relevant to the subject matter involved in the pending investigation. For the purposes of this subdivision the term "person" has the meaning specified in section 325.78.

Sec. 4. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

Subd. 2a. [FAILURE TO COMPLY.] If any person fails or refuses to answer interrogatories, to produce materials, or to be examined under oath, as required by the provisions of subdivision 2, the attorney general may give notice that he will apply to a district court, and the court, on a showing by the attorney general of cause therefor, may issue such order as may be required to compel compliance with the discovery procedures authorized by this section.

Sec. 5. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

Subd. 2b. [ASSURANCE OF DISCONTINUANCE.] The attorney general may accept an assurance of discontinuance of any act or practice he deems to be in violation of the laws referred to in subdivision 1 from any person he alleges is engaging in, or has engaged in, the act or practice. The assurance may include a stipulation for the performance, provision or payment by the alleged violator of any remedies allowable under subdivision 3a. Any assurance shall be in writing and shall be filed with and subject to the approval of the district court of the county in which the alleged violator resides or has his principal place of business or in Ramsey county. An assurance shall not be considered an admission of a violation for any purpose. Failure to comply with the assurance of discontinuance shall be punishable as contempt. For the purposes of this subdivision the term "person" has the meaning specified in section 325.78.

Sec. 6. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3, is amended to read:

Subd. 3. [INJUNCTIVE RELIEF.] In addition to the penalties provided by law for violation of the laws referred to in subdivision 1, specifically and generally, whether or not injunctive relief is otherwise provided by law, the courts of this state are vested with jurisdiction to prevent and restrain violations of those laws and to require the payment of civil penalties. Whenever it shall appear to the satisfaction of the attorney general that any of those laws has been or is being violated, or is about to be violated, he shall be entitled, on behalf of the state; (a) to sue for and have injunctive

relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law; and (b) to sue for and recover for the state, from any person who is found to have violated any of the laws referred to in subdivision 1, a civil penalty, in an amount to be determined by the court, not in excess of \$25,000. All sums recovered by the attorney general under this subdivision section shall be deposited in the general fund of the state treasury.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3a, is amended to read:

Subd. 3a. [DAMAGES.] In addition to the remedies otherwise provided by law, any person injured by a violation of any of the laws specified referred to in subdivision 1 may bring a civil action and recover damages, together with costs and disbursements, including costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court. *The court may, as appropriate, enter a consent judgment or decree without the finding of illegality. In any action brought by the attorney general pursuant to this section, the court may award any of the remedies allowable under this subdivision.*

Sec. 8. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3b, is amended to read:

Subd. 3b. [ORDERS AND JUDGMENTS PRIMA FACIE EVIDENCE.] Any permanent injunction, judgment or order of the court made pursuant to subdivision 3 shall be prima facie evidence in an action brought under subdivision 3a that the defendant used or employed an act or practice in violation of the laws referred to in subdivision 1, provided that this subdivision shall not apply to consent judgments or decrees where the court makes no finding of illegality, including assurances of discontinuance pursuant to subdivision 2b.

Sec. 9. [EFFECTIVE DATE.] This act shall be effective the day next following its final enactment."

Further, amend the title by striking it and insert in lieu thereof:

"A bill for an act relating to commercial law; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivisions 1, 2, 3, 3a, and 3b."

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. 530: A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation

thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, strike lines 1 to 14

Page 2, strike lines 1 to 15, and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 97.488, is amended to read:

97.488 [PROTECTION OF THREATENED AND ENDANGERED SPECIES.] Subdivision 1. [PROHIBITION.] Notwithstanding any other provision of law, the *taking*, import, transport, or sale of any endangered species of ~~fish or wildlife~~ *wild animal*, or hides or other parts thereof, or the sale or possession with intent to sell any article made in whole or in part from the skin, hide, or other parts of any endangered species of ~~fish or wildlife~~ *wild animal* is prohibited, except under license or permit of the commissioner of natural resources as provided in subdivision 6.

Subd. 2. [DESIGNATION.] The following species of wild animals are hereby designated as endangered species: leopard (*Panthera pardus*); snow leopard (*Panthera uncia*); clouded leopard (*Neofelis nebulosa*); tiger (*Panthera tigris*); cheetah (*Acinonyx jubatus*); alligators; eaiman or crocodile of the order Crocodylia; visona (*Vicugna vicugna*); red wolf (*Canis niger*). After July 1, 1972, the following species shall be designated as endangered: jaguar (*Panthera onca*); ocelot (*Felis pardalis*); or margay (*Felis wiedii*). The commissioner of natural resources may shall designate other species as endangered, by adoption of a regulation to that effect pursuant to sections 15.0411 to 15.0422, designate any species of wild animal as either:

(1) *Endangered*, upon a showing that such species is seriously threatened with extinction throughout all or a significant portion of its range; or

(2) *Threatened*, upon a showing that such species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

A designation by the secretary of the interior that a species is *threatened* or endangered shall be a prima facie showing for this purpose. The commissioner may shall withdraw designation in the same manner. The timber wolf (*Canis lupus*) may not be designated as an endangered species by the commissioner pursuant to this section except that the commissioner may establish sanctuaries pursuant to section 99.25 for the timber wolf (*Canis lupus*). Until the commissioner adopts such regulation, those species designated as endangered by Section 4(c) (3) of the Endangered Species Act of 1973 (PL 93-205) at the time of enactment thereof shall be considered endangered within the meaning of this section.

Subd. 3. [STUDIES.] The commissioner of natural resources may conduct such investigations as he shall deem appropriate to determine the status and requirements for survival of any resident species of wild animal.

Subd. 4. [MANAGEMENT.] Notwithstanding any other provision of law, whenever any resident species of wild animal has been designated as threatened or endangered pursuant to this section, the commissioner of natural resources may undertake such management programs and in connection therewith issue such orders and promulgate such regulations as he deems necessary to bring the species to a point at which it is no longer threatened or endangered. Subject to the provisions of subdivision 6, management programs for endangered or threatened species may include, but need not be limited to, methods and procedures such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, transplantation and regulated taking.

Subd. 5. [ENFORCEMENT.] Any peace officer or conservation officer, pursuant to chapter 626, may execute a warrant to search for and seize any goods, merchandise, or wildlife taken, sold or offered for sale in violation of this section, or any thing used in connection with a violation of this section. Seized property shall be held pending judicial proceedings. Upon conviction seized property is forfeit. Goods, merchandise, or wildlife shall be offered to a scientific or educational institution or destroyed.

Subd. 6. [GENERAL EXCEPTIONS.] The commissioner may permit, on prescribed conditions, ~~the importation of any species or subspecies subject to this section~~ any act otherwise prohibited by subdivision 1 for any of the following purposes:

(1) Zoological, educational or scientific purposes; study;

(2) Enhancement of the propagation or survival of the affected species; or

(3) Prevention of injury to persons or property, provided that for the purpose of preventing such injury no member of an endangered species may be destroyed until all alternatives, including but not limited to live trapping and transplantation, have been evaluated and rejected.

He may permit, on prescribed conditions, the propagation of a species or subspecies for its preservation. A member of a threatened or endangered species may be captured or destroyed without permit by any person when necessary in an emergency to avoid an immediate and demonstrable threat to human life or property.

Subd. 7. [APPLICATION.] This section shall not ~~only~~ apply to ~~fish or wildlife~~ retroactively or so to prohibit importation into this state and subsequent possession, transport and sale of wild animals or hides or other parts thereof legally imported into the United States or legally acquired and exported from another ~~country~~, territory, state, possession or political subdivision of the

United States and imported, transported or sold solely for the purpose of serving as a pet.

Subd. 6 8. [VIOLATIONS.] A violation of this section is a misdemeanor."

Page 3, strike lines 24 to 30

Page 3, line 33, after "*animal*" and before "with" insert "*or timber wolf*"

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 1 strike "designating timber wolves as big game animals" and insert "providing for the management of threatened and endangered species of wild animals"

Page 1, line 2, after "thereto;" insert "providing a penalty;"

Page 1, line 3, strike "Section 97.40, Subdivision 8" and insert "Sections 97.488"

Page 1, line 3, strike "Subdivisions 2, 4 and" and insert "Subdivision"

Page 1, line 4, strike "100.27, Subdivision 9;"

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. 2059: A bill for an act relating to taxation; mining of iron ore; providing for the county assessor to engage in exploratory work in order to ascertain the existence of unmined iron ore; and providing for condemnation proceedings in certain cases.

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, Chapter 298, is amended by adding a section to read:

[298.46] [EXPLORATORY DRILLING FOR IRON ORE.]
Subdivision 1. It is hereby declared to be in the public interest of this state as a whole, and in particular with respect to counties or other political subdivisions, to encourage the location of all deposits of iron ore hitherto unknown to such political subdivisions, that may be susceptible of economic exploitation.

Subd. 2. When in the opinion of the duly constituted authorities of a taxing district there are in existence reserves of unmined iron ore located in such district, these authorities may petition the iron range resources and rehabilitation commission for authority to petition the county assessor to verify the existence of such reserves

and to ascertain the value thereof by drilling in a manner consistent with established engineering and geological exploration methods, in order that such taxing district may be able to forecast in a proper manner its future economic and fiscal potentials.

Subd. 3. If the fee owner of the land on which the unmined iron ore is believed to be located, or the owner of a mineral interest therein, refuses to permit the county assessor to ascertain the value of unmined iron ore believed to be located on such land, the county attorney, acting in the name of the county may institute proceedings under Minnesota Statutes, Chapter 117, for the express purpose of being granted an easement which would permit the county assessor to verify whether or not such land does, in fact, contain reserves of unmined iron ore.

Subd. 4. When the county assessor has verified the existence of reserves of iron ore and has ascertained the value of such reserves, or in the alternative has failed to locate any reserves susceptible of being economically exploited, he shall notify the county attorney, and the county attorney shall then, by appropriate means, request the district court to discharge the easement secured for the purpose stated above.

Subd. 5. The cost of such exploration or drilling plus any damages to the property which may be assessed by the district court shall be paid by the iron range resources and rehabilitation commission from amounts appropriated to that commission under Minnesota Statutes, Section 298.22. The iron range resources and rehabilitation commission shall be reimbursed for one-half of the amounts thus expended. Such reimbursement shall be made by the taxing districts in the proportion that each such taxing district's levy on the property involved bears to the total levy on such property. Such reimbursement shall be made to the iron range resources and rehabilitation commission in the manner provided by Minnesota Statutes, Section 298.221.

Subd. 6. If any taxing district refuses to pay its share of the reimbursement as provided in subdivision 5, the county auditor is hereby authorized to reduce payments required to be made by the county to such taxing district under other provisions of law. Thereafter he shall draw his warrant, which shall be deposited with the state treasury in accordance with Minnesota Statutes, Section 298.221, to the credit of the iron range resources and rehabilitation commission.

Sec. 2. In the event that the county assessor ascertains that there are in existence reserves of unmined iron ore previously unreported, he shall transmit all the relevant information to the commissioner of revenue as soon as expedient.

Sec. 3. This act is effective the day following final enactment."

Further amend the title by striking it in its entirety and insert the following:

"A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence

of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section."

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. 2844: A bill for an act relating to the Minnehaha creek watershed district; providing for taxes.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "not to exceed three mills"

Page 1, line 5, after "the" and before "district" insert "Minnehaha creek watershed"

Page 1, line 5, after "district" strike ", or \$125,000, whichever is the lesser" and insert "sufficient to raise an amount each year of up to, but not to exceed, an amount of \$125,000"

Page 1, line 6, after "the" and before "levy" add "administrative"

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. 3242: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 2, after "Notwithstanding" strike "the provisions of"

Page 1, line 3, after "Subdivision 5" strike "to the contrary"

Page 1, line 6, after "for" insert "initial"

Page 1, line 6, strike "Thereafter"

Page 1, strike line 7

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. 2236: A bill for an act relating to courts; salaries

of county court judges; amending Minnesota Statutes 1971, Section 487.05.

Reports the same back with the recommendation that the printed bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2, is amended to read:

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)	\$25,000	\$29,000
Judge of a county court (not learned in the law)	21,000	

~~(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) (2) 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 and St. Louis \$29,000.~~

~~(4) (3) 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.~~

Sec. 2. Minnesota Statutes 1971, Section 487.05, is repealed.

Sec. 3. This act is effective the day following final enactment."

Further amend the title as follows:

Line 1 of the title, strike "1971" and insert ", 1973 Supplement"

Line 2 of the title, before "Section 487.05" insert "15A.083, Subdivision 2; and repealing Minnesota Statutes 1971,"

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. 2900: A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

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. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 3270: A bill for an act relating to taxation; general property taxes; exemptions; providing an exemption for modifications to a dwelling to accommodate physically handicapped residents; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 4, strike lines 22 through 28

Page 5, strike line 1 and insert in lieu thereof:

“(16) Any modification, whether in existence at the effective date of this act or made subsequent thereto, to a building or facility other than a building or facility subject to the provisions of Minnesota Statutes 1971, Sections 471.465 to 471.469, of the type contemplated by those sections, which is for the sole purpose of accommodating a physically handicapped resident of that building or facility. Physically handicapped means sight disabilities, hearing disabilities, disabilities of incoordination, disabilities of aging, and any other disability that significantly reduces mobility, flexibility, coordination, or perceptiveness.”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

S. F. No. 2222: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area; imposing a tax on mortgages in the seven-county metropolitan area; amending Minnesota Statutes 1971, Section 287.05, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, strike lines 3 and 4

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

H. F. No. 3329: A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

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. 2517: A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

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. 3455: A bill for an act relating to taxation; exemption of certain taconite plant construction materials from the sales tax; amending Minnesota Statutes 1971, Section 297A.251.

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. 234: A bill for an act relating to taxation; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 7.

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. 2668: A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

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. 2866: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sec-

tions 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 4, strike "both"

Page 2, line 4, after "within" strike "and without"

Page 3, strike lines 27 through "rehabilitation loans." in line 31 and insert in lieu thereof a new sentence reading:

"Therefore, in the event that the city, by resolution of the city council, determines that sufficient money is not available from the United States government or from other public or private sources to persons of low and moderate income, then the city council by resolution from time to time may issue its general obligation bonds in a total aggregate amount of not to exceed \$2,000,000 for the purpose of making such rehabilitation loans in urban renewal development and code enforcement areas from time to time designated pursuant to the provisions of subdivision 1, clause (a) hereof."

Page 3, after line 10, insert a new clause (d) to read:

"(d) Notwithstanding any other provision of law or charter to the contrary, and in addition to the authority granted in this subdivision, the council of the city of Saint Paul may make local improvements in the city, either within or without urban renewal or code enforcement areas, as authorized by Minnesota Statutes, Section 429.021, and as authorized by law may acquire land and buildings associated with rehabilitation programs adopted by the city council, and to pay for all or a portion of the costs of such local improvements and acquisition the council may by resolution from time to time issue its general obligation bonds in a total aggregate amount of not to exceed \$3,000,000."

Page 3, line 11, strike "(d)" and insert in lieu thereof "(e)"

Page 4, after line 32, add a new section to read:

"Sec. 4. Laws 1973, Chapter 326, Section 4, is amended to read:

Sec. 4. This act shall be 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. The city of Saint Paul, for the purpose of providing moneys for the operation and maintenance of the swimming pools authorized herein, is hereby authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any tax or levy limitations otherwise imposed by law or charter, to levy taxes annually in an amount not to exceed in any one year an amount equal to 15/100 of one mill upon each dollar of the assessed valuation of all taxable property in said city. Independent School District No. 625, for the purpose of providing moneys for the operation and maintenance of the swimming pools authorized herein, is hereby authorized and empowered, by resolution of its board, in addition to all other powers possessed by said district and in addition to and in excess of

any tax or levy limitations otherwise imposed by law, to levy taxes annually in an amount not to exceed in any one year an amount equal to 45/100 of one mill upon each dollar of the assessed valuation of all taxable property in the city of Saint Paul."

Page 4 after line 32 add a new section to read:

Sec. 5. Laws 1973, Chapter 326, is amended by adding a section to read:

Sec. 5. This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and a majority of the school board of Independent School District No. 625 and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further amend the title as follows:

Page 1, line 2 of the title after "loans;" insert "providing money for the maintenance of swimming pools"

Page 1, line 3 of the title after "3;" insert "Laws 1973, Chapter 326, Section 4, and by adding a section;"

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. 1934: A bill for an act relating to health; state payments to counties and cities for public health nursing services; amending Minnesota Statutes 1971, Sections 145.08, Subdivision 1; and 145.125, Subdivision 1.

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 145.08, Subdivision 1, is amended to read:

145.08 [EMPLOYMENT, APPROPRIATION.] Subdivision 1. [APPROPRIATION FOR COMPENSATION AND EXPENSES; EXCEPTION.] Every board of county commissioners; ~~except in counties new or hereafter having a population of 550,000 or more;~~ and every city council, village council, school board and ~~town board~~ is hereby authorized and empowered to employ and to make appropriations for the compensation and necessary expenses of public health nurses and home health service personnel, for such duties as may be deemed necessary.

Sec. 2. Minnesota Statutes 1971, Section 145.125, is amended to read:

145.125 [COUNTY PUBLIC HEALTH NURSING SERVICE.] Subdivision 1. [STATE AID QUOTA: EMPLOYMENT OF NURSE.] A county ~~shall be paid from the appropriation to~~

the state board of health for that purpose the sum of \$375 a quarter to aid in the payment of the cost of public health nursing. Each county with less than 50,000 population, which on May 1, 1971 had not established both a public health nursing service and a home health agency service shall receive \$7,500 in the biennium ending June 30, 1973, to establish these services. Each county with less than 20,000 population, which on May 1, 1971, had established only a public health nursing service shall receive \$2,500 in the biennium ending June 30, 1973, to establish a home health agency service, a group of counties, a city, or combination thereof, or a nursing district establishing a public health nursing service and a home health agency pursuant to section 145.08, subdivision 3, may apply for financial aid by submitting to the state board of health its work program and budget, following review and approval by the area-wide comprehensive health planning agency. The state board of health may approve the payment of aid if the plan is in accordance with the provisions of this section and with the regulations established by the state board of health relating to the provision of health services. The money appropriated to the counties in this section shall be used only for the purposes of this section. Those moneys not expended shall be deposited in the general fund of the state treasury. Two or more counties who by a joint powers agreement establish public health nursing or home health agency services or both, shall also qualify for payments under Laws 1971, Chapter 895. County boards or city clerks shall certify to the state board of health within 60 days from a quarter ending September 30, December 31, March 31, or June 30 respectively, the following facts:

(1) That the county, city, or nursing district is complying with the provisions of sections 145.08 to 145.12.

(2) That during the preceding quarter, stating the last date thereof, the county, city, or nursing district had employed a public health nurse who was approved and certified pursuant to section 145.10 and other qualified home health agency personnel.

(3) The name and address of each public health nurse and other qualified home health agency personnel employed during the preceding quarter, and the amount paid to such persons during each month of such quarter.

If a public health nurse was employed for less than a full quarter, the county shall be paid only the proportion of \$375 which the period of time for which such nurse was actually paid is to the full period of the quarter provided public health nursing and home health services in accordance with regulations established by the state board of health.

Subd. 2. [CERTIFICATE BY COUNTY BOARD; CERTIFICATE TO STATE AUDITOR.] At the end of each 60 day period provided for in subdivision 1, the state board of health shall certify to the state auditor, in the manner prescribed by law, the name of each such county, the amount to be paid to it, and that there are funds available for the payment thereof. Such certificate shall be supported by the certificate of the county board of such county. Thereupon, the state auditor shall draw his warrant upon

the state treasurer payable to the county for the amount so certified.

Subd. 3. To determine the amount which may be paid participating counties, the board of health will apply the following formula:

(1) All 87 counties will be ranked in accordance with a formula involving three factors:

(a) per capita income;

(b) per capita taxable value; and

(c) per capita expenditure per 1,000 population for public health nursing purposes.

(2) Each county is then ranked as follows:

(a) on the basis of per capita income the ranking is from the lowest to the highest;

(b) per capita taxable value is ranked from lowest to highest;

(c) per capita expenditure is ranked from highest to lowest.

(3) The ranking given each county on each of the foregoing three factors is then totaled and the counties ranked in numerical order according to score.

(4) The total score for each county thus determined is then divided into a median total score. The median total score is the score obtained by that county ranked number 44 in the final ranking. The quotient thus obtained then becomes the computation factor for the county. This computation factor is then multiplied by a "dollar value", as fixed by the appropriation pursuant to this act, times the total county population. The resulting product is the amount of subsidy to which the county is eligible under this section; provided that each county shall receive a minimum of \$5,000 of subsidy per year. Notwithstanding any law to the contrary, the board of health, after notifying the committees on finance of the senate and appropriations of the house of representatives, may, at the end of any fiscal year, transfer any unobligated funds in any appropriation to the department of health to the appropriation under this act, which appropriation shall not cancel but is reappropriated for the purposes of this act.

Subd. 4. The state board of health shall not disburse any public health nursing funds to any county unless and until the county agrees to provide matching funds. County matching funds under this section may only be funds in excess of the amount spent by the county for public health nursing services during fiscal year 1973. The state board of health shall not disburse to any county, regardless of the amount of matching county funds available, a sum in excess of the amount of aid calculated for the county pursuant to the formula in subdivision 3; however, the board may disburse any lesser amount for which the county makes matching funds available. In meeting competing demands by counties for funding pursuant to this section, the board shall adopt the following priorities:

(1) *Counties in which no public health nursing services are available;*

(2) *Counties in which no certified home health care agency exists; and*

(3) *All other counties.*

Sec. 3. Minnesota Statutes 1971, Section 145.123, Subdivision 1, is amended to read:

145.123 [PUBLIC HEALTH AND HOME HEALTH SERVICES.] Subdivision 1. [CHARGING OF FEES.] The county board of any county providing public health and home health services under Minnesota Statutes, Sections 145.08 and 145.12, and the governing body of a nursing district formed under section 145.08, subdivision 3, may charge and collect fees for such health services furnished to ~~ill or disabled~~ persons within the county or the nursing district. Payment, in whole or in part, for such services may be accepted from any person. Payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief.

Sec. 4. [APPROPRIATION.] There is hereby appropriated to the state board of health the sum of \$113,696 for purposes of this act."

Further amend the title as follows:

Page 1, line 4, after "services;" insert "appropriating money;"

Page 1, line 6, after the semicolon insert "145.123, Subdivision 1;"

Page 1, line 6, strike ", Subdivision" and insert a period

Page 1, strike line 7

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. 2930, 3507 and 2525 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. 2930 and 3507 to the Committee on Finance.

H. F. No. 2525 to the Committee on Metropolitan and Urban Affairs.

Pursuant to Rule 49, this report was prepared and submitted by

the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 3210, 3277, 2059, 2900, 3270, 2222, 3455 and 1934 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3479, 2923, 2670, 1403, 1409, 1316, 3015, 530, 2844, 3242, 2236, 3329, 2517, 234, 2668 and 2866 were read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Bang and Ogdahl introduced—

Senate Resolution No. 37: A senate resolution congratulating the Edina East Hornets, the 1974 Minnesota State High School Hockey Champions.

Which was referred to the Committee on Rules and Administration.

Mr. Perpich, G. moved that S. F. No. 2498 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Perpich, G. moved that the Senate do now concur in the amendments by the House to S. F. No. 2498 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2498 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Purfeerst
Arnold	Dunn	Kirchner	Novak	Renneke
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Kowalczyk	Olhoft	Sillers
Berg	Gearty	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessen
Chenoweth	Hughes	Lord	Patton	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Jensen	Milton	Perpich, G.	Willet
Davies	Keefe, J.	Moe	Pillsbury	

So the bill, as amended, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Kleinbaum moved that S. F. No. 2853, No. 10 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Stokowski moved that the name of Mr. Schaaf be added as co-author to S. F. No. 2296. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files on the Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2832: A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 17.

Was read the third time 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	Renneke
Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Kleinbaum	Olhoft	Sillers
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	Jensen	Moe	Pillsbury	Willet
Conzemius	Josefson	North	Purfeerst	

So the bill passed and its title was agreed to.

S. F. No. 3059: A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

Was read the third time 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	Doty	Kirchner	Novak	Purfeerst
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Berg	Fitzsimons	Laufenburger	Olson, A. G.	Stokowski
Borden	Gearty	Lewis	Olson, H. D.	Tennessee
Chenoweth	Hanson, R.	Lord	Olson, J. L.	Wegener
Chmielewski	Hughes	McCutcheon	Patton	Willet
Coleman	Humphrey	Milton	Perpich, A. J.	
Conzemius	Jensen	Moe	Perpich, G.	
Davies	Keefe, S.	North	Pillsbury	

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Krieger	Schrom	Stassen
Bernhagen	Hansen, Mel	Larson	Sillers	Ueland
Brown	Josefson	Ogdahl		
Frederick	Kowalczyk	O'Neill		

So the bill passed and its title was agreed to.

S. F. No. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Milton	Perpich, A. J.
Ashbach	Doty	Keefe, S.	Novak	Perpich, G.
Bang	Gearty	Kirchner	Ogdahl	Sillers
Chenoweth	Hansen, Mel	Kleinbaum	Olson, A. G.	Stassen
Chmielewski	Hughes	Laufenburger	Olson, H. D.	Stokowski
Coleman	Humphrey	Lord	O'Neill	

Those who voted in the negative were:

Arnold	Fitzsimons	Larson	Olson, J. L.	Tennessen
Berg	Frederick	Lewis	Patton	Thorup
Bernhagen	Hansen, Baldy	McCutcheon	Pillsbury	Ueland
Borden	Hanson, R.	Moe	Purfeerst	Wegener
Brown	Josefson	Nelson	Renneke	Willet
Conzemius	Kowalczyk	North	Schrom	
Dunn	Krieger	Olhoff	Spear	

So the bill failed to pass.

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district comprised of lands within the counties of Ramsey and Washington.

Was read the third time 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 32, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Milton	Perpich, A. J.
Ashbach	Doty	Kleinbaum	North	Perpich, G.
Borden	Gearty	Larson	Novak	Spear
Chenoweth	Humphrey	Laufenburger	Olhoff	Stokowski
Chmielewski	Keefe, J.	Lewis	Olson, A. G.	Tennessen
Coleman	Keefe, S.	Lord	O'Neill	Thorup

Those who voted in the negative were:

Arnold	Fitzsimons	Josefson	Olson, J. L.	Stassen
Bang	Frederick	Kowalczyk	Patton	Ueland
Berg	Hansen, Baldy	Krieger	Pillsbury	Wegener
Bernhagen	Hansen, Mel	McCutcheon	Purfeerst	Willet
Brown	Hanson, R.	Moe	Renneke	
Conzemius	Hughes	Nelson	Schrom	
Dunn	Jensen	Ogdahl	Sillers	

So the bill failed to pass.

S. F. No. 3008: A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

Was read the third time 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Renneke
Arnold	Fitzsimons	Kleinbaum	Novak	Schrom
Ashbach	Frederick	Kowalczyk	Ogdahl	Sillers
Bang	Gearty	Krieger	Olhoft	Spear
Berg	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olson, H. D.	Stokowski
Brown	Hanson, R.	Lewis	Olson, J. L.	Tennessee
Chenoweth	Hughes	Lord	O'Neill	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Milton	Perpich, G.	Willet
Davies	Keefe, J.	Moe	Pillsbury	
Doty	Keefe, S.	Nelson	Purfeerst	

Messrs. Borden, Josefson and Ueland voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3428: A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1.

Was read the third time 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	Brown	Fitzsimons	Jensen	Larson
Arnold	Chenoweth	Frederick	Josefson	Laufenburger
Ashbach	Chmielewski	Gearty	Keefe, J.	Lewis
Bang	Coleman	Hansen, Baldy	Keefe, S.	Lord
Berg	Conzemius	Hanson, R.	Kleinbaum	McCutcheon
Bernhagen	Doty	Hughes	Kowalczyk	Milton
Borden	Dunn	Humphrey	Krieger	Moe

Nelson	Olson, A. G.	Perpich, G.	Sillers	Thorup
North	Olson, H. D.	Pillsbury	Spear	Ueland
Novak	Olson, J. L.	Purfeerst	Stassen	Wegener
Ogdahl	O'Neill	Renneke	Stokowski	Willet
Olhoff	Perpich, A. J.	Schrom	Tennessee	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 1795: A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Nelson	Purfeerst
Arnold	Dunn	Keefe, S.	North	Renneke
Ashbach	Fitzsimons	Kirchner	Novak	Schrom
Bang	Frederick	Kleinbaum	Ogdahl	Sillers
Berg	Gearty	Kowalczyk	Olhoff	Spear
Bernhagen	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	Lord	O'Neill	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Coleman	Jensen	Milton	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

H. F. No. 3086: A bill for an act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

Was read the third time 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	Chenoweth	Fitzsimons	Jensen	Krieger
Arnold	Chmielewski	Frederick	Josefson	Larson
Ashbach	Coleman	Gearty	Keefe, J.	Laufenburger
Bang	Conzemius	Hansen, Mel	Keefe, S.	Lewis
Bernhagen	Davies	Hanson, R.	Kirchner	Lord
Borden	Doty	Hughes	Kleinbaum	McCutcheon
Brown	Dunn	Humphrey	Kowalczyk	Milton

Moe	Olson, A. G.	Perpich, G.	Spear	Wegener
Nelson	Olson, H. D.	Pillsbury	Stassen	Willet
North	Olson, J. L.	Purfeerst	Stokowski	
Novak	O'Neill	Renneke	Tennessee	
Ogdahl	Patton	Schrom	Thorup	
Olhoft	Perpich, A. J.	Sillers	Ueland	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2936: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said 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	Dunn	Kirchner	Ogdahl	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoft	Spear
Ashbach	Frederick	Krieger	Olson, A. G.	Stassen
Bang	Gearty	Larson	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Brown	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Conzemius	Josefson	Nelson	Purfeerst	
Davies	Keefe, J.	North	Renneke	
Doty	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

Was read the third time 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.	Novak	Sillers
Arnold	Dunn	Kirchner	Ogdahl	Spear
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Stassen
Bang	Frederick	Krieger	Olson, H. D.	Stokowski
Berg	Gearty	Larson	Olson, J. L.	Tennessee
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Brown	Hanson, R.	Lord	Perpich, A. J.	Wegener
Chenoweth	Hughes	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Pillsbury	
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Mr. Purfeerst gave notice of intention to move for reconsideration of S. F. No. 3422.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 1810, No. 52 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

Mr. Hansen, Baldy moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws adopted by the Senate on February 27, 1974, as follows:

Section 9, line 3, after "office" insert ", or agency, or municipal housing and redevelopment authority"

Section 9, clause (f) strike "relocation services" and insert "administration of any or all of the provisions of this act"

The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws adopted by the Senate on February 27, 1974, as follows:

Section 11, line 9, strike "All such housing and other facilities shall be in addition"

Section 11, strike lines 10 and 11

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Kleinbaum	Ogdahl	Schrom
Bang	Fitzsimons	Kowalczyk	Olhoft	Sillers
Berg	Frederick	Larson	Olson, A. G.	Spear
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lord	Patton	Tennessee
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Coleman	Hughes	Milton	Perpich, G.	Ueland
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet
Doty	Keefe, S.	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Humphrey moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws, adopted by the Senate February 27, 1974, as follows:

Section 7, after the third paragraph, insert:

“(a) First, to that portion required to be contributed to an areawide tax base under Minnesota Statutes, Chapter 473F; and thereafter”

Reletter the clauses in section 7 in sequence

The motion prevailed. So the amendment was adopted.

H. F. No. 1810 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 8, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, J.	Moe	Pillsbury
Ashbach	Fitzsimons	Kirchner	Nelson	Purfeerst
Bang	Frederick	Kleinbaum	North	Renneke
Bernhagen	Gearty	Kowalczyk	Novak	Sillers
Borden	Hansen, Baldy	Krieger	Ogdahl	Stassen
Brown	Hansen, Mel	Larson	Olhoft	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, A. G.	Ueland
Chmielewski	Hughes	Lewis	Olson, J. L.	Wegener
Coleman	Humphrey	Lord	O'Neill	Willet
Conzemius	Jensen	McCutcheon	Patton	
Doty	Josefson	Milton	Perpich, A. J.	

Those who voted in the negative were:

Berg	Keefe, S.	Perpich, G.	Tennessee	Thorup
Davies	Olson, H. D.	Spear		

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 2926, No. 82

on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2926: A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

Was read the third time 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	Fitzsimons	Kirchner	North	Renneke
Ashbach	Frederick	Kleinbaum	Novak	Sillers
Bang	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Stassen
Borden	Hansen, Mel	Larson	Olson, H. D.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, J. L.	Tennessee
Chmielewski	Hughes	Lewis	O'Neill	Thorup
Coleman	Humphrey	Lord	Patton	Ueland
Conzemius	Jensen	McCutcheon	Perpich, A. J.	Wegener
Davis	Josefson	Milton	Perpich, G.	Willet
Doty	Keefe, J.	Moe	Pillsbury	
Dunn	Keefe, S.	Nelson	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3331, No. 83 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3331: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

Was read the third time 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	Keefe, S.	Nelson	Renneke
Ashbach	Fitzsimons	Kirchner	North	Sillers
Bang	Frederick	Kleinbaum	Novak	Spear
Berg	Gearty	Kowalczyk	Olhoft	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, A. G.	Stokowski
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Thorup
Chmielewski	Hughes	Lewis	Patton	Ueland
Coleman	Humphrey	Lord	Perpich, A. J.	Wegener
Conzemius	Jensen	McCutcheon	Perpich, G.	Willet
Davis	Josefson	Milton	Pillsbury	
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., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3328, No. 84 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3328: A bill for an act relating to taxation, defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, Subdivision 6.

Mr. Stassen moved to amend H. F. No. 3328, the printed bill, as follows:

Page 2, after line 24, insert:

"Sec. 4. Minnesota Statutes 1971, Section 290.09, is amended by adding a subdivision to read:

Subd. 29. The amount the taxpayer has paid to others for board and room, transportation, tuition and book expenses of said taxpayer or any dependent taking a post-high school course of instruction in any accredited educational institution including state junior colleges, state or private colleges or universities, professional schools, vocational schools or accredited para-professional schools. The deduction for each dependent shall not exceed \$1,000 in one taxable year.

Sec. 5. Section 4 applies to taxable years commencing after December 31, 1973."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, third line of the title, strike "amending" and insert "providing for the treatment of college educational expenses of dependents for income tax purposes; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision; and"

CALL OF THE SENATE

Mr. Perpich, A. J. imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Keefe, S.	North	Purfeerst
Arnold	Dunn	Kirchner	Novak	Renneke
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olhoft	Spear
Berg	Gearty	Krieger	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Tennessen
Chenoweth	Hanson, R.	Lewis	O'Neill	Thorup
Chmielewski	Hughes	Lord	Patton	Ueland
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Moe	Perpich, G.	Willet
Davies	Josefson	Nelson	Pillsbury	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question recurred on the amendment of Mr. Stassen.

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	Frederick	Josefson	Krieger	Stassen
Bernhagen	Hansen, Mel	Keefe, J.	Patton	Ueland
Chmielewski	Jensen	Kowalczyk		

Those who voted in the negative were:

Anderson	Gearty	Lord	Olhoft	Solon
Arnold	Hansen, Baldy	McCutcheon	Olson, A. G.	Spear
Berg	Hughes	Milton	Olson, H. D.	Stokowski
Borden	Humphrey	Moe	O'Neill	Tennessee
Chenoweth	Keefe, S.	Nelson	Perpich, A. J.	Thorup
Coleman	Kleinbaum	North	Perpich, G.	Wegener
Conzemius	Laufenburger	Novak	Pillsbury	Willet
Davies	Lewis	Ogdahl	Purfeerst	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 3328 was read the third time 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	Sillers
Arnold	Fitzsimons	Kleinbaum	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	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	
Davies	Keefe, J.	Nelson	Purfeerst	
Doty	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 951:

H. F. No. 951: A bill for an act relating to ethics in govern-

ment; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Berg; Sieben, H. and Savelkoul have been appointed as such committee on the part of the House.

House File No. 951 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 March 12, 1974

Mr. North moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 951, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3533:

H. F. No. 3533: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Sherwood, Patton and Laidig have been appointed as such committee on the part of the House.

House File No. 3533 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 March 12, 1974

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3533, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1136:

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Prahl, Adams, S. and Anderson, I. have been appointed as such committee on the part of the House.

House File No. 1136 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 March 12, 1974

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1136, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2728.

H. F. No. 2728: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Menke, Cummiskey and Myrah have been appointed as such committee on the part of the House.

House File No. 2728 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 March 12, 1974

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2728, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1292:

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Ferderer, McCarron and Pavlak, R. L. have been appointed as such committee on the part of the House.

House File No. 1292 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 March 12, 1974

Mr. Nelson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1292, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 1069 and 2992.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 12, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 1069: A bill for an act relating to probate proceedings; providing for informal administration of estates; amending Minnesota Statutes 1971, Sections 525.23; 525.33; 525.48; and 525.483.

H. F. No. 2992: A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and de-

cedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1069 and 2992 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. 1069 and 2992 to the Committee on Judiciary.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration.

Mr. Coleman moved the adoption of the foregoing Committee Report. The motion prevailed. Report adopted.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:50 o'clock p. m. The motion prevailed.

The hour of 1:50 o'clock p. m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Conzemius imposed a call of the Senate. The following Senators answered to their names:

Anderson	Doty	Humphrey	Moe	Purfeerst
Ashbach	Dunn	Josefson	Olhoft	Renneke
Berg	Fitzsimons	Keefe, S.	Olson, A. G.	Schrom
Bernhagen	Frederick	Kirchner	Olson, J. L.	Spear
Borden	Gearty	Laufenburger	Patton	Stokowski
Chmielewski	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Conzemius	Hanson, R.	Lord	Perpich, G.	Willet
Davies	Hughes	Milton	Pillsbury	

The Sergeant-at-Arms was instructed to bring in the absent members.

MEMBERS EXCUSED

Mr. Coleman was excused from the first hour of this afternoon's Session. Mr. Moe was excused from this evening's Session. Mr. Dunn was excused from this evening's Session, beginning at 8:00 o'clock p.m. Mr. Olson, J. L. was excused from this evening's Session, beginning at 10:00 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The 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. 1769, 1963, 2924, 3238, 3198, 3250, 3477, 3434, 3494, 2386, 2964, 2669, 2670 and 2161 which the committee recommends to pass.

S. F. Nos. 1486 and 779 which the committee recommends be returned to their authors.

S. F. No. 1879, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Mr. Laufenburger moved to amend S. F. No. 1879 as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. [CITATION.] This act may be cited as “the insurance premium finance company act.”

Sec. 2. [DEFINITION.] Subdivision 1. For the purposes of this act, the words, terms and phrases defined in this section have the meanings ascribed to them except where the context clearly indicates a different meaning.

Subd. 2. “Insurance premium finance agreement” means an agreement by which an insured or prospective insured promises to pay to a premium finance company or to its assignee the amount advanced or to be advanced under the agreement to an insurer or to an insurance agent or broker in payment of premiums on an insurance policy together with a service charge. Any agreement to finance premiums is a premium finance agreement if an insurance policy, other than a life or disability insurance policy, is made the security or collateral for the repayment of the debt incurred under the agreement. Provided, however, an agreement to finance premiums for insurance which is included in a retail installment transaction or purchased in connection with a real estate transaction, mortgage, deed of trust or other security agreement is not a premium finance agreement. Provided further, that an agreement by an insurance company to finance policies written by companies other than itself or its parent company, its subsidiaries or companies with which it shares a common parent company is not a premium finance agreement.

Subd. 3. "Licensee" means a person licensed by the commissioner to engage in the business of insurance premium financing.

Subd. 4. "Commissioner" means the commissioner of banks.

Sec. 3. [LICENSES.] Subdivision 1. No person other than a savings and loan association, bank, savings bank, trust company, small loan company, industrial loan and thrift company or credit union may engage in the business of entering into insurance premium finance agreements unless licensed to do so by the commissioner. A violation of this subdivision is a misdemeanor.

Subd. 2. The applicant at the time of making application, shall pay to the commissioner the sum of \$250 as a fee for investigating the application, and the additional sum of \$100 as an annual license fee for a period terminating on May 31 of each year. In addition to the annual license fee, every licensee shall pay to the commissioner the actual costs of each examination as may be required to be conducted under the terms of the act.

Subd. 3. The person to whom the license or the renewal thereof may be issued shall file sworn answers to such interrogatories as the commissioner may require. The commissioner shall have authority, at any time, to require the applicant to fully disclose the identity of all stockholders, partners, officers and employees and he may, in his discretion, refuse to issue or issue a license in the name of any firm, partnership, or corporation if he is not satisfied with any officer, employee, stockholder or partner thereof, who may materially influence the applicant's conduct, meets the standards of this act.

Sec. 4. [ACTION BY COMMISSIONER ON APPLICATION.] Subdivision 1. Upon the filing of an initial application and the payment of the license fee, the commissioner shall make an investigation of each applicant. If a license has not been issued within 30 days after receipt of the application the commissioner shall, at the request of the applicant, give the applicant a full hearing.

Subd. 2. The commissioner shall issue or renew a license when he is satisfied that the person to be licensed:

(a) Is competent and trustworthy and intends to act in good faith in the financing of insurance premiums;

(b) Has a good business reputation and has had experience, training or education so as to be qualified in financing insurance premiums; and

(c) If a corporation, is a corporation incorporated under the laws of this state or a foreign corporation authorized to transact business in this state.

Sec. 5. [REVOCAION AND SUSPENSION OF LICENSES.] The commissioner may after a hearing revoke, suspend, or refuse to renew the license of any licensee if it appears to the commissioner that:

(a) The license was obtained by fraud;

(b) There was any misrepresentation in the application for the license;

(c) The holder of the license has otherwise shown himself untrustworthy or incompetent to finance insurance premiums, or is involved in any fraudulent, dishonest or deceptive practice; or

(d) The licensee has violated any of the provisions of this act or rules adopted pursuant to this act.

Sec. 6. [BOOKS AND RECORDS.] Subdivision 1. Every licensee shall maintain in this state records satisfactory to the commissioner of its premium finance transactions. The records shall be open to examination and investigation by the commissioner at any time during ordinary business hours. The commissioner may, at any time, require any licensee to bring these records to the commissioner's office for examination.

Subd. 2. Every licensee shall preserve its records of premium finance transactions for at least three years after making the final entry in respect to any premium finance agreement. The records may be preserved in photographic form.

Subd. 3. The commissioner shall make an examination of the affairs, business, office and records of each licensee at least once each year. Each licensee shall pay to the commissioner such amount for the cost of each examination as may be required under section 4, subdivision 2, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction.

Sec. 7. [POWER TO MAKE RULES.] The commissioner shall promulgate any rules and regulations which may be necessary to the administration of this act.

Sec. 8. [PREMIUM FINANCE AGREEMENTS.] Subdivision 1. A premium finance agreement shall:

(a) Be dated and signed by or on behalf of the insured, and the printed portion thereof shall be in at least eight point type;

(b) Contain the name and place of business of the insurance agent or insurance broker negotiating the related insurance contract, the name and residence or the place of business of the insured as specified by him, the name and place of business of the premium finance company to which installments or other payments are to be made, a description of the insurance contracts including the term and type of policy, the premiums for which are advanced or are to be advanced under the agreement and the amount of the premiums therefor; and

(c) Set forth the following items where applicable:

(1) The total amount of the premiums,

(2) The amount of the down payment,

(3) The balance of premiums due, the amount financed (the difference between items (1) and (2)),

- (4) The amount of the finance charge,
- (5) The amount of the flat service fee,
- (6) The total of payments (sum of items (3), (4) and (5)).

Subd. 2. The items set forth in subdivision 1, clause (c) need not be stated in the sequence or order in which they appear and additional items may be included to explain the computations made in determining the amount to be paid by the insured.

Subd. 3. The information required by subdivision 1 shall only be required in the initial agreement where the premium finance agreement which has been entered into provides for open end terms defined as follows: An agreement which provides that additional premiums required on originally financed policies may be added from time to time on which a finance charge may be added for the remaining term of the original finance agreement. The \$10 flat service fee may not be collected on these additional premiums financed.

Subd. 4. The premium finance company or the insurance agent shall deliver to the insured, or mail to him at his address shown in the agreement, a completed copy of that agreement.

Sec. 9. [MAXIMUM FINANCE CHARGE.] Subdivision 1. No person engaged in the business of financing insurance premiums may charge, contract for, receive or collect a finance charge plus flat service fee with respect to an insurance premium finance agreement other than as permitted by this section.

Subd. 2. The finance charge shall be computed on the balance of the premiums due, after subtracting the down payment made by the insured in accordance with the premium finance agreement, from the effective date of the insurance coverage, for which the premiums are being advanced, to and including the date when final installment of the premium finance agreement is payable.

Subd. 3. The finance charge shall be a maximum of \$8 per \$100 per year for amounts financed of \$300 or less and \$6 per \$100 per year on that amount financed over \$300 plus a flat rate service fee of \$10 per premium finance agreement. The flat service fee need not be refunded upon prepayment in full before maturity.

Subd. 4. The finance charge shall be computed on the principal balance of a premium finance agreement payable in substantially equal successive monthly installments over a period of one year. On a premium finance agreement providing for installments extending for a period of less than or greater than one year, the finance charge shall be computed proportionately.

Subd. 5. Notwithstanding the provisions of any premium finance agreement, any insured may prepay the obligation in full at any time. In such event he shall receive a refund credit. The amount of such refund credit shall represent at least as great a proportion of the finance charge as the sum of the periodic balances after the month in which prepayment is made bears to the sum of all periodic balances under the schedule of installments in the agreement. Where the amount of the refund is less than \$1, no

refund need be made. If, in addition to the finance charge, an additional flat service fee was imposed, the flat service fee need not be refunded nor taken into consideration in computing the refund credit.

Sec. 10. [DELINQUENCY CHARGES.] Subdivision 1. A premium finance agreement may provide for payment by the insured of a delinquency charge. The delinquency charge may be \$1 or five percent of the delinquent installment, but not more than \$5. The delinquency charge may be imposed upon any installment which is in default for a period of ten days or more.

Subd. 2. If the default results in the cancellation of any insurance contract listed in the agreement, the agreement may provide for payment by the insured of a cancellation charge equal to the difference between any delinquency or default charge imposed with respect to the installment in default and \$5. A premium finance agreement may also provide for the payment of statutory attorneys fees and statutory court costs if the agreement is referred for collection to an attorney not a salaried employee of the insurance premium finance company.

Sec. 11. [CANCELLATION OF INSURANCE CONTRACT UPON DEFAULT.] Subdivision 1. When a premium finance agreement contains a power of attorney or other authority enabling the insurance premium finance company to cancel any insurance contract listed in the agreement, the insurance contract or contracts shall not be cancelled by the premium finance company unless such cancellation is effectuated in accordance with this section.

Subd. 2. Not less than ten days' written notice shall be mailed to the insured setting forth the intent of the insurance premium finance company to cancel the insurance contract unless the default is cured prior to the date stated in the notice. The insurance agent or insurance broker indicated on the premium finance agreement shall also be mailed ten days' notice of this action.

Subd. 3. Pursuant to the power of attorney or other authority referred to above, the insurance premium finance company may cancel on behalf of the insured by mailing to the insurer written notice stating when thereafter the cancellation shall be effective, and the insurance contract shall be cancelled as if such notice of cancellation had been submitted by the insured himself, but without requiring the return of the insurance contract. In the event that the insurer or its agent does not provide the insurance premium finance company with a specific mailing address for the purposes of receipt of the above notice, then mailing by the insurance premium finance company to the insurer at the address which is on file and of record with the commissioner of insurance pursuant to the provisions of Minnesota Statutes, Chapters 60A and 72A shall be considered sufficient notice under this section. The insurance premium finance company shall also mail a notice of cancellation to the insured at his last known address and to the insurance agent or insurance broker indicated on the premium finance agreement.

Subd. 4. Where statutory, regulatory or contractual restrictions provide that the insurance contract may not be cancelled unless notice is given to a governmental agency, mortgagee, or other third party, the insurer shall give the prescribed notice on behalf of itself or the insured to the governmental agency, mortgagee or other third party within a reasonable time after the day it receives the notice of cancellation from the premium finance company. When the above restrictions require the continuation of insurance beyond the effective date of cancellation specified by the premium finance company, the insurance shall be limited to the coverage to which the restrictions relate and to the persons they are designed to protect.

Sec. 12. [APPLICATION OF UNEARNED PREMIUMS.] Subdivision 1. Whenever a financed insurance contract is cancelled, the insurer shall return whatever gross unearned premiums are due under the insurance contract to the premium finance company for the account of the insured or insureds. This action by the insurer shall be deemed to satisfy the insurer's obligations under the insurance contract which relate to the return of the unearned premiums.

Subd. 2. In the event that a premium is subject to an audit to determine the final premium amount, the gross unearned premium will be calculated upon the deposit premium and the insurer shall return whatever gross unearned premiums are due based upon the deposit rather than the actual unearned premium to the finance company for the account of the insured or insureds.

Subd. 3. Assigned risk policies shall be handled in conformance with sections 11 and 12, subdivisions 1 and 2.

Subd. 4. In the event that the crediting of returned premiums to the account of the insured results in a surplus over the amount due from the insured, the premium finance company shall refund such excess to the insured; provided, that no refund shall be required if it amounts to less than \$1.

Sec. 13. [EXEMPTION FROM FILING.] No filing of the premium finance agreement or recording of a premium finance transaction shall be necessary to perfect the validity of the agreement as a secured transaction as against creditors, subsequent purchasers, pledgees, encumbrances, successors or assigns.

Sec. 14. [PRE-EXISTING PREMIUM FINANCE AGREEMENTS.] Any premium finance agreements executed prior to the effective date of this act shall not be covered by the terms of this act. However, any amendments to pre-existing premium finance agreements shall be governed by these provisions.

Sec. 15. The provisions of Minnesota Statutes, Chapter 15, shall apply to this act."

S. F. No. 1123 which the committee reports progress, after the following motions:

Mr. Krieger moved to amend S. F. No. 1123 as follows:

Page 1, lines 17, 18 and 19, strike the new language

Page 1, line 28, before the period insert "*and health insurance as specified in subdivision 6a.*"

Page 2, after line 5, add a new section to read:

"Sec. 2. Minnesota Statutes 1971, Section 60A.15, is amended by adding a subdivision to read:

Subd. 6a. Taxes on the premium an individual pays for health insurance directly increase the cost of medical care. The premium taxes are in reality a sales tax and help to make health insurance inaccessible to the economically disadvantaged and those on fixed incomes. It is the policy of the state of Minnesota that every person should have available to him the highest quality medical care at a reasonable cost. In furtherance of that policy all direct taxes on premiums paid for health insurance imposed by Minnesota Statutes, Section 60A.15, Subdivision 1, are declared to be against the policy of this state and are repealed. The commissioner of revenue shall make such rules and regulations as may be necessary to enforce the provisions of this section."

Page 2, line 7, strike "1973" and insert "1974"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, strike "requiring" and insert "excepting"

Line 7, before the period, insert ", and by adding a subdivision"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 23 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Ogdahl	Renneke
Bang	Frederick	Kirchner	Olson, J. L.	Sillers
Berg	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Bernhagen	Hanson, R.	Krieger	Patton	
Brown	Jensen	Nelson	Pillsbury	

Those who voted in the negative were:

Anderson	Garty	Lord	Olson, H. D.	Stokowski
Arnold	Hansen, Baldy	McCutcheon	Perpich, A. J.	Tennessee
Borden	Hughes	Milton	Perpich, G.	Thorup
Chenoweth	Humphrey	Moe	Purfeerst	Willet
Chmielewski	Keeie, S.	North	Schaaf	
Conzemius	Kleinbaum	Novak	Schrom	
Davies	Laufenburger	Olhoft	Solon	
Doty	Lewis	Olson, A. G.	Spear	

The motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation to pass S. F. No. 1123,

And the roll being called, there were yeas 16 and nays 42, as follows:

Those who voted in the affirmative were:

Borden	Hansen, Baldy	Lewis	Olhoff	Schrom
Conzemius	Hansen, Mel	Milton	Olson, A. G.	Stokowski
Davies	Hughes	Novak	Schaaf	Tenessen
Gearty				

Those who voted in the negative were:

Anderson	Dunn	Kleinbaum	Olson, J. L.	Solon
Arnold	Frederick	Kowalczyk	O'Neill	Spear
Ashbach	Hanson, R.	Krieger	Patton	Stassen
Bang	Humphrey	Laufenburger	Perpich, A. J.	Thorup
Berg	Jensen	Lord	Perpich, G.	Wegener
Bernhagen	Josefson	Nelson	Pillsbury	Willet
Brown	Keefe, J.	North	Purfeerst	
Chmielewski	Keefe, S.	Ogdahl	Renneke	
Doty	Kirchner	Olson, H. D.	Sillers	

The committee then progressed S. F. No. 1123.

S. F. No. 1999, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Strike everything after the enacting clause and insert:

“Section 1. [ROAD AND BRIDGE LEVY.] Subdivision 1. The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1974 not to exceed five and one-half mills on the dollar of taxable valuation in the county; in 1975, not to exceed seven mills; and in 1976 not to exceed 8.34 mills.

Subd. 2. As an alternate plan, the county board of St. Louis county may issue general obligation bonds in amounts not to exceed \$650,000 for the year 1975, \$650,000 for the year 1976, and \$550,000 for the year 1977.

Sec. 2. [EFFECT ON LEVY LIMITATIONS.] The increase in the taxes authorized by this act to be levied for road and bridge purposes by St. Louis county in levy years 1974 through 1976 shall be disregarded when computing levies permitted under levy limitations provided by Minnesota Statutes, Sections 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.”

S. F. No. 2731, which the committee recommends to pass with the following amendment offered by Mr. Ashbach:

Page 14, line 11, strike the period and insert a semicolon

Page 14, after line 11, insert:

“(r) temporary or part-time service performed in the employ of a municipality in a playground, athletic, or recreational program.”

Page 14, line 17, strike the new language and reinsert the old language

Page 14, strike lines 21, 22, and 23

S. F. No. 3257, which the committee recommends to pass with the following amendments offered by Messrs. Tennesen and McCutcheon:

Mr. Tennesen moved to amend S. F. No. 3257 as follows:

Page 5, line 2, before the period insert “, and may be fined up to \$20”

Mr. McCutcheon moved to amend S. F. No. 3257 as follows:

Page 4, line 13, strike “and”

Page 4, after line 13, insert:

“(c) Any municipal peace officer while on duty; and”

Page 4, line 14, strike “(c)” and insert “(d)”

The question being taken on the committee recommendation to pass S. F. No. 3257,

And the roll being called, there were yeas 22 and nays 21, as follows:

Those who voted in the affirmative were:

Chmielewski	Gearty	Laufenburger	Olhoft	Tennesen
Coleman	Hansen, Mel	Lord	Schaaf	Thorup
Davies	Humphrey	Milton	Solon	
Doty	Josefson	Moe	Spear	
Frederick	Keefe, S.	North	Stokowski	

Those who voted in the negative were:

Arnold	Fitzsimons	Kowalczyk	Pillsbury	Wegener
Ashbach	Hansen, Baldy	Lewis	Renneke	
Berg	Hanson, R.	Olson, J. L.	Schrom	
Bernhagen	Jensen	Perpich, A. J.	Stassen	
Dunn	Kirchner	Perpich, G.	Ueland	

So the committee recommended S. F. No. 3257 to pass.

S. F. No. 3181, which the committee recommends to pass with the following amendment offered by Mr. Perpich, A. J.:

Page 1, line 12, strike “ice” and insert “boundary waters canoe area”

Page 1, line 12, after “day” insert “.”

Page 1, line 12, strike “upon completion of”

Page 1, strike all of line 13

S. F. No. 2003, which the committee recommends to pass.

The question being taken on the committee recommendation to pass S. F. No. 2003,

And the roll being called, there were yeas 20 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Josefson	Nelson	Spear
Brown	Frederick	Keefe, J.	North	Stassen
Davies	Hansen, Mel	Kirchner	Pillsbury	Tennessee
Doty	Humphrey	Milton	SchAAF	Ueland

Those who voted in the negative were:

Berg	Lewis	Olhoft	Perpich, G.	Solon
Hansen, Baldy	Moe	Olson, A. G.	Purfeerst	Stokowski
Hanson, R.	Novak	Olson, H. D.	Schrom	Willet

So the committee recommended S. F. No. 2003 to pass.

S. F. No. 2110, which the committee recommends to pass with the following amendment offered by Mr. Milton:

Page 2, line 4, strike "and thereafter when made necessary"

Page 2, strike line 5

Page 2, line 6, strike "suggested"

Page 2, line 7, after "criteria and" insert "suggested"

Page 3, line 3, after "and" insert "minimizing"

Page 3, strike lines 6, 7, 8 and 9 and reletter the remaining clauses

Page 3, line 12, after "of" insert "premature"

Page 3, line 21, after "standards" strike "and" and insert a comma

Page 3, line 22, after "criteria" strike the comma

Page 3, line 22, after "ordinances," insert "described in clauses (a), (b), (d), (f), (g) and (i)"

Page 3, line 25, strike ", where appropriate,"

Page 3, line 27, after "resources" insert a semicolon, strike the rest of the line, and insert "in preparation of these standards, criteria and model ordinances, described in clauses (c) and (e), the metropolitan council shall seek the assistance and approval of the soil and water conservation commission; in preparation of these standards, criteria and model ordinances, described in clause (h), the metropolitan council shall seek the assistance and approval of the department of agriculture."

Page 4, line 7, after "area" insert "shall be provided with standards, criteria and suggested model ordinances and"

Page 4, line 8, after "ordinances" strike the comma and insert "which provide for the protection of the resources described in section 3."

Page 4, line 8, strike "separately or"

Page 4, strike lines 9 through 18

Page 4, line 25, strike "The"

Page 4, strike lines 26 through 28

Page 5, strike line 1

Page 5, line 2, strike "and floodplain management."

Page 5, line 2, after "The" insert "metropolitan"

Renumber the sections in sequence

The question being taken on the committee recommendation to pass S. F. No. 2110,

And the roll being called, there were yeas 29 and nays 17, as follows:

Those who voted in the affirmative were:

Borden	Hughes	Lord	Olhoft	Spear
Chenoweth	Humphrey	McCutcheon	Olson, A. G.	Stassen
Coleman	Keefe, J.	Milton	O'Neill	Stokowski
Davies	Keefe, S.	Nelson	Perpich, A. J.	Tennessee
Doty	Laufenburger	North	Perpich, G.	Wegener
Gearty	Lewis	Novak	Schaaf	

Those who voted in the negative were:

Arnold	Dunn	Josefson	Olson, J. L.	Renneke
Berg	Fitzsimons	Kowalczyk	Patton	
Brown	Frederick	Moe	Pillsbury	
Chmielewski	Hanson, R.	Olson, H. D.	Purfeerst	

So the committee recommended S. F. No. 2110 to pass.

S. F. No. 3194, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, line 20, before "To" insert "The purpose of this act is"

Page 2, line 12, before the period insert the words "and persons operating as frozen food processing plants as defined in Minnesota Statutes, Section 31.185"

Page 3, lines 9 and 10, strike "on a calendar year basis" and insert "annually"

Page 3, line 11, strike "January 1 and"

Page 4, line 21, strike "responsible"

Page 4, line 21, after "company" and before "in" insert "licensed to do business in this state, or meeting the requirements of section 5,"

Page 5, line 25, strike "and" insert "or"

Page 5, line 25, after "order," and before "revoke" insert "pursuant to the provisions of Minnesota Statutes, Chapter 15, and this subdivision,"

Page 12, line 2, after "manner" and before "interested" insert "financially"

S. F. No. 3407, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, strike all of section 1

Page 2, strike all of section 3

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, strike “, and” and insert a period

Strike lines 5 and 6

S. F. No. 2580, which the committee recommends to pass with the following amendment offered by Mr. Nelson:

Page 1, strike lines 19 through 28 and renumber the subdivisions accordingly

Page 6, line 19, strike “and his testimony may not be used” and insert a period

Page 6, strike lines 20 and 21

RECESS

Mr. Coleman moved that the committee do now recess until 8:00 o'clock p. m. The motion prevailed.

The hour of 8:00 o'clock p. m. having arrived, the Chairman called the committee to order.

S. F. No. 3076, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 2, line 16, strike the comma and insert a semicolon

Page 2, line 18, after “shall” insert “, *except where this reduction would render the commission ineligible for the federal aid involved.*”

Mr. Knutson moved to amend S. F. No. 3076 as follows:

Page 1, strike lines 21 through 28

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, lines 4 and 5, strike “setting bus fares;”

Lines 6 and 7, strike “Sections 473A.09, by adding a subdivision;” and insert “Section”

Mr. Kirchner moved a substitute amendment to amend S. F. No. 3076 as follows:

Page 1, line 24, after “a” insert “uniform”

Page 1, lines 24 and 25, strike “of not more than \$.25 per ride,”

The question being taken on adoption of the substitute amendment,

And the roll being called, there were yeas 15 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Kirchner	Pillsbury
Bang	Fitzsimons	Jensen	Krieger	Renneke
Bernhagen	Frederick	Josefson	Olson, J. L.	Ueland

Those who voted in the negative were:

Berg	Gearty	Laufenburger	Olhoff	Solon
Borden	Hansen, Mel	Lewis	Olson, A. G.	Spear
Chenoweth	Humphrey	Lord	Olson, H. D.	Stassen
Coleman	Keefe, J.	McCutcheon	Perpich, G.	Stokowski
Conzemius	Keefe, S.	Milton	Purfeerst	Tennessee
Davies	Kleinbaum	North	Schaaf	Wegener
Doty	Knutson	Novak	Schrom	Willet

The motion did not prevail. So the substitute amendment was not adopted.

The question recurred on the Knutson amendment.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Knutson	Pillsbury
Bang	Fitzsimons	Hanson, R.	Kowalcyk	Renneke
Berg	Frederick	Jensen	North	Stassen
Bernhagen	Hansen, Baldy	Josefson	Olson, J. L.	Ueland

Those who voted in the negative were:

Borden	Gearty	Lewis	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Lord	Purfeerst	Tennessee
Coleman	Keefe, S.	McCutcheon	Schaaf	Wegener
Conzemius	Kirchner	Milton	Schrom	Willet
Davies	Kleinbaum	Olhoff	Solon	
Doty	Laufenburger	Olson, A. G.	Spear	

The motion did not prevail. So the amendment was not adopted.

S. F. No. 3337, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 3, line 18 and 19, reinstate the stricken language

Page 6, after line 21, insert:

“Sec. 9. Minnesota Statutes 1971, Section 94.15, is repealed.”

Re number the remaining section

Further, amend the title in line 17 after “section” by inserting “; repealing Minnesota Statutes 1971, Section 94.15”

S. F. No. 2315, which the committee recommends to pass.

The question being taken on the committee recommendation to pass S. F. No. 2315,

And the roll being called, there were yeas 37 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Conzemius	Humphrey	Milton	Schaaf
Bang	Davies	Jensen	North	Stassen
Berg	Doty	Keefe, J.	Olson, A. G.	Stokowski
Bernhagen	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Brown	Frederick	Kleinbaum	O'Neill	Willet
Chenoweth	Gearty	Krieger	Pillsbury	
Chmielewski	Hansen, Baldy	Laufenburger	Purfeerst	
Coleman	Hanson, R.	Lewis	Renneke	

Those who voted in the negative were:

Borden	Knutson	Lord	Spear	Tennessee
Keefe, S.	Kowalczyk	Olhoft		

So the committee recommended S. F. No. 2315 to pass.

And then, on motion of Mr. Lewis, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of this evening's proceedings. The following Senators answered to their names:

Ashbach	Doty	Kleinbaum	Olson, J. L.	Stassen
Berg	Fitzsimons	Kowalczyk	Patton	Stokowski
Bernhagen	Gearty	Lewis	Perpich, G.	Tennessee
Borden	Hansen, Baldy	Lord	Pillsbury	Thorup
Brown	Hanson, R.	McCutcheon	Purfeerst	Ueland
Chenoweth	Humphrey	Ogdahl	Renneke	Willet
Coleman	Jensen	Olhoft	Schaaf	
Conzemius	Keefe, S.	Olson, A. G.	Schrom	
Davies	Kirchner,	Olson, H. D.	Spear	

The Sergeant-at-Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

MEMBERS EXCUSED

Mr. Nelson was excused from this evening's Session.

Pursuant to Rule 21, Mr. Thorup moved that the following members be excused for a Conference Committee on H. F. No. 2996:

Messrs. Anderson, Hughes, O'Neill, Sillers and Arnold. The motion prevailed.

APPOINTMENTS

Mr. Davies from the Committee on Committees, recommended that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on H. F. No. 951, pursuant to the request of the House:

Messrs. Keefe, S., Ashbach, Tennessen.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. 1866, pursuant to the request of the House:

Messrs. Moe, Tennessen, Kirchner.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2728, pursuant to the request of the House:

Messrs. Borden, Pillsbury, Kleinbaum.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1136, pursuant to the request of the House:

Messrs. Perpich, A. J.; Arnold; Kowalczyk.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3533, pursuant to the request of the House:

Messrs. Willet, Schrom, Brown.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1292, pursuant to the request of the House:

Messrs. Nelson, Milton, Spear.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 2444 be taken from the table. The 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.

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 26, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, H. D.	Tennesen
Arnold	Gearty	Lord	Perpich, A. J.	Thorup
Borden	Hughes	McCutcheon	Perpich, G.	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Keefe, S.	North	Schaaf	
Coleman	Kirchner	Novak	Solon	
Conzemius	Kleinbaum	Olhoff	Spear	
Davies	Laufenburger	Olson, A. G.	Stokowski	

Those who voted in the negative were:

Ashbach	Frederick	Knutson	O'Neill	Stassen
Bang	Hansen, Baldy	Kowalczyk	Patton	Ueland
Berg	Hansen, Mel	Krieger	Pillsbury	
Bernhagen	Hanson, R.	Larson	Renneke	
Brown	Jensen	Ogdahl	Schrom	
Fitzsimons	Josefson	Olson, J. L.	Sillers	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, First Readings of House Bills, Reports of Committees and Second Reading of Senate Bills, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 978:

H. F. No. 978: A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort

liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Peterson, Culhane and Wigley have been appointed as such committee on the part of the House.

House File No. 978 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 March 13, 1974

Mr. Wegener moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 978, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3202:

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Jacobs, Haugerud and Newcome have been appointed as such committee on the part of the House.

House File No. 3202 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 March 13, 1974

Mr. Thorup moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3202, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1530: A bill for an act relating to education; authorizing and prohibiting fees for public educations.

There has been appointed as such committee on the part of the House:

Johnson, C., Jaros and Knickerbocker.

Senate File No. 1530 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 13, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 1835, 2156, 2974, 3045, 3151, 3279, 3321, 3433, 1834 and 3276.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 13, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 1835: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

H. F. No. 2156: A bill for an act relating to occupations and professions; regulating the definition of the practice of professional engineering; amending Minnesota Statutes 1971, Section 326.02, Subdivision 3.

H. F. No. 2974: A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

H. F. No. 3045: A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

H. F. No. 3151: A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

H. F. No. 3279: A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the pro-

visions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

H. F. No. 3321: A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

H. F. No. 3433: A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

H. F. No. 1834: A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.

H. F. No. 3276: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

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. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

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 Joint Rule 20, together with the committee report thereon,

S. F. No. 3433: A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Reports the same back with the recommendation that the report from the Committee on Judiciary be adopted and the bill be placed on the General Orders Calendar. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 3102: A bill for an act relating to pharmacy; legend drugs, restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

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.

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 for proper reference under Rule 35,

S. F. No. 3211: A bill for an act relating to school districts; elections; providing for primary elections in certain cases; providing procedures therefor; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 4 and 8, and by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Education. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 2156, 2974, 3045, 3151 and 3433 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. 2974, 3045 to the Committee on Finance.

H. F. No. 3151 to the Committee on Governmental Operations.

H. F. No. 2156 to the Committee on Labor and Commerce.

H. F. No. 3433 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. 3244 and 3433 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schrom moved that the name of Mr. Wegener be shown as chief author and the name of Mr. Schrom be stricken as author to S. F. No. 637. The motion prevailed.

Mr. Perpich, A. J. moved that the name of Mr. Perpich, G. be added as co-author to S. F. No. 3181. The motion prevailed.

Mr. O'Neill moved that H. F. No. 2525 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration. The motion prevailed.

NOTICE OF RECONSIDERATION

Mr. Perpich, A. J. gave notice of intention to move for reconsideration of H. F. No. 3328.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 14, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED FIFTH DAY

St. Paul, Minnesota, Thursday, March 14, 1974.

The Senate met at 10 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,	Olson, H. D.	Spear
Arnold	Fitzsimons	Krieger	Olson, J. L.	Stokowski
Bang	Frederick	Laufenburger	O'Neill	Tennessen
Berg	Hansen, Baldy	Lewis	Patton	Thorup
Bernhagen	Hansen, Mel	Lord	Perpich, G.	Ueland
Borden	Hanson, R.	McCutcheon	Pillsbury	Wegener
Chmielewski	Hughes	Milton	Purfeerst	Willet
Coleman	Josefson	Novak	Renneke	
Conzemius	Keefe, S.	Ogdahl	Schrom	
Davies	Kirchner	Olson, A. G.	Sillers	

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.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Schrom
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Knutson	Olhott	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Krieger	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, G.	Ueland
Coleman	Jensen	McCutcheon	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Blatz, Moe and Perpich, A. J. were excused from the Session of today. Mr. Nelson was excused from the early part of today's Session.

INTRODUCTION OF BILLS

Mr. Milton introduced—

S. F. No. 3570: A bill for an act relating to review by the metropolitan council of municipal plans; establishing a deadline; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 7.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Kleinbaum, Lord and Bang introduced—

S. F. No. 3571: A bill for an act creating a legislative commission to study taxation of nonreturnable containers of all kinds.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Mr. Humphrey introduced—

S. F. No. 3572: A bill for an act relating to the governor; creating a governor's commission on physical fitness; prescribing powers and duties.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Lewis and Gearty introduced—

S. F. No. 3573: A bill for an act relating to Hennepin county; boards of review; creating an appointed board of equalization.

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 House Files, herewith transmitted:

H. F. Nos. 2243, 3035, 3105, 3313 and 3571.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 13, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2243: A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18; repealing Laws 1971, Chapter 739.

H. F. No. 3035: A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

H. F. No. 3105: A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

H. F. No. 3313: A bill for an act regarding concession facilities at the Minnesota zoological garden; amending Minnesota Statutes 1971, Section 85A.03, Subdivision 4.

H. F. No. 3571: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

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 S. F. No. 2296, be now adopted. The motion prevailed.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 2296: A bill for an act relating to the policemen's relief association in the city of Columbia Heights; membership of certain police personnel in the public employees police and fire fund.

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. Notwithstanding the provisions of any general or special law to the contrary, all firemen first employed after January 1, 1974, shall be members of the public employees police and fire fund operated pursuant to Minnesota Statutes, Sections 353.63 to 353.68. All such firemen are not members of the fire relief association of the city of Columbia Heights and are not subject to any law relating thereto.

Sec. 2. State aid funds for fire relief associations received by the city of Columbia Heights pursuant to Minnesota Statutes, Sections 69.021 to 69.04 may be transferred to the fire relief

association of the city of Columbia Heights in accordance with those sections, or retained in whole or in part by the city and allocated as a portion of the required employer's pension contribution for firemen who are members of the public employees police and fire fund.

Sec. 3. The governing body of such firemen's relief association shall consist of a board of trustees composed of six members to be elected by the active members of the association or by the retired members if there are no active members, based on the present membership of ten men as of January 1, 1974. Any vacancy in the board shall be filled in the manner prescribed in this section. The affairs of the association shall be managed by the board of trustees in the manner prescribed by law or the articles of incorporation of the association. When every member of the fire relief association of the city of Columbia Heights is deceased, the funds of such association shall become a trust fund managed for the benefit of the recipients of such funds.

Sec. 4. Notwithstanding the provisions of Minnesota Statutes, Section 69.77, Subdivision 2, from and after January 1, 1974, the members of the association shall pay into the retirement funds of the association a contribution of not less than eight percent of the salary of a first grade fireman.

Sec. 5. From and after the effective date of this act each association shall, upon application of any member whose employment is terminated or who for any other reason ceases to be a member of the association before qualifying for a pension or disability benefits, refund to the member the total of his accumulated contributions to the association without interest.

Sec. 6. The minimum obligation of the city of Columbia Heights to the firemen's relief association shall be determined and provided by Minnesota Statutes, Sections 69.71 to 69.77, except that the normal cost shall be computed as a percentage of the salary paid only to members of the association.

Sec. 7. Commencing in the year 1982, in addition to the minimum obligation required by sections 69.71 to 69.77, the city of Columbia Heights will provide additional financing to the firemen's relief association sufficient to amortize by the year 2012 the fund deficits as determined in accordance with Minnesota Statutes, Section 69.73.

Sec. 8. This act does specifically supersede those parts of Minnesota Session Laws 1965, Chapter 605, in conflict therewith in regards to membership in the public employees retirement association.

Sec. 9. No new firemen's relief association in the city of Columbia Heights to provide benefits to be paid firemen shall be established except by specific enactment of the legislature or by chartered amendments to the charter of the city of Columbia Heights.

Sec. 10. This act is effective upon approval by the governing body of the city of Columbia Heights and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Line 2, strike "policemen's" and insert "firemen's"

Line 4, strike "police" and insert "fire"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 3398: A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee shares therefrom and transfer such shares to the highway patrolmen's retirement fund.

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. 1205: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and Chapter 216A by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 51, line 14, after "5." strike the remainder of the line

Page 51, line 15, strike "in the state treasury."

Page 51, line 17, strike "this account" and insert "the general fund"

Page 51, line 17, strike "All moneys in the account are" and insert "There is appropriated, upon passage of the act to the department of public service, from the general fund for the biennium ending June 30, 1975, the sum of \$300,000 for the purposes of this act."

Page 51, strike lines 18 through 21

Further, amend the title as follows:

Page 1, line 8, after "thereto;" insert "appropriating money;"

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. 3289: A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

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 re-referred

H. F. No. 2699: A bill for an act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

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 re-referred

H. F. No. 158: A bill for an act relating to courts; allowing the use of video tape equipment to record depositions; making video taped depositions admissable in court.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, strike "pursuant to Minnesota Statutes 1971,"

Page 1, line 4, strike "Section 597.01,"

Page 1, after line 10, insert

"Sec. 4. Sections 1 to 3 shall be superseded, pursuant to Minnesota Statutes, Section 480.056, if the supreme court adopts a rule of civil procedure authorizing the use of video tape or other filmed deposition.

Sec. 5. This act, if not superseded, shall expire July 1, 1976."

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. 3032 and 3506 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.
3032	2828				
3506	3398				

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. 2848, 2990, 3400, 3190, 3395, 3436, 3422, and 2477 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.
2848	2769			2990	3080
3400	3221			3190	3196
3436	3293			3395	3388
2477	2469			3422	3297

Pursuant to Rule 49 the Committee recommends that H. F. No. 2848 be amended as follows:

Page 1, lines 12, 13 and 14, restore the stricken language.

Page 1, line 14, after "~~election~~" and before the period insert the following language:

"except that if sufficient judges are available to provide counting teams of four or more judges evenly divided between the political parties for each box, an additional box or boxes may be opened and counted"

Page 1, after line 18, add a new Sec. 2 to read:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following final enactment."

Page 1, delete lines 19 to 30

Page 2, delete lines 1 to 7

Amend the title, page 1, line 5, strike "Sections" and insert in lieu thereof "Section" and after "Subdivision 2" delete the semicolon and insert in lieu thereof a period.

Page 1, delete all of line 6

And when so amended, H. F. No. 2848 will be identical to S. F. No. 2769 and further recommends that H. F. No. 2848 be given its second reading and substituted for S. F. No. 2769 and S. F. No. 2769 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2990 be amended as follows:

Page 2, line 9, after "*being*" and before "*engaged*" insert "*regularly*"

Page 2, line 10, after "*at*" and before "*Minnesota*" delete "*the*" and insert in lieu thereof "*any*"

Page 2, line 10, after "state" insert "*correctional institution*"

Page 2, line 11, delete "*reformatory for men*"

Page 2, line 14, delete "*reformatory for men*" and insert in lieu thereof "*state correctional institution*"

And when so amended, H. F. No. 2990 will be identical to S. F. No. 3080 and further recommends that H. F. No. 2990 be given its second reading and substituted for S. F. No. 3080 and S. F. No. 3080 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3400 be amended as follows:

Page 3, line 11, delete ", *beginning January 1, 1973,*"

Page 5, line 5, delete "*If the total amount*"

Page 5, delete lines 6 to 9

And when so amended, H. F. No. 3400 will be identical to S. F. No. 3221 and further recommends that H. F. No. 3400 be given its second reading and substituted for S. F. No. 3221 and S. F. No. 3221 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3190 be amended as follows:

Page 1, line 20, delete "*such*" and insert in lieu thereof "*the*"

And when so amended, H. F. No. 3190 will be identical to S. F. No. 3196 and further recommends that H. F. No. 3190 be given its second reading and substituted for S. F. No. 3196 and S. F. No. 3196 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3395 be amended as follows:

Page 1, delete lines 8 through 19 and insert in lieu thereof the following:

"Subd. 3. [VACANCY FILLED AT SPECIAL OR OTHER ELECTION.] In all cases other than those provided in subdivisions 1 and 2 *and notwithstanding subdivision 2, if any vacancy in the legislature occurs after the last day of the session in odd-numbered years but more than 33 days prior to the date set for convening the legislature in the next even-numbered year*, the governor shall issue his writ, seasonably calling the special election for such time that the person elected may take office at the

opening of the next session of the congress or of the legislature , or at the reconvening of a session of the congress or of the legislature, so that candidates for the special election may be nominated as provided in section 203.46.”

And when so amended, H. F. No. 3395 will be identical to S. F. No. 3388 and further recommends that H. F. No. 3395 be given its second reading and substituted for S. F. No. 3388 and S. F. No. 3388 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3436 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [UNIFORM FIRE CODE; ADOPTION.] Subdivision 1. The commissioner of public safety through the division of fire marshall may promulgate a uniform fire code and make amendments thereto in accordance with the administrative procedure act, Minnesota Statutes, Chapter 15.

Subd. 2. (a) Unless otherwise specifically listed, wherever in the text of the uniform code reference is made to a national fire protection association pamphlet, the date of issue of that pamphlet shall be the one listed in the 1972-1973 edition of the national fire codes, as promulgated by the national fire protection association.

(b) Wherever in the text of the uniform fire code reference is made to the electrical code, it shall be the national electrical code, 1971 edition.

Subd. 3. The commissioner shall adopt rules and regulations, in accordance with Minnesota Statutes, Chapter 15, as may be necessary to administer and enforce the code, specifically including but not limited to rules and regulations for inspection of buildings and other structures covered by the code and conforming the code to the governmental organization of Minnesota state agencies, political subdivisions and local governments.

Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its enactment.”

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

“A bill for an act relating to public safety; authorizing the commissioner of public safety to promulgate a uniform fire code; adopting the uniform fire code, 1971 edition, promulgated by the international conference of building officials and the western fire chiefs association, until the commissioner promulgates a code.”

And when so amended, H. F. No. 3436 will be identical to S. F.

No. 3293 and further recommends that H. F. No. 3436 be given its second reading and substituted for S. F. No. 3293 and S. F. No. 3293 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3422 be amended as follows:

Page 2, line 14, after "completed" delete the comma

Page 2, line 15, after "possible" delete the comma

Page 2, line 19, delete "hereof"

Page 2, line 20, delete "hereof"

And when so amended, H. F. No. 3422 will be identical to S. F. No. 3297 and further recommends that H. F. No. 3422 be given its second reading and substituted for S. F. No. 3297 and S. F. No. 3297 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2477 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [471.371] [CONTRACTS FOR CONSTRUCTION OF TREATMENT WORKS.] Subdivision 1. [POLICY.] The United States Environmental Protection Agency has promulgated rules and regulations under the Federal Water Pollution Control Act which authorize the award of grants for treatment works to be constructed under a contract providing for single source responsibility for the design and construction of the facilities. The legislature determines that such contracts should help prevent pollution, thereby protecting the public health and the environment, by encouraging more effective use of existing technology and the development of new technology for waste treatment, by assuring that treatment works will be designed and built to meet applicable treatment standards, and by reducing the time interval between the initial application for a grant and the commencement of operation of the facilities.

Subd. 2. [AUTHORIZATION OF DESIGN AND CONSTRUCTION CONTRACTS.] Notwithstanding the provisions of any law to the contrary, any municipality authorized by law to enter into a contract for the construction of treatment works facilities may advertise for sealed bids for the design and construction thereof under a single contract. Prior to such advertisement the municipality shall prepare contract documents which shall serve as a basis for the comparison of bids and any contract to be entered into. These documents may be of a general nature, and

shall include performance standards for the construction and supervisory operation of the facilities which must be met for specified conditions and time periods, prior to final acceptance of the facilities by the municipality. The contract documents may require the bidder to furnish conceptual design plans and specifications and any other information deemed relevant for contract award. After award the documents may require the bidder to furnish detailed plans and specifications and provide for termination of the contract if such information is insufficient to permit the municipality to satisfy the requirements of any federal or state grant.

Subd. 3. [LIMITATIONS.] The provisions of subdivision 2 shall not in any way limit the application and effect of laws governing the practice of architecture, professional engineering, or land surveying in this state, including Minnesota Statutes, Sections 326.02 and 326.03.

Subd. 4. [DEFINITIONS.] As used in this section, "municipality" has the meaning given to it in Minnesota Statutes, Section 471.345; and "treatment works" has the meaning given to it in Section 212, Title II, of the Federal Water Pollution Control Act Amendments of 1972.

Sec. 2. This act is effective the day following final enactment."

And when so amended, H. F. No. 2477 will be identical to S. F. No. 2469 and further recommends that H. F. No. 2477 be given its second reading and substituted for S. F. No. 2469 and S. F. No. 2469 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2243 and 3105 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. 2243 to the Committee on Governmental Operations.

H. F. No. 3105 to the Committee on Judiciary.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1205 was read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3398, 3289, 2699, 158, 3032, 3506, 2848, 2990, 3400, 3190, 3395, 3436, 3422 and 2477 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Schaaf moved that his name be stricken from S. F. No. 1597. The motion prevailed.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the position hereinafter stated and at the salary heretofore fixed.

Father George Porthan, Chaplain, effective March 8, 1974

Rev. Barbara Andrews, Chaplain, effective March 18, 1974

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files on the Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 1879: A bill for an act relating to insurance; licensing and regulation of insurance premium finance companies; granting rule-making authority; and providing penalties.

Was read the third time 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	Fitzsimons	Kleinbaum	Ogdahl	Schrom
Bang	Frederick	Knutson	Olhoff	Sillers
Berg	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Borden	Hansen, Mel	Larson	Olson, J. L.	Stassen
Chenoweth	Hanson, R.	Laufenburger	O'Neill	Stokowski
Chmielewski	Hughes	Lewis	Patton	Tennessee
Coleman	Humphrey	Lord	Perpich, G.	Thorup
Conzemius	Jensen	McCutcheon	Pillsbury	Ueland
Davies	Keefe, J.	Milton	Purfeerst	Wegener
Doty	Keefe, S.	North	Renneke	
Dunn	Kirchner	Novak	Schaaf	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Mr. Laufenburger imposed a call of the Senate for the remainder of the Senate Calendar. The following Senators answered to their names:

Anderson	Dunn	Kirchner	Novak	Solon
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Spear
Bang	Frederick	Knutson	Olhoft	Stassen
Berg	Gearly	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Tennessee
Borden	Hansen, Mel	Larson	Olson, J. L.	Thorup
Chenoweth	Hanson, R.	Laufenburger	Patton	Ueland
Chmielewski	Hughes	Lewis	Perpich, G.	Willet
Coleman	Humphrey	Lord	Pillsbury	
Conzemius	Jensen	McCutcheon	Purfeerst	
Davies	Josefson	Milton	Renneke	
Doty	Keefe, S.	North	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

THIRD READING OF SENATE BILLS—CONTINUED

S. F. No. 1999: A bill for an act relating to tax levies for county road and bridge purposes in St. Louis 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 52 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Novak	Solon
Arnold	Fitzsimons	Kowalczyk	Ogdahl	Stassen
Bang	Gearly	Krieger	Olson, H. D.	Stokowski
Berg	Hansen, Baldy	Larson	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Laufenburger	O'Neill	Thorup
Brown	Hanson, R.	Lewis	Patton	Ueland
Chenoweth	Hughes	Lord	Perpich, G.	Wegener
Chmielewski	Humphrey	McCutcheon	Pillsbury	Willet
Coleman	Jensen	Milton	Purfeerst	
Conzemius	Kirchner	Nelson	Schrom	
Davies	Kleinbaum	North	Sillers	

Those who voted in the negative were:

Bernhagen	Frederick	Keefe, S.	Olson, A. G.	Spear
Dunn	Josefson	Olhoft	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 1769: A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

Was read the third time 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	Dunn	Kirchner	Ogdahl	Solon
Arnold	Fitzsimons	Kleinbaum	Olhoft	Spear
Bang	Frederick	Knutson	Olson, A. G.	Stassen
Berg	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Krieger	O'Neill	Tennessen
Borden	Hansen, Mel	Larson	Fatton	Thorup
Brown	Hanson, R.	Laufenburger	Perpich, G.	Ueland
Chenoweth	Hughes	Lord	Pillsbury	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	Willet
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Nelson	Schaaf	
Davies	Keefe, J.	North	Schrom	
Doty	Keefe, S.	Novak	Sillers	

Mr. Lewis voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2731: A bill for an act relating to employment services; unemployment compensation; benefits; excluding from the term "employment" services performed by certain employees and appointees of political subdivisions; amending Minnesota Statutes, 1973 Supplement, Section 268.04, Subdivision 12.

Was read the third time 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.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Schrom
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Bang	Frederick	Knutson	Olhoft	Solon
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Coleman	Jensen	McCutcheon	Pillsbury	Willet
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1963: A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

Was read the third time 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 10, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Nelson	Purfeerst
Arnold	Frederick	Kleinbaum	North	Schrom
Ashbach	Gearty	Knutson	Ogdahl	Sillers
Bang	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Berg	Hansen, Mel	Krieger	Olson, H. D.	Spear
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Stassen
Chenoweth	Hughes	Laufenburger	O'Neill	Thorup
Chmielewski	Josefson	Lewis	Patton	Ueland
Conzemius	Keefe, J.	McCutcheon	Perpich, G.	Wegener
Dunn	Keefe, S.	Milton	Pillsbury	Willet

Those who voted in the negative were:

Borden	Davies	Humphrey	Lord	Renneke
Brown	Doty	Jensen	Olhoft	Tennessen

So the bill passed and its title was agreed to.

S. F. No. 3257: A bill for an act relating to highway traffic regulations; requiring certain motor vehicles to be equipped with safety belts; requiring operators and certain passengers of such motor vehicles to use safety belts with certain exceptions; prescribing penalties; suspending Minnesota Statutes 1971, Section 169.685, Subdivisions 1, 2 and 3 for a specified period of time.

Was read the third time 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 27, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Novak	Solon
Bang	Doty	Keefe, S.	Ogdahl	Spear
Borden	Frederick	Laufenburger	Olhoft	Stokowski
Brown	Gearty	Lewis	Olson, H. D.	Tennessen
Chenoweth	Hansen, Mel	Lord	O'Neill	Thorup
Chmielewski	Hughes	McCutcheon	Purfeerst	
Coleman	Humphrey	Milton	Schaaf	
Conzemius	Josefson	North	Sillers	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Kowalczyk	Patton	Ueland
Ashbach	Hanson, R.	Krieger	Perpich, G.	Wegener
Berg	Jensen	Larson	Pillsbury	Willet
Bernhagen	Kirchner	Nelson	Renneke	
Dunn	Kleinbaum	Olson, A. G.	Schrom	
Fitzsimons	Knutson	Olson, J. L.	Stassen	

So the bill passed and its title was agreed to.

S. F. No. 3198: A bill for an act relating to tax forfeited lands; providing conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

Was read the third time 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	Kirchner	North	Renneke
Arnold	Dunn	Kleinbaum	Novak	Schaaf
Ashbach	Frederick	Knutson	Ogdahl	Schrom
Bang	Gearly	Kowalczyk	Olhoft	Sillers
Berg	Hansen, Mel	Krieger	Olson, A. G.	Solon
Bernhagen	Hanson, R.	Larson	Olson, H. D.	Spear
Borden	Hughes	Laufenburger	Olson, J. L.	Stassen
Brown	Humphrey	Lewis	O'Neill	Tennessee
Chenoweth	Jensen	Lord	Patton	Thorup
Chmielewski	Josefson	McCutcheon	Perpich, G.	Ueland
Coleman	Keefe, J.	Milton	Pillsbury	Wegener
Conzemius	Keefe, S.	Nelson	Purfeerst	Willet

So the bill passed and its title was agreed to.

S. F. No. 3181: A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

Was read the third time 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	Davies	Kleinbaum	North	Schaaf
Arnold	Frederick	Kowalczyk	Ogdahl	Schrom
Ashbach	Gearly	Krieger	Olson, A. G.	Sillers
Bang	Hanson, R.	Larson	Olson, H. D.	Solon
Berg	Hughes	Laufenburger	O'Neill	Stassen
Bernhagen	Humphrey	Lewis	Patton	Tennessee
Brown	Jensen	Lord	Perpich, G.	Thorup
Chmielewski	Josefson	McCutcheon	Pillsbury	Ueland
Coleman	Keefe, J.	Milton	Purfeerst	Wegener
Conzemius	Keefe, S.	Nelson	Renneke	Willet

Those who voted in the negative were:

Borden	Dunn	Kirchner	Olhoft	Spear
Chenoweth	Hansen, Mel	Knutson	Olson, J. L.	

So the bill passed and its title was agreed to.

S. F. No. 3194: A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

Was read the third time 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	Kirchner	North	Schaaf
Arnold	Dunn	Kleinbaum	Novak	Schrom
Ashbach	Frederick	Knutson	Ogdahl	Sillers
Bang	Gearty	Kowalczyk	Olhoft	Spear
Berg	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Tennessee
Borden	Hughes	Laufenburger	O'Neill	Thorup
Brown	Humphrey	Lewis	Patton	Ueland
Chenoweth	Jensen	Lord	Perpich, G.	Wegener
Chmielewski	Josefson	McCutcheon	Pillsbury	Willet
Coleman	Keefe, J.	Milton	Purfeerst	
Conzemius	Keefe, S.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3407: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1971, Section 18.022, 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:

Anderson	Davies	Kirchner	Novak	Schaaf
Arnold	Dunn	Kleinbaum	Ogdahl	Schrom
Ashbach	Frederick	Knutson	Olhoft	Sillers
Bang	Gearty	Kowalczyk	Olson, A. G.	Spear
Berg	Hansen, Mel	Krieger	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Tennessee
Borden	Hughes	Laufenburger	O'Neill	Thorup
Brown	Humphrey	Lewis	Patton	Ueland
Chenoweth	Jensen	Lord	Perpich, G.	Wegener
Chmielewski	Josefson	Milton	Pillsbury	Willet
Coleman	Keefe, J.	Nelson	Purfeerst	
Conzemius	Keefe, S.	North	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2003: A bill for an act relating to education; approval of plans for school buildings; amending Minnesota Statutes 1971, Section 21.15.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Novak	Tennessee
Arnold	Gearty	Laufenburger	Olson, J. L.	Thorup
Bang	Hansen, Mel	Lewis	O'Neill	Ueland
Brown	Hughes	Lord	Pillsbury	Wegener
Chenoweth	Humphrey	McCutcheon	Schaaf	
Coleman	Josefson	Milton	Sillers	
Conzemius	Keefe, J.	Nelson	Spear	
Davies	Keefe, S.	North	Stassen	

Those who voted in the negative were:

Ashbach	Dunn	Kowalczyk	Olson, H. D.	Schrom
Berg	Frederick	Krieger	Patton	Willet
Bernhagen	Hanson, R.	Larson	Perpich, G.	
Borden	Jensen	Olhoft	Purfeerst	
Chmielewski	Knutson	Olson, A. G.	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2110: A bill for an act relating to metropolitan government; providing for the establishment of standards for the regulation of the subdivision, use and development of land and water; providing for adoption of ordinances therefor.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Renneke moved that those not voting be excused from voting. The motion did not prevail.

Mr. Milton moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Laufenburger	Olhoft	Spear
Borden	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hughes	Lord	Olson, H. D.	Tennessee
Coleman	Humphrey	McCutcheon	O'Neill	Wegener
Conzemius	Keefe, J.	Milton	Perpich, G.	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kirchner	North	Schrom	
Gearty	Kleinbaum	Novak	Solon	

Those who voted in the negative were:

Anderson	Dunn	Knutson	Patton	Thorup
Arnold	Fitzsimons	Kowalczyk	Pillsbury	Ueland
Berg	Frederick	Krieger	Purfeerst	Willet
Bernhagen	Hanson, R.	Larson	Renneke	
Brown	Jensen	Ogdahl	Sillers	
Chmielewski	Josefson	Olson, J. L.	Stassen	

So the bill passed and its title was agreed to.

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction or erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71,

Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Was read the third time 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	Dunn	Kirchner	Novak	Schrom
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Sillers
Ashbach	Frederick	Knutson	Olhoft	Solon
Bang	Gearty	Kowalczyk	Olson, A. G.	Spear
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Tennessen
Brown	Hughes	Lewis	Patton	Thorup
Chenoweth	Humphrey	Lord	Perpich, G.	Ueland
Chmielewski	Jensen	McCutcheon	Pillsbury	Wegener
Coleman	Josefson	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2580: A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

Was read the third time 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 9, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	North	Schrom
Ashbach	Doty	Kirchner	Novak	Sillers
Bang	Dunn	Kleinbaum	Ogdahl	Solon
Berg	Fitzsimons	Kowalczyk	Olhoft	Spear
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Borden	Gearty	Laufenburger	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lewis	O'Neill	Tennessen
Chenoweth	Hanson, R.	Lord	Perpich, G.	Ueland
Chmielewski	Hughes	McCutcheon	Pillsbury	Wegener
Coleman	Humphrey	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Anderson	Jensen	Knutson	Patton	Thorup
Hansen, Baldy	Josefson	Olson, A. G.	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3434: A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Section 201.061, by adding a subdivision.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schaaf
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
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Coleman	Jensen	McCutcheon	Pillsbury	Willet
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 2386: A bill for an act relating to enforcement of child support orders; amending Minnesota Statutes, 1973 Supplement, Section 393.07, Subdivision 9.

Was read the third time 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	Sillers
Ashbach	Frederick	Knutson	Olhoft	Solon
Bang	Gearty	Kowalczyk	Olson, A. G.	Spear
Berg	Hansen, Baldy	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Thorup
Brown	Hughes	Lewis	Patton	Ueland
Chenoweth	Humphrey	Lord	Perpich, G.	Wegener
Chmielewski	Jensen	McCutcheon	Pillsbury	Willet
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Nelson	Renneke	
Doty	Keefe, S.	North	Schaaf	

So the bill passed and its title was agreed to.

S. F. No. 2315: A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties.

Was read the third time 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 15, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, H. D.	Solon
Arnold	Fitzsimons	Kleinbaum	Olson, J. L.	Stassen
Bang	Frederick	Krieger	O'Neill	Stokowski
Berg	Gearty	Larson	Patton	Thorup
Bernhagen	Hansen, Mel	Laufenburger	Perpich, G.	Ueland
Brown	Hanson, R.	McCutcheon	Pillsbury	Wegener
Chenoweth	Hughes	Milton	Purfeerst	Willet
Chmielewski	Humphrey	Nelson	Renneke	
Coleman	Jensen	North	Schaaf	
Doty	Keefe, J.	Novak	Sillers	

Those who voted in the negative were:

Borden	Josefson	Kowalczyk	Ogdahl	Schrom
Conzemius	Keefe, S.	Lewis	Olhoft	Spear
Hansen, Baldy	Knutson	Lord	Olson, A. G.	Tennessee

So the bill passed and its title was agreed to.

S. F. No. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

Was read the third time 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:

Anderson	Doty	Kleinbaum	Novak	Solon
Arnold	Dunn	Knutson	Ogdahl	Spear
Ashbach	Fitzsimons	Kowalczyk	Olhoft	Stassen
Bang	Frederick	Krieger	Olson, A. G.	Stokowski
Berg	Gerty	Larson	Olson, J. L.	Thorup
Borden	Hansen, Mel	Laufenburger	O'Neill	Ueland
Brown	Hanson, R.	Lewis	Perpich, G.	Wegener
Chenoweth	Hughes	Lord	Pillsbury	Willet
Chmielewski	Josefson	McCutcheon	Purfeerst	
Coleman	Keefe, J.	Milton	Schaaf	
Conzemius	Keefe, S.	Nelson	Schrom	
Davies	Kirchner	North	Sillers	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2669: A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

Was read the third time 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	Dunn	Kirchner	Novak	Sillers
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Solon
Ashbach	Frederick	Knutson	Olhoft	Spear
Bang	Gerty	Kowalczyk	Olson, A. G.	Stassen
Berg	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Larson	O'Neill	Tennessee
Brown	Hanson, R.	Laufenburger	Patton	Thorup
Chenoweth	Hughes	Lewis	Perpich, G.	Ueland
Chmielewski	Jensen	Lord	Pillsbury	Wegener
Coleman	Josefson	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Mr. Doty voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2670: A bill for an act relating to economic development; restrictions upon public relations expenditures by the department of economic development; amending Laws 1973, Chapter 720, Section 31, Subdivision 2.

Was read the third time 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	Chmielewski	Gerty	Josefson	Kowalczyk
Arnold	Coleman	Hansen, Baldy	Keefe, J.	Krieger
Berg	Conzemius	Hanson, R.	Keefe, S.	Larson
Borden	Davies	Hughes	Kirchner	Laufenburger
Chenoweth	Fitzsimons	Jensen	Kleinbaum	Lewis

Lord	Ogdahl	Patton	Spear	Wegener
Milton	Olhoff	Perpich, G.	Stokowski	Willet
Nelson	Olson, A. G.	Purfeerst	Tennessee	
North	Olson, J. L.	Schaaf	Thorup	
Novak	O'Neill	Sillers	Ueland	

Those who voted in the negative were:

Ashbach	Doty	Hansen, Mel	Pillsbury	Solon
Bang	Dunn	Knutson	Renneke	Stassen
Brown	Frederick			

So the bill passed and its title was agreed to.

S. F. No. 2161: A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section.

Was read the third time 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	Schaaf
Arnold	Dunn	Kirchner	Novak	Sillers
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Solon
Bang	Frederick	Knutson	Olhoff	Spear
Berg	Gearty	Kowalczyk	Olson, A. G.	Stassen
Borden	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Larson	O'Neill	Tennessee
Chenoweth	Hanson, R.	Laufenburger	Patton	Thorup
Chmielewski	Hughes	Lewis	Perpich, G.	Ueland
Coleman	Jensen	Lord	Pillsbury	Wegener
Conzemius	Josefson	Milton	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files and House Files on the Calendar of Ordinary Matters. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 2748: A bill for an act relating to public health in the towns of Moose Lake in Carlton county and Windemere in Pine county; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection,

treatment, and disposal of sewage in the Moose Lake and Windemere area.

Was read the third time 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 6, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kirchner	North	Solon
Ashbach	Gearty	Kleinbaum	Novak	Spear
Bang	Hansen, Baldy	Knutson	Ogdahl	Stassen
Berg	Hansen, Mel	Kowalczyk	Olson, J. L.	Stokowski
Brown	Hanson, R.	Krieger	O'Neill	Tennessee
Chmielewski	Hughes	Larson	Patton	Thorup
Conzemius	Jensen	Laufenburger	Pillsbury	Ueland
Davies	Josefson	Lewis	Purfeerst	Wegener
Doty	Keefe, J.	Lord	Schaaf	Willet
Fitzsimons	Keefe, S.	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Olhoft	Olson, A. G.	Perpich, G.	Renneke
Dunn				

So the bill passed and its title was agreed to.

S. F. No. 3088: A bill for an act relating to courts, Ramsey county; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 483A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

With the unanimous consent of the Senate, Mr. O'Neill moved to amend S. F. No. 3088, as follows:

Page 9, after line 27, insert:

"Sec. 15. Minnesota Statutes 1971, Section 484.18, Subdivision 3, is amended to read:

Subd. 3. In Chisago county: On the first Tuesday in ~~May~~ *April* and the first Tuesday in ~~December~~ *November*."

Page 27, line 13, strike "39" and insert "41"

Renumber the sections in sequence

Further, amend the title as follows:

Line 2, strike "county" and insert "and Chisago counties"

Line 10, after "Sections" insert "484.18, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

S. F. No. 3088 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	Conzemius	Josefson	Ogdahl	Sillers
Arnold	Davies	Keefe, J.	Olhoft	Solon
Ashbach	Doty	Keefe, S.	Olson, A. G.	Spear
Bang	Dunn	Knutson	Olson, J. L.	Stassen
Berg	Fitzsimons	Krieger	O'Neill	Stokowski
Bernhagen	Frederick	Larson	Patton	Tennessee
Borden	Gearty	Laufenburger	Perpich, G.	Thorup
Brown	Hansen, Baldy	Lord	Pillsbury	Ueland
Chenoweth	Hanson, R.	Nelson	Purfeerst	Wegener
Chmielewski	Hughes	North	Renneke	Willet
Coleman	Jensen	Novak	Schaaf	

So the bill passed, as amended, and its title was agreed to.

H. F. No. 2833: A bill for an act relating to the appointment of a law clerk for the district judge assigned to hold court in the counties of Rice, Steele and Waseca; setting the salary thereof; amending Laws 1967, Chapter 355, Section 1, Subdivision 2.

Was read the third time and placed on its final passage.

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.	Novak	Sillers
Arnold	Dunn	Keefe, S.	Ogdahl	Solon
Ashbach	Fitzsimons	Knutson	Olhoft	Spear
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Larson	O'Neill	Tennessee
Borden	Hansen, Mel	Laufenburger	Patton	Thorup
Brown	Hanson, R.	Lewis	Perpich, G.	Ueland
Chmielewski	Hughes	Lord	Pillsbury	Wegener
Coleman	Humphrey	Milton	Purfeerst	Willet
Conzemius	Jensen	Nelson	Renneke	
Davies	Josefson	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 2588: A bill for an act relating to peace officers; defining peace officer to include reserve police officers and reserve deputy sheriffs; amending Laws 1973, Chapter 248, Section 1, Subdivision 2.

Was read the third time 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	Gearty	Keefe, J.	Lord
Arnold	Coleman	Hansen, Baldy	Keefe, S.	McCutcheon
Ashbach	Conzemius	Hansen, Mel	Knutson	Milton
Bang	Davies	Hanson, R.	Kowalczyk	Nelson
Berg	Doty	Hughes	Krieger	North
Bernhagen	Dunn	Humphrey	Larson	Novak
Borden	Fitzsimons	Jensen	Laufenburger	Ogdahl
Brown	Frederick	Josefson	Lewis	Olhoft

Olson, A. G.	Patton	Renneke	Solon	Thorup
Olson, H. D.	Perpich, G.	Schaaf	Spear	Ueland
Olson, J. L.	Pillsbury	Schrom	Stassen	Willet
O'Neill	Purfeerst	Sillers	Stokowski	

So the bill passed and its title was agreed to.

H. F. No. 1967: A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Ogdahl	Spear
Arnold	Doty	Knutson	Olhoff	Stassen
Ashbach	Dunn	Krieger	Olson, A. G.	Stokowski
Bang	Fitzsimons	Larson	Olson, H. D.	Tennessee
Berg	Frederick	Laufenburger	Olson, J. L.	Thorup
Bernhagen	Gearty	Lewis	O'Neill	Ueland
Brown	Hansen, Mel	Lord	Patton	Willet
Chenoweth	Hanson, R.	McCutcheon	Pillsbury	
Chmielewski	Hughes	Milton	Purfeerst	
Coleman	Humphrey	North	Schaaf	
Conzemius	Jensen	Novak	Solon	

Those who voted in the negative were:

Hansen, Baldy	Keefe, J.	Nelson	Renneke	Sillers
Josefson	Kowalczyk	Perpich, G.	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 1966: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

Was read the third time 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:

Anderson	Doty	Knutson	Ogdahl	Sillers
Arnold	Dunn	Krieger	Olhoff	Solon
Ashbach	Fitzsimons	Larson	Olson, A. G.	Spear
Bang	Frederick	Laufenburger	Olson, H. D.	Stassen
Berg	Gearty	Lewis	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lord	O'Neill	Tennessee
Brown	Hanson, R.	McCutcheon	Patton	Thorup
Chenoweth	Hughes	Milton	Pillsbury	Ueland
Chmielewski	Humphrey	Nelson	Purfeerst	Willet
Coleman	Jensen	North	Renneke	
Conzemius	Keefe, S.	Novak	Schaaf	

Those who voted in the negative were:

Hansen, Baldy	Josefson	Keefe, J.	Perpich, G.	Schrom
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So the bill passed and its title was agreed to.

H. F. No. 2595: A bill for an act relating to the Minnehaha creek watershed district; providing for the establishment of a

district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.

Was read the third time 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	Solon
Arnold	Frederick	Knutson	Olhoft	Spear
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bang	Hansen, Baldy	Krieger	Olson, H. D.	Stokowski
Berg	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Thorup
Brown	Hughes	Lewis	Patton	Ueland
Chenoweth	Humphrey	Lord	Perpich, G.	Wegener
Chmielewski	Jensen	McCutcheon	Pillsbury	Willet
Coleman	Josefson	Milton	Purfeerst	
Conzemius	Keefe, J.	Nelson	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kirchner	Novak	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 1952: A bill for an act relating to the construction, maintenance and repair of county ditches in Ramsey county; repealing Laws 1957, Chapter 682.

Was read the third time 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.	Novak	Schrom
Arnold	Dunn	Kirchner	Ogdahl	Sillers
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	Tennessen
Brown	Hanson, R.	Lewis	Patton	Thorup
Chenoweth	Hughes	Lord	Perpich, G.	Ueland
Chmielewski	Humphrey	McCutcheon	Pillsbury	Wegener
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schaaf	

So the bill passed and its title was agreed to.

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.

Was read the third time 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.	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
Borden	Hansen, Mel	Larson	Olson, J. L.	Tennessee
Brown	Hanson, R.	Laufenburger	O'Neill	Thorup
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Coleman	Jensen	McCutcheon	Pillsbury	Willet
Conzemius	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Nelson	Schaaf	

Mr. Renneke voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3210: A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

Was read the third time 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, S.	North	Renneke
Arnold	Dunn	Kirchner	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
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessee
Chenoweth	Hughes	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, G.	Ueland
Conzemius	Jensen	Milton	Pillsbury	Wegener
Davies	Keefe, J.	Nelson	Purfeerst	Willet

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

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.

Was read the third time 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	Brown	Dunn	Hughes	Kleinbaum
Arnold	Chenoweth	Fitzsimons	Humphrey	Knutson
Ashbach	Chmielewski	Frederick	Jensen	Kowalczyk
Bang	Coleman	Gearty	Josefson	Krieger
Berg	Conzemius	Hansen, Baldy	Keefe, J.	Larson
Bernhagen	Davies	Hansen, Mel	Keefe, S.	Laufenburger
Borden	Doty	Hanson, R.	Kirchner	Lewis

Lord	Ogdahl	Patton	Schrom	Tennessee
McCutcheon	Olhoff	Perpich, G.	Sillers	Thorup
Milton	Olson, A. G.	Pillsbury	Solon	Ueland
Nelson	Olson, H. D.	Purfeerst	Spear	Wegener
North	Olson, J. L.	Renneke	Stassen	Willet
Novak	O'Neill	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Purfeerst moved that the vote whereby S. F. No. 3422 failed to pass the Senate on March 13, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

CALL OF THE SENATE

Mr. North imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Keefe, J.	Nelson	Renneke
Arnold	Davies	Keefe, S.	North	Schaaf
Ashbach	Doty	Kirchner	Ogdahl	Spear
Bang	Fitzsimons	Knutson	Olhoff	Stassen
Berg	Frederick	Kowalczyk	Olson, A. G.	Stokowski
Bernhagen	Gearty	Krieger	Olson, H. D.	Tennessee
Borden	Hansen, Baldy	Laufenburger	O'Neill	Ueland
Brown	Hansen, Mel	Lewis	Patton	Wegener
Chenoweth	Hanson, R.	Lord	Perpich, G.	Willet
Chmielewski	Jensen	McCutcheon	Pillsbury	
Coleman	Josefson	Milton	Purfeerst	

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

Was read the third time 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 14, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kleinbaum	Nelson	Perpich, G.
Bang	Gearty	Knutson	North	Purfeerst
Borden	Hansen, Mel	Kowalczyk	Novak	Schaaf
Chenoweth	Hanson, R.	Krieger	Ogdahl	Solon
Chmielewski	Hughes	Larson	Olhoff	Stassen
Coleman	Humphrey	Laufenburger	Olson, A. G.	Stokowski
Davies	Keefe, J.	Lord	Olson, H. D.	Ueland
Doty	Keefe, S.	McCutcheon	O'Neill	
Fitzsimons	Kirchner	Milton	Patton	

Those who voted in the negative were:

Arnold	Conzemius	Josefson	Renneke	Wegener
Bernhagen	Dunn	Lewis	Schrom	Willet
Brown	Hansen, Baldy	Olson, J. L.	Spear	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED
APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 978, pursuant to the request of the House:

Messrs. Wegener; Keefe, J.; Humphrey.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3202, pursuant to the request of the House:

Messrs. Thorup, Anderson, Frederick.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Patton in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Patton reported that the committee had considered S. F. Nos. 2900, 2222, 3455, 1934, 3244, and 3433 which the committee recommends to pass.

S. F. No. 2059, which the committee recommends to pass with the following amendment offered by Mr. Perpich, G.:

Amend S. F. No. 2059 as follows:

Page 3, after line 10, insert:

“Subd. 7. The provisions of this section shall not apply in the boundary waters canoe area.”

And then, on motion of Mr. Patton, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. No. 3242, No. 99 on General Orders, be stricken and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Arnold moved that the name of Mr. Perpich, G. be shown as the chief author and that the name of Mr. Perpich, A. J. be added as co-author on S. F. No. 2867. The motion prevailed.

RECONSIDERATION

Mr. McCutcheon moved that the vote whereby S. F. No. 3120 failed to pass the Senate on March 13, 1974, be now reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10 o'clock a.m., Friday, March 15, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED SIXTH DAY

St. Paul, Minnesota, Friday, March 15, 1974.

The Senate met at 10 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Conzemius imposed a call of the Senate. The following Senators answered to their names:

Anderson	Conzemius	Humphrey	McCutcheon	Pillsbury
Arnold	Dunn	Jensen	Milton	Purfeerst
Ashbach	Fitzsimons	Josefson	North	Renneke
Bang	Frederick	Keefe, S.	Ogdahl	Spear
Berg	Gearty	Kirchner	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Ueland
Borden	Hansen, Mel	Krieger	Patton	
Brown	Hanson, R.	Larson	Perpich, A. J.	
Chenoweth	Hughes	Lewis	Perpich, G.	

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	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.	Stassen
Borden	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Tennessen
Chenoweth	Humphrey	Lord	Perpich, A. J.	Thorup
Chmielewski	Jensen	McCutcheon	Perpich, G.	Ueland
Coleman	Josefson	Milton	Pillsbury	Wegener
Conzemius	Keefe, J.	Moe	Purfeerst	Willet
Davies	Keefe, S.	North	Renneke	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Messrs. Blatz, Doty and Patton were excused from the Session of today. Messrs. Coleman; Nelson; Olson, H. D. and Stassen were excused from this morning's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 14, 1974

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. 625, An act authorizing the conveyance by the state of a certain easement over certain lands in the county of Chisago.

S. F. No. 1069, An act relating to traffic regulations; motorcycle license requirements; amending Minnesota Statutes 1971, Section 169.974, Subdivision 2.

S. F. No. 1541, An act relating to highway traffic regulations; vehicle lighting; requiring use of lighted lamps under certain conditions; amending Minnesota Statutes 1971, Section 169.48.

S. F. No. 1721, An act authorizing the commissioner of administration to sell certain real estate in Winona county.

S. F. No. 2682, An act relating to the city of Upsala; validating certain proceedings of the city preliminary to and in the issuance and sale of certain general obligation bonds.

S. F. No. 2718, An act directing the commissioner of natural resources to convey certain lands to Lake of the Woods county.

S. F. No. 2886, An act relating to place of filing bonds of county officials; amending Minnesota Statutes 1971, Section 574.21.

S. F. No. 3037, An act relating to labor relations; political activity as grounds for removal from office of mediator; amending Minnesota Statutes 1971, Section 179.03.

S. F. No. 3069, An act authorizing the city of Foley to acquire and develop certain land for industrial purposes.

S. F. No. 3084, An act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau county.

S. F. No. 3085, An act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

S. F. No. 3151, An act relating to towns; officers' compensation and mileage allowance; amending Minnesota Statutes 1971, Section 367.05, Subdivision 2; repealing Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Mr. Ogdahl introduced—

S. F. No. 3574: A bill for an act relating to the Minnesota state art council; establishing the office of poet laureate in Minnesota.

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. 2285, 3017, 3183, 3218, 3271, 2840, 3144, 3162, 3239, 3417, 1679, 2004, 2977, 3024, 3068, 2457, 2822, 3233, 3360, 2627, 2687, 2740, 2857, 2918, 2332, 3159, 3160, 3175, 3287, 2817, 3075 and 3033.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

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. 3023: A bill for an act relating to municipal industrial development; definitions; issuance of bonds; amending Minnesota Statutes, 1973 Supplement, Section 474.02, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 474.06.

Senate File No. 3023 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate do now concur in the amendments by the House to S. F. No. 3023 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3023 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	North	Renneke
Ashbach	Gearty	Kowalczyk	Novak	Schrom
Bang	Hansen, Mel	Krieger	Ogdahl	Solon
Berg	Hanson, R.	Larson	Olhoft	Spear
Brown	Hughes	Laufenburger	Olson, J. L.	Stokowski
Chenoweth	Humphrey	Lewis	Patton	Ueland
Chmielewski	Josefson	Lord	Perpich, A. J.	Wegener
Conzemius	Keefe, S.	McCutcheon	Perpich, G.	
Dunn	Kirchner	Milton	Pillsbury	
Fitzsimons	Kleinbaum	Moe	Purfeerst	

Messrs. Bernhagen; Hansen, Baldy; and Olson, A. 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. 526: A bill for an act relating to aquatic vegetation; 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.

Senate File No. 526 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Lord moved that the Senate do now concur in the amendments by the House to S. F. No. 526 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 526 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	Dunn	Kirchner	Moe	Purfeerst
Arnold	Fitzsimons	Kleinbaum	North	Renneke
Ashbach	Frederick	Knutson	Novak	Schrom
Bang	Gearty	Kowalczyk	Ogdahl	Solon
Berg	Hansen, Baldy	Krieger	Olhoft	Spear
Bernhagen	Hansen, Mel	Larson	Olson, A. G.	Stokowski
Brown	Hanson, R.	Laufenburger	Olson, J. L.	Tennessen
Chenoweth	Hughes	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Conzemius	Josefson	McCutcheon	Perpich, G.	Willet
Davies	Keefe, S.	Milton	Pillsbury	

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. 2933: A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

Senate File No. 2933 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

Mr. Kleinbaum moved that the Senate do not concur in the amendments by the House to S. F. No. 2933 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

Senate File No. 2759 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 2759 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1810:

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to

carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Messrs. Cummiskey; Pavlak, R.; Berglin; Pleasant and Savelkoul have been appointed as such committee on the part of the House.

House File No. 1810 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 March 14, 1974

Mr. Conzemius moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1810, and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2971: A bill for an act relating to health maintenance organizations; regulating the details of operation; amending Minnesota Statutes, 1973 Supplement, Sections 62D.02, Subdivision 7; 62D.06, Subdivision 1; 62D.08, Subdivision 2; 62D.10, Subdivisions 2 and 4; 62D.11, Subdivision 1; 62D.12, Subdivisions 4 and 9; 62D.22, Subdivision 8; and 62D.28, Subdivision 3.

Senate File No. 2971 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 2971 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2971 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	Dunn	Keefe, S.	North	Purfeerst
Arnold	Fitzsimons	Kirchner	Novak	Renneke
Ashbach	Frederick	Kleinbaum	Ogdahl	Schaaf
Bang	Gearty	Knutson	Olhoff	Schrom
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Sillers
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Solon
Borden	Hanson, R.	Larson	Olson, J. L.	Spear
Brown	Hughes	Laufenburger	O'Neill	Stokowski
Chenoweth	Humphrey	Lewis	Patton	Tennessee
Chmielewski	Jensen	Lord	Perpich, A. J.	Thorup
Conzernius	Josefson	McCutcheon	Perpich, G.	Ueland
Davies	Keefe, J.	Moe	Pillsbury	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1489, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1489: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

House File No. 1489 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 14, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1489

A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

March 12, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H.F. No. 1489, report that we have agreed upon the items in dispute and recommend as follows:

Page 1, lines 11 and 12, delete “, as provided in this act”

Page 2, lines 3 and 4, delete “by the commissioner of education” and insert in lieu thereof “pursuant to Minnesota Statutes, Section 122.03”

Page 2, line 21, delete “between” and insert in lieu thereof “among”

Page 3, line 6, delete “Saturday”

Page 4, line 4, after “the” and before “board” insert “center”

Page 4, line 4, after “to” delete “the” and insert in lieu thereof “such”

Page 4, line 11, after “district” delete the comma

Page 5, line 11, after “subdivision 5” insert “, clause” and after “subdivision 4” insert “, clauses”

Page 6, line 14, after “by” and before “majority” delete “the”

Page 7, lines 7 and 8, delete “may upon application to the commissioner of education become” and insert in lieu thereof “shall be”

Page 7, line 9, after “subdivision 1.” insert the following: “Any changes in center agreements necessary to comply with this act shall be completed within twelve months after the effective date of this act and filed with the state board by the administrator of each center.”

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Jack H. LaVoy, Carl M. Johnson, Wendell O. Erickson.

Senate Conferees: (Signed) Sam G. Solon, Douglas H. Sillers, B. Robert Lewis.

Mr. Solon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1489 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1489: A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

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	Dunn	Keefe, S.	North	Purfeerst
Arnold	Fitzsimons	Kirchner	Novak	Renneke
Ashbach	Frederick	Kleinbaum	Ogdahl	Schrom
Bang	Gearty	Knutson	Olhoft	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Spear
Borden	Hanson, R.	Larson	Olson, J. L.	Stokowski
Brown	Hughes	Laufenburger	O'Neill	Tennessee
Chenoweth	Humphrey	Lewis	Patton	Thorup
Chmielewski	Jensen	Lord	Perpich, A. J.	Ueland
Conzemius	Josefson	McCutcheon	Perpich, G.	Wegener
Davies	Keefe, J.	Moe	Pillsbury	Willet

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce 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. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

Senate File No. 3176 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Knutson moved that the Senate do now concur in the amendments by the House to S. F. No. 3176 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3176 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	Dunn	Keefe, S.	Moe	Purfeerst
Arnold	Fitzsimons	Kirchner	North	Renneke
Ashbach	Frederick	Kleinbaum	Novak	Schrom
Bang	Gearty	Knutson	Ogdahl	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, J. L.	Spear
Borden	Hanson, R.	Larson	O'Neill	Stokowski
Brown	Hughes	Laufenburger	Patton	Tennessee
Chenoweth	Humphrey	Lewis	Perpich, A. J.	Thorup
Chmielewski	Jensen	Lord	Perpich, G.	Ueland
Conzemius	Josefson	McCutcheon	Wegener	Willet
Davies	Keefe, J.	Milton	Pillsbury	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1951 and 3347.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 14, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 1951: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area, subject to municipal approval; providing for revenues.

H. F. No. 3347: A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

Which were read the first time and referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk be now adopted, with the exception of the report from the Committee on Health, Welfare and Corrections pertaining to appointments. The motion prevailed.

Mr. Novak from the Committee on Finance, to which was re-referred

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 15, after the semicolon insert "*that many have a market value substantially below the market that they would have if rehabilitated; that many are substantially less desirable to live in than they would be if rehabilitated.*"

Page 3, line 5, strike "*and sanitary and*" and insert "*more desirable to live in, to be of greater market value or*"

Page 3, line 32, after "*primarily*" insert "*to make the housing more desirable to live in, to increase the market value of the housing or*"

Page 4, line 11, after "*primarily*" insert "*to make the housing more desirable to live in, to increase the market value of the housing or*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 3102: A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Section 151.37, by adding a subdivision and 152.12, 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. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 3030: A bill for an act relating to public health, requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis, amending Minnesota Statutes 1971, Section 123.69.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, after "*shall*" insert a comma

Page 1, line 5, after "*after*" insert a comma

Page 1, line 15, strike "*such*" and insert "*the*"

Page 1, line 16, strike "*such*" and insert "*the*"

Page 2, line 1, strike "*Such*" and insert "*The*"

Page 2, line 2, strike "*such*"

Page 2, line 3, strike "*in*" and insert "*legally*"

Page 2, line 3, strike "*charge of*" and insert "*for*"

Page 2, line 5, after "*healing*" strike "*and*" and insert a comma

Page 2, line 6, after "*health*" insert a comma

Page 2, line 6, strike "*such*" and insert "*those*"

Page 2, line 11, strike "*in*" and insert "*legally*"

Page 2, line 11, strike "*charge of*" and insert "*for*"

Page 2, line 12, strike "*such*" and insert "*the*"

Page 2, line 13, after "*tiousness*" strike the comma and insert a semicolon

Page 2, line 13, strike "*such*" and insert "*an*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 2333: A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 2, strike "*a*" and insert "*an*"

Page 1, line 3, strike "*manpower*" and insert "*employment*"

Page 1, line 4, strike "*in compliance*" and insert "*consistent*"

Page 1, line 6, strike "*department*" and insert "*commissioner*"

Page 1, line 6, strike "*manpower*" and insert "*employment*"

Page 2, line 10, strike "*shall*"

Page 2, line 10, strike "*manpower*" and insert "*employment*"

Page 2, line 10, after "*training*" insert a comma

Page 2, line 21, strike "*department*" and insert "*commissioner*"

Page 2, line 21, strike "*manpower*" and insert "*employment*"

Page 2, line 25, after "*ter*" insert "*for employment services, training, and employment*"

Page 2, line 25, strike "*pursuant to this paragraph*"

Page 2, line 26, strike "*so*"

Page 2, line 28, strike "*manpower*" and insert "*employment*"

Page 2, line 30, strike "*department*" and insert "*commissioner*"

Page 2, line 30, strike "*manpower*" and insert "*employment*"

Page 2, line 35, strike "*manpower*" and insert "*employment*"

Page 2, line 36, after "*other*" insert "*necessary*"

Page 2, line 36, strike "*as neces-*"

Page 3, line 1, strike "*sary*"

Page 3, line 3, strike "*manpower*" and insert "*employment*"

Page 3, line 5, strike "manpower" and insert "*employment*"

Page 3, line 23, strike "manpower" and insert "*employment*"

Page 3, line 25, strike "department" and insert "*commissioner*"

Page 3, line 25, strike "manpower" and insert "*employment*"

Page 3, line 26, strike "of manpower services"

Page 3, line 29, strike "has" and insert "*to have*"

Page 3, line 29, after "of" insert "*public or other*"

Page 3, line 29, strike "made"

Page 3, line 30, strike "through the public employment offices of the state or otherwise offered by an employer"

Page 3, line 31, after "departments" insert "*shall*"

Page 4, line 5, after "shall" insert a comma

Page 4, line 5, after "days" strike the comma

Page 4, line 5, strike "manpower" and insert "*employment*"

Page 4, line 5, strike "decision" and insert "*determination*"

Page 4, line 9, strike "to the child or relative aimed at" and insert "*for the purpose of*"

Page 4, line 10, strike "manpower" and insert "*employment*"

Further, amend the title as follows:

Lines 1 and 2, strike "manpower" and insert "*employment*"

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 re-referred

H. F. No. 2554: A bill for an act relating to counties; establishment and use of imprest cash funds in counties.

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 re-referred

H. F. No. 2011: A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

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 re-referred

H. F. No. 3143: A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

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, 1973 Supplement, Section 465.56, Subdivision 1, is amended to read:

465.56 [CITIES MAY APPROPRIATE MONEY FOR ADVERTISING PURPOSES.] Subdivision 1. The governing body of any statutory city, or home rule charter city of the fourth class may, as hereinafter provided, annually levy a tax of not to exceed one mill on all the taxable property within such municipality but in no event shall more than \$2,000 be raised in any one year annually appropriate money for the purpose of advertising the municipality and its resources and advantages. Such tax shall be levied in the same manner and at the same time as taxes for other municipal purposes are levied, and shall be collected in the same manner. The proceeds of such tax money appropriated shall be used only for the purpose of advertising such the municipality or for cooperative programs of promotion for the area by more than one such municipality and its resources and advantages; . provided, that the annual expenditure for such purposes by any such municipality is hereby limited to the sum of \$2,000; provided, nothing in sections 465.56 and 465.57 shall permit the levy of any tax in excess of the amount authorized by sections 275.11 to 275.15. For purposes of this subdivision the term "statutory city" does not include any city which was operating under the provisions of Laws 1895, Chapter 8, as amended, on July 1, 1975 1973."

Amend the title by striking it in its entirety and inserting in lieu thereof:

"A bill for an act relating to municipalities; authorizing the appropriation of money for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1."

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 re-referred

H. F. No. 3230: A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "River" insert "and upon compliance with Minnesota Statutes, Section 645.021"

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 re-referred

H. F. No. 2186: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and LaGrand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, before the period insert "and upon approval by the city council of the city of Alexandria and the town boards of the towns of Alexandria, Carlos, Hudson and LaGrand, and upon compliance with Minnesota Statutes, Section 645.021"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was re-referred

H. F. No. 3544: A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

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 the following appointment:

VETERANS HOME BOARD

John Bacich, 5321 Harriet Avenue South, Minneapolis, Hennepin County, appointed effective February 11, 1974, for a term expiring January 1, 1979.

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Conzemius moved that the foregoing report be laid on the table. The motion prevailed.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2349: A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

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. 3340: A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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. 1931: 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.

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. Notwithstanding any charter or ordinance to the contrary, but subject to the restrictions of Minnesota Statutes, Section 340.14, a city of the first class may issue licenses for the sale of liquor in any area of 100,000 or more square feet that is zoned for commercial or industrial use, in addition to any other areas of the city where liquor sale is permitted by law, charter or ordinance.

Sec. 2. When real property or the buildings thereon are taken for a public purpose by negotiation or eminent domain proceedings and the real property was used for the licensed sale of intoxicating liquor one year immediately prior to the taking, the governing body of the city of Minneapolis may reissue the license in any area of 100,000 or more square feet that is zoned for commercial or industrial use in the city, subject to the restrictions of Minnesota Statutes, Section 340.14.

Sec. 3. Minnesota Statutes 1971, Section 340.57, is repealed.

Sec. 4. Section 1 of this act shall take effect one year following enactment. Section 2 is effective the day following its final enactment."

Further, amend the title by striking it in its entirety and inserting the following:

"A bill for an act relating to cities of the first class; providing for the issuance of liquor licenses in certain areas; repealing Minnesota Statutes 1971, Section 340.57."

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. 2608: A bill for an act relating to cable communications; providing for interim certificates of confirmation; amend-

ing Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivision 13 and adding a subdivision.

Reports the same back with the recommendation that the printed bill be amended as follows:

3rd line of title after “; 9,” insert “by adding a”

3rd line of title after “Subdivision” and before “13” insert “, and”

3rd and 4th lines of title strike “and adding a subdivision”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was re-referred

H. F. No. 2710: A bill for an act relating to mobile homes; restricting inclusion of certain devices in the advertised length of mobile homes by dealers and manufacturers; prescribing penalties.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 5, after “disseminate” insert “in this state”

Page 1, after line 9, add a section to read:

“Sec. 2. This act is effective July 1, 1975.”

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 re-referred

H. F. No. 3090: A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike “Before any” and insert “When”

Page 1, line 2, strike “beyond the corporate boundaries”

Page 1, line 3, strike “jointly consider the plans with the governing body of the town, in which the municipal services” and insert “meet at least once with the town board of the affected area and the county planning commission in joint session to review the plans and consider the comments of the town board and the county planning commission. The city may thereafter proceed to undertake the proposed extension pursuant to applicable law. Failure to

comply with the provisions of this act shall not invalidate any proceedings undertaken by the city pursuant to chapter 429 and 475."

Page 1, line 4, strike "are to be extended and the county planning commission."

Page 1, line 4, strike "duly organized" and after "sewer district" insert "or sanitary district created pursuant to special law or pursuant to chapters 115, 116A, or 473C or section 378.31"

Page 1, line 6, strike "section" and insert "act"

Further, amend the title as follows:

In the first line, strike "towns" and insert "local government"

In the first line, strike "the governing body of a town" and insert "a town board"

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. 3276, 3321 and 2967 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Readings and substituted for their companion Senate Files as follows:

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.
				3276	3250
				3321	3238
				2967	2900

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. 3279, 1834, 3035, 3571, 3313 and 1835 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.
1834	1739			3279	3337
3313	3234			3035	3076
1835	1205			3571	3494

Pursuant to Rule 49 the Committee recommends that H. F. No. 3279 be amended as follows:

Page 1, line 22, delete "*management*" and insert in lieu thereof "*administrative*"

Page 3, line 15, delete "*at least once*"

Page 3, line 16, strike "legal"

Page 3, lines 19, 20 and 21, reinstate the stricken language

Page 4, line 2, after "*surplus*" insert "*real*"

Page 4, line 9, after "*contract*" insert "*for deed*"

Page 4, line 14, after "*contract*" insert "*for deed*"

Page 6, line 2, delete "POLITICAL SUBDIVISIONS" and insert in lieu thereof "STATE AGENCIES"

And when so amended, H. F. No. 3279 will be identical to S. F. No. 3337 and further recommends that H. F. No. 3279 be given its second reading and substituted for S. F. No. 3337 and S. F. No. 3337 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1834 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [CITATION.] This act shall be known and may be cited as the Minnesota Disaster Act of 1974.

Sec. 2. [PURPOSES.] Subdivision 1. The purposes of this act are to:

(a) Reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from disasters and emergencies, riots, or hostile military or paramilitary action;

(b) Prepare for prompt and efficient rescue, care, and treatment of persons victimized by disasters or threatened by emergencies;

(c) Provide effective and efficient restoration and rehabilitation of persons and property affected by disasters;

(d) Clarify and strengthen the roles of the governor, state agencies and local governments in prevention of, preparation for, and response to and recovery from disasters and emergencies;

(e) Authorize and provide for coordination and cooperation between state government, its political subdivision and foreign governments, in disaster prevention, preparedness, response, and recovery;

(f) Provide a plan which will set forth all the guidelines of emergency and disaster preparedness and response;

(g) Assist in prevention of disasters caused or aggravated by

inadequate planning for and regulation of public and private facilities and land use; and

(h) Provide plans to deal with monitoring and distribution of energy supplies.

Sec. 3. [LIMITATIONS.] Nothing in this act shall be construed to:

(a) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health;

(b) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including but not limited to radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with disasters and emergencies;

(c) Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state, local, and interjurisdictional emergency plans shall place reliance upon the forces available for performance of functions related to emergencies and disasters; or

(d) Limit, modify, or abridge the authority of the governor to proclaim martial law or exercise any other powers vested in him under the constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this act.

Sec. 4. [DEFINITIONS.] Subdivision 1. For the purposes of this act each term defined in this section has the meaning ascribed to it.

Subd. 2. "Disaster" means the occurrence of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring immediate action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or shortages of crucial materials such as fuel and energy.

Subd. 3. "Emergency" means an unforeseen combination of circumstances which calls for immediate action to protect life and property and to prevent a disaster from occurring. Such action shall include but not be limited to the management of resources when necessary to prevent a disaster.

Subd. 4. "Emergency plan" means the operating procedure to be used in the event of an emergency or disaster.

Subd. 5. "Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters

caused by enemy attack, sabotage, or other enemy hostile action, or from fire, flood, tornado, blizzards, earthquake, or other natural or manmade causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Subd. 6. "Federal government" means the government of the United States of America.

Subd. 7. "Interjurisdictional" means the cooperation between two or more political subdivisions of this state or between one or more political subdivisions of this state and a foreign state, political subdivision thereof or country.

Subd. 8. "Local organization for emergency services" means an organization created in accordance with the provisions of this chapter by the state or a political subdivision to perform local emergency services functions.

Subd. 9. "Mobile support unit" means an organization for emergency services created in accordance with the provisions of this chapter by the state or a political subdivision to be dispatched by the governor to supplement local organizations for emergency services in a stricken area.

Subd. 10. "Organizational equipment" means equipment and supplies essential for emergency services in excess of equipment and supplies provided for normal operation of the state or political subdivision to the acquisition of which the federal government will contribute.

Subd. 11. "Political subdivision" means a county, city, town, or a public corporation created and operating under Minnesota Statutes, Sections 360.101 to 360.133.

Subd. 12. "Available personnel" means all able-bodied persons.

Sec. 5. [EMERGENCIES; THE GOVERNOR AND EXECUTIVE COUNCIL.] Subdivision 1. The provisions of this section are subject to the provisions of Minnesota Statutes, Chapter 9.

Subd. 2. The governor may appoint an emergency service advisory council. Such a council shall consist of not less than five nor more than 15 members. The size of the council shall be determined within the above limits by the governor. The members of the council shall serve at the pleasure of the governor without compensation, but shall be reimbursed as in the same manner and amount as state employees. The council shall advise the governor and the state director on all matters pertaining to emergency services.

Subd. 3. When a war or the imminence of a war threatens the people of this state, the governor shall:

(a) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or property;

(b) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(c) Control ingress and egress to and from a strickened or threatened area, the movement of persons within the area, and the occupancy of premises therein;

(d) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

(e) Make provisions for the availability and use of temporary housing.

Sec. 6. [DIVISION OF EMERGENCY SERVICES.] Subdivision 1. The division of civil defense in the department of public safety established by Laws 1969, Chapter 1129, Article 1, Section 14, is hereby renamed the division of emergency services. It shall remain under the supervision and control of the state director whose position was established by Laws 1969, Chapter 1129, Article 1, Section 14 and as there provided he shall serve at the pleasure of the commissioner in the unclassified service of the state and shall hold no other state office. The relationship between the state director and the commissioner of public safety shall be governed by the provisions of Laws 1969, Chapter 1129, Article 1, Section 14.

(a) Such professional, technical, secretarial and clerical employees as are necessary for the performance of the division's functions shall be employed in the manner provided by law.

(b) The state director and other personnel of the division of emergency services shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for personnel of other state agencies.

Subd. 2. The division of emergency services shall prepare and maintain a state emergency plan and keep it current, the plan shall include:

(a) Guidelines and standards for the prevention and minimization of injury and damage caused by disaster;

(b) Measures outlining prompt and effective response to disasters and emergencies;

(c) Programs for disaster relief;

(d) Identification of areas particularly vulnerable to disasters and emergencies;

(e) Recommendations for zoning, building, use of land, and safety measures for securing mobile homes;

(f) Guidelines which will assist local officials in designing local emergency plans;

(g) Recommendations for the construction of temporary works designed to prevent loss of life and property from flood, conflagration, or other disaster;

(h) Guidelines for the preparation of catalogues containing federal, state and private assistance programs and distribution of these to the appropriate state and local officials;

(i) Provisions for the organization and use of available personnel and chains of command;

(j) Provisions for the coordination of the state and local emergency plans with the emergency plans of the federal government; and

(k) Other necessary matters to carry out this act.

Subd. 3. The division of emergency services shall participate in the development and revision of local and interjurisdictional emergency plans prepared under section 8. The division may employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, and carrying out their emergency plans. This personnel shall consult with political subdivisions and shall make field examinations of the areas, circumstances, and conditions to which particular emergency plans are intended to apply, and may suggest revisions to the emergency plans. Any such revisions to the plan are subject to the approval of the division.

(a) In preparing and revising the state emergency plan, the division of emergency services shall seek the advice and assistance of local governmental, business, labor, industrial, agricultural, civic, and volunteer organizations and community leaders. The division shall encourage the political subdivisions to seek advice from these sources in developing their emergency plans.

(b) The division of emergency services shall:

(1) Determine requirements of the state and its political subdivisions for food, clothing, and other necessities in event of an emergency or disaster;

(2) Procure supplies, medicines, materials, and equipment and position them such that in the event of an emergency or disaster they are readily available;

(3) Promulgate minimum standards to be incorporated in the emergency plans of political subdivisions;

(4) Periodically review the emergency plans of the political subdivision to assure that minimum standards are met;

(5) Provide for the mobile support units necessary to adequately assist the political subdivisions during emergencies and disasters.

(6) Shall provide assistance to political subdivisions in the establishment and operation of training programs and programs for dissemination of public information;

(7) Make surveys of industries, resources, and facilities within the state, both public and private, to ascertain the availability of materials for use in an emergency or disaster;

(8) Make arrangements for the use of materials determined to be available for emergencies and disasters;

(9) Establish a register of persons with types of training and skills important in emergencies and disasters;

(10) Suggest and submit to the governor, or executive council, orders, proclamations, and regulations as necessary or appropriate in coping with disasters or emergencies;

(11) Cooperate, when possible, with the federal government and any public or private agency or person in achieving the purpose of this act and in developing and implementing emergency plans;

(12) Perform all other necessary duties, incidental, or appropriate for the implementation of this act.

Sec. 7. [FINANCE, ASSISTANCE, ACCEPTANCE; RULES BY GOVERNOR.] Subdivision 1. Where an emergency or disaster exists the executive council shall expend the funds appropriated to it pursuant to Minnesota Statutes, Section 9.061, for the purposes of this act as for the purposes specified in that section.

Subd. 2. Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant or loan, for the purposes of emergency services, the state, acting through the governor, or such political subdivision, acting with the consent of the governor and through its governing body, may accept such offer and upon such acceptance the governor of the state or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 3. Whenever any person, firm or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, real property, or funds by the way of gift, grant or loan, for purposes of emergency services, the state, acting through the governor, or such political subdivision, acting through its governing body, may accept such offer and upon such acceptance the governor of the state or the governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, real property, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer, but no moneys or other

funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law. Real property so accepted shall be treated as, and subject to the same immunities during time of emergencies and disasters as real property owned by the state.

Subd. 4. The governor shall have authority to establish rules and regulations in accordance with the law for the proper and efficient operation and administration of the emergency services program including methods relating to the establishment and maintenance of personnel standards on a merit basis for all employees of local emergency services agencies, provided, however, that the governor shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods.

The governor may, by rule or regulation, cooperate with the federal government in any manner as may be necessary to qualify for federal aid to carry out the provisions herein expressed. The governor may, by rule or regulation, also cooperate with other political units or subdivisions in establishing and maintaining personnel standards on a merit basis.

In carrying out the provisions of this act, the governor and the governing bodies of the political subdivisions of the state are directed to utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the governor and to the emergency services organizations of the state upon request.

Subd. 5. Where the governor or his duly authorized representative find it necessary to send an employee of the division of emergency services or a volunteer designated by the division, to any school training or indoctrination program, or place for training or indoctrination in a matter legitimately connected with emergency services. The division shall compensate that person at the rate of \$35 per day for the time that he remains where he has been sent plus reasonable and necessary expenses in the same manner and amount as state employees.

Subd. 6. Nothing contained in this section shall be construed to limit the governor's authority to apply for, administer, and expend grants, gifts, or payments in aid of disaster prevention, preparedness, response, or recovery.

Sec. 8. [LOCAL ORGANIZATIONS.] Subdivision 1. Each political subdivision of this state shall establish a local organization for emergency services in accordance with the state emergency plan and program, but no town shall establish a local organization for emergency services without approval of the state director. Each local organization for emergency services shall have a director who shall be appointed forthwith in a city, by the mayor thereof, in a town by the town board, and for a public corporation created and

operating under Minnesota Statutes, Sections 360.101 to 360.133 by its governing body who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency services, subject to the direction and control of such governing body.

Subd. 2. Each county emergency services organization shall have a director and one or more deputy directors. They shall be appointed by the county board. A county organization for emergency services shall have jurisdiction throughout the county outside of any city, or of a town which has a local emergency services organization. In addition to the other powers granted by this subdivision, such county organizations shall coordinate the activities of and may assist in the training of emergency services organizations of political subdivisions within the county, plan for the continuity of county government in cooperation with the county attorney who is authorized and directed to give legal advice to the county organization, acquire equipment necessary in connection therewith, and expend funds provided by the county board out of general revenue funds for such purposes.

Subd. 3. Each local and county organization for emergency services shall perform emergency functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this act or any other applicable provisions of law.

Subd. 4. The county emergency services director shall promote a community first aid and blood bank committee for each hospital within the county other than any owned and operated by the state or federal governments. This committee, in cooperation with the committee on emergency services and disaster blood program, the medical and administrative staff of the hospital and other local and state agencies, shall develop blood banks and donor lists in accordance with the provisions of this act.

Subd. 5. With approval of the governor, two or more political subdivisions may enter into agreements determining the boundaries of the geographic areas of their respective emergency responsibilities or providing for a common emergency services organization which, for the purposes of this act shall be a local emergency services organization.

Subd. 6. Each political subdivision either alone or in conjunction with another political subdivision shall prepare and keep current an emergency plan for its area.

Subd. 7. The political subdivision's organization of emergency service shall prepare and distribute to all appropriate persons in written form a clear and complete statement of the emergency responsibilities of local agencies and persons.

Subd. 8. To provide moneys for emergency services purposes authorized by this chapter, a political subdivision is empowered to levy annually upon all taxable property in the political subdivision, except as provided in subdivision 11, a tax in excess of and over and above all taxing limitations, except a limitation established

pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay such expenditures. The total amount of a tax levied under authority of this section except when levied by a county shall not exceed 40 cents per capita based on the last federal regular or special census, except in a political subdivision in which such tax will not produce a total amount of \$1,000 in which event a tax sufficient to produce \$1,000 or so much thereof as may be necessary may be levied, if not in excess of a limitation established pursuant to sections 275.50 to 275.56.

Subd. 9. (a) To provide moneys for the purchase of organizational equipment which is to be paid for in part by the federal government, a political subdivision is empowered to levy a tax upon all taxable property in the political subdivision, except as provided in subdivision 10, in excess of and over and above all taxing limitations, including those provided in subdivision 8, but subject to a limitation established pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay its share of the cost of such organizational equipment, provided that the governor has approved the purchase thereof.

(b) Each political subdivision which has initiated the purchase of organizational equipment shall have the power:

(1) To pay into the state treasury, in trust, its share of the cost of organizational equipment required by the federal government to be paid in advance.

(2) To pay into the state treasury, in trust, its share of the reimbursement of the federal government by the state as part of its share of the cost of organizational equipment purchased for the political subdivision and initially wholly paid for from the federal treasury.

(3) To pay the entire cost of organizational equipment from funds derived from tax levies herein authorized but within the limitations of subdivision 8. Organizational equipment purchased entirely from funds of a political subdivision need not be in excess of equipment provided for normal operation of a political subdivision and may be of a type and kind usable for emergency services purposes.

Subd. 10. When levied by a county, the taxes authorized in subdivisions 8 and 9, respectively, shall be spread wholly and exclusively upon property within the portion of the county over which the county local organization for civil defense has justification as provided in section 12.25, subdivision 1; provided, however, that a county may levy annually a tax upon all taxable property within any city or town within the county which has a local civil defense organization.

Subd. 11. Notwithstanding the limitation contained in section 8, subdivision 9, the limitation applicable to the city of Minneapolis shall continue at 20 cents per capita, and no levy may be made by Hennepin county on property within the city of Minneapolis pursuant to section 8, subdivision 11.

Sec. 9. Subdivision 1. If the governor or his designee find that

two or more political subdivisions would benefit more by jointly developing and maintaining an emergency plan than by maintaining separate emergency plans, he may by executive order require the political subdivisions to develop and maintain a single emergency plan. This determination shall be subject to the consent of the political subdivisions and shall be based on these considerations of the political subdivisions:

- (a) Population;
- (b) Financial resources;
- (c) Vulnerability to disaster or emergency;
- (d) Interrelated characteristics;
- (e) Other relevant conditions or circumstances.

Subd. 2. If the governor finds that a vulnerable area lies only partly within this state and includes territory in another state or territory in a foreign jurisdiction and that it would be desirable to establish an interstate or international relationship to protect this area, he shall take the proper steps to establish this relationship.

Subd. 3. In the event a jurisdiction or jurisdictions with which the governor proposes to cooperate has not enacted the interstate civil defense and disaster compact, he may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for the making thereof does not otherwise exist, becomes effective only after its text has been communicated to the legislature and provided that neither house of the legislature has disapproved it in the next session or within one year after its submission, whichever is shorter.

Sec. 10. [INTERGOVERNMENTAL ARRANGEMENTS.]
Subdivision 1. This state enacts into law and enters into the interstate civil defense and disaster compact with all states, defined therein, which states have enacted or shall hereafter enact the compact in the form substantially as follows:

Interstate Civil Defense and Disaster Compact

The contracting States solemnly agree:

ARTICLE I

The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack or other cause, natural or otherwise, including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full, and effective utilization of the resources of the respective states, including such resources as may be available from the United States government or any other source, are essential to the safety, care, and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment, or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the states that are parties

hereto. The directors of civil defense of all party states shall constitute a committee to formulate plans to take all necessary steps for the implementation of this contract.

ARTICLE II

It shall be the duty of each party state to formulate civil defense plans and programs for application within such state. There shall be frequent consultation between the representatives of the states and with the United States government and the free exchange of information and plans, including inventories of any materials and equipment available for civil defense. In carrying out such civil defense plans and programs the party states shall so far as possible provide and follow uniform standards, practices and rules and regulations including:

(a) Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;

(b) Blackouts and practice blackouts, air-raid drills, mobilization of civil defense forces and other tests and exercises;

(c) Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(d) The effective screening or extinguishing of all lights and lighting devices and appliances;

(e) Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(f) All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party state;

(g) The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during and subsequent to drills or attacks;

(h) The safety of public meetings or gatherings; and

(i) Mobile support units.

ARTICLE III

Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers, except that of arrest unless specifically authorized by the receiving state, duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services. Civil defense forces will continue

under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance.

ARTICLE IV

Whenever any person holds a license, certificate, or other permit issued by any state evidencing the meeting of qualifications for professional, mechanical or other skills, such person may render aid involving such skill in any party state to meet an emergency or disaster and such state shall give due recognition to such license, certificate or other permit as if issued in the state in which aid is rendered.

ARTICLE V

No party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

ARTICLE VI

Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that appropriate among other states party hereto, this instrument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

ARTICLE VII

Each party state shall provide for the payment of compensation and death benefits to injured members of the civil defense forces of that state and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

ARTICLE VIII

Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided, that any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without

charge or cost; and provided further that any two or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. The United States government may relieve the party state receiving aid from any liability and reimburse the party state supplying civil defense forces for the compensation paid to and the transportation, subsistence, and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the state and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment, or facilities so utilized or consumed.

ARTICLE IX

Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out from time to time between representatives of the party states and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care, and like items. Such expenditures shall be reimbursed by the party state of which the evacuees are residents, or by the United States government under plans approved by it. After the termination of the emergency or disaster the party state of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

ARTICLE X

This compact shall be available to any state, territory or possession of the United States, and the District of Columbia. The term "state" may also include any neighboring foreign country or province or state thereof.

ARTICLE XI

The committee established pursuant to Article 1 of this compact may request the Civil Defense Agency of the United States government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States government may attend meetings of such committee.

ARTICLE XII

This compact shall become operative immediately upon its ratification by any state as between it and any other state or

states so ratifying and shall be subject to approval by Congress unless prior congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and the Civil Defense Agency and other appropriate agencies of the United States government.

ARTICLE XIII

This compact shall continue in force and remain binding on each party state until the legislature or the governor of such party state takes action to withdraw therefrom. Such action shall not be effective until 30 days after notice thereof has been sent by the governor of the party state desiring to withdraw to the governors of all other party states.

ARTICLE XIV

This compact shall be construed to effectuate the purposes stated in Article I hereof. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be affected thereby.

Sec. 11. [LOCAL EMERGENCIES.] Subdivision 1. A local emergency may be declared only by the executive authority of the affected political subdivision. The local emergency shall not be continued or renewed for a period in excess of seven days except with the consent of the governing board of the political subdivision involved. Any order or proclamation in regard to a local emergency shall be given prompt and general publicity and shall be filed promptly with the chief local records-keeping agency.

Subd. 2. The effect of a declaration of a local emergency is to activate applicable emergency plans.

Sec. 12. [DISASTER PREVENTION.] Subdivision 1. The governor shall direct state agencies, including but not limited to those charged with responsibilities of flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land-use planning, and construction standards, to conduct studies and submit reports to the governor relative to disasters and emergencies. The governor shall make recommendations to the legislature, political subdivisions, and state agencies regarding measures for prevention and reduction of the harmful consequences of disasters and emergencies.

Subd. 2. The department of natural resources, in conjunction with the division of emergency services, shall keep land uses and construction of structures and other facilities under continuing study and identify areas which are particularly susceptible to severe land shifting, subsidence, and flood. The studies under this subdivision shall concentrate on means of reducing or avoiding the dangers and consequences of such occurrences.

Subd. 3. If the division of emergency services determines that existing building standards and land-use controls in an area are inadequate and could add substantially to the magnitude of the disaster, it shall recommend to the governor the changes it finds necessary to reduce the magnitude of the disaster. If the governor upon review of the recommendation finds that the changes are essential, he shall so recommend that these changes be implemented by the appropriate state agency or political subdivision. If his recommendations are not acted upon within the time specified by the governor, he shall so inform the legislature and request legislative action.

Sec. 13. [COMMUNICATIONS.] The division of emergency services shall ascertain what means exist for rapid and efficient communications in times of emergencies or disasters. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive state or state-federal telecommunications or other communications system or network. In studying the character and feasibility of any system or its several parts, the division shall evaluate the possibility of multipurpose use thereof for general state and local governmental purposes. The division shall make recommendations to the governor as appropriate.

Sec. 14. [MUTUAL AID.] Subdivision 1. Political subdivisions shall be encouraged and assisted by the division of emergency services to enter into suitable arrangements for furnishing mutual aid in coping with disasters.

Subd. 2. In reviewing of local emergency plans, the governor shall consider whether they contain adequate provisions for the rendering and receipt of mutual aid.

Sec. 15. [ASSISTANCE BETWEEN POLITICAL SUBDIVISIONS.] Subdivision 1. Whenever requested by a political subdivision after declaration of a stated emergency or disaster, the governor may, in his discretion, authorize and direct the police, fire-fighting, health, or other force of any political subdivision, herein called the sending political subdivision, to go to the assistance of another political subdivision, herein called the receiving political subdivision, and to take and use for such purpose such personnel, equipment, and supplies of the sending political subdivision as the governor may direct.

Subd. 2. While so engaged, the officers and members of such forces shall have the same powers, duties, rights, privileges and immunities as if they were performing like service in the sending political subdivision and shall be considered to be acting within the scope of and in the course of their regular employment, as employees of such sending political subdivision.

Subd. 3. The receiving political subdivision shall reimburse the sending political subdivision for all supplies used and the compensation paid to all officers and members of the forces so furnished during such time as the rendition of such aid prevents them from performing their duties in the sending political subdivision, for the actual traveling and maintenance expenses of such officers and

members while rendering such aid, and the cost of all insurance covering such officers and members while so engaged. Any claim for such loss, damage or expense in use of equipment or supplies or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the municipality having knowledge of the facts, is filed with the clerk of the receiving political subdivision.

Subd. 4. It shall be the policy of the state to reimburse the sending political subdivision for any loss or damage to equipment used outside of the corporate limits of the sending political subdivision and to reimburse the sending political subdivision for any additional expenses incurred in the operation and maintenance thereof outside such corporate limits. Any claim for such loss, damage or expense in use of equipment or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the sending political subdivision having knowledge of the facts, is filed with the state director.

Sec. 16. [PERSONS REQUIRED TO ASSIST.] Subdivision 1. During an emergency or disaster, the governor, the state director or a member of a class of members of a state or local civil defense organization designated by the governor, may, when necessary to save life or property, (1) require any person, except members of the federal or state military forces and officers of the state or a political subdivision, to perform services for emergency services purposes as directed by any of the persons first above described, and (2) commandeer, during a disaster or emergency, any motor vehicle, tools, appliances or any other personal property.

Subd. 2. The owner of any property so commandeered shall be promptly paid just compensation for the use thereof and all damages done to the property while so used for emergency services purposes. The governor or the governing body of the political subdivision concerned, respectively, according to the use thereof, shall make a formal order determining the amount of such compensation. The owner may appeal to the district court of the county in which such property was commandeered if, within 30 days from the date of such order, he serves upon the governor or the political subdivision concerned and files with the clerk of such court a written notice of appeal setting forth the order appealed from and, in detail, the amount claimed as compensation. Upon such appeal, the issue shall be the amount of damages to which the appellant is entitled. It may be noticed for trial as in the case of a civil action and the court may require other parties to be joined and to plead therein when necessary to a proper determination of the questions involved. The cause shall be tried without a jury de novo and the court shall determine the damages and the person or persons entitled thereto. Except as herein otherwise provided, the trial shall be conducted and the cause disposed of according to the rules applicable to civil actions in the district court. The court in its discretion may award to the prevailing party the costs and disbursements of the appeal.

Subd. 3. Any available personnel required to perform services for emergency services who refuses, neglects, or otherwise fails to perform the services required under subdivision 1 shall be guilty of a misdemeanor and punished by imprisonment in the county jail for not less than ten days or more than 90 days.

Sec. 17. [MOBILE SUPPORT UNITS CALLED TO DUTY.] Subdivision 1. Mobile support units shall be called to duty upon orders of the governor and shall perform their functions in any part of the state, or, upon the conditions specified in this section, in other states.

Subd. 2. Personnel of mobile support units while on active duty, whether within or without the state, shall: (1) if they are employees of the state, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; (2) if they are employees of a political subdivision, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; and (3) if they are not employees of the state or a political subdivision thereof, receive compensation by the state of \$5 per day and have the same rights and immunities as are provided by law for the employees of this state. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of emergency services activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

Subd. 3. The state shall reimburse a political subdivision for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit and for all payments for death, disability or injury of such employees incurred in the course of such duty, and for all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

Subd. 4. Whenever a mobile support unit of another state shall render aid in this state pursuant to the orders of the governor of its home state, and upon the request of the governor of this state, this state shall reimburse such other state for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of the personnel of such mobile support unit while rendering such aid, and for all payments for death, disability or injury of such personnel incurred in the course of rendering such aid, and for all losses of or damage to supplies and equipment of such other state or a governmental subdivision thereof resulting from the rendering of such aid; provided, that the laws of such other state contain provisions substantially similar to this section.

Subd. 5. No personnel of a mobile support unit of this state shall be ordered by the governor to operate in any other state unless the laws of such other state contain provisions substantially similar to this section.

Sec. 18. [GOVERNOR MAY CONTRACT.] The governor, during an emergency or disaster, is, notwithstanding any other provision of law, empowered to enter into contracts and incur obliga-

tions necessary to combat such emergency or disaster by protecting the health and safety of persons and the safety of property, and providing emergency assistance to the victims of such emergency or disaster; to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contract, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, for example, but not limited to, publication of calls for bids, provisions of the civil service act and rules, provisions relating to low bids and requirements for the budgeting and allotment of funds. All contracts shall be in writing, executed on behalf of the state by the governor or a person by him delegated in writing so to do, and shall be promptly filed with the state auditor, who shall forthwith encumber funds appropriated for the purposes of the contract for the full contract liability and certify thereon that such encumbrance has been made.

Sec. 19. [POLITICAL SUBDIVISIONS, AUTHORITY TO ENTER INTO CONTRACTS.] During a disaster or emergency, each political subdivision is, notwithstanding any statutory or charter provision to the contrary, empowered, through its governing body acting within or without the corporate limits of the political subdivision, to enter into contracts and incur obligations necessary to combat such emergency or disaster by protecting the health and safety of persons and property, and providing emergency assistance to the victims of such emergency or disaster. Each political subdivision is authorized to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers; rental of equipment, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, for example, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

Sec. 20. [EMPLOYEES; LOYALTY OATHS.] No person shall be employed or associated in any capacity in any emergency service organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for emergency services shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

"I,, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution

of the State of against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”

This oath may be administered by any officer of the division of emergency services, local emergency services director/coordinator or any public official authorized to administer oaths.

Sec. 21. [POLITICAL ACTIVITIES.] No organization for emergency services established under the authority of this chapter shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a legitimate labor dispute.

Sec. 22. [VIOLATIONS, PENALTIES.] Unless a different penalty or punishment is specifically prescribed, any person who willfully violates any provision of this act or any rule, order or regulation having the force and effect of law issued under authority of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

Sec. 23. [LIMITATION OF POWERS.] Nothing in this act shall be construed to authorize the governor or the director:

(1) By subpoena or otherwise to require any person to appear before him or any other person or to produce any records for inspection by him or any other person, or to examine any person under oath; and

(2) To remove summarily from office any person, other than a person appointed under this chapter, except as now provided by law or as herein specifically authorized.

Sec. 24. [COLLECTION OF BLOOD TO TREAT CASUALTIES IN DISASTER.] The state board of health is authorized to procure and to store blood typing serums, donor and recipient sets of the disposable type and disposable blood containers in which to collect citrated whole human blood for transfusion purposes. Such donor and recipient sets, disposable blood containers and blood typing serum procured under sections 25 and 26 shall comply with the standards of the National Institutes of Health, United States Public Health Service. The board is authorized to make agreements with such hospitals, blood banks, and bleeding centers for the storing, without cost to the state, of such containers and sets, in quantities not to exceed a one year supply, at such points throughout the state as the board in cooperation with the division of emergency services deems necessary in order to facilitate the immediate collection and use for transfusion purposes of supplies of citrated whole human blood for the treatment of casualties in case of disaster. The hospitals, blood banks, and bleeding centers cooperating with the board pursuant to said agreements shall store such containers and sets but are authorized to use such containers and sets as needed in meeting their normal daily transfusion requirements. In order to keep the supply fresh and readily available at all times for disaster use, such hospitals, blood banks, and bleeding centers shall replenish as used, at their own expense,

the supply of such containers and sets stored with them by the board pursuant to said agreements.

Sec. 25. [BLOOD TYPING SERUMS, BLOOD DONOR LISTS.] Within the limitations of available funds, the board will provide blood typing serums to assist hospitals, blood banks, and bleeding centers in developing and enlarging a blood donor list of such size as to provide a ready source of whole blood for the treatment of casualties in the event of disaster. The hospitals, blood banks, and bleeding centers shall keep such donor lists current and shall report at such times as may be required by the board the total number of donors on the blood donor list and the number in the respective blood groups and RH types.

Sec. 26. [DIRECTOR OF DIVISION OF EMERGENCY SERVICES MAY HANDLE EXCESS FEDERAL PROPERTY.] Subdivision 1. The division is designated as the state agency to purchase, accept, lease, and distribute excess property made available by the federal government thereof to a governmental or nonprofit organization for any purpose authorized by federal law and in accordance with any rules or regulation promulgated thereunder.

Subd. 2. The director may purchase, lease, or accept excess property for the state of Minnesota and may purchase, lease, or accept excess property for the benefit of any other governmental or nonprofit organization. And any such governmental or nonprofit organization may designate the director to purchase, lease, or accept excess property for it upon such terms and conditions as may be mutually agreed upon.

Sec. 27. [EXCESS PROPERTY REVOLVING FUND; ADVANCES FOR CERTAIN EXPENSES.] Subdivision 1. In order to enable the director to pay for excess property received from the federal government for any governmental or nonprofit organization, including the expenses of screening, accepting and distributing such property, there is hereby created an excess property revolving fund. Any moneys paid into said excess property revolving fund are hereby appropriated to the director for the purposes of sections 26 to 28. An excess property revolving account is established in the state treasury. All moneys or reimbursements received by the director of emergency services from the operation of the excess property program or any branch thereof shall be deposited in the state treasury and credited to this account.

Subd. 2. A sum not to exceed \$1,000 of the moneys credited to such fund may be advanced to the director of the division of emergency services or any state officer or employee engaged in performing duties under sections 18 to 27 for the purpose of defraying the expenses of travel, subsistence, toll charges, and other similar expenses, and in accordance with such requirements, therefor as may be prescribed by the state auditor. Moneys so advanced when repaid shall be deposited in the state treasury to the credit of the excess property revolving fund.

Sec. 28. [EXCESS PROPERTY, STORAGE, TRANSFER REIMBURSEMENT OF REVOLVING FUND.] Subdivision 1. The

director may store excess property until needed and any expenses incurred in connection therewith shall be paid from the excess property revolving fund.

Subd. 2. Wherever the state of Minnesota or any of its departments or agencies operating pursuant to a legislative appropriation obtain excess property from the director the state auditor upon request of the director shall transfer the cost thereof, including any expenses of screening, accepting and distributing such property, from the appropriation of the state department or agency receiving the excess property to the excess property revolving fund. The determination of the director as to the cost of such excess property to the state department or agency receiving the same shall be final.

Subd. 3. Whenever any governmental or nonprofit organization other than a state department or agency receives excess property from the director, such governmental or nonprofit organization shall reimburse the excess property revolving fund for the cost thereof, including the expenses of screening, accepting and distributing the same, in such amount as the director may determine. The director may, however, require such governmental or nonprofit organization to deposit in advance in the excess property revolving fund moneys covering the cost of such excess property and upon such terms and conditions as may be mutually agreed upon.

Sec. 29. The revisor of statutes, in the next and subsequent editions of Minnesota Statutes, shall substitute the words "division of emergency services" for "Minnesota civil defense agency or division of civil defense" where the same appear in Minnesota Statutes, except in the interstate civil defense and disaster compact.

Sec. 30. Minnesota Statutes 1971, Section 15.0411, Subdivision 2, is amended to read:

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases. Sections 15.0411 to 15.0422 do not apply to (a) agencies directly in the legislative or judicial branches, (b) emergency powers in ~~Laws 1951, Chapter 694, Title III, Sections 301 to 307~~ sections 1 to 28 of this act, (c) Adult Corrections Commission and Pardon Board, (d) the Youth Conservation Commission, (e) the Department of Manpower Services, (f) the Director of Mediation Services, (g) the department of labor and industry, (h) workmen's compensation commission.

Sec. 31. Minnesota Statutes 1971, Sections 12.01; 12.02; 12.03; 12.04; 12.11; 12.12; 12.21; 12.22; 12.23; 12.24; 12.25; 12.26, Subdivisions 1, 3 and 6; 12.27; 12.28; 12.31; 12.32; 12.33; 12.34; 12.35; 12.36; 12.37; 12.42; 12.43; 12.44; 12.45; 12.46; 12.56; and 12.57 and Minnesota Statutes, 1973 Supplement, Section 12.26, Subdivisions 2 and 4; and Laws 1951, Chapter 669, are repealed.

Sec. 32. This act is effective July 1, 1974."

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

“A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the interstate civil defense and disaster compact; providing penalties; amending Minnesota Statutes 1971, Section 15.0411, Subdivision 2; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.”

And when so amended, H. F. No. 1834 will be identical to S. F. No. 1739 and further recommends that H. F. No. 1834 be given its second reading and substituted for S. F. No. 1739 and S. F. No. 1739 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3035 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. The twin cities area metropolitan transit commission is hereby authorized to implement its bus service expansion report as adopted by the metropolitan transit commission on February 20, 1974. It is the intent of the legislature to have this program completed by July 1, 1977. The commission shall make a progress report to the legislature in January of each year until the year following the completion of this program. The 1975 report shall also include recommendations for alternative methods of financing.

Sec. 2. Minnesota Statutes 1971, Section 473A.09, is amended by adding a subdivision to read:

Subd. 12. [BUS SYSTEM FARES.] The commission shall charge bus system passengers a fare of not more than \$.25 per ride, without additional charge for distance traveled or transfer; except that the commission may establish separate fares for passengers on express bus service. This subdivision shall be in effect on January 30, 1975.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1, is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A and the metropolitan transit system, the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax, which shall not in any year exceed the sum of the following:

(a) An amount equal to ~~1.15~~ 3.37 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax

under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years ; *except that the amount of taxes which may be levied in any year for the operating costs of the commission shall, except where this reduction would render the commission ineligible for the federal aid involved, be further reduced by the amount of any funds received by the commission during the previous year from federal grants to cover operating costs ; plus (b) such an additional amount equal to .04 mills times the assessed valuation of all such property all of which shall be used for the operating cost of service programs for the handicapped ; plus*

(b) (c) such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on February 1, 1974, plus additional certificates of indebtedness and other obligations in an amount not to exceed \$8,000,000 for the purposes of the transit related elements of the bus improvement program as expressed in the commission's bus service expansion report to the legislature of February 22, 1974, to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year ; plus

(d) Such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of certificates of indebtedness in an amount not to exceed \$12,000,000 for the purposes of highway related aspects of the bus improvement program, as expressed in the commission's bus service expansion report to the legislature of February 20, 1974, to which property taxes under this section have been pledged, provided that the principal and interest to come due on such obligations shall not exceed \$1,600,000 in any year. The certificates of indebtedness provided in this paragraph may be issued only after the commission has determined that alternative methods of finance are not available on the same or better terms. Nothing in this section shall be construed as providing funding for the preliminary engineering, studies, or construction for the automated fixed guideway system proposed in the 1972 transit development program of the commission.

Sec. 4. Minnesota Statutes 1971, Section 473A.111, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 AM and ~~3:00~~ 3:30 PM, and from 6:30 PM until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission, and to all those persons under the age of 18 who are students .

(2) Establish an express bus system to those areas within the

transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies.”

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

“A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.”

And when so amended, H. F. No. 3035 will be identical to S. F. No. 3076 and further recommends that H. F. No. 3035 be given its second reading and substituted for S. F. No. 3076 and S. F. No. 3076 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3571 be amended as follows:

Page 1, line 20, strike “act” and insert in lieu thereof “rule”

And when so amended, H. F. No. 3571 will be identical to S. F. No. 3494 and further recommends that H. F. No. 3571 be given its second reading and substituted for S. F. No. 3494 and S. F. No. 3494 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3313 be amended as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1971, Section 85A.03, Subdivision 4, is amended to read:

Subd. 4. As directed by the board, the director may establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility, provide for the sale of gifts, souvenirs, food and beverages, and grant concessions for the sale of such items. The granting of any concessions *relative to food, beverages, and transit shall not be subject to the terms and provisions of competitive bidding procedures of Minnesota Statutes, Sections 16.06, 16.07, and 16.28 but shall remain subject to all other provision of Minnesota Statutes, Chapter 16. In other areas of concessions, unless the commissioner of administration may determine* ~~determines~~ that it is not feasible and not in the public interest to award a contract for the operation of such concession to the highest responsible bidder.

Sec. 2. [EFFECTIVE DATE.] This act shall be effective the day following final enactment.”

And when so amended, H. F. No. 3313 will be identical to S. F. No. 3234 and further recommends that H. F. No. 3313 be given its second reading and substituted for S. F. No. 3234 and S. F. No. 3234 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1835 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

“Section 1. [LEGISLATIVE FINDING.] It is hereby declared to be in the public interest that public utilities be regulated as hereinafter provided in order to provide the retail consumers of natural gas and electric service in this state with adequate and reliable services at reasonable rates, consistent with the financial and economic requirements of public utilities and their need to construct facilities to provide such services or to otherwise obtain energy supplies, to avoid unnecessary duplication of facilities which increase the cost of service to the consumer and to minimize disputes between public utilities which may result in inconvenience or diminish efficiency in service to the consumers. Because municipal utilities are presently effectively regulated by the residents of the municipalities which own and operate them, it is deemed unnecessary to subject such utilities to regulation under this act except as specifically provided herein.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. “Corporation” means a private corporation, a public corporation, a municipality, an association, a cooperative whether incorporated or not, a joint stock association, a business trust, or any political subdivision or agency.

Subd. 3. “Person” means a natural person, a partnership, or two or more persons having a joint or common interest, and a corporation as hereinbefore defined.

Subd. 4. “Public utility” means persons, corporations or other legal entities, their lessees, trustees, and receivers, now or hereafter operating, maintaining, or controlling in this state equipment or facilities for furnishing at retail natural, manufactured or mixed gas or electric service to or for the public or its members, or engaged in the production and retail sale thereof but does not include a municipality producing or furnishing natural, manufactured or mixed gas or electric service. Except as otherwise provided, the provisions of this act shall not be applicable to any sale of natural gas or electricity by a public utility to another public utility for resale. No person shall be deemed to be a public

utility if it presently furnishes its services only to tenants in buildings owned, leased or operated by such person. No person shall be deemed to be a public utility if it presently furnishes service to occupants of a mobile home or trailer park owned, leased, or operated by such person. No person shall be deemed to be a public utility if it presently produces or furnishes service to less than 25 persons.

Subd. 5. "Rate" means every compensation, charge, fare, toll, tariff, rental and classification, or any of them, demanded, observed, charged, or collected by any public utility for any service and any rules, regulations, practices, or contracts affecting any such compensation, charge, fare, toll, rental, tariff, or classification.

Subd. 6. "Service" means natural, manufactured or mixed gas and electricity; the installation, removal, or repair of equipment or facilities for delivering or measuring such gas and electricity.

Subd. 7. "Commission" means the public service commission of the department of public service.

Subd. 8. "Department" means the department of public service of the state of Minnesota.

Subd. 9. "Municipality" means any city however organized.

Sec. 3. [REASONABLE RATE.] Every rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable. Rates shall not be unreasonably preferential, unreasonably prejudicial or discriminatory, but shall be sufficient, equitable and consistent in application to a class of consumers. Any doubt as to reasonableness should be resolved in favor of the consumer. For rate making purposes a public utility may treat two or more municipalities served by it as a single class wherever the populations are comparable in size or the conditions of service are similar.

Sec. 4. [STANDARD OF SERVICE.] Every public utility shall furnish safe, adequate, efficient, and reasonable service; provided that service shall be deemed adequate if made so within 90 days after a person requests service. Upon application by a public utility, and for good cause shown, the commission may extend the period for not to exceed another 90 days.

Sec. 5. [PUBLISH SCHEDULES; REGULATIONS; FILES; JOINT RATES.] Subdivision 1. Every public utility shall file with the commission schedules showing all rates, tolls, tariffs and charges which it has established and which are in force at the time for any service performed by it within the state, or for any service in connection therewith or performed by any public utility controlled or operated by it.

Subd. 2. Every public utility shall file with and as a part of the schedule all rules and regulations that, in the judgment of the commission, in any manner affect the service or product, or the rates charged or to be charged for any service or product, as well as any contracts, agreements or arrangements relating to the ser-

vice or product or the rates to be charged for any service or product to which the schedule is applicable as the commission may by general or special order direct.

Subd. 3. Every public utility shall keep copies of the schedules open to public inspection under rules and regulations as the commission may prescribe.

Sec. 6. [RECEIVING DIFFERENT COMPENSATION.] No public utility shall directly or indirectly, by any device whatsoever, or in any manner, charge, demand, collect, or receive from any person a greater or less compensation for any service rendered or to be rendered by the utility than that prescribed in the schedules of rates of the public utility applicable thereto when filed in the manner provided in this act, nor shall any person knowingly receive or accept any service from a public utility for a compensation greater or less than that prescribed in the schedules, provided that all rates being charged and collected by a public utility upon the effective date of this act may be continued until schedules are filed. Nothing in this act shall prevent a cooperative association from returning to its patrons the whole, or any part of, the net earnings resulting from its operations in proportion to their purchases from or through the association.

Sec. 7. [RATE PREFERENCE PROHIBITED.] No public utility shall, as to rates or service, make or grant any unreasonable preference or advantage to any person or subject any person to any unreasonable prejudice or disadvantage.

Sec. 8. [DUTIES OF COMMISSION.] The commission is hereby vested with the powers, rights, functions, and jurisdiction to regulate in accordance with the provisions of this act every public utility as defined herein. The exercise of such powers, rights, functions, and jurisdiction is prescribed as a duty of the commission. The commission is authorized to make rules and regulations in furtherance of the purposes of this act.

Sec. 9. [STANDARDS; CLASSIFICATIONS; REGULATIONS; PRACTICES.] The commission, after hearing upon reasonable notice had upon its own motion or upon complaint, may ascertain and fix just and reasonable standards, classifications, regulations, or practices to be observed and followed by any or all public utilities with respect to the service to be furnished; ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of the service; prescribe reasonable regulations for the examination and testing of the service and for the measurement thereof; establish or approve reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters, instruments and equipment used for the measurement of any service of any public utility. Any standards, classifications, regulations, or practices now or hereafter observed or followed by any public utility may be filed by it with the commission, and the same shall continue in force until amended by the public utility or until changed by the commission as herein provided.

The commission may require the filing of all rates, including rates charged to and by public utilities. The commission is empowered to appear before the Federal Power Commission to offer evidence and to seek appropriate relief in any case in which the rates charged consumers within the state of Minnesota may be affected.

Sec. 10. [ACCOUNTING SYSTEM.] Subdivision 1. The commission shall establish a system of accounts to be kept by public utilities subject to its jurisdiction. A public utility which maintains its accounts in accordance with the system of accounts prescribed by a federal agency or authority shall be deemed to be in compliance with the system of accounts prescribed by the commission. Where optional accounting is prescribed by a federal agency or authority, the commission may prescribe which option is to be followed.

Subd. 2. Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of natural gas or electric service shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all the other business, in which case all the provisions of this act shall apply to the books, accounts, papers and records of the other business.

Subd. 3. Every public utility is required to keep and render its books, accounts, papers and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to these books, accounts, papers and records.

Subd. 4. The commission may require any public utility to file annual reports in the form and content, having regard for the provisions of this section, as the commission may require, and special reports concerning any matter about which the commission is authorized to inquire or to keep itself informed. The commission may require the reports to be verified. The basic financial statements in the annual report of a public utility may, at the direction of the public service commission, be examined by an independent certified public accountant and his opinion thereof included in the annual report filed with the commission.

Subd. 5. [AUDIT AND INSPECTION.] The commission may require the examination and audit of all accounts, and all items shall be allocated to the accounts in the manner prescribed by the commission.

Subd. 6. The term public utility as used in this section includes a municipal utility.

Sec. 11. [DEPRECIATION RATES AND PRACTICES.] The commission shall fix proper and adequate rates and methods of depreciation, amortization, or depletion in respect of utility property, including utility property owned by a municipally owned gas or electric utility, and every public and every municipally owned gas and electric utility shall conform its depreciation, amortization or depletion accounts to the rates and methods fixed by the commission.

Sec. 12. [RIGHT OF ENTRANCE; INSPECTION.] Subdivision 1. The commissioners and the duly authorized officers and employees of the department, during business hours, may enter upon any premises occupied by any public utility for the purpose of making examinations and tests and to inspect the accounts, books, papers, and documents of any public utility for the purpose of exercising any power provided for in this act, and may set up and use on the premises any apparatus and appliance necessary therefor. Such public utility shall have the right to be represented at the making of the examinations, tests, and inspections. The public utility, its officers and employees, shall facilitate the examinations, tests, and inspections by giving every reasonable aid to the commissioners and any person or persons designated by the department for the duties aforesaid.

Subd. 2. The term public utility as used in this section includes a municipal utility.

Sec. 13. [PRODUCTION OF RECORDS.] Subdivision 1. The commission may require, by order served on any public utility in the manner provided herein for the service of orders, the production within this state at a reasonable time and place as the commission may designate, of any books, accounts, papers, or records of the public utility relating to its business or affairs within the state, pertinent to any lawful inquiry and kept by said public utility in any office or place within or without this state, or, at its option, verified or photostatic copies in lieu thereof, so that an examination thereof may be made by the commission or under its direction.

Subd. 2. The term public utility as used in this section includes a municipal utility.

Sec. 14. [INVESTIGATION.] The commission upon complaint or upon its own initiative and whenever it may deem it necessary in the performance of its duties may investigate and examine the condition and operation of any public utility or any part thereof. In conducting the investigations the commission may proceed either with or without a hearing as it may deem best, but it shall make no order without affording the affected parties a hearing.

Sec. 15. [HEARINGS; EXAMINER.] The commission may, in addition to the hearings specifically provided for by this act, conduct any other hearings as may reasonably be required in the administration of the powers and duties conferred upon it by this act. The commission may designate one of its members to act as an examiner for the purpose of holding any hearing which the commission has the power or authority to hold or in the event parties to the hearing so stipulate the commission may designate a qualified commission employee as the examiner. Reasonable notice of all hearings shall be given the persons interested therein as determined by the commission.

Sec. 16. [RATE CHANGES; PROCEDURE; HEARING.] Subdivision 1. Unless the commission otherwise orders, no public utility shall change any rate which has been duly established under this act, except after 30 days notice to the commission,

which notice shall include statements of facts, expert conclusions, substantiating documents, and exhibits, supporting the change requested, and further shall state the change proposed to be made in the rates then in force, and the time when the modified rates will go into effect. The commission shall give written notice of the proposed change to the governing body of each municipality and county in the area affected. All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon schedules on file and in force at the time.

Subd. 2. Whenever there is filed with the commission any schedule modifying or resulting in a change in any rates then in force, together with the filed statements of facts, expert conclusions, substantiating documents, and exhibits, supporting the changes requested, the commission shall upon complaint or may upon its own motion, upon reasonable notice to the governing bodies or municipalities affected, conduct a hearing to determine whether the rates are unjust or unreasonable; and pending the hearing and the decision thereon, the commission, upon filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons therefor at any time before they become effective, may suspend the operation of the schedule.

Subd. 3. Notwithstanding any order of suspension of a proposed increase in rates, the public utility may put the suspended schedule into effect on the date when it would have become effective if not suspended, or any date subsequent thereto within the suspension period, by filing with the commission a bond in an amount approved by the commission with sureties approved by the commission, conditioned upon the refund, in a manner to be prescribed by order of the commission, of the excess in increased rates, including interest thereon which shall be at the current rate of interest as determined by the commission, collected during the period of the suspension if the schedule so put into effect is finally disallowed by the commission. There may be substituted for the bond other arrangements satisfactory to the commission for the protection of persons affected. If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and is authorized to recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. However, no public utility shall put a suspended rate schedule into effect as provided by this subdivision until at least 90 days after the commission has made a determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2.

Subd. 4. The burden of proof to show that the rate change is just and reasonable shall be upon the public utility seeking the change.

Subd. 5. If, after the hearing, the commission finds the rates to be unjust or unreasonable or discriminatory, the commission shall determine the level of rates to be charged or applied by the utility for the service in question and shall fix the same by order to be served upon the utility; and the rates are thereafter to be observed until changed, as provided by this act. In no event shall the rates exceed the level of rates requested by the public utility, except that individual rates may be adjusted upward or downward.

Subd. 6. The commission, in the exercise of its powers under this act to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each, to offsets in the nature of capital provided by sources other than the investors, and any other factors or evidence material and relevant thereto.

Subd. 7. Notwithstanding any other provision of this act, the commission may permit a public utility to file rate schedules containing provisions for the automatic adjustment of charges for public utility service in direct relation to changes in federally regulated wholesale rates for energy delivered through interstate facilities or fuel used in generation of electricity or the manufacture of gas.

Sec. 17. [COMPLAINTS.] Subdivision 1. On its own motion or upon a complaint made against any public utility, by the governing body of any political subdivision, by another public utility, or by any 50 consumers of the particular utility that any of the rates, tolls, tariffs, charges, or schedules or any joint rate or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of natural gas or electricity or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with notice, to make such investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Subd. 2. The commission shall, prior to any formal hearing, notify the public utility complained of that a complaint has been made, and ten days after the notice has been given the commission may proceed to set a time and place for a hearing and an investigation as provided in this section.

Subd. 3. The commission shall give the public utility and the complainant, ten days notice of the time and place when and where

the hearing will be held and such matters to be considered and determined. Both the public utility and complainant shall be entitled to be heard and be represented by counsel.

Subd. 4. Notice shall also be given to the governing bodies of affected municipalities and counties, and to any other persons the commission shall deem necessary.

Subd. 5. The notice provided for in subdivisions 2 and 3 may be combined but if combined the notice shall not be less than ten days.

Subd. 6. The commission shall have the power to hear, determine and adjust complaints made against any municipally owned gas or electric utility with respect to rates and services upon petition of ten percent of the non-resident consumers of the municipally owned utility or 25 such non-resident consumers whichever is less. The hearing of the complaints shall be governed by subdivisions 1 through 5 of this section.

Subd. 7. Minnesota Statutes, Section 15.0419, shall be applicable to all contested cases before the commission.

Sec. 18. [SERVICE OF NOTICE.] Service of notice of all hearings, investigations and proceedings pending before the commission and of complaints, reports, orders and other documents shall be made personally or by mail as the commission may direct.

Sec. 19. [JOINT HEARINGS AND INVESTIGATIONS.] In the discharge of its duties under this act, the commission may cooperate with similar commissions of other states and any federal agency and may hold joint hearings and make joint investigations with other commissions.

Sec. 20. [SEPARATE RATE HEARINGS.] The commission may, in its discretion, when complaint is made of more than one rate or charge, order separate hearings thereon, and may consider and determine the several matters complained of separately and at times it may prescribe.

Sec. 21. [SUMMARY INVESTIGATIONS.] Subdivision 1. Whenever the commission has reason to believe that any rate or charge may be unreasonable or unjustly discriminatory or that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any public utility should for any reason be made, it may on its own motion summarily investigate the same with or without notice.

Subd. 2. If, after making the summary investigation, the commission becomes satisfied that sufficient grounds exist to warrant a formal hearing being ordered as to the matters investigated, it shall set a time and place for a hearing.

Subd. 3. Notice of the time and place for the hearing shall be made as provided in sections 17 and 18 of this act.

Sec. 22. [LAWFUL RATES; REASONABLE SERVICE.] Subdivision 1. Whenever upon an investigation made under the provisions of this act, the commission shall find rates, tolls, charges, schedules or joint rates to be unjust, unreasonable, insufficient or

unjustly discriminatory or preferential or otherwise unreasonable or unlawful, the commission shall determine and by order fix reasonable rates, tolls, charges, schedules or joint rates to be imposed, observed and followed in the future in lieu of those found to be unreasonable or unlawful.

Subd. 2. Whenever the commission shall find any regulations, measurements, practices, acts or service to be unjust, unreasonable, insufficient, preferential, unjustly discriminatory or otherwise unreasonable or unlawful, or shall find that any service which can be reasonably demanded cannot be obtained, the commission shall determine and by order fix reasonable measurements, regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of those found to be unreasonable, inadequate or otherwise unlawful, and shall make any other order respecting the measurement, regulation, act, practice or service as shall be just and reasonable.

Subd. 3. A copy of the order shall be served upon the person against whom it runs or his attorney, and notice thereof shall be given to the other parties to the proceedings or their attorneys.

Sec. 23. [CONSTRUCTION OF FACILITIES; COMMISSION APPROVAL.] Subdivision 1. The words "major utility facility" means: (1) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of 50 megawatts or more; (2) an electric transmission line and associated facilities of a design capacity of 125 kilovolts or more; and (3) a gas transmission line and associated facilities designed for, or capable of, transporting gas at pressures in excess of 125 pounds per square inch; provided, however, that the words "major utility facility" shall not include electric or gas distribution lines and gas gathering lines and associated facilities as defined by the commission.

Subd. 2. Under rules and regulations as the commission may prescribe, every public utility shall file with the commission, within the time and in the form as the commission may designate, plans showing any contemplated construction of major utility facilities.

Subd. 3. The provisions of this section shall apply to the construction of major utility facilities by a municipally owned gas or electric utility.

Sec. 24. [CHANGE; AMENDMENT; RECISION OF ORDERS.] The commission may at any time, on its own motion or upon motion of an interested party, and upon notice to the public utility and after opportunity to be heard, rescind, alter or amend any order fixing rates, tolls, charges or schedules, or any other order made by the commission, and may reopen any case following the issuance of an order therein, for the taking of further evidence or for any other reason. Any order rescinding, altering, amending or reopening a prior order shall have the same effect as an original order.

Sec. 25. [ORDERS; EFFECTIVE DATE.] Every decision made

by the commission constituting an order or determination shall be in force and effective 20 days after it has been filed and has been served by personal delivery or by mailing a copy thereof to all parties to the proceeding in which the decision was made or to their attorneys, unless the commission shall specify a different date upon which the order shall be effective.

Sec. 26. [REHEARINGS BEFORE COMMISSION; CONDITION PRECEDENT TO JUDICIAL REVIEW.] Subdivision 1. Within 20 days after the service by the commission of any decision constituting an order or determination, any party to the proceeding and any other person, aggrieved by the decision and directly affected thereby, may apply to the commission for a rehearing in respect to any matters determined in the decision. The commission may grant and hold a rehearing on the matters, or upon any of them as it may specify in the order granting the rehearing, if in its judgment sufficient reason therefor exists.

Subd. 2. The application for a rehearing shall set forth specifically the grounds on which the applicant contends the decision is unlawful or unreasonable. No cause of action arising out of any decision constituting an order or determination of the commission or any proceeding for the judicial review thereof shall accrue in any court to any person or corporation unless the plaintiff or petitioner in the action or proceeding within 20 days after the service of the decision, shall have made application to the commission for a rehearing in the proceeding in which the decision was made. No person or corporation shall in any court urge or rely on any ground not so set forth in the application for rehearing.

Subd. 3. Applications for rehearing shall be governed by general rules which the commission may establish. In case a rehearing is granted the proceedings shall conform as nearly as may be to the proceedings in an original hearing, except as the commission may otherwise direct. If in the commission's judgment, after the rehearing, it shall appear that the original decision, order or determination is in any respect unlawful or unreasonable, the commission may reverse, change, modify or suspend the original action accordingly. Any decision, order or determination made after the rehearing reversing, changing, modifying or suspending the original determination shall have the same force and effect as an original decision, order or determination. Only one rehearing shall be granted by the commission; but this shall not be construed to prevent any party from filing a new application or complaint. No order of the commission shall become effective while an application for a rehearing or a rehearing is pending and until ten days after the application for a rehearing is either denied, expressly or by implication, or the commission has announced its final determination on rehearing.

Subd. 4. Any application for a rehearing not granted within 20 days from the date of filing thereof, shall be deemed denied.

Subd. 5. It is hereby declared that the legislative powers of the state, insofar as they are involved in the issuance of orders and

decisions by the commission, have not been completely exercised until the commission has acted upon an application for rehearing, as provided for by this section and by the rules of the commission, or until the application for rehearing has been denied by implication, as above provided for.

Sec. 27. [SUBPOENA; WITNESSES; FEES; AND MILEAGE.] The commission and each commissioner, or the secretary of the commission may issue subpoenas and all necessary processes in proceedings pending before it; and each process shall extend to all parts of the state and may be served by any person authorized to serve processes of courts of record. Each witness who shall appear before the commission, or at a hearing before one of the individuals designated by it as provided in section 15 of this act, or whose deposition is taken, shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record.

Sec. 28. [OATHS; CONTEMPT; EXAMINER'S POWERS.] The commission and each of the commissioners or authorized examiner, for the purpose mentioned in this act, may administer oaths and examine witnesses. In case of failure on the part of any person to comply with any subpoena, or in the case of the refusal of any witness to testify concerning any matter on which he may be interrogated lawfully, any court of record of general jurisdiction or a judge thereof, on application of the commission, may compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the court or a refusal to testify therein.

Sec. 29. [DEPOSITIONS.] The commission or any party to the proceedings may, in any investigation or hearing before the commission, cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Sec. 30. [TESTIMONY AND PRODUCTION OF RECORDS; PERJURY.] No person shall be excused from testifying or from producing any book, document, paper, or account in any investigation, or inquiry by, or hearing before, the commission or any commissioner, or person designated by it to conduct hearings, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to any forfeiture or penalty for or on account of any act, transaction, matter, or thing concerning which he shall have been compelled under oath to testify or produce documentary evidence; provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

Sec. 31. [COPIES OF DOCUMENTS AS EVIDENCE.] Copies of official documents and orders filed or deposited according to law in the office of the commission, certified by a commissioner or by the secretary under the official seal of the commission to be true copies of the original shall be evidence in like manner as the

originals, in all matters before the commission and in the courts of this state.

Sec. 32. [ORDERS AND FINDINGS IN WRITING.] Every order, finding, authorization, or certificate issued or approved by the commission under any provisions of this act shall be in writing and filed in the office of the secretary of the commission. A certificate under the seal of the commission that any order, finding, authorization, or certificate has not been modified, stayed, suspended, or revoked, shall be received as evidence in any proceedings as to the facts therein stated.

Sec. 33. [PUBLIC RECORDS.] All decisions, transcripts, and orders of the commission shall be public records.

Sec. 34. [TRANSCRIBED RECORD TO BE KEPT.] A full and complete record shall be kept of all proceedings at any formal hearing had before the commission or any commissioner or hearing examiner and all testimony shall be taken down by a reporter appointed by the commission. A copy of the transcript shall be furnished on demand to any party to the proceedings upon payment of reasonable costs of reproduction.

Sec. 35. [FRANCHISES CONTINUED.] Any public utility furnishing the utility services enumerated in this act or occupying streets, highways, or other public property within a municipality may be required to obtain a license, permit, right or franchise in accordance with the terms, conditions, and limitations of regulatory acts of the municipality, including the placing of distribution lines and facilities underground, and under the license, permit, right, or franchise, the utility may be obligated by any municipality to pay to the municipality fees to raise revenue or defray increased municipal costs accruing as a result of utility operations, or both, including but not limited to a sum of money based upon gross operating revenues or gross earnings from its operations in the municipality so long as the public utility shall continue to operate in the municipality, unless upon request of the public utility it is expressly released from the obligation at any time by such municipality. All existing licenses, permits, franchises and other rights acquired by any public utility or municipality prior to the passage of this act including the payment of existing franchise fees, shall not be impaired or affected in any respect by the passage of this act, except with respect to matters of rate and service regulation and service area assignments that have been vested to the jurisdiction of the commission by this act. However, in the event that a court of competent jurisdiction determines, or the parties by mutual agreement determine, that an existing license, permit, franchise or other right has been abrogated or impaired by this act, or its execution, the municipality affected shall impose and the public utility shall collect an excise tax on the utility charges which from year to year yields an amount which is reasonably equivalent to that amount of revenue which then would be due as a fee, charges or other thing or service of value to the municipality under the franchise, license or permit. The authorization shall be over and above taxing limitations including, but not limited to those of section 477A.01, subdivision 18. Franchises granted pursuant to this section shall be

exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80C.

Sec. 36. [ASSIGNED SERVICE AREAS; ELECTRIC UTILITIES.] Subdivision 1. [LEGISLATIVE POLICY.] It is hereby declared to be in the public interest that, in order to encourage the development of coordinated statewide electric service at retail, to eliminate or avoid unnecessary duplication of electric utility facilities, and to promote economical, efficient, and adequate electric service to the public, the state of Minnesota shall be divided into geographic service areas within which a specified electric utility shall provide electric service to customers on an exclusive basis.

Sec. 37. [DEFINITIONS.] For the purpose of sections 36 through 43 only, the following definitions shall apply:

Subdivision 1. "Person" means a natural person, a partnership, private corporation, a public corporation, a municipality, an association, a cooperative whether incorporated or not, a joint stock association, a business trust, any political subdivision or agency, or two or more persons having joint or common interest.

Subd. 2. "Customer" means a person contracting for or purchasing electric service at retail from an electric utility.

Subd. 3. "Electric service" means electric service furnished to a customer at retail for ultimate consumption, but does not include wholesale electric energy furnished by an electric utility to another electric utility for resale.

Subd. 4. "Electric line" means lines for conducting electric energy at a design voltage of 25,000 volts phase to phase or less used for distributing electric energy directly to customers at retail.

Subd. 5. "Electric utility" means persons, their lessees, trustees, and receivers, separately or jointly, now or hereafter operating, maintaining or controlling in Minnesota equipment or facilities for providing electric service at retail and which fall within the definition of "public utility" in section 2, subdivision 4, and includes facilities owned by a municipality.

Subd. 6. "Assigned service area" means the geographical area in which the boundaries are established as provided in section 38 of this act.

Subd. 7. "Municipality" means any city, however organized.

Sec. 38. [ASSIGNED SERVICE AREAS.] Subdivision 1. On or before six months from the effective date of this section, or when requested in writing by an electric utility and for good cause shown, and at a further time as the commission may fix by order, each electric utility shall file with the commission a map or maps showing all its electric lines outside of incorporated municipalities as they existed on the effective date of this section. Each electric utility shall also submit in writing a list of all municipalities in which it provides electric service on the effective date of this act. Where two or more electric utilities serve a single municipality, the commission may require each utility to file with the commission a map showing its electric lines within the municipality.

Subd. 2. On or before 12 months from the effective date of this section, the commission shall after notice and hearing establish the assigned service area or areas of each electric utility and shall prepare or cause to be prepared a map or maps to accurately and clearly show the boundaries of the assigned service area of each electric utility.

Subd. 3. To the extent that it is not inconsistent with the legislative policy stated in subdivision 1 of section 36, the boundaries of each assigned service area, outside of incorporated municipalities, shall be a line equidistant between the electric lines of adjacent electric utilities as they exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, highways, waterways, railways, major bluffs, and ravines and shall be modified to take account of the contracts provided for in subdivision 4; and provided further that at any time after the effective date of the section, the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing as provided for in sections 17 and 18.

Subd. 4. Contracts between electric utilities, which are executed on or before 12 months from the effective date of this section, designating service areas and customers to be served by the electric utilities when approved by the commission shall be valid and enforceable and shall be incorporated into the appropriate assigned service areas. The commission shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected and will promote the efficient and economical use and development of the electric systems of the contracting electric utilities.

Subd. 5. Where a single electric utility provides electric service within a municipality on the effective date of this section, that entire municipality shall constitute a part of the assigned service area of the electric utility in question. Where two or more electric utilities provide electric service in a municipality on the effective date of this section, the boundaries of the assigned service areas shall conform to those contained in municipal franchises with the electric utilities on the effective date of this section. In the absence of a franchise, the boundaries of the assigned service areas within an incorporated municipality shall be a line equidistant between the electric lines of the electric utilities as they exist on the effective date of this section; provided that these boundaries may be modified by the commission to take account of natural and other physical barriers including, but not limited to, major streets or highways, waterways, railways, major bluffs and ravines and shall be modified to take account of the contracts provided for in subdivision 4.

Subd. 6. In those areas where, on the effective date of this section, the existing electric lines of two or more electric utilities are so intertwined that subdivisions 2 through 5 cannot reasonably be applied, the commission shall determine the boundaries of the assigned service areas for the electric utilities involved as will promote the legislative policy in section 36, subdivision 1.

Sec. 39. [EXCLUSIVE SERVICE RIGHTS.] Except as provided in section 41, each electric utility shall have the exclusive right to provide electric service at retail to each and every present and future customer in its assigned service area and no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing; provided that any electric utility may extend its facilities through the assigned service area of another electric utility if the extension is necessary to facilitate the electric utility connecting its facilities or customers within its own assigned service area.

Sec. 40. [EFFECT OF INCORPORATION, ANNEXATION, OR CONSOLIDATION.] After the effective date of this section, the inclusion by incorporation, consolidation, or annexation of any part of the assigned service area of an electric utility within the boundaries of any municipality shall not in any respect impair or affect the rights of the electric utility to continue and extend electric service at retail throughout any part of its assigned service area unless a municipality which owns and operates an electric utility elects to purchase the facilities and property of the electric utility as provided in section 43 of this act.

Sec. 41. [SERVICE EXTENSIONS IN CERTAIN SITUATIONS.] Subdivision 1. Notwithstanding the establishment of assigned service areas for electric utilities provided for in section 38, customers located outside municipalities and who require electric service with a connected load of 2,000 kilowatts or more shall not be obligated to take electric service from the electric utility having the assigned service area where the customer is located if, after notice and hearing, the commission so determines after consideration of following factors:

- (a) the electric service requirements of the load to be served;
- (b) the availability of an adequate power supply;
- (c) the development or improvement of the electric system of the utility seeking to provide the electric service, including the economic factors relating thereto;
- (d) the proximity of adequate facilities from which electric service of the type required may be delivered;
- (e) the preference of the customer;
- (f) any and all pertinent factors affecting the ability of the utility to furnish adequate electric service to fulfill customers' requirements.

Subd. 2. Notwithstanding the provisions in section 38, any electric utility may extend electric lines for electric service to its own utility property and facilities.

Sec. 42. [HEARINGS; COMPLAINTS.] Upon the filing of an application under section 41 or upon complaint by an affected utility that the provisions of sections 38 through 41 have been violated, the commission shall hold a hearing, upon notice, within 15 days after the filing of the application of complaint, and shall render its decision within 30 days after said hearing.

Sec. 43. [SERVICE EXTENSIONS IN ANNEXED AREAS; MUNICIPAL PURCHASE.] Notwithstanding the provisions of sections 37 through 41 of this act, whenever a municipality which owns and operates an electric utility extends its corporate boundaries through annexation or consolidation, the municipality shall thereafter furnish electric service to the annexed area unless the area is already receiving electric service from an electric utility, in which event, the annexing municipality may purchase the facilities of the electric utility serving the annexed area. The municipality acquiring the facilities shall pay to the utility formerly serving the annexed area the appropriate value of its properties within the area which payment may be by exchange of other electric utility property outside the municipality on an appropriate basis giving due consideration to revenue from and value of the respective properties. In the event the municipality and the electric utility involved are unable to agree as to the terms of the payment or exchange, the municipality or the electric utility may file an application with the commission requesting that the commission determine the appropriate terms for the exchange or sale. After notice and hearing, the commission shall determine appropriate terms for an exchange, or in the event no appropriate properties can be exchanged, the commission shall fix and determine the appropriate value of the property within the annexed area, and the transfer shall be made as directed by the commission. In making that determination the commission shall consider the original cost of the property, less depreciation, loss of revenue to the utility formerly serving the area, expenses resulting from integration of facilities, and other appropriate factors. Until the determination by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the electric utility being displaced, serving the annexed area, shall not extend service to any additional points of delivery within the annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that the extension is not in the public interest.

When property of a public utility located within an area annexed to a municipality which owns and operates a public utility is proposed to be acquired by the municipality, ratification by the electors is not required.

Sec. 44. [MUNICIPAL PURCHASE OF PUBLIC UTILITY.] Any public utility operating in a municipality under a license, permit, right or franchise shall be deemed to have consented to the purchase by the municipality, for just compensation, of its property operated in the municipality under such license, permit, right or franchise. The municipality, subject to the provisions of this act, may purchase the property upon notice to the public utility as herein provided. Whenever the commission is notified by the municipality or the public utility affected that the municipality has, pursuant to law, determined to purchase the property of the public utility, and that the parties to the purchase and sale have been unable to agree on the amount to be paid and received therefor, the commission shall set a time and place for a public hearing, after not less than 30 days notice to the parties, upon the matter of just

compensation or the matter of the property to be purchased. Within a reasonable time the commission shall, by order, determine the just compensation for the property to be purchased by the municipality. In determining just compensation, the commission shall consider the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities and other appropriate factors. The order of the commission may be reviewed as provided in section 51 of this act. Commission expenses arising out of the exercise of its jurisdiction under this section shall be assessed to the municipality.

Sec. 45. [MUNICIPAL PROCEDURE; NOTICE; ELECTION.] Any municipality which desires to acquire the property of a public utility as authorized under the provisions of section 44 of this act may determine to do so by resolution of the governing body of the municipality taken after a public hearing of which at least 30 days published notice shall be given as determined by the governing body. The determination shall become effective when ratified by a majority of the qualified electors voting on the question at a special election to be held for that purpose, not less than 60 nor more than 120 days after the resolution of the governing body of the municipality.

Sec. 46. [ACQUISITION BY EMINENT DOMAIN.] Nothing in this act shall be construed to preclude a municipality from acquiring the property of a public utility by eminent domain proceedings; provided that damages to be paid in eminent domain proceedings shall include the original cost of the property less depreciation, loss of revenue to the utility, expenses resulting from integration of facilities, and other appropriate factors.

Sec. 47. [RELATIONS WITH AFFILIATED INTERESTS.] Subdivision 1. "Affiliated interests" with a public utility means the following:

(a) Every corporation and person owning or holding directly or indirectly five percent or more of the voting securities of such public utility.

(b) Every corporation and person in any chain of successive ownership of five percent or more of voting securities.

(c) Every corporation five percent or more of whose voting securities is owned by any person or corporation owning five percent or more of the voting securities of such public utility or by any person or corporation in any such chain of successive ownership of five percent or more of voting securities.

(d) Every person who is an officer or director of such public utility or of any corporation in any chain of successive ownership of five percent or more of voting securities.

(e) Every corporation operating a public utility or a servicing organization for furnishing supervisory, construction, engineering, accounting, legal and similar services to utilities, which has one or more officers or one or more directors in common with the public utility, and every other corporation which has directors in common with the public utility where the number of the directors is more than one-third of the total number of the utility's directors.

(f) Every corporation or person which the commission may determine as a matter of fact after investigation and hearing is actually exercising any substantial influence over the policies and actions of the public utility even though the influence is not based upon stockholding, stockholders, directors or officers to the extent specified in this section.

(g) Every person or corporation who or which the commission may determine as a matter of fact after investigation and hearing is actually exercising substantial influence over the policies and actions of the public utility in conjunction with one or more other corporations or persons with which or whom they are related by ownership or blood relationship or by action in concert that together they are affiliated with such public utility within the meaning of this section even though no one of them alone is so affiliated.

Subd. 2. The term "person" as used in subdivision 1 of this section shall not be construed to exclude trustees, lessees, holders of beneficial equitable interest, voluntary associations, receivers and partnerships.

Subd. 3. No contract or arrangement providing for the furnishing of management, supervisory, construction, engineering, accounting, legal, financial or similar services, and no contract or arrangement for the purchase, sale, lease or exchange of any property, right, or thing, or for the furnishing of any service, property, right, or thing, other than those above enumerated, made or entered into after the effective date of this act between a public utility and any affiliated interest as defined in this act, shall be valid or effective unless and until the contract or arrangement has received the written approval of the commission. It shall be the duty of every public utility to file with the commission a verified copy of the contract or arrangement, or a verified summary of the unwritten contract or arrangement, and also of all the contracts and arrangements, whether written or unwritten, entered into prior to the effective date of this act and in force and effect at that time. The commission shall approve the contract or arrangement made or entered into after that date only if it shall clearly appear and be established upon investigation that it is reasonable and consistent with the public interest. No contract or arrangement shall receive the commission's approval unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the services or of furnishing the property or service described herein to each public utility. No proof shall be satisfactory within the meaning of the foregoing sentence unless it includes the original or verified copies of the relevant cost records and other relevant accounts of the affiliated interest, or an abstract or summary as the commission may deem adequate, properly identified and duly authenticated, provided, however, that the commission may, where reasonable, approve or disapprove the contracts or arrangements without the submission of cost records or accounts. The burden of proof to establish the reasonableness of the contract or arrangement shall be on the public utility.

Subd. 4. The provisions of this section requiring the written approval of the commission shall not apply to transactions with affiliated interests where the amount of consideration involved

is not in excess of \$10,000 or five percent of the capital equity of the utility whichever is smaller; provided, however, that regularly recurring payments under a general or continuing arrangement which aggregate a greater annual amount shall not be broken down into a series of transactions to come within the aforesaid exemption. Such transactions shall be valid or effective without commission approval under this section. However, in any proceeding involving the rates or practices of the public utility, the commission may exclude from the accounts of such public utility any payment or compensation made pursuant to the transaction unless the public utility shall establish the reasonableness of the payment or compensation.

Subd. 5. In any proceeding, whether upon the commission's own motion or upon application or complaint, involving the rates or practices of any public utility, the commission may exclude from the accounts of the public utility any payment or compensation to an affiliated interest for any services rendered or property or service furnished, as above described, under existing contracts or arrangements with the affiliated interest unless the public utility shall establish the reasonableness of the payment or compensation.

Subd. 6. The commission shall have continuing supervisory control over the terms and conditions of the contracts and arrangements as are herein described so far as necessary to protect and promote the public interest. The commission shall have the same jurisdiction over the modifications or amendment of contracts or arrangement as are herein described as it has over such original contracts or arrangements. The fact that the commission shall have approved entry into such contracts or arrangements as described herein shall not preclude disallowance or disapproval of payments made pursuant thereto, if upon actual experience under such contract or arrangement it appears that the payments provided for or made were or are unreasonable.

Subd. 7. The provisions of this section shall not apply to cooperative electric associations.

Franchises granted pursuant to this section shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80C.

Sec. 48. [SECURITIES.] Subdivision 1. For the purpose of this section, "security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; assumption of any obligation or liability as a guarantor, endorser, surety, or otherwise in the security of another person; certificate of interest or participation in any profit sharing agreement; collateral trust certificate; preorganization certificate or subscription; transferable shares; investment contract; voting trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas or mining right, title or lease or in payments out of production under an oil, gas, or mining right, title or lease; or, in general, any interest or instrument commonly known as a

security, or any certificate for, receipt for guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing.

Subd. 2. For the purpose of this section, "capital structure" is the total capitalization of the public utility including, but not limited to, all outstanding common stock, preferred stock, and the permanent financing of said public utility represented by long term debt, and shall further include retained earnings and paid in surplus in excess of par values.

Subd. 3. It shall be unlawful for any public utility organized under the laws of this state to offer or sell any security or, if organized under the laws of any other state or foreign country, to subject property in this state to an encumbrance for the purpose of securing the payment of any indebtedness unless the capital structure of the public utility shall first be approved by the commission. Approval by the commission shall be by formal written order.

Subd. 4. Upon the application of a public utility for approval of its capital structure prior to the issuance of any security or the encumbrance of any property for the purpose of securing the payment of any indebtedness, the commission may make such inquiry or investigation, hold such hearings, and examine such witnesses, books, papers, documents, or contracts, as in its discretion it may deem necessary. Prior to approval the commission shall ascertain that the amount of securities of each class which any public utility may issue shall bear a reasonable proportion to each other and to the value of the property, due consideration being given to the nature of the business of the public utility, its credit and prospects, the possibility that the value of the property may change from time to time, the effect which the issue shall have upon the management and operation of the public utility, and other considerations which the commission as a matter of fact shall find to be relevant. If the commission shall find that the proposed capital structure is reasonable and proper and in the public interest and will not be detrimental to the interests of the consumers and patrons affected thereby, the commission shall by written order grants its permission for the proposed public financing.

Subd. 5. The requirements of this section are in addition to any other requirements of law and, specifically, the requirements of Minnesota Statutes, 1973 Supplement, Chapter 80A, and the rules and regulations promulgated pursuant thereto.

Subd. 6. The provisions of this section shall not apply to cooperative electric associations.

Sec. 49. [ACQUIRING PROPERTY ; MERGER.] Subdivision 1. No public utility shall sell, acquire, lease, or rent any plant as an operating unit or system in this state for a total consideration in excess of \$100,000, or merge or consolidate with another public utility operating in this state, without first being authorized so to do by the commission. Upon the filing on an application for the approval and consent of the commission thereto the commission shall investigate, with or without public hearing, and in

case of a public hearing, upon such notice as the commission may require, and if it shall find that the proposed action is consistent with the public interest it shall give its consent and approval by order in writing. In reaching its determination the commission shall take into consideration the reasonable value of the property, plant, or securities to be acquired or disposed of, or merged and consolidated. The provisions of this section shall not be construed as applicable to the purchase of units of property for replacement or to the addition to the plant of the public utility by construction.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80B.

Sec. 50. [STOCK PURCHASE.] Subdivision 1. No public utility shall purchase voting stock in another public utility doing business in Minnesota without first having made application to and received the consent of the commission in writing or by order.

Subd. 2. The provisions of this section shall not apply to cooperative electric associations.

Subd. 3. Mergers and consolidations as enumerated in subdivision 1 hereof shall be exempt from the provisions of Minnesota Statutes, 1973 Supplement, Chapter 80B.

Sec. 51. [APPEALS.] Subdivision 1. Any party to a proceeding before the commission or any other person, aggrieved by a decision and order and directly affected thereby, shall be entitled to appeal from such decision and order of the commission. The proceedings shall be instituted by serving a notice of appeal personally or by registered mail upon the commission or one of its members or upon its secretary, and by filing the notice in the office of the clerk of the district court of the county of Ramsey or of the county in which the appellant resides or maintains his principal place of business, all within 30 days after the service of the order and decision of the commission or in cases where a rehearing is requested within 30 days after service of the order finally disposing of the application for the rehearing, or within 30 days after the final disposition by operation of law of the application for rehearing. The notice shall state the nature of the appellant's interest, the facts showing that the appellant is aggrieved and directly affected by the decision, and the grounds upon which the appellant contends that the decision should be reversed or modified. Copies of the notice shall be served, personally or by registered mail, not later than 30 days after the institution of the appeal, upon all parties who appeared before the commission in the proceeding in which the order sought to be reviewed was made. The commission and all parties to the proceeding before it, shall have the right to participate in the appeal. The court, in its discretion, may permit other interested parties to intervene.

Subd. 2. Every person served with a notice of appeal as provided

in this section and who desires to participate in the appeal thereby instituted shall, within 20 days after the service of the notice, serve upon the appellant a notice of appearance stating his position with reference to the affirmance, vacation, or modification of the order or decision under appeal. The notice, other than by the named respondent, shall also be served on the named respondent and the attorney general, and shall be filed, together with proof of required service, with the clerk of the reviewing court within ten days after service. Service of all subsequent papers or notices in the appeal need be made only upon the appellant and other persons who have served and filed the notice as herein provided or have been permitted to intervene in the proceeding, as parties, by order of the court.

Subd. 3. Within 30 days after service of the notice of appeal upon the commission, or within a further time as the court may allow, the commission shall transmit to the court the original or a certified copy of the entire record of the proceedings in which the decision under appeal was made, including all pleadings, notices, testimony, exhibits, findings, decisions, orders, and exceptions; but by stipulation of all parties to the appeal the record may be shortened by eliminating any portion. The cost of preparing the transcript of the testimony, objections, rulings, and exceptions, shall be paid by the appellant to the official reporter of the commission. Any party, other than the commission, refusing to stipulate to limit the record may be taxed by the court for the additional costs.

Subd. 4. The appeal shall be conducted by the court without a jury and shall be confined to the record, arguments and brief, except that in cases of alleged irregularities in procedure before the commission testimony thereon may be taken in the court. The court may affirm the decision of the commission or may reverse or modify it.

Subd. 5. Any party, including the commission, may secure a review of the final judgment of the district court by appeal to the supreme court. The appeal shall be taken in the manner provided by law for appeals from the district court in other civil cases, except that the time for appeal shall be limited to 30 days from the notice of entry of the judgment.

Sec. 52. [SUSPENSION OF COMMISSION ORDERS.] The pendency of proceedings on appeal shall not of itself stay or suspend the operation of the order of the commission, but during the pendency of the proceedings the court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order on terms it deems just, and in accordance with the practice of courts exercising equity jurisdiction, but no stay shall be granted without notice to the parties and opportunity to be heard by the court. Any party shall have the right to secure from the court in which an appeal of an order of the commission is sought an order suspending or staying the operation of an order of the commission, pending an appeal of the order, but no commission order relating to rates or rules and regulations shall be stayed or suspended absent a finding that great or irreparable damage would otherwise result to the party seeking the stay or suspension, and any order

staying or suspending a commission order shall specify the nature of the damage.

In case the order of the commission is stayed or suspended, the court shall require a bond with good and sufficient surety, conditioned that the public utility petitioning for review shall answer for all damages caused by the delay in enforcing the order of the commission, and for all compensation for whatever sums for transmission or service any person shall be compelled to pay pending review proceedings in excess of the sum the person or corporation would have been compelled to pay had the commission's order not been stayed or suspended. The court, may, in addition or in lieu of the bond require other further security for the payment of such excess damages or charges it deems proper.

Sec. 53. [ACTIONS BY COMMISSION; ATTORNEY GENERAL TO INSTITUTE.] Whenever the commission shall be of the opinion that any person or public utility is failing or omitting or is about to fail or omit to do anything required of it by this act or by any order of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, contrary to or in violation of this act or of any order of the commission, it may direct the attorney general to commence an action or proceeding in the district court of Ramsey County, in the name of the state of Minnesota, for the purpose of having the violations stopped and prevented by injunction. The attorney general shall thereupon begin the action or proceeding by petition to the court alleging the violation or threatened violation complained of, and praying for appropriate relief by way of injunction. It shall thereupon be the duty of the court to specify a time, not exceeding 20 days after the service of the copy of the petition, within which the public utility or person complained of must plead, and in the meantime the public utility or person may for good cause shown be restrained. In case of default, the court shall immediately inquire into the facts and circumstances of the case. The corporations or persons as the court may deem necessary or proper to be joined as parties, in order to make its judgment, order, or writ effective, may be joined as parties. The final judgment in the action or proceeding shall either dismiss the action or proceeding or direct that an injunction issue or be made permanent as prayed for in the petition, or in a modified or other form which will afford appropriate relief. An appeal upon the record may be taken as in other civil actions.

Sec. 54. [PRIORITY OF ACTION.] All actions and proceedings under this act, and all actions or proceedings to which the commission or the state of Minnesota may be parties, and in which any question arises under this act, or under or concerning any order or decision of the commission, shall be preferred over all other civil causes, except election causes, irrespective of position on the calendar.

Sec. 55. [BURDEN OF PROOF.] In all proceedings before the commission in which the modification or vacation of any order of the commission is sought, the burden of proof shall be on the person seeking such modification or vacation.

Sec. 56. [PENALTIES.] Any person who knowingly and inten-

tionally violates any provision of this act, or who knowingly and intentionally fails, omits, or neglects to obey, observe, or comply with any lawful order, or any part or provision thereof, of the commission is subject to a penalty of not less than \$100 nor more than \$1,000 for each violation.

Sec. 57. [ACTS; OMISSION; FAILURE; CONSTRUCTION THEREOF.] In construing and enforcing the provision of this act relating to penalties, the act, omission, or failure of any officer, agent or employee of any person acting within the scope of his official duties of employment shall in every case be deemed to be also the act, omission, or failure of that person.

Sec. 58. [CONTINUING VIOLATIONS.] Every violation of the provisions of this act or of any lawful order of the commission, or any part or portion thereof by any person, is a separate and distinct offense, and in case of a continuing violation after a first conviction thereof each day's continuance thereof shall be deemed to be a separate and distinct offense.

Sec. 59. [PENALTIES CUMULATIVE.] All penalties accruing under this act shall be cumulative, and a suit for the recovery of one penalty shall not be a bar to or affect the recovery of any other penalty or forfeiture or be a bar to any criminal prosecution against any public utility or any officer, director, agent, or employee thereof or any person.

Sec. 60. [ACTIONS TO RECOVER PENALTIES.] Actions to recover penalties under this act shall be brought in the name of the state of Minnesota in the district court of Ramsey County.

Sec. 61. [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATIONS; OBJECTIONS.] Subdivision 1. Immediately after the passage and adoption of this act, the commission shall assess to all public utilities subject to the provisions of this act in proportion to their respective gross operating revenues, as hereinafter defined, during the preceding calendar year, the sum of \$300,000. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by registered mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof.

Subd. 2. Whenever the commission, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed by this act, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, the public utility shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The commission shall ascertain the expenses, and the department shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which

any public utility shall become liable, by reason of costs incurred by the commission within that calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by the public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3 of this section, but shall be paid out of the general appropriation to the department. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining this limitation.

Subd. 3. The department shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures to the performance of its duties relating to public utilities under this act, and shall deduct therefrom all amounts chargeable to public utilities under subdivision 2 of this section. The remainder shall be assessed by the commission to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of the public utilities during such calendar year from retail sales of gas or electric service within the state.

Subd. 4. Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which the bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. All moneys deposited in the state treasury pursuant to the provisions of this act shall be credited to the general fund. There is appropriated, upon passage of the act to the department of public service, from the general fund for the biennium ending June 30, 1975, the sum of \$300,000 for the purposes of this act.

Sec. 62. [INTEREST ON ASSESSMENTS.] The amounts assessed against any public utility not paid after 30 days after the mailing of a notice advising the public utility of the amount assessed against it, shall draw interest at the rate of six percent per annum, and upon failure to pay the assessment the attorney general shall proceed by action in the name of the state against the public utility to collect the amount due, together with interest and the cost of the suit.

Sec. 63. [ATTORNEY GENERAL TO REPRESENT COM-

MISSION.] The attorney general of the state shall, upon request of the commission, represent and appear for the commission in all actions and proceedings involving any question under this act, and shall aid in any investigation or hearing had under the provisions of this act. The attorney general shall perform all duties and services in connection with this act and the enforcement thereof as the commission may require. He shall also bring all actions to collect penalties herein provided. Nothing in this section shall prohibit the commission from employing counsel other than the attorney general to represent the public interest in any proceeding.

Sec. 64. Minnesota Statutes 1971, Section 216A.03, Subdivision 1, is amended to read:

216A.03. [COMMISSION.] Subdivision 1. [MEMBERS.] As of ~~May 26, 1967~~ *January 1, 1975* the public service commission shall consist of ~~the three members elected to the Minnesota railroad and warehouse commission; and each shall serve out the term for which he was elected as railroad and warehouse commissioner and shall, in accordance with applicable statutes, be eligible for re-election for one six-year term.~~ *five members, three of whom shall be the members then serving, who shall continue to serve for the balance of their elective or appointive terms. There shall be two additional commissioners appointed by the governor with the advice and consent of the senate, one for a term expiring December 31, 1975, and one for a term expiring December 31, 1977.* Thereafter the terms of all subsequent members of the commission shall be ~~six~~ *five* years and until their successors have been appointed and qualified. Each commissioner shall be appointed by the governor by and with the advice and consent of the senate. Not more than ~~two~~ *three* commissioners shall belong to the same political party. The governor in his selection of commissioners shall give consideration to persons learned in the law or persons who have engaged in the profession of engineering, public accounting or property and utility valuation as well as being representative of the general public.

Sec. 65. Minnesota Statutes 1971, Chapter 216A is amended by adding a section to read:

[216A.035] [CONFLICT OF INTEREST.] *No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.*

No person who is an employee of the public service commission shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest.

Sec. 66. [DEPARTMENT TO EMPLOY NECESSARY STAFF.] The department may employ experts, engineers, statisticians, accountants, inspectors, clerks, attorneys and employees it deems necessary to carry out the provisions of this act.

Sec. 67. [SEVERABILITY.] If any provision of this act, or any severable provision of a section of this act, or the application of any provision to any person or circumstances, shall be held invalid, the remainder of the act, or section, and the application of the provision to persons and circumstances other than those as to which it is held invalid, shall not be affected.

Sec. 68. [CONSTRUCTION.] This act is complete in itself and other Minnesota statutes are not to be construed as applicable to the supervision or regulation of public utilities by the commission. All acts and parts of acts in conflict with this act are repealed insofar as they pertain to the regulation of public utilities as defined herein.

Sec. 69. [AUTHORITY PRIOR TO EFFECTIVE DATE OF ACT.] The commission is authorized, upon the passage and adoption of this act, and prior to its effective date, to promulgate rules and regulations as provided herein; to take the steps necessary for the setting up of proper records and forms and the department is authorized to make necessary staff and clerical appointments as provided by law, and to do all things required for the effective and orderly administration of the duties imposed upon the commission pursuant to this act.

Sec. 70. [TITLE.] This act may be cited as the Minnesota public utilities act.

Sec. 71. [EFFECTIVE DATE.] This act shall become effective on January 1, 1975, except that sections 35 through 43, sections 61 through 63, and section 68 shall become effective on the day following final enactment."

Further, strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; appropriating money; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and Chapter 216A by adding a section."

And when so amended, H. F. No. 1835 will be identical to S. F. No. 1205 and further recommends that H. F. No. 1835 be given its second reading and substituted for S. F. No. 1205 and S. F. No. 1205 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 3347 for comparison to companion Senate Files, reports the following House File was found to have no companion

Senate Files on Senate Calendars and is recommended to be referred to its respective Committee as follows:

H. F. No. 3347 to the Committee on Education.

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. 2950, 3102, 3030, 2333, 2554, 2011, 3143, 3230, 2186, 3544, 2349, 3340, 1931, 2608, 2710, 3090, 3276, 3321, 2967, 3313, 3279, 1834, 3035, 3571 and 1835 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Perpich, G. moved that S. F. No. 2059, No. 12 on the Calendar be stricken and returned to its author. The motion prevailed.

RECONSIDERATION

Mr. O'Neill moved that the vote whereby S. F. No. 3088 was passed by the Senate on Thursday, March 14, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

With the unanimous consent of the Senate, Mr. Anderson moved to amend S. F. No. 3088 as follows:

Page 27, line 19, after "enactment," insert "and section 15, which is effective August 1, 1974,"

The motion prevailed. So the amendment was adopted.

S. F. No. 3088: A bill for an act relating to courts, Ramsey and Chisago counties; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281; 488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 484.18, Subdivision 3; 488A.18, Subdivision 11; 488A.19, Subdivision 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9, and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

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	Berg	Chenoweth	Dunn	Hansen, Baldy
Arnold	Bernhagen	Chmielewski	Fitzsimons	Hansen, Mel
Ashbach	Borden	Conzemius	Frederick	Hanson, R.
Bang	Brown	Davies	Gearty	Hughes

Humphrey	Krieger	North	Perpich, A. J.	Spear
Jensen	Larson	Novak	Perpich, G.	Stokowski
Keefe, J.	Laufenburger	Ogdahl	Pillsbury	Tennessen
Keefe, S.	Lewis	Olhoft	Purfeerst	Thorup
Kirchner	Lord	Olson, A. G.	Renneke	Ueland
Kleinbaum	McCutcheon	Olson, J. L.	Schaaf	Wegener
Knutson	Milton	O'Neill	Sillers	Willet
Kowalczyk	Moe	Patton	Solon	

So the bill, as amended, passed and its title was agreed to.

RECONSIDERATION

Mr. McCutcheon renewed his motion that the vote whereby S. F. No. 3120 failed to pass the Senate on Wednesday, March 13, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

CALL OF THE SENATE

Mr. McCutcheon imposed a call of the Senate. The following Senators answered to their names:

Anderson	Fitzsimons	Kleinbaum	North	Renneke
Arnold	Gearty	Knutson	Novak	Schaaf
Bang	Hansen, Baldy	Kowalczyk	Ogdahl	Sillers
Berg	Hansen, Mel	Krieger	Olhoft	Solon
Bernhagen	Hanson, R.	Larson	Olson, A. G.	Spear
Borden	Hughes	Laufenburger	O'Neill	Stokowski
Brown	Humphrey	Lewis	Patton	Tennessen
Chenoweth	Jensen	Lord	Perpich, A. J.	Thorup
Conzemius	Josefson	McCutcheon	Perpich, G.	Ueland
Davies	Keefe, S.	Milton	Pillsbury	Wegener
Dunn	Kirchner	Moe	Purfeerst	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district comprised of lands within the counties of Ramsey and Washington.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. McCutcheon moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 30 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Milton	Perpich, G.
Ashbach	Gearty	Larson	North	Schaaf
Bang	Humphrey	Laufenburger	Novak	Solon
Borden	Keefe, J.	Lewis	Olson, A. G.	Spear
Chenoweth	Keefe, S.	Lord	O'Neill	Stokowski
Conzemius	Kirchner	McCutcheon	Perpich, A. J.	Thorup

Those who voted in the negative were:

Arnold	Fitzsimons	Jensen	Ogdahl	Rennecke
Berg	Frederick	Josefson	Olhoft	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Ueland
Brown	Hansen, Mel	Kowalczyk	Olson, J. L.	Wegener
Chmielewski	Hanson, R.	Krieger	Faxon	Willet
Dunn	Hughes	Moe	Pillsbury	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Jensen moved that his name be stricken as co-author to S. F. No. 3345. The motion prevailed.

Mr. Conzemius moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Conzemius moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files on the Calendar. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2924: A bill for an act relating to municipalities; requiring the Minnesota municipal commission to deny a petition for annexation if an underlying reason for the petition is to allow a municipality to acquire open iron ore pits for revenue purposes; amending Minnesota Statutes 1971, Section 414.031, Subdivision 4.

Was read the third time 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	Fitzsimons	Kirchner	North	Schrom
Arnold	Frederick	Kleinbaum	Novak	Sillers
Ashbach	Garty	Knutson	Ogdahl	Solon
Bang	Hansen, Baldy	Kowalczyk	Olhoft	Spear
Berg	Hansen, Mel	Krieger	Olson, A. G.	Stokowski
Bernhagen	Hanson, R.	Larson	Olson, H. D.	Tennessee
Brown	Hughes	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Humphrey	Lewis	O'Neill	Ueland
Chmielewski	Jensen	Lord	Perpich, A. J.	Wegener
Conzemius	Josefson	McCutcheon	Perpich, G.	Willet
Davies	Keefe, J.	Milton	Pillsbury	
Dunn	Keefe, S.	Moe	Rennecke	

So the bill passed and its title was agreed to.

S. F. No. 3455: A bill for an act relating to taxation; exemption of certain taconite plant construction materials from the sales tax; amending Minnesota Statutes 1971, Section 297A.251.

Was read the third time 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.	Novak	Schaaf
Arnold	Fitzsimons	Kirchner	Ogdahl	Schrom
Ashbach	Frederick	Knutson	Olhoft	Sillers
Bang	Gearty	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stassen
Brown	Hanson, R.	Lewis	O'Neill	Stokowski
Chenoweth	Hughes	Lord	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Thorup
Coleman	Jensen	Milton	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Davies	Keefe, J.	North	Renneke	Willet

So the bill passed and its title was agreed to.

S. F. No. 1934: A bill for an act relating to health; state payments to counties and cities for public health nursing services; appropriating money; amending Minnesota Statutes 1971, Sections 145.08, Subdivision 1; 145.123, Subdivision 1; and 145.125.

Was read the third time 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	Fitzsimons	Kirchner	Olhoft	Sillers
Ashbach	Frederick	Kleinbaum	Olson, A. G.	Solon
Bang	Gearty	Knutson	Olson, H. D.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Borden	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Brown	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Hughes	Lord	Perpich, G.	Thorup
Chmielewski	Humphrey	McCutcheon	Pillsbury	Ueland
Coleman	Jensen	Milton	Purfeerst	Wegener
Conzemius	Josefson	Moe	Renneke	Willet
Davies	Keefe, J.	North	Schaaf	
Dunn	Keefe, S.	Novak	Schrom	

So the bill passed and its title was agreed to.

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

Was read the third time 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	Fitzsimons	Kleinbaum	Olhoft	Sillers
Arnold	Frederick	Knutson	Olson, A. G.	Solon
Ashbach	Gearty	Larson	Olson, H. D.	Spear
Bang	Hansen, Baldy	Laufenburger	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Perpich, A. J.	Tennessen
Chenoweth	Hughes	McCutcheon	Perpich, G.	Thorup
Chmielewski	Humphrey	Milton	Pillsbury	Ueland
Coleman	Jensen	Moe	Purfeerst	Wegener
Conzemius	Josefson	North	Renneke	Willet
Davies	Keefe, J.	Novak	Schaaf	
Dunn	Keefe, S.	Ogdahl	Schrom	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3433: A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

Was read the third time 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.	Moe	Sillers
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	Krieger	Olson, J. L.	Tennessen
Borden	Hanson, R.	Larson	O'Neill	Thorup
Chenoweth	Hughes	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Humphrey	Lewis	Perpich, G.	Wegener
Coleman	Jensen	Lord	Pillsbury	Willet
Conzemius	Josefson	McCutcheon	Renneke	
Davies	Keefe, J.	Milton	Schaaf	

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2990: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

Was read the third time 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	Kirchner	North	Renneke
Arnold	Frederick	Kleinbaum	Novak	Schrom
Ashbach	Gearty	Knutson	Ogdahl	Sillers
Bang	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Berg	Hansen, Mel	Krieger	Olson, A. G.	Spear
Bernhagen	Hanson, R.	Larson	Olson, H. D.	Stokowski
Brown	Hughes	Laufenburger	Olson, J. L.	Tenneszen
Chenoweth	Humphrey	Lewis	O'Neill	Thorup
Chmielewski	Jensen	Lord	Patton	Ueland
Conzemius	Josefson	McCutcheon	Perpich, A. J.	Wegener
Davies	Keefe, J.	Milton	Perpich, G.	Willet
Dunn	Keefe, S.	Moe	Pillsbury	

So the bill passed and its title was agreed to.

H. F. No. 3395: A bill for an act relating to elections; vacancies in the legislature; amending Minnesota Statutes 1971, Section 203.45, Subdivision 3.

Was read the third time 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.	Moe	Pillsbury
Arnold	Fitzsimons	Kirchner	North	Renneke
Ashbach	Frederick	Kleinbaum	Novak	Schrom
Bang	Gearty	Knutson	Ogdahl	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Spear
Borden	Hanson, R.	Larson	Olson, H. D.	Stokowski
Brown	Hughes	Laufenburger	Olson, J. L.	Tenneszen
Chenoweth	Humphrey	Lewis	O'Neill	Thorup
Chmielewski	Jensen	Lord	Patton	Ueland
Conzemius	Josefson	McCutcheon	Perpich, A. J.	Wegener
Davies	Keefe, J.	Milton	Perpich, G.	Willet

So the bill passed and its title was agreed to.

H. F. No. 3190: A bill for an act relating to the metropolitan transit taxing district; establishing the outer limits as existing on October 31, 1973; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

Was read the third time 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	Berg	Chenoweth	Dunn	Hansen, Baldy
Arnold	Bernhagen	Chmielewski	Fitzsimons	Hansen, Mel
Ashbach	Borden	Conzemius	Frederick	Hanson, R.
Bang	Brown	Davies	Gearty	Hughes

Humphrey	Krieger	North	Patton	Spear
Jensen	Larson	Novak	Perpich, A. J.	Stokowski
Keefe, J.	Laufenburger	Ogdahl	Perpich, G.	Tenneesen
Keefe, S.	Lewis	Olhoft	Pillsbury	Thorup
Kirchner	Lord	Olson, A. G.	Renneke	Ueland
Kleinbaum	McCutcheon	Olson, H. D.	Schrom	Wegener
Knutson	Milton	Olson, J. L.	Sillers	Willet
Kowalczyk	Moe	O'Neill	Solon	

Mr. Josefson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 3422: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

Was read the third time 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 9, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Ogdahl	Solon
Arnold	Fitzsimons	Knutson	Olhoft	Spear
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Bang	Hansen, Mel	Larson	Olson, H. D.	Tenneesen
Berg	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Borden	Hughes	Lewis	O'Neill	Ueland
Brown	Humphrey	Lord	Perpich, A. J.	Wegener
Chenoweth	Jensen	McCutcheon	Perpich, G.	
Chmielewski	Keefe, J.	Milton	Pillsbury	
Conzemius	Keefe, S.	Moe	Purfeerst	
Davies	Kirchner	North	Sillers	

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Krieger	Renneke	Willet
Frederick	Josefson	Patton	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3077: A bill for an act relating to labor; public employees; contracts; amending Minnesota Statutes 1971, Section 179.70, 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 20 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	McCutcheon	Perpich, A. J.
Arnold	Gearty	Kleinbaum	Novak	Solon
Chmielewski	Hughes	Laufenburger	Olhoft	Stokowski
Coleman	Humphrey	Lord	Olson, A. G.	Willet

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Knutson	Ogdahl	Renneke
Berg	Hansen, Mel	Kowalczyk	Olson, H. D.	Schrom
Bernhagen	Hanson, R.	Larson	Olson, J. L.	Sillers
Conzemius	Jensen	Lewis	O'Neill	Spear
Dunn	Josefson	Milton	Perpich, G.	Tennessee
Fitzsimons	Keefe, J.	Moe	Pillsbury	Thorup
Frederick	Kirchner	North	Purfeerst	Ueland

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED RECONSIDERATION

Mr. Perpich, A. J. moved that the vote whereby H. F. No. 3328 was passed by the Senate on Wednesday, March 13, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

With the unanimous consent of the Senate, Mr. Perpich, A. J. moved that the amendment made to H. F. No. 3328 by the Committee on Rules and Administration in the report adopted Monday, March 11, 1974, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 3328: A bill for an act relating to taxation, defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Novak	Schrom
Arnold	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Gearty	Kowalczyk	Olhoft	Solon
Bang	Hansen, Baldy	Krieger	Olson, A. G.	Spear
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	Lord	Perpich, G.	Thorup
Chmielewski	Jensen	McCutcheon	Pillsbury	Ueland
Coleman	Josefson	Milton	Purfeerst	Wegener
Conzemius	Keefe, S.	Moe	Renneke	Willet
Davies	Kirchner	North	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 2883, No. 35 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2883: A bill for an act relating to taxation, attached machinery aid; amending Minnesota Statutes, 1973 Supplement.

Sections 124.04; 273.138, Subdivision 6, and by adding a subdivision; and Laws 1973, Chapter 650, Article XXIV, Section 6.

Was read the third time 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	Davies	Kirchner	Novak	Sillers
Arnold	Dunn	Kleinbaum	Olhoff	Solon
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Spear
Bang	Gearty	Krieger	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, G.	Tennessee
Brown	Hughes	Lord	Pillsbury	Thorup
Chenoweth	Humphrey	McCutcheon	Purfeerst	Ueland
Chmielewski	Jensen	Milton	Renneke	Wegener
Coleman	Josefson	Moe	Schaaf	Willet
Conzemius	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on House Files on the Calendar of Ordinary Matters. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 3289: A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

Was read the third time 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	Kirchner	Novak	Solon
Arnold	Fitzsimons	Kleinbaum	Olhoff	Spear
Ashbach	Gearty	Knutson	Olson, A. G.	Stassen
Bang	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Berg	Hansen, Mel	Krieger	Perpich, A. J.	Tennessee
Bernhagen	Hanson, R.	Larson	Perpich, G.	Thorup
Brown	Hughes	Laufenburger	Pillsbury	Ueland
Chenoweth	Humphrey	Lewis	Purfeerst	Wegener
Chmielewski	Jensen	Lord	Renneke	Willet
Coleman	Josefson	McCutcheon	Schaaf	
Conzemius	Keefe, J.	Moe	Schrom	
Davies	Keefe, S.	North	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 2699: A bill for an act relating to the registration of title to real estate; charges on registration; amending Minnesota Statutes 1971, Section 508.74.

Was read the third time 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	Kirchner	Novak	Sillers
Arnold	Fitzsimons	Kleinbaum	Olhoff	Solon
Ashbach	Gearty	Knutson	Olson, A. G.	Spear
Bang	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Mel	Krieger	O'Neill	Tennessee
Bernhagen	Hansen, R.	Larson	Perpich, A. J.	Thorup
Brown	Hughes	Laufenburger	Perpich, G.	Ueland
Chenoweth	Humphrey	Lewis	Pillsbury	Wegener
Chmielewski	Jensen	Lord	Purfeerst	Willet
Coleman	Josefson	McCutcheon	Renneke	
Conzemius	Keefe, J.	Moe	Schaaf	
Davies	Keefe, S.	North	Schrom	

So the bill passed and its title was agreed to.

H. F. No. 3242: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

Was read the third time 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:

Anderson	Frederick	Knutson	Olhoff	Spear
Ashbach	Gearty	Kowalczyk	Olson, A. G.	Stassen
Bang	Hansen, Baldy	Krieger	Olson, J. L.	Stokowski
Berg	Hansen, Mel	Larson	O'Neill	Tennessee
Bernhagen	Hansen, R.	Laufenburger	Perpich, A. J.	Thorup
Brown	Hughes	Lewis	Perpich, G.	Ueland
Chenoweth	Humphrey	Lord	Pillsbury	Wegener
Chmielewski	Jensen	McCutcheon	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	
Conzemius	Keefe, J.	North	Schaaf	
Dunn	Keefe, S.	Novak	Sillers	
Fitzsimons	Kleinbaum	Ogdahl	Solon	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12 o'clock noon, Monday, March 18, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED SEVENTH DAY

St. Paul, Minnesota, Monday, March 18, 1974.

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:

Arnold	Fitzsimons	Keefe, S.	Milton	Schaaf
Ashbach	Frederick	Kirchner	Olhoff	Schrom
Bernhagen	Gearty	Kleinbaum	Olson, H. D.	Spear
Borden	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stokowski
Chenoweth	Hansen, Mel	Larson	Patton	Tennessee
Coleman	Hanson, R.	Laufenburger	Perpich, A. J.	Thorup
Conzemius	Humphrey	Lewis	Perpich, G.	Ueland
Davies	Jensen	Lord	Pillsbury	Wegener
Dunn	Josefson	McCutcheon	Purfeerst	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:

Arnold	Doty	Kleinbaum	Novak	Schrom
Ashbach	Dunn	Knutson	Osdahl	Solon
Bang	Fitzsimons	Kowalczyk	Olhoff	Spear
Berg	Frederick	Krieger	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	Patton	Thorup
Brown	Hanson, R.	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, S.	Nelson	Renneke	
Davies	Kirchner	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Anderson was excused from the Session of today, Tuesday and Wednesday. Mr. Hughes was excused from the Session of today and Tuesday. Messrs. O'Neill and Sillers were excused

from the Session of today. Mr. Keefe, J. was excused from the early part of today's Session. Mr. Patton was excused from the Session of today, beginning at 1:15 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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. 767, 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.

S. F. No. 1099, An act relating to taxation; sales and use tax; exempting purchases by certain senior citizen organizations; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

S. F. No. 1174, An act relating to corrections; study and diagnosis of children and youth committed to the commissioner of corrections; amending Minnesota Statutes 1971, Sections 242.385, Subdivision 1; 260.151, Subdivision 1; and 260.175; repealing Minnesota Statutes 1971, Sections 242.385, Subdivision 2; and 242.386.

S. F. No. 1269, 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, 1973 Supplement, Section 290.01, by adding a subdivision; Minnesota Statutes 1971, Sections 290.21, Subdivision 3; 290.26, by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 291.05; and 292.04.

S. F. No. 1427, An act relating to contracts; providing, on the termination of certain contracts, for the repurchase of implements, machinery, attachments and parts held for retail sale.

S. F. No. 1591, An act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivisions 2 and 3; and by adding a subdivision; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a.

S. F. No. 2055, An act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of revenue; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

S. F. No. 2353, An act relating to the definition of a person; changing the word man to person in certain statutes; amending

Minnesota Statutes 1971, Sections 35.07; 35.08; 43.09, Subdivision 2; 65A.26; 66A.29; 67A.16, Subdivision 2; 84.14, Subdivision 1; 121.301; 164.02, Subdivision 1; 183.22; 183.39, Subdivision 1; 219.25; 368.65; 375.35; 376.61; and 447.04.

S. F. No. 2449, An act relating to hospitalization and commitment; securing equal rights of administrative review for patients in federal hospitals; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.

S. F. No. 2586, An act relating to Clay county; authorizing expenditure of federal revenue sharing funds for certain purposes.

S. F. No. 2684, An act authorizing the city of Fairmont to designate, regulate, maintain, and improve streets in the central business district as a mall and to levy special assessments and taxes and issue bonds for this purpose; amending Laws 1965, Chapter 70, Section 1, Subdivision 1, and by adding a subdivision; repealing Laws 1965, Chapter 70, Section 1, Subdivision 2, and Section 2, Subdivision 2.

S. F. No. 2688, An act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

S. F. No. 2780, An act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

S. F. No. 2796, An act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

S. F. No. 2860, An act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

S. F. No. 2910, An act relating to elections; providing for the preparation, furnishing and disposition of election materials; amending Minnesota Statutes 1971, Sections 204.18, Subdivision 1; 204.24, Subdivision 1; and 204.25.

S. F. No. 2944, An act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

S. F. No. 3001, An act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 23.

S. F. No. 3029, An act relating to highways; state-aid system of highways; research accounts set aside from the county state-aid highway fund and municipal state-aid street fund; purposes; amending Minnesota Statutes 1971, Sections 162.06, Subdivision 4; and 162.12, Subdivision 4.

S. F. No. 3053, An act relating to the determination of the front-

age assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

S. F. No. 3200, An act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

S. F. No. 3267, An act relating to the city of St. Cloud; property assessment as a function of the city assessor.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Mr. Olson, J. L. introduced—

S. F. No. 3575: A bill for an act relating to the city of Worthington; appropriating funds for special assessments levied by the city against Worthington community college for street improvements on streets abutting its property.

Which was read the first time and referred to the Committee on Local Government.

Mr. Novak, for the Committee on Finance introduced—

S. F. No. 3576: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

Which was read the first time and under the rules of the Senate, laid over one day.

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. 498: A bill for an act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes, Sections 617.18 and 617.19.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

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.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

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. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

Senate File No. 3105 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

CONCURRENCE AND REPASSAGE

Mr. Larson moved that the Senate do now concur in the amendments by the House to S. F. No. 3105 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3105 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 8, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	North	Purfeerst
Ashbach	Fitzsimons	Knutson	Novak	Renneke
Bang	Gearty	Kowalczyk	Ogdahl	Schaaf
Bernhagen	Hansen, Baldy	Krieger	Olhoft	Solon
Blatz	Hansen, Mel	Larson	Olson, A. G.	Stassen
Borden	Hanson, R.	Laufenburger	Olson, H. D.	Stokowski
Brown	Humphrey	Lewis	Olson, J. L.	Thorup
Chenoweth	Jensen	Lord	Patton	Ueland
Chmielewski	Josefson	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Kirchner	Moe	Pillsbury	Willet

Those who voted in the negative were:

Coleman	Doty	Perpich, G.	Spear	Tennessee
Davies	Milton	Schrom		

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 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.

Senate File No. 919 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

Mr. Wegener moved that S. F. No. 919 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

Senate File No. 3064 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 3064 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3064 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Doty	Hansen, Mel	Kleinbaum
Bang	Chenoweth	Dunn	Hanson, R.	Knutson
Berg	Chmielewski	Fitzsimons	Humphrey	Larson
Bernhagen	Coleman	Frederick	Jensen	Laufenburger
Blatz	Conzemius	Gerty	Josefson	Lewis
Borden	Davies	Hansen, Baldy	Kirchner	Lord

McCutcheon	Novak	Olson, J. L.	Purfeerst	Stokowski
Milton	Ogdahl	Patton	Renneke	Thorup
Moe	Olhoft	Perpich, A. J.	Schaaf	Ueland
Nelson	Olson, A. G.	Perpich, G.	Schrom	Wegener
North	Olson, H. D.	Pillsbury	Solon	Willet

Mr. Krieger voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2990:

H. F. No. 2990: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Patton, Moe and Larson have been appointed as such committee on the part of the House.

House File No. 2990 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 March 15, 1974

Mr. Kleinbaum moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2990, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Senate File No. 2264 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 14, 1974

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate do now concur in the amendments by the House to S. F. No. 2264 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2264 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kowalczyk	Novak	Schaaf
Rang	Doty	Krieger	Oedahl	Schrom
Berg	Dunn	Larson	Olhoft	Solon
Bernhagen	Fitzsimons	Laufenburger	O'son, A. G.	Spear
Blatz	Gearty	Lewis	Olson, H. D.	Stokowski
Borden	Hansen, Baldy	Lord	Olson, J. L.	Thorup
Brown	Hansen, Mel	McCutcheon	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Milton	Perpich, G.	Wegener
Chmielewski	Humphrey	Moe	Pillsbury	Willet
Coleman	Josefson	Nelson	Purfeerst	
Conzemius	Knutson	North	Renneke	

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. 3002:

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

And the House respectfully requests that a Conference Committee of three members be appointed thereon: Andersen, R., Carlson, B. and Hagedorn have been appointed as such committee on the part of the House.

House File No. 3002 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 March 14, 1974

Mr. Ogdahl moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3002, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk with the exception of H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 2243, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 2920, 773, 3368, 1498, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 3151, 1973, 3372 and S. F. No. 3211, be now adopted.

The motion prevailed.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 3105: A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 3317: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 798: A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 3157: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

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, Chapter 504, is amended by adding a section to read:

[504.22] [DEFINITIONS, DISCLOSURE AND ACTIONS.]
Subdivision 1. As used in this section,

(a) "tenant" shall have the meaning assigned to it in section 566.18, and

(b) "owner" shall mean one or more persons, jointly or severally, in whom is vested a legal or beneficial interest in the premises.

Subd. 2. There shall be disclosed to the tenant either in the rental agreement or otherwise in writing prior to commencement of the tenancy the name and address of:

(1) the person authorized to manage the premises; and

(2) an owner of the premises or an agent authorized by the owner to accept service of process and receive and give receipt for notices and demands.

Subd. 3. A printed or typewritten notice containing the information which must be disclosed under subdivision 2 shall be placed in a conspicuous place on the premises. This subdivision is complied with if notices posted in compliance with other statutes or ordinances contain the information required by subdivision 2.

Subd. 4. If subdivisions 2 and 3 have not been complied with and a person desiring to make service of process upon or give a notice or demand to the owner does not know the name and address of the owner or his agent, as that term is used in subdivision 2, then a caretaker or manager of the premises or an individual to whom rental payments for the premises are made shall be deemed to be an agent authorized to accept service of process and receive and give receipt for notices and demands on behalf of the owner. In case of service of process upon or receipt of notice or demand by a person who is deemed to be an agent pursuant to this subdivision, this person shall give the process, notice, or demand, or a copy thereof, to an owner personally or shall send it by certified mail, return receipt requested, to an owner at the owner's last known address.

Subd. 5. No action to recover rent or possession of the premises shall be maintained unless the information required by this section has been disclosed to the tenant in the manner provided herein, or unless the information required by this section is known by or has been disclosed to the tenant at least 30 days prior to the initiation of such action.

Subd. 6. Any tenant who moves from or subleases the premises without giving the owner at least 30 days written notice shall void any provision of this act, as to such tenant.

Subd. 7. This section extends to and is enforceable against any successor owner, caretaker, manager, or individual to whom rental payments for the premises are made."

Further, strike the title and insert:

"A bill for an act relating to real estate; disclosure of identity of owner and manager of rental property; defining terms; amending Minnesota Statutes 1971, Chapter 504, by adding a section."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 2773: A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 7, after "*petition*" insert "*the iron range resources and rehabilitation commission for authority to petition*"

Page 2, after line 15, insert:

"Subd. 7. The provisions of this section shall not apply in the boundary waters canoe area."

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 3473: A bill for an act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 4, line 12, after "Sec. 9." insert "Laws 1971, Chapter 478, Section 8, is amended to read:

Sec. 8."

Page 5, line 3, after the period insert "*Revenues from the operation of disposal sites or facilities shall not be used to fund in whole or in part the maintenance or operation of the district disposal system as that term is defined in section 2 above.*"

Page 5, strike lines 4 through 8.

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 3129: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 3, strike "receive and administer," and insert "acquire"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 14, strike "plan" and insert "plat"

Page 2, strike line 25

Further amend the title as follows:

Page 1, lines 1 and 2, strike "receive and administer" and insert "acquire"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 3281: A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was re-referred

H. F. No. 2601: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 2243: A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18; repealing Laws 1971, Chapter 739.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 5, line 27, strike "have significant potential" and insert "be state action having significant"

Page 5, after line 28, insert the following:

"Sec. 4. Notwithstanding any law to the contrary, all vehicles owned by public transit systems as defined by Minnesota Statutes 1971, Section 473A.01, subdivisions 8 and 9, shall be entitled to free use of any bridge constructed by the authority."

Renumber the sections accordingly

Further, amend the title in line 4 by striking "connecting state highway 101 and Hennepin county state aid highway 18"

And when so amended the bill be re-referred to the Committee on Metropolitan and Urban Affairs without recommendation.

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. 1740: A bill for an act relating to state agencies; requiring a state agency when referring any client to another state agency to furnish the agency to which such client is referred with copies of all records or other information pertaining to the claim, problem or subject for which such client was referred.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, after "shall" insert " , with the written permission of the client,"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was re-referred

H. F. No. 2992: A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 12, strike the new language after the period

Page 2, lines 1 and 2, strike the new language

Page 2, after line 23, insert:

"Sec. 3. Minnesota Statutes 1971, Section 525.32, is amended to read:

525.32 [FILING BOND; WAIVER.] Every representative, except as provided by sections 525.551 and 48.82, before entering upon the duties of his trust shall file a bond in such amount as the court directs, with sufficient sureties, conditioned upon the faithful discharge of all the duties of his trust according to law. *The court shall waive the filing of a bond if the decedent's will expressly waives the requirement of any bond or if all of the beneficiaries of the decedent's estate are under no legal disability and sign and file with the court a waiver of any bond requirement.*

Sec. 4. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

[525.325] [DEMAND FOR BOND.] *Any person having an interest of more than \$1,000 in an estate or any creditor having a claim of more than \$1,000 against an estate may make and file with the court a written demand that the representative, other than a corporate representative, furnish and file a bond. Thereupon the court may, in its discretion, require a bond of the individual representative and fix the amount of such bond notwithstanding the provisions of Minnesota Statutes, Section 525.32. A copy of the court's order fixing the amount of the bond shall be served upon the representative in such manner as the court may direct. Upon service on the representative, the representative shall refrain from exercising any powers of his office except as necessary to preserve the estate. Failure of the representative to give suitable bond within ten days after service upon him of a copy of the court's order is cause for his removal and appointment of a successor*

representative. If the person demanding the bond ceases to have a sufficient interest in the estate, the court may waive the bond requirement.

Sec. 5. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

[525.475] [DORMANT ESTATE; REMOVAL OF REPRESENTATIVE OR ATTORNEY.] *(a) If a final decree is not entered in an estate within 18 months after the commencement of the proceeding and the estate is not open pursuant to an order extending time, the court shall order the personal representative and his attorney to show good cause why a final decree has not been entered.*

(b) If good cause is not shown the court shall discharge the personal representative or instruct the personal representative to dismiss his attorney and employ another attorney if necessary to complete the administration.

(c) If good cause is shown, the court shall order that the time for administration of the estate be extended for an additional period not to exceed six months.

If a final decree is not entered within six months from the date of extension the court shall again order the personal representative and his attorney to show cause why a final decree has not been ordered pursuant to the provisions of this section.

(d) An attorney dismissed pursuant to this section and who is seeking attorney fees for services rendered to the estate has the burden of affirmatively proving that the estate has benefited from his services and that the benefits warrant the payment of the requested fee.

Sec. 6. Minnesota Statutes 1971, Section 525.48, is amended to read:

525.48 [FILING OF ACCOUNT.] *(a) Within the time limited every representative shall file a verified account of his administration and petition the court to settle and allow his account and to assign the estate to the persons entitled thereto. The representative shall also account at such other times as the court may require; the hearing on such account shall be had upon such notice as the court may direct.*

(b) The final account shall include a statement of attorney fees. This statement shall include the total fees charged to date and estimated future fees to be charged.

Sec. 7. Minnesota Statutes 1971, Section 525.515, is amended to read:

525.515 [BASIS FOR ATTORNEY'S FEES.] *(a) Notwithstanding any law to the contrary, an attorney performing services for the estate at the instance of the representative shall have compensation therefor out of the estate as the court shall deem just and reasonable. In any proceeding under this section, fair and reasonable attorney's fees shall be based upon time spent, the*

~~complexity of any problems involved, and the value of the estate shall not be the controlling factor. Further, the provisions of this section shall not be limited to proceedings under section 525.51 but shall apply to all probate proceedings.~~

(b) In determining what is a fair and reasonable attorney's fee the court shall give effect to a prior agreement in writing by a testator concerning attorney fees. Where there is no prior agreement in writing the court shall consider the following factors in determining what is a fair and reasonable attorney's fee:

(1) The time and labor required;

(2) The experience and knowledge of the attorney;

(3) The complexity and novelty of problems involved;

(4) The extent of the responsibilities assumed and the results obtained; and

(5) The sufficiency of assets properly available to pay for the services;

(c) An interested beneficiary under a will or heir may petition the probate court to review the attorney fees listed in section 6 of this act. In determining the reasonableness of the attorney fees, the court shall consider all the factors listed in clause (b) and the value of the estate shall not be the controlling factor.

(d) Unless previously agreed to in writing by the testator it is declared to be against the public policy of Minnesota for an award of attorney fees for services rendered to an estate to be based on a percentage of the estate."

Renumber the remaining section

Further amend the title as follows:

Second line, After "estates;" insert "bond requirements of estates; duties of the personal representative and attorney; attorney's fees;"

Third line, After "1971," strike "Section" and insert "Sections 525.32; 525.48; 525.515; and"

Third line, After "adding" strike "a section" and insert "sections"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 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.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 4, strike "public examiner" and insert "state auditor"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 2872: A bill for an act relating to public safety; providing for emergency measures to meet disasters; vesting certain powers in the governor and executive council; amending Minnesota Statutes 1971, Section 9.061.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred

H. F. No. 3556: A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred

H. F. No. 3027: A bill for an act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 11; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred

H. F. No. 2920: A bill for an act relating to the control of shade tree disease in the metropolitan area; appropriating money therefor.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 14, after "trees," insert "(d) procedures for giving reasonable notice of inspection of private real property,"

Page 2, line 14, strike "(d)" and insert in lieu thereof "(e)"

Page 2, line 15, strike "(e)" and insert in lieu thereof "(f)"

Page 2, line 18, after "commissioner," insert "and reasonable notice of inspection having been given to the owner of real property,"

Page 2, line 20, after "commissioner." insert "Trees which are not removed or treated shall be declared a public nuisance and removed by the municipality which may assess the total expense or any part thereof to the property which expense shall become a lien on the property."

Page 2, line 21, before "such" insert "not more than 50 percent of"

Page 2, line 22, strike line 22 after "property." and strike lines 23 and 24

Page 2, line 30, after "Sec. 5." insert "Subdivision 1."

Page 2, after line 33, add new subdivision as follows:

"Subd. 2. Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a municipality to provide protection against the cost of treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or treatment under such terms and conditions as may be determined by the governing body of the municipality."

Page 3, line 23, after "authorized" insert ", upon prior notification,"

Page 4, after line 12 insert new section 9 as follows:

"Sec. 9. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any certificates of indebtedness issued under sections 7 and 8 of this act shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this act."

Page 4, line 15, after "and" insert "integrated control"

Page 4, line 15, after "for" strike "the control of"

Page 4, line 22, strike "solid waste division"

Page 4, after line 31 insert a new section 12 as follows:

"Sec. 12. [REPORT TO THE LEGISLATURE.] On or before January 31 of each succeeding year, the commissioner shall report to the legislature on the preceding year's plans and control programs which have been implemented for shade tree diseases in the metropolitan area."

Renumber sections accordingly.

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 773: A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 3368: A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, strike lines 9, 10 and 11 and insert in lieu thereof the following:

“Any veteran who has been notified of the intent to discharge him from an appointed position or employment pursuant to this section shall be notified in writing of such intent to discharge and of his right to request a hearing within 60 days of receipt of the notice of intent to discharge. The failure of a veteran to request a hearing within the provided 60-day period shall constitute a waiver of his right to a hearing. Such failure shall also waive all other available legal remedies for reinstatement.

Request for a hearing concerning such a discharge shall be made in writing and submitted by mail or personal service to the employment office of the concerned employer or other appropriate office or person.”

Page 1, line 12, strike *“within 60 days will result in waiver of any rights to said hearing.”*

Page 1, line 12, start a new paragraph with:

“In all governmental subdivisions”

Further, amend the title, Page 1, second line, after *“removal;”* insert *“requiring notification of intent to discharge to be in writing;”*

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was re-referred

H. F. No. 1498: A bill for an act providing for the authorization of personalized license plates for passenger automobiles and the imposition of fees therefor; and appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

H. F. No. 2338: A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 2918: A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 8, after "(SIX CENTS PER)" insert "mile 12 cents per mile."

Page 1, lines 8 to 10, strike the new language, beginning with the words "*the maximum*"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 3287: A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 3288: A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 1634: A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 2, line 24, strike "*patients*" and insert "*patient's*"

Page 3, line 19, strike "*him/her*" and insert "*the person*"

Page 4, line 34, strike "8" and insert "6"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was re-referred

H. F. No. 1524: A bill for an act relating to the metropolitan council; requirements to be met by the council in reviewing applications of governmental units, independent commissions, boards or agencies for federal programs; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 8.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 9, after "area." insert "*Applications shall be reviewed primarily on their own merits. The council shall include in its comments an explanation of the manner in which relevant aspects of the development guide influenced the recommendations of the council.*"

Page 1, strike line 12 after "submitted."

Page 1, strike lines 13 and 14.

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

S. F. No. 3211: A bill for an act relating to school districts; elections; providing for primary elections in certain cases; providing procedures therefor; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 4 and 8, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 26, strike "*of*" and insert "*after*"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 2796: A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 3470: A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 3151: A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 5, strike "and any"

Page 1, line 6, strike "institution under their control"

Page 2, line 4, strike "or structure"

Page 2, line 5, strike "or structure"

Page 3, line 2, after "project" strike the comma and insert "with an estimated cost greater than \$250,000, or a planning project with estimated fees greater than \$25,000"

Page 3, line 3, after "except" strike "state, county and municipal highway departments and"

Page 3, line 17, after "designer" strike "whose home office shall"

Page 3, line 18, strike "be in the state of Minnesota"

Page 3, line 26, strike "\$215,000" and insert "\$250,000"

Page 3, line 27, strike "\$2,500" and insert "\$25,000"

And when so amended the bill do pass and be re-referred to the Committee on Finance.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 1973: A bill for an act relating to education, teacher certification; providing for the refund of renewal fees paid by mistake; amending Minnesota Statutes 1971, Section 125.08, as amended.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 1, strike "1971" and insert ", 1973 Supplement" and further strike "as amended by Laws 1973, Chapter 749,"

Page 1, line 2, strike "Section 5,"

Further, amend the title as follows:

Line 2, strike "1971" and insert ", 1973 Supplement" and further strike ", as amended"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 3372: A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 1, line 2, strike "near" and insert "within 1500 feet of"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Novak from the Committee on Finance, to which was re-referred

S. F. No. 3190: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

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. 3045: A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

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. 3179: A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, after the dollar sign insert "50,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1951 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.
				1951	2222

Pursuant to Rule 49 the Committee recommends that H. F. No. 1951 be amended as follows:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. [FINDINGS AND DECLARATION OF POLICY.] It is hereby found and determined that: The conditions found to exist by the municipal housing and redevelopment act as amended continue to exist throughout the state and in the area in which the metropolitan council established by Minnesota Statutes, Chapter 473B, has jurisdiction; substandard, slum and blighted areas exist in the metropolitan area which cannot be redeveloped without government assistance; there is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low and moderate income at rentals or prices they can afford; many municipalities in the metropolitan area are unable adequately to

provide the financing and staff necessary to an effective municipal housing and redevelopment authority; for each such municipality to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to enable the metropolitan council to make available to the municipalities in the metropolitan area those services provided for in the municipal housing and redevelopment act.

Sec. 2. [DEFINITIONS.] Subdivision 1. Unless the context clearly indicates otherwise, the following terms, for the purposes of this act, shall have the meanings ascribed to them in this section.

Subd. 2. The terms defined in the municipal housing and redevelopment act shall, for the purposes of this act, have the meanings given them in that act.

Subd. 3. "Council" shall mean the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Metropolitan area" means the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 5. "Comprehensive development guide" means that document prepared by the council pursuant to Minnesota Statutes, Section 473B.06, Subdivision 5.

Sec. 3. [POWERS.] Subdivision 1. In addition to, and not in limitation of, all other powers invested in it by law, the council, and the members thereof, shall have, throughout the metropolitan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. The provisions of Minnesota Statutes, Sections 462.411 to 462.711 and of all other laws relating to housing and redevelopment authorities shall be applicable to the council when functioning as an authority, except as herein provided or as clearly indicated otherwise from the context of such laws. Minnesota Statutes, Section 462.425 shall have no application to the council nor to any municipality or county within which the council undertakes a project. Any municipality or county, and the governing bodies of any municipality or county, within and for which the council undertakes a project shall have all the powers, authority and obligations granted to municipalities and counties by the provisions of Minnesota Statutes, Sections 462.411 to 462.711 and all other laws relating to housing and redevelopment authorities. The council may plan and propose projects within the boundaries of any municipality, and may otherwise exercise the powers of an authority at any time; provided, however, that the council shall not implement any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality or county without the prior approval of the governing body of the municipality or county in which any such project is to be located; and provided further that the council shall not propose any project to the governing body of a municipality or county having an active authority created pursuant to Minnesota Statutes, Section 462.425, or pur-

suant to special legislation, without first submitting the proposed project to the municipal or county authority for its review and recommendations; and provided further that as to any project proposed by the council and approved by the municipality or county, the council shall not undertake the project if within 60 days after it has been proposed, the municipality or county agrees to undertake the project. All plans and projects of the council shall be consistent with the comprehensive development guide.

Subd. 2. [TECHNICAL ASSISTANCE.] The council may provide technical assistance to existing municipal or county housing and redevelopment authorities at the request of such authorities.

Subd. 3. [COOPERATION WITH OTHER GOVERNMENT AGENCIES.] The council may cooperate with or act as agent for the federal government, the state government, or any agencies or instrumentalities thereof, in carrying out the provisions of any federal or state legislation relating to the general purposes of the municipal housing and redevelopment act.

Subd. 4. [CITIZEN PARTICIPATION.] The council shall, as part of any project proposal to a municipality, propose a means for citizens substantially affected by the proposed project to participate in the formulation and carrying out of projects undertaken by the council pursuant to the terms of this act.

Subd. 5. [PROJECT; REPORTS.] The council shall prepare a detailed report on the progress of any project it undertakes. The report shall be filed with the legislature not later than January 15 of each year.

Sec. 4. [EFFECT UPON MUNICIPAL AND COUNTY HOUSING AND REDEVELOPMENT AUTHORITIES.] Nothing in this act shall be construed to impair the powers and obligations of municipal, county or multi-county housing and redevelopment authorities within the metropolitan area.

Sec. 5. [FINANCES.] Subdivision 1. The council shall allocate the net unreimbursed costs of any project which it undertakes to the municipality or group of municipalities or county for which the project is undertaken. The governing body of each such municipality or county shall impose taxes or other revenue measures to provide funds necessary to pay the allocated costs, and the governing body of each such municipality or county shall have all the powers, authority and obligation granted to authorities by Minnesota Statutes, Section 462.545 and all other provisions of law regarding the financing of such projects, provided that the council shall have the powers of an authority for purposes of applying for and receiving federal grants in connection with all projects which it undertakes.

Subd. 2. The council may expend for the purposes of this act any of the revenue derived pursuant to section 6 of this act, and any revenues derived pursuant to Minnesota Statutes, Section 473B.08.

Sec. 6. Minnesota Statutes 1971, Section 287.05, is amended by adding a subdivision to read:

Subd. 3. In addition to the tax imposed in subdivision 1, a tax of five 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 situated within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered subsequent to the effective date of this act; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. The proceeds of this tax paid to the treasurers of the seven counties under the provisions of sections 287.01 to 287.12 shall be apportioned to the council."

Further, strike the title and insert in lieu thereof the following:

"A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area; imposing a tax on mortgages in the seven-county metropolitan area; amending Minnesota Statutes 1971, Section 287.05, by adding a subdivision."

And when so amended, H. F. No. 1951 will be identical to S. F. No. 2222 and further recommends that H. F. No. 1951 be given its second reading and substituted for S. F. No. 2222 and S. F. No. 2222 be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 2243, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 773, 3368, 1498, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 1973, 3372, 2920 and 3151.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees.

Pursuant to direction of the Committee on Rules and Administration, this report was prepared and submitted by the Secretary of the Senate. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 3179 and 3190 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 773, 3368, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 1973, 3372, 1951 and 3045 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. North moved that S. F. No. 2771 be stricken from General Orders and returned to the author. The motion prevailed.

Mr. North moved that S. F. No. 2327 be stricken from General Orders and returned to the author. The motion prevailed.

Mr. Conzemius moved that the name of Mr. Hughes be added as co-author to S. F. No. 3314. The motion prevailed.

Mr. Olson, J. L. moved that S. F. No. 3575 be withdrawn from the Committee on Local Government and re-referred to the Committee on Finance. The motion prevailed.

Mr. Stokowski moved that S. F. No. 3520 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 951:

Messrs. Keefe, S; Tennessen and Ashbach. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF HOUSE BILLS

H. F. No. 3321: A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

Was read the third time 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	Doty	Knutson	Novak	Schrom
Bang	Dunn	Kowalczyk	Ogdahl	Solon
Berg	Fitzsimons	Krieger	Olhoff	Spear
Berahaagen	Frederick	Larson	Olson, A. G.	Stokowski
Blatz	Gearty	Laufenburger	Olson, J. L.	Thorup
Borden	Hansen, Baldy	Lewis	Patton	Ueland
Brown	Hansen, Mel	Lord	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Willet
Chmielewski	Humphrey	Milton	Pillsbury	
Coleman	Jensen	Moe	Purfeerst	
Conzemius	Kirchner	Nelson	Renneke	
Davies	Kleinbaum	North	Schaaf	

So the bill passed and its title was agreed to.

H. F. No. 3276: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipali-

ties where applications for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kirchner	Moe	Pillsbury
Bang	Doty	Kleinbaum	Nelson	Purfeerst
Berg	Dunn	Knutson	North	Renneke
Bernhagen	Fitzsimons	Kowalczyk	Novak	Schaaf
Blatz	Frederick	Krieger	Ogdahl	Schrom
Borden	Gearty	Larson	Olhoff	Solon
Brown	Hansen, Baldy	Laufenburger	Olson, A. G.	Spear
Chenoweth	Hansen, Mel	Lewis	Olson, J. L.	Stokowski
Chmielewski	Hanson, R.	Lord	Patton	Thorup
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Ueland
Conzemius	Jensen	Milton	Perpich, G.	Willet

So the bill passed and its title was agreed to.

H. F. No. 3035: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Chenoweth moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Lewis	Ogdahl	Schaaf
Borden	Dunn	Lord	Olhoff	Solon
Brown	Gearty	McCutcheon	Olson, A. G.	Spear
Chenoweth	Humphrey	Milton	Olson, H. D.	Stokowski
Chmielewski	Keefe, S.	Moe	Perpich, A. J.	Tennessee
Coleman	Kirchner	Nelson	Perpich, G.	Thorup
Conzemius	Kleinbaum	North	Purfeerst	Wegener
Davies	Laufenburger	Novak	Renneke	Willet

Those who voted in the negative were:

Bang	Frederick	Josefson	Olson, J. L.	Ueland
Berg	Hansen, Baldy	Knutson	Patton	
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Hanson, R.	Krieger	Schrom	
Fitzsimons	Jensen	Larson	Stassen	

So the bill passed and its title was agreed to.

H. F. No. 3279: A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the provisions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

Was read the third time 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	Kleinbaum	Novak	Schaaf
Bang	Dunn	Knutson	Ogdahl	Schrom
Berg	Fitzsimons	Kowalczyk	Olhoff	Solon
Bernhagen	Frederick	Krieger	Olson, A. G.	Spear
Blatz	Gearty	Larson	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Lord	Patton	Tennessee
Chenoweth	Hanson, R.	McCutcheon	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Perpich, G.	Ueland
Coleman	Jensen	Moe	Pillsbury	Wegener
Conzemius	Josefson	Nelson	Purfeerst	Willet
Davies	Kirchner	North	Renneke	

So the bill passed and its title was agreed to.

H. F. No. 3571: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Schaaf
Bang	Dunn	Kowalczyk	Olhoff	Schrom
Berg	Fitzsimons	Krieger	Olson, A. G.	Solon
Bernhagen	Frederick	Larson	Olson, H. D.	Stassen
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Brown	Hansen, Baldy	Lord	Patton	Thorup
Chenoweth	Hansen, Mel	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Milton	Perpich, G.	Wegener
Coleman	Humphrey	Moe	Pillsbury	Willet
Conzemius	Jensen	North	Purfeerst	
Davies	Josefson	Novak	Renneke	

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2967: A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Josefson	North	Purfeerst
Bang	Doty	Kirchner	Novak	Renneke
Berg	Dunn	Kleinbaum	Ogdahl	Schaaf
Bernhagen	Fitzsimons	Knutson	Olhoft	Schrom
Blatz	Frederick	Kowalczyk	Olson, A. G.	Solon
Borden	Gearty	Krieger	Olson, H. D.	Stassen
Brown	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	Patton	Thorup
Chmielewski	Hanson, R.	Lord	Perpich, A. J.	Ueland
Coleman	Humphrey	McCutcheon	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Pillsbury	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that the name of Mr. Lord be added as co-author to S. F. No. 3482. The motion prevailed.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 1292:

Messrs. Nelson, Milton and Spear. The motion prevailed.

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 2554: A bill for an act relating to counties; establishment and use of imprest cash funds in 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 45 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kleinbaum	Novak	Purfeerst
Bang	Dunn	Knutson	Ogdahl	Renneke
Bernhagen	Fitzsimons	Kowalczyk	Olhoft	Schaaf
Brown	Frederick	Krieger	Olson, H. D.	Solon
Chenoweth	Gearty	Larson	Olson, J. L.	Stassen
Chmielewski	Hanson, R.	Laufenburger	Patton	Stokowski
Coleman	Humphrey	Lord	Perpich, A. J.	Thorup
Conzemius	Jensen	Moe	Perpich, G.	Wegener
Davies	Kirchner	North	Pillsbury	Willet

Those who voted in the negative were:

Berg	Hansen, Baldy	Josefson	Schrom	Ueland
Blatz	Hansen, Mel	McCutcheon		

So the bill passed and its title was agreed to.

H. F. No. 2186: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and LaGrand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Schaaf
Bang	Dunn	Kleinbaum	Ogdahl	Schrom
Berg	Fitzsimons	Knutson	Olhoft	Solon
Bernhagen	Frederick	Kowalczyk	Olson, H. D.	Stassen
Blatz	Gearty	Krieger	Olson, J. L.	Stokowski
Brown	Hansen, Baldy	Larson	Patton	Thorup
Chenoweth	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Lord	Perpich, G.	Wegener
Coleman	Humphrey	McCutcheon	Pillsbury	Willet
Conzemius	Jensen	Moe	Purfeerst	
Davies	Josefson	North	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 1835, No. 105 on the General Orders Calendar, a Special Order to be heard immediately.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 1835. The following Senators answered to their names:

Arnold	Davies	Knutson	Olson, H. D.	Solon
Bang	Doty	Kowalczyk	Olson, J. L.	Stassen
Berg	Fitzsimons	Laufenburger	Patton	Stokowski
Bernhagen	Frederick	Lord	Perpich, A. J.	Thorup
Blatz	Gearty	McCutcheon	Perpich, G.	Ueland
Borden	Hansen, Baldy	Moe	Pillsbury	Wegener
Brown	Hansen, Mel	North	Purfeerst	
Chenoweth	Hanson, R.	Novak	Renneke	
Chmielewski	Humphrey	Ogdahl	Schaaf	
Coleman	Kirchner	Olson, A. G.	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

H. F. No. 1835: A bill for an act regulating public utilities furn-

ishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; appropriating money; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and and Chapter 216A by adding a section.

Mr. Olson, A. G. moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 46, strike lines 16 through 28 and insert "shall refer the matter to the attorney general who shall take appropriate legal action."

Page 47, strike lines 1 through 10

Page 52, line 11, strike everything after the period

Page 52, strike lines 12 and 13

Page 53, line 28, strike "attorneys"

The motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 2, line 18, after "service" insert ", except to the extent service is furnished to consumers located outside the corporate limits of the municipality"

The question being taken on the adoption of the amendment,

Mr. Olson, A. G. moved that those not voting be excused voting. The motion prevailed.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 15 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Josefson	Moe	Pillsbury
Bang	Frederick	Knutson	North	Stokowski
Doty	Hanson, R.	McCutcheon	Ogdahl	Ueland

Those who voted in the negative were:

Ashbach	Davies	Keefe, S.	Olson, A. G.	Stassen
Berg	Dunn	Kleinbaum	Olson, H. D.	Tennessen
Bernhagen	Gearty	Kowalczyk	Patton	Thorup
Blatz	Hansen, Baldy	Larson	Perpich, A. J.	
Borden	Hansen, Mel	Lewis	Perpich, G.	
Coleman	Humphrey	Lord	Purfeerst	
Conzemius	Jensen	Olhoft	Schrom	

The motion did not prevail. So the amendment was not adopted.

Mr. Patton moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 32, line 5, after "revenue" insert "not to exceed the total for the preceding two years"

Page 33, line 14, after "revenue" insert "not to exceed the total for the preceding two years"

The motion did not prevail. So the amendment was not adopted.

Mr. McCutcheon moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49, and adopted by the Senate March 15, 1974, as follows:

Page 1, after line 32, add the following:

"Insofar as the provisions of this chapter relate to regulation of the rates of public utilities and hearings connected with a change in the rates of public utilities within a city of the first class or within the boundaries of any of the governmental subdivision with which said city has a joint agreement and joint franchises establishing a rate procedure and public hearing afforded to the public utilities, they shall be considered supplementary and available to the city of the first class, upon its election, or to the city and any other governmental subdivisions so defined upon their joint election."

Page 10, line 20, after "Subdivision 1." and before "Unless" insert the following:

"Subject to the rights of a city of the first class and other governmental subdivisions to proceed in accordance with their franchises with the public utility as provided in Section 1 above, and"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 10 and nays 43, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	McCutcheon	North	Schaaf
Coleman	Kleinbaum	Milton	Novak	Spear

Those who voted in the negative were:

Arnold	Dunn	Josefson	Olhoft	Renneke
Ashbach	Fitzsimons	Keefe, J.	Olson, A. G.	Schrom
Berg	Frederick	Kirchner	Olson, H. D.	Solon
Bernhagen	Gearty	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	Patton	Thorup
Brown	Hansen, Mel	Krieger	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Laufenburger	Perpich, G.	Willet
Conzemius	Humphrey	Moe	Pillsbury	
Davies	Jensen	Ogdahl	Purfeerst	

The motion did not prevail. So the amendment was not adopted.

Mr. Coleman moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 16, after line 19, insert:

"Sec. 22. Any municipality that regulates and controls the exercise of a public utility franchise by reason of its home rule charter on the effective date of this act is authorized to assist the public service commission as amicus curiae in any proceeding brought before the commission with respect to the rates, fares, prices, regulation or control of any utility operating therein. The annual cost of such amicus curiae representation shall be paid by the public service commission from sources designated in Section 62 of this act."

Renumber the sections in sequence

Page 26, line 12, strike "38" and insert "39"

Page 27, line 9, strike "36" and insert "37"

Page 29, line 4, strike "36" and insert "37"

Page 29, line 6, strike "41" and insert "42"

Page 29, line 29, strike "43" and insert "44"

Page 30, line 4, strike "38" and insert "39"

Page 30, line 27, strike "41" and insert "42"

Page 30, line 28, strike "38" and insert "39"

Page 31, line 1, strike "41" and insert "42"

Page 31, line 7, strike "37 through 41" and insert "38 through 42"

Page 33, line 17, strike "51" and insert "52"

Page 33, line 24, strike "44" and insert "45"

Page 54, line 28, strike "35" and insert "36"

Page 55, line 1, strike "43" and insert "44"

Page 55, line 1, strike "61 through 63" and insert "62 through 64"

Page 55, line 1, strike "68" and insert "69"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Novak	Schaaf
Bang	Fitzsimons	Kowalczyk	Ogdahl	Schrom
Berg	Frederick	Krieger	Olhoft	Solon
Bernhagen	Gearty	Larson	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Laufenburger	Olson, H. D.	Stassen
Brown	Hanson, R.	Lewis	Olson, J. L.	Stokowski
Chenoweth	Humphrey	Lord	Patton	Tennessee
Chmielewski	Josefson	McCutcheon	Perpich, A. J.	Thorup
Coleman	Keefe, J.	Milton	Perpich, G.	Ueland
Conzemius	Keefe, S.	Moe	Purfeerst	Willet
Doty	Kirchner	North	Renneke	

Messrs. Ashbach; Davies; Hansen, Mel and Pillsbury voted in the negative.

The motion prevailed. So the amendment was adopted.

H. F. No. 1835 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:

Arnold	Doty	Kleinbaum	Olhoft	Solon
Ashbach	Dunn	Kowalczyk	Olson, A. G.	Spear
Bang	Fitzsimons	Krieger	Olson, H. D.	Stassen
Bernhagen	Frederick	Larson	Olson, J. L.	Stokowski
Blatz	Gearty	Laufenburger	Patton	Tennessee
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Brown	Humphrey	Lord	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Wegener
Chmielewski	Josefson	Moe	Purfeerst	Willet
Coleman	Keefe, J.	North	Renneke	
Conzemius	Keefe, S.	Novak	Schaaf	
Davies	Kirchner	Ogdahl	Schrom	

Messrs. Berg; Hansen, Baldy; Hanson, R. and McCutcheon voted in the negative.

So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 2950, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

Mr. Humphrey moved to amend H. F. No. 2950, the printed bill, as amended by the Committee on Finance, adopted by the Senate on March 15, 1974, as follows:

In the amendment to page 2, line 15, second line, after "market" and before "that" insert "value"

In the amendment to page 3, line 5, after "and" reinstate "sanitary and" which was stricken by the amendment and strike "to be"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate for the proceedings on H. F. No. 2950. The following Senators answered to their names:

Arnold	Dunn	Knutson	Olson, A. G.	Spear
Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Bang	Frederick	Krieger	Olson, J. L.	Stokowski
Berg	Gearty	Larson	Patton	Tennessee
Blatz	Hanson, R.	Lord	Perpich, A. J.	Thorup
Borden	Humphrey	McCutcheon	Perpich, G.	Ueland
Brown	Jensen	Milton	Pillsbury	Wegener
Chenoweth	Josefson	Moe	Purfeerst	Willet
Chmielewski	Keefe, J.	North	Renneke	
Coleman	Keefe, S.	Novak	Schaaf	
Conzemius	Kirchner	Osdahl	Schrom	
Davies	Kleinbaum	Olhoft	Solon	

The Sergeant-at-Arms was instructed to bring in the absent members.

Mr. Conzemius moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 24, after "\$100,000,000" insert "; \$2,000,000 of which shall be available to the Indian reservation business committees at Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake, Red Lake, and White Earth reservations, in accordance with the requirements of this act, and the balance"

Page 7, line 26, after "\$500,000,000" insert "; \$8,000,000 of which shall be available to the Indian reservation business committees at Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake, Red Lake, and White Earth reservations, in accordance with the requirements of this act, and the balance to be"

Mr. Olson, A. G. moved to amend the Conzemius amendment to H. F. No. 2950, the printed bill, as follows:

In the amendment to page 7, line 24, after "Red Lake", insert "Upper Sioux, Lower Sioux."

In the amendment to page 7, line 26, after "Red Lake", insert "Upper Sioux, Lower Sioux."

The motion prevailed. So the amendment to the Conzemius amendment was adopted.

The question recurred on the Conzemius amendment as amended,

The question being taken on adoption of the Conzemius amendment as amended,

And the roll being called, there were yeas 42 and nays 9, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Krieger	Olson, A. G.	Stassen
Ashbach	Fitzsimons	Larson	Olson, H. D.	Stokowski
Berg	Frederick	Lewis	Olson, J. L.	Thorup
Bernhagen	Gearty	Lord	Patton	Ueland
Blatz	Hanson, R.	McCutcheon	Perpich, A. J.	Wegener
Brown	Josefson	Milton	Perpich, G.	Willet
Coleman	Kirchner	Moe	Pillsbury	
Conzemius	Kleinbaum	North	Solon	
Doty	Kowalczyk	Olhoft	Spear	

Those who voted in the negative were:

Chenoweth	Humphrey	Keefe, S.	Ogdahl	Schaaf
Hansen, Mel	Keefe, J.	Novak	Furfeerst	

The motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 24, strike "\$100,000,000" and insert "\$50,000,000"

The question being taken on the adoption of the amendment,

Mr. Humphrey moved that those not voting be excused from voting. The motion prevailed.

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	Davies	Hanson, R.	Kowalczyk	Pillsbury
Bang	Dunn	Jensen	Krieger	Renneke
Berg	Fitzsimons	Josefson	Larson	Stassen
Bernhagen	Frederick	Keefe, J.	Nelson	Ueland
Blatz	Hansen, Baldy	Kirchner	Ogdahl	
Brown	Hansen, Mel	Knutson	Olson, J. L.	

Those who voted in the negative were:

Arnold	Gearty	Milton	Perpich, A. J.	Tennessen
Borden	Humphrey	Moe	Perpich, G.	Thorup
Chenoweth	Keefe, S.	North	Schaaf	Wegener
Chmielewski	Kleinbaum	Novak	Schrom	Willet
Coleman	Lewis	Olhoff	Solon	
Conzemius	Lord	Olson, A. G.	Spear	
Doty	McCutcheon	Olson, H. D.	Stokowski	

The motion did not prevail. So the amendment was not adopted.

Pursuant to Rule 22, Mr. Kirchner moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Pursuant to Rule 22, Mr. Dunn moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Pursuant to Rule 22, Mr. Ueland moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 4, line 2, after the period insert "*No loan for rehabilitation of owner occupied residential housing shall be denied solely because the loan will not be used for placing such residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing.*"

Page 4, line 15, after the period insert "*No grant for rehabilitation of owner occupied residential housing shall be denied solely because the grant will not be used for placing such residential hous-*

ing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 18, after "legislature." insert "Notwithstanding subdivision 5, the agency shall not, after July 1, 1975, expend moneys in the fund for the payment of salaries or the administrative costs of the agency except by specific appropriation by the legislature."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 7, after "\$" insert "3,000,000" and strike the comma

The motion did not prevail. So the amendment was not adopted.

H. F. No. 2950 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. The motion prevailed.

And the roll being called, there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	McCutcheon	Olson, H. D.	Spear
Borden	Humphrey	Milton	Perpich, A. J.	Stokowski
Chenoweth	Keefe, J.	Moe	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	North	Purfeerst	Thorup
Coleman	Kleinbaum	Novak	Schaaf	Wegener
Conzemius	Lewis	Olhoft	Schrom	Willet
Doty	Lord	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Brown	Hansen, Mel	Kowalczyk	Olson, J. L.
Bang	Davies	Hanson, R.	Krieger	Pillsbury
Berg	Fitzsimons	Jensen	Larson	Renneke
Bernhagen	Frederick	Josefson	Nelson	
Blatz	Hansen, Baldy	Knutson	Ogdahl	

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. 1530:

Messrs. Willet, Doty and Dunn. The motion prevailed.

Mr. Coleman moved that H. F. No. 3230, No. 111 on General Orders, be stricken and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m. Tuesday, March 19, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.

ONE HUNDRED EIGHTH DAY

St. Paul, Minnesota, Tuesday, March 19, 1974.

The Senate met at 11:00 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	Doty	Kirchner	Patton	Tennessee
Berg	Dunn	Kowalczyk	Perpich, A. J.	Ueland
Bernhagen	Fitzsimons	Larson	Perpich, G.	Wegener
Borden	Frederick	Laufenburger	Pillsbury	Willet
Chmielewski	Hansen, Baldy	Moe	Purfeerst	
Coleman	Hansen, Mel	Olhoft	Renneke	
Conzemius	Hanson, R.	Olson, A. G.	Olson	
Davies	Jensen	Olson, J. L.	Spear	

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:

Arnold	Doty	Kirchner	Novak	Schrom
Ashbach	Dunn	Knutson	Ogdahl	Solon
Bang	Fitzsimons	Kowalczyk	Olhoft	Spear
Berg	Frederick	Krieger	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	Patton	Thorup
Brown	Hanson, R.	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

Messrs. Anderson, Kleinbaum, Hughes, O'Neill and Sillers were excused from the Session of today. Mr. Frederick was excused from the Session of today beginning at 12:15 o'clock p.m. Mr.

Patton was excused from the Session of today beginning at 12:30 o'clock p.m. Mr. Josefson was excused from the Session of today beginning at 5:15 p.m. Mr. Olson, J. L. was excused from the Session of today, beginning at 5:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 18, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

David F. Zentner, 805 1st American National Bank Building, Duluth, St. Louis County, has been appointed by me to the Pollution Control Agency, effective February 18, 1974, for a term expiring February 15, 1978.

Dr. Howard A. Andersen, 1072 Plummer Lane, Rochester, Olmsted County, has been appointed by me to the Pollution Control Agency, effective February 18, 1974, for a term expiring February 15, 1978.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

March 18, 1974

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. 3389. An act relating to Thief River Falls; providing for special elections to fill offices in certain cases.

Sincerely,
Wendell R. Anderson, Governor

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2759, pursuant to the request of the Senate:

Messrs. Chenoweth, Stokowski and Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2933, pursuant to the request of the Senate:

Messrs. Kleinbaum; Perpich, G. and Pillsbury.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1810, pursuant to the request of the House:

Messrs. Conzemius; Keefe, J.; Hansen, Baldy; Borden and Frederick.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3002, pursuant to the request of the House:

Messrs. Ashbach; Hanson, R. and Thorup.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2990, pursuant to the request of the House:

Messrs. Kleinbaum, Schrom and Brown.

Mr. Davies moved that the foregoing appointments be approved. The 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. 2015, 2252, 2350, 3212, 3406, 2715, 2739, 3129, 3325, 3467, 2005, 2515, 2516, 2611, 2814, 2668, 2820, 2871, 2661, 2850, 3247, 3422, 1735, 2477, 2504, 2995, 3152, 2084, 2558, 3119, 3115, 3189, 1104, 2161, 3002, 3009, 3079 and 3276.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

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. 2794: A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

Senate File No. 2794 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate do now concur in the amendments by the House to S. F. No. 2794 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2794 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:

Arnold	Doty	Kirchner	Ogdahl	Schrom
Ashbach	Dunn	Knutson	Olhoft	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	Lewis	Patton	Tennessen
Borden	Hansen, Mel	Lord	Perpich, A. J.	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Jensen	Moe	Purfeerst	Willet
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, S.	Novak	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1253: A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein; amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, and by adding subdivisions.

Senate File No. 1253 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate do now concur in the amendments by the House to S. F. No. 1253 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1253 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:

Arnold	Doty	Keefe, J.	Nelson	Schrom
Ashbach	Dunn	Keefe, S.	Novak	Solon
Bang	Fitzsimons	Kirchner	Ogdahl	Spear
Berg	Frederick	Knutson	Olson, H. D.	Stassen
Bernhagen	Gearty	Krieger	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Larson	Patton	Thorup
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brown	Hanson, R.	Lord	Pillsbury	Wegener
Chmielewski	Humphrey	McCutcheon	Purfeerst	
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Moe	Schaaf	

Those who voted in the negative were:

Davies	Olson, A. G.	Perpich, G.	Tennessen	Willet
Oihoft				

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. 3331: A bill for an act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Senate File No. 3331 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 3331 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3331 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:

Arnold	Davies	Keefe, J.	Moe	Purfeerst
Ashbach	Doty	Keefe, S.	Nelson	Schaaf
Bang	Dunn	Kirchner	Novak	Schrom
Berg	Fitzsimons	Knutson	Ogdahl	Solon
Bernhagen	Frederick	Kowalczyk	Olhoft	Spear
Blatz	Gearty	Krieger	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Larson	Olson, H. D.	Tennessee
Brown	Hansen, Mel	Laufenburger	Olson, J. L.	Thorup
Chenoweth	Hanson, R.	Lewis	Patton	Ueland
Chmielewski	Humphrey	Lord	Perpich, A. J.	Wegener
Coleman	Jensen	McCutcheon	Perpich, G.	Willet
Conzemius	Josefson	Milton	Pillsbury	

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. 2830: A bill for an act relating to St. Louis county; authorizing the issuance of additional on-sale liquor licenses.

Senate File No. 2830 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 2830 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2830: A bill for an act relating to St. Louis county and Koochiching county; authorizing the issuance of additional on-sale liquor licenses.

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 7, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Nelson	Spear
Ashbach	Dunn	Kirchner	Ogdahl	Stassen
Bang	Fitzsimons	Knutson	Olson, A. G.	Stokowski
Berg	Frederick	Kowalczyk	Olson, H. D.	Tennessee
Bernhagen	Gearty	Krieger	Patton	Thorup
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Wegener
Brown	Hansen, Mel	Laufenburger	Perpich, G.	Willet
Chenoweth	Hanson, R.	Lewis	Pillsbury	
Chmielewski	Humphrey	Lord	Purfeerst	
Coleman	Jensen	McCutcheon	Schaaf	
Conzernius	Keefe, J.	Milton	Solon	

Those who voted in the negative were:

Blatz	Josefson	Olhoft	Olson, J. L.	Renneke
Doty	Novak			

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. 2576: A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

Senate File No. 2576 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Dunn moved that the Senate do not concur in the amendments by the House to S. F. No. 2576 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3060: A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforcement; amending Minnesota Statutes 1971, Sections 463.151; 463.21; and Chapter 463, by adding sections.

Senate File No. 3060 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 3060 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3060: A bill for an act relating to hazardous buildings or conditions; removal or correction; enforcement; amending Minnesota Statutes 1971, Sections 463.151; 463.21; and Chapter 463, by adding sections.

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 2, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Novak	Spear
Ashbach	Dunn	Knutson	Olhoft	Stassen
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Stokowski
Berg	Frederick	Krieger	Olson, H. D.	Tennessen
Bernhagen	Garty	Larson	Patton	Thorup
Blatz	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Borden	Hanson, R.	Lewis	Perpich, G.	Wegener
Brown	Humphrey	Lord	Pillsbury	Willet
Chenoweth	Jensen	McCutcheon	Purfeerst	
Chmielewski	Josefson	Milton	Renneke	
Coleman	Keefe, J.	Moe	Schaaf	
Davies	Keefe, S.	Nelson	Solon	

Messrs. Hansen, Baldy; and Schrom 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. 735: A bill for an act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Section 209.02, by adding a subdivision.

Senate File No. 735 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Hansen, Mel moved that the Senate do now concur in the amendments by the House to S. F. No. 735 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 735: A bill for an act relating to elections; permitting the contest of elections under certain circumstances; amending Minnesota Statutes 1971, Sections 209.02, by adding a subdivision; 204.29, Subdivisions 2 and 3; 204.31, Subdivisions 2 and 3; and 204.32, 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 51 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, S.	Nelson	Schaaf
Ashbach	Doty	Kirchner	Novak	Solon
Bang	Dunn	Kowalczyk	Ogdahl	Spear
Berg	Fitzsimons	Krieger	Olhoft	Stokowski
Bernhagen	Frederick	Larson	Olson, H. D.	Thorup
Blatz	Gearty	Laufenburger	Olson, J. L.	Ueland
Borden	Hansen, Mel	Lewis	Patton	Wegener
Brown	Hanson, R.	Lord	Perpich, A. J.	
Chenoweth	Humphrey	McCutcheon	Pillsbury	
Coleman	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	

Those who voted in the negative were:

Chmielewski	Olson, A. G.	Perpich, G.	Schrom	Willet
Hansen, Baldy				

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. 2136: A bill for an act relating to counties; providing standards for redistricting of county boards and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

Senate File No. 2136 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate do now concur in the amendments by the House to S. F. No. 2136 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2136 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 3, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Nelson	Renneke
Ashbach	Dunn	Knutson	Novak	Schaaf
Bang	Frederick	Kowalczyk	Ogdahl	Schrom
Berg	Gearty	Krieger	Olhoft	Solon
Bernhagen	Hansen, Baldy	Larson	Olson, A. G.	Spear
Brown	Hansen, Mel	Laufenburger	Olson, H. D.	Stassen
Chenoweth	Hanson, R.	Lewis	Patton	Stokowski
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup
Coleman	Jensen	McCutcheon	Perpich, G.	Ueland
Conzemius	Keefe, J.	Milton	Pillsbury	Wegener
Davies	Keefe, S.	Moe	Purfeerst	Willet

Messrs. Fitzsimons, Josefson and Olson, J. L. voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3035:

H. F. No. 3035: A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Tomlinson, Voss, Salchert, Bell and Wolcott have been appointed as such committee on the part of the House.

House File No. 3035 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 March 18, 1974

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3035, and

that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1759: A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

Senate File No. 1759 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 1759 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3123: A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

Senate File No. 3123 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Keefe, S. moved that the Senate do not concur in the amendments by the House to S. F. No. 3123 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1769: A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

Senate File No. 1769 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Laufenburger moved that the Senate do not concur in the amendments by the House to S. F. No. 1769 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2367: A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

Senate File No. 2367 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Kirchner moved that S. F. No. 2367 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1835:

H. F. No. 1835: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Parish, Kelly and Newcome have been appointed as such committee on the part of the House.

House File No. 1835 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 March 18, 1974

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1835, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3571:

H. F. No. 3571: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Anderson, I.; Sabo and Dirlam have been appointed as such committee on the part of the House.

House File No. 3571 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 March 18, 1974

Mr. Coleman moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3571, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 1866:

Messrs. Moe, Tennessen and Kirchner. The motion prevailed.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2984: A bill for an act relating to workmen's compensation; excluded employments, amending Minnesota Statutes, 1973 Supplement, Section 176.041, Subdivision 1.

Senate File No. 2984 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Coleman moved that the Senate do now concur in the amendments by the House to S. F. No. 2984 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2984 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:

Arnold	Dunn	Keefe, S.	Olhoft	Schrom
Ashbach	Fitzsimons	Knutson	Olson, A. G.	Solon
Bang	Frederick	Kowalczyk	Olson, H. D.	Stassen
Berg	Gearty	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Thorup
Blatz	Hansen, Mel	Lord	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Jensen	Nelson	Purfeerst	
Conzemius	Josefson	Novak	Renneke	
Doty	Keefe, J.	Ogdahl	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3311: A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

Senate File No. 3311 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. Chenoweth moved that the Senate do not concur in the amendments by the House to S. F. No. 3311 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 3239, 3267, 3159, 913 and 2644.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 18, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 3239: A bill for an act relating to aeronautics; appropriating and transferring certain funds.

H. F. No. 3267: A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

H. F. No. 3159: A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

H. F. No. 913: A bill for an act relating to real estate taxes; increasing the rate of interest and penalties on delinquent real estate taxes; amending Minnesota Statutes 1971, Section 279.01.

H. F. No. 2644: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1971, Sections 259.10; 259.11; 517.08, Subdivision 3.

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 H. F. Nos. 210 and 3347 and those reports pertaining to Governor's appointments be now adopted. The motion prevailed.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 210: A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

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. Minnesota Statutes, 1973 Supplement, Section 125.12, Subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF CONTRACT AFTER PROBATIONARY PERIOD.] A teacher who has completed his probationary period in any school district, and who has not been discharged or advised of a refusal to renew his contract pursuant to subdivision 3, shall have a continuing contract with such district. Thereafter, the teacher's contract shall remain in full force and effect, except as modified by mutual consent of the board and the teacher, until terminated by a majority roll call vote of the full membership of the board, upon one of the grounds specified in subdivision 6 or subdivision 6a or 6b, or until the teacher is discharged pursuant to subdivision 8, or by the written resignation of the teacher submitted prior to April 1; provided, however, that if an agreement as to the terms and conditions of employment for the succeeding school year has not been adopted pursuant to the provisions of sections 179.61 to 179.77 prior to March 1, the teacher's right of resignation shall be extended to the 30th calendar day following the adoption of said contract in compliance with section 179.70, subdivision 2. Such written resignation by the teacher shall be effective as of June 30 if submitted prior to that date or, if submitted thereafter, shall be effective August 15, and the teachers' right of resignation for the school year then beginning shall cease on August 15. Before a teacher's contract is terminated by the board, the board shall notify the teacher in writing and state its ground for the proposed termination in reasonable detail together with a statement that the teacher may make a written request for a hearing before the board within 14 days after receipt of such notification. Within 14 days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. If no hearing is requested within such period, it shall be deemed acquiescence by the teacher to the board's action. Such termination shall take effect at the close of the school year in which the contract is terminated in the manner aforesaid. Such contract may be terminated at any time by mutual consent of the board and the teacher and this section shall not affect the powers of a board to suspend, discharge, or demote a teacher under and pursuant to other provisions of law.

Sec. 2. Minnesota Statutes 1971, Section 125.12, Subdivision 6, is amended to read:

Subd. 6. [GROUNDS FOR TERMINATION.] A continuing contract may be terminated, effective at the close of the school year, upon any of the following grounds:

- (a) Inefficiency;
- (b) Neglect of duty, or persistent violation of school laws, rules, regulations or directives;
- (c) Conduct unbecoming a teacher which materially impairs his educational effectiveness;

(d) Other good and sufficient grounds rendering the teacher unfit to perform his duties ; or .

(e) ~~Discontinuance of position, lack of pupils, or merger of classes caused by consolidation of districts or otherwise, provided that in the event of a consolidation of school districts, continuing contract teachers on the staffs of participating districts shall be retained on the staff of the consolidated district in positions for which they are qualified under state law and state board regulations to the extent that such positions exist.~~

A contract shall not be terminated upon one of the grounds specified in clauses (a), (b), (c), or (d), unless the teacher shall have failed to correct the deficiency after being given written notice of the specific items of complaint and reasonable time within which to remedy them.

All evaluations and files generated within a school district relating to each individual teacher shall be available during regular school business hours to each individual teacher upon his written request. The teacher shall have the right to reproduce any of the contents of the files at the teacher's expense and to submit for inclusion in the file written information in response to any material contained therein; provided, however, a school district may destroy such files as provided by law.

Sec. 3. Minnesota Statutes 1971, Section 125.12, is amended by adding a subdivision to read:

Subd. 6a. [NEGOTIATED UNREQUESTED LEAVE OF ABSENCE.] The school board and the exclusive bargaining representative of the teachers may negotiate a plan providing for unrequested leave of absence without pay or fringe benefits for as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. Failing to successfully negotiate such a plan by the beginning date of a new master contract, the provisions of 6(b) shall apply. The provisions of Minnesota Statutes 179.72 shall not apply for the purposes of this subdivision.

Sec. 4. Minnesota Statutes 1971, Section 125.12, is amended by adding a subdivision to read:

Subd. 6b. [UNREQUESTED LEAVE OF ABSENCE.] The school board may place on unrequested leave of absence, without pay or fringe benefits, as many teachers as may be necessary because of discontinuance of position, lack of pupils, financial limitations, or merger of classes caused by consolidation of districts. The unrequested leave shall be effective at the close of the school year. In placing teachers on unrequested leave, the board shall be governed by the following provisions:

(a) The board may place probationary teachers on unrequested leave first in the inverse order of their employment. No teacher who has acquired continuing contract rights shall be placed on unrequested leave of absence while probationary teachers are retained in positions for which the teacher who has acquired continuing contract rights is certified;

(b) *Teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are certified in the inverse order in which they were employed by the school district. In the case of merger of classes caused by consolidation of districts or in the case of equal seniority, the order in which teachers who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are certified shall be negotiable;*

(c) *Notwithstanding clauses (a) and (b), if either the placing of a probationary teacher on unrequested leave before a teacher who has acquired continuing rights or the placing of a teacher who has acquired continuing contract rights on unrequested leave before another teacher who has acquired continuing contract rights but who has greater seniority would place the district in violation of its affirmative action program, the district may retain the probationary teacher or the teacher with less seniority;*

(d) *Teachers placed on unrequested leave of absence shall be reinstated to the positions from which they have been given leaves of absence or, if not available, to other available positions in the school district in fields in which they are certified. Reinstatement shall be in the inverse order of placement on leave of absence. The order of reinstatement of teachers who have equal seniority and who are placed on unrequested leave in the same school year shall be negotiable;*

(e) *Teachers, other than probationary teachers, terminated under Minnesota Statutes 1971, Section 125.12, Subdivision 6, Clause (e), in the 1973-74 school year shall be reinstated to the positions from which they have been terminated or, if not available, to other available positions in the school district in fields in which they are certified. Reinstatement shall be in the order of seniority. The order of reinstatement of continuing contract teachers who have equal seniority and who are terminated under Minnesota Statutes 1971, Section 125.12, Subdivision 6, Clause (e) in the 1973-74 school year shall be negotiable. These teachers shall also be subject to clauses (f), (g), (h), (i) and (k) of this subdivision.*

(f) *No appointment of a new teacher shall be made while there is available, on unrequested leave, a teacher who is properly certified to fill such vacancy, unless the teacher fails to advise the school board within 30 days of the date of notification that a position is available to him, that he may return to employment and that he will assume the duties of the position to which appointed on a future date determined by the board;*

(g) *A teacher placed on unrequested leave of absence may engage in teaching or any other occupation during the period of this leave;*

(h) *The unrequested leave of absence shall not impair the continuing contract rights of a teacher or result in a loss of credit for previous years of service;*

(i) *The unrequested leave of absence of a teacher who is not reinstated shall continue for a period of two years after which the right to reinstatement shall terminate;*

(j) *The same provisions applicable to terminations of probationary or continuing contracts in subdivisions 3 and 4 shall apply to placement on unrequested leave of absence;*

(k) *Nothing in this subdivision shall be construed to impair the rights of teachers placed on unrequested leave of absence to receive unemployment compensation if otherwise eligible.*

Sec. 5. This act shall be effective on April 15, 1974."

Further, amend the title as follows:

Line 2 of the title, after "6" insert ", and by adding subdivisions; Minnesota Statutes, 1973 Supplement, Section 125.12, Subdivision 4"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Hughes from the Committee on Education, to which was re-referred

H. F. No. 3347: A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Novak from the Committee on Finance, to which was re-referred

H. F. No. 858: A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; and 360.014.

Reports the same back with the recommendation that the printed bill be amended as follows:

Page 6, line 33, strike "*No such*" and insert "*The*"

Page 6, line 35, strike "*shall*" and insert "*may*"

Page 6, line 36, strike "*but that it shall*" and insert "*or it may*"

Page 7, line 1, strike "*shall*" and insert "*may*"

Page 7, strike lines 22 through 27

Renumber the remaining sections accordingly

Page 8, line 18, strike "*360.01*" and insert "*360.91*"

Page 10, line 21, after "operation," insert "which shall not be prior to July 1, 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. 3323: A bill for an act relating to the capitol area architectural and planning commission; appropriating money for a master plan implementation study.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, strike lines 27 and 28

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. 389: A bill for an act relating to public safety; fines and forfeited bail money from persons apprehended by the highway patrol; providing for the distribution and use of such money; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which were re-referred the following appointments:

CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION

Thomas G. Reichert, 918 St. Germain, St. Cloud, Stearns County, appointed effective July 2, 1973, for a term expiring July 1, 1977.

COMMISSIONER OF FINANCE

Edward G. Ziegler, 510 South Owens, Stillwater, Washington County, appointed effective August 14, 1973, for a term that is coterminous with the Governor.

HOUSING FINANCE AGENCY

Clyde Pemble, 10904 Ridgewood Court, Burnsville, Dakota County, appointed effective January 1, 1974, for a term expiring January 1, 1979.

MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION

John Borchert, Scandia, Washington County, appointed effective January 2, 1974, for a term expiring July 1, 1977.

Robert Burns, 10677 Cedar Heights Trail, Hastings, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

James W. Johnson, Marine-on-St. Croix, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

Mrs. Stanley Hubbard, St. Croix Beach, Washington County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

Robert Nybo, Jr., Red Wing, Goodhue County, appointed effective July 1, 1973, for a term expiring July 1, 1977.

MUNICIPAL COMMISSION

Gerald Isaacs, 1835 Mechanic Avenue, St. Paul, Ramsey County, appointed effective November 5, 1973, for a term expiring June 30, 1979.

COMMISSIONER OF PERSONNEL

John W. Jackson, 2114 Juliet Avenue, St. Paul, Ramsey County, appointed effective September 28, 1973, for a term co-terminus with the Governor.

PERSONNEL BOARD

Edward LaFave, Jr., Morris, Stevens County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Edna Schwartz, 896 Cleveland South, St. Paul, Ramsey County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Cornell Moore, 2727 Dean Boulevard, Minneapolis, Hennepin County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Marie Larson, Kahler Hotel, 20 S.W. 2nd Avenue, Rochester, Olmsted County, appointed effective November 26, 1973, for a term expiring January 1, 1975.

Marcella Page, 1847 Woodcrest Drive, St. Paul, Ramsey County, appointed effective November 26, 1973, for a term expiring January 1, 1976.

William Flaherty, 3208 Rankin Road, Minneapolis, Hennepin County, appointed effective November 26, 1973, for a term expiring January 1, 1976.

William Watters, 330 East Faribault, Duluth, St. Louis County, appointed effective November 26, 1973, for a term expiring January 1, 1976.

STATE BOARD OF ELECTRICITY

Walter Passe, Wabasha, Wabasha County, appointed effective January 1, 1974, for a term expiring January 1, 1979.

Allan A. Hill, Bean & Hill, Professional Engineers, 2002 London Road, Duluth, St. Louis County, appointed effective January 1, 1974, for a term expiring January 1, 1979.

STATE BOARD OF HUMAN RIGHTS

Mrs. Helen Gamradt, 305 Northwest 6th Street, Little Falls, Morrison County, appointed effective August 18, 1972, for a term expiring the first Monday of January, 1975.

Branch C. Miller, 2801 43rd Avenue South, Minneapolis, Hennepin County, appointed effective January 2, 1973, for a term expiring the first Monday of January 1976.

STATE COMMISSION ON CABLE COMMUNICATIONS

Virginia Greenman, 148 Prospect Boulevard, St. Paul, Ramsey County, appointed effective August 17, 1973, for a term expiring January 1, 1976.

Mrs. Janet Yonehiro, 6020 Fairwood Drive, Minnetonka, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1976.

Theodore Melby, Montgomery, LeSueur County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Richard Hunegs, 8907 Minnehaha Circle, Minneapolis, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Tom Tipton, 3921 Sunset Boulevard, Minneapolis, Hennepin County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Richard Zeigler, 4031 N.W. 6th Street, Rochester, Olmsted County, appointed effective August 17, 1973, for a term expiring January 1, 1978.

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Gearty moved that the foregoing Committee Report be laid on the table. The motion prevailed.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 28, strike "\$10,000" and insert "\$30,000"

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Finance, to which was referred

S. F. No. 884: A bill for an act relating to crimes and criminals; providing compensation for victims of violent crimes; providing a penalty; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 11, strike "executive branch" and insert "department of public safety, for budgetary and administrative purposes,"

Page 8, strike lines 17 through 21

Reletter clauses in sequence

Page 12, strike line 4 and insert in lieu thereof "on or after January 2, 1975."

Page 12, strike lines 5 through 8 and insert:

"Sec. 17. [APPROPRIATIONS.] The sum of \$25,000 is hereby appropriated from the general fund in the state treasury to the department of public safety for the organization, operation, administration and staffing of the crime victim reparation board effective January 2, 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. 3280: A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, strike "lapse or" and insert in lieu thereof "cancel until June 30, 1977. The department of economic development shall, by written contract upon such conditions as it may provide, require the sponsors of the Bicentennial Agricultural Exposition to return to the state of Minnesota for deposit in the general fund all or part of the funds hereby appropriated if the event shows a profit."

Page 1, strike line 12

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. 2704: A bill for an act relating to the department of natural resources; appropriating money for the improvement of a

certain road leading to a state park; and providing for the transfer of the road to the town of Camp Release.

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. 3367: A bill for an act relating to aeronautics; appropriating and transferring certain funds.

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

H. F. No. 3029: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

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. 2707: A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Administration. Report adopted.

Mr. Novak from the Committee on Finance, to which was re-referred

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.

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

H. F. No. 485: A bill for an act relating to the state junior college board; appropriating money for a special assessment.

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. 3547: A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, before "The" insert "Notwithstanding the provisions of Minnesota Statutes, Section 282.01,"

Page 1, line 9, strike "owned by" and insert "previously conveyed to"

Page 1, line 9, after "the county" insert "as tax forfeited land held in trust and"

Page 1, strike lines 11 through 18

Page 1, line 24, strike "new"

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. 3569: A bill for an act relating to taxation; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Section 273.02, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, strike "*After payment the*"

Page 1, strike lines 15 through 19

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was re-referred

H. F. No. 3325: A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

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 270.50, is amended to read:

270.50 [EMPLOYMENT OF CERTIFIED ASSESSORS.] Commencing December 15, 1974, no assessor shall be employed who has not been certified as qualified by the board, provided the time to comply may be extended after application to the board upon a showing that certified assessors are not available for employment. The board may certify that a county or local assessor who has not received the training, but possesses the necessary qualifications for performing the functions of his office by the passage of an approved examination or may waive the examination if such person has ~~at least five years experience~~ *demonstrated competence in performing the functions of his office for a period of time the board deems reasonable.* The county or local assessing district shall assume the cost of training of its assessors in courses approved by the board for the purpose of obtaining the assessor's certificate to the extent of course fees, *mileage, meals and lodging*, and recognized travel expenses not paid by the state. If the governing body of any township, or city, ~~village or borough~~ fails to employ an assessor as required by sections 270.41 to 270.53, the assessment shall be made by the county assessor.

A town shall pay its assessor \$20 for each day the assessor is attending approved courses or taking the examination. In addition, the town shall pay its assessor \$10 for each approved course successfully completed and \$20 upon his certification. The maximum payable to an assessor for successful completion of courses and certification shall not exceed \$50.

In the case of townships organized after the effective date of this act except towns located in counties enumerated in Minnesota Statutes, Section 391.01 or which have elected a county assessor system in accordance with Minnesota Statutes, Section 273.055, the board shall allow the town adequate time to employ a certified assessor.

Sec. 2. This act is effective on the day following final enactment."

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to taxation; assessment of real property; requiring towns to make certain payments to town assessors; permitting newly organized towns adequate time to employ a qualified assessor; amending Minnesota Statutes, 1971, Section 270.50."

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. 3159, 913 and 2644 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. 3159 to the Committee on Health, Welfare and Corrections.

H. F. No. 2644 to the Committee on Judiciary.

H. F. No. 913 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. 3576, 3569, 3547, 3367, 3280, 884 and 3323 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 858, 389, 2704, 3029, 545, 485 and 3325 were read the second time.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1858

A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

March 18, 1974

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1858, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1858 be amended as follows:

Page 1, line 12, strike "1973" and insert in lieu thereof "1974"

Page 1, line 17, strike "1973" and insert in lieu thereof "1974"

Page 1, line 23, strike "auxillary" and insert in lieu thereof "auxiliary"

Page 1, line 25, strike "auxillary" and insert in lieu thereof "auxiliary"

Page 1, line 27, strike "without penalty for such transfer" and insert in lieu thereof "; provided that when such lands are included in the tree growth tax law prior to expiration of the auxiliary forest contract they will be transferred in accordance with the provisions of Minnesota Statutes, Section 88.49, Subdivision 5. The land owner shall pay taxes in an amount equal to the difference between the amount which would have been paid had the land under contract been subject to the Minnesota tree growth tax law from the date of the filing of the contract and the amount actually paid under Minnesota Statutes, Section 88.51, Subdivisions 1 and 2"

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Florian W. Chmielewski, Gerald L. Willet, John L. Olson.

House Conferees: (Signed) Norman Prael, Raymond Pavlak, Irvin N. Anderson.

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1858 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 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.

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Olhoft	Solon
Bang	Dunn	Knutson	Olson, A. G.	Spear
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Frederick	Krieger	Olson, J. L.	Stokowski
Blatz	Gerty	Larson	Patton	Thorup
Borden	Hansen, Baldy	Laufenburger	Perpich, A. J.	Ueland
Brown	Hansen, Mel	Lord	Perpich, G.	Wegener
Chenoweth	Hanson, R.	McCutcheon	Pillsbury	Willet
Chmielewski	Humphrey	Milton	Purfeerst	
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	Novak	Schaaf	
Davies	Keefe, J.	Ogdahl	Schrom	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 21, Mr. Chenoweth moved that the following members be excused for a Conference Committee on H. F. No. 636:

Messrs. Chenoweth, Ogdahl, North, Kirchner and Humphrey. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a meeting of the Lobbyist Registration Committee from 12:00 o'clock p.m. until 2:00 o'clock p.m. and from 4:00 o'clock p.m. until 6:00 o'clock p.m.:

Messrs. Conzemius, McCutcheon, Knutson and Berg. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 2670, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2670: A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

Was read the third time 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:

Arnold	Doty	Keefe, S.	Olson, A. G.	Schrom
Bang	Dunn	Knutson	Olson, H. D.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Spear
Blatz	Gearty	Krieger	Patton	Stassen
Borden	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Brown	Hansen, Mel	Lord	Perpich, G.	Thorup
Chenoweth	Hanson, R.	Milton	Pillsbury	Ueland
Chmielewski	Humphrey	Nelson	Purfeerst	Wegener
Coleman	Josefson	Novak	Renneke	Willet
Davies	Keefe, J.	Olhoft	Schaaf	

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated S. F. No. 3270, No. 96 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 3270: A bill for an act relating to taxation; general property taxes; exemptions; providing an exemption for modifications to a dwelling to accommodate physically handicapped residents; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hansen, Baldy	Keefe, S.	Nelson
Bang	Coleman	Hansen, Mel	Knutson	Novak
Bernhagen	Davies	Hanson, R.	Kowalczyk	Olhoft
Blatz	Doty	Humphrey	Krieger	Olson, A. G.
Borden	Dunn	Jensen	Larson	Olson, H. D.
Brown	Fitzsimons	Josefson	Lord	Olson, J. L.
Chenoweth	Gearty	Keefe, J.	Milton	Patton

Perpich, A. J.	Purfeerst	Schrom	Stassen	Ueland
Perpich, G.	Renneke	Solon	Stokowski	Willet
Pillsbury	Schaaf	Spear	Thorup	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3329, No. 97 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3329: A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Josefson	Olson, A. G.	Schrom
Bang	Dunn	Keefe, S.	Olson, H. D.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Spear
Blatz	Frederick	Krieger	Patton	Stassen
Borden	Gearty	Larson	Perpich, A. J.	Thorup
Brown	Hansen, Baldy	Lord	Perpich, G.	Ueland
Chenoweth	Hansen, Mel	Milton	Pillsbury	Willet
Chmielewski	Hanson, R.	Nelson	Purfeerst	
Coleman	Humphrey	Novak	Renneke	
Davies	Jensen	Olhoff	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws designated H. F. No. 2517, No. 98 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2517: A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Borden	Davies	Frederick	Humphrey
Bang	Brown	Doty	Gearty	Jensen
Bernhagen	Coleman	Dunn	Hansen, Mel	Keefe, J.
Blatz	Conzemius	Fitzsimons	Hanson, R.	Keefe, S.

Knutson	Laufenburger	Novak	Perpich, G.	Spear
Kowalczyk	Lord	Olhoft	Pillsbury	Stassen
Krieger	Milton	Patton	Purfeerst	Stokowski
Larson	Nelson	Perpich, A. J.	Schaaf	Ueland

Those who voted in the negative were:

Chmielewski	Josefson	Olson, H. D.	Renneke	Willet
Hansen, Baldy	Olson, A. G.	Olson, J. L.		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws designated H. F. No. 2668, No. 100 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2668: A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

Was read the third time 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	Davies	Josefson	Olhoft	Schrom
Ashbach	Doty	Keefe, J.	Olson, A. G.	Solon
Bang	Dunn	Keefe, S.	Olson, H. D.	Spear
Bernhagen	Fitzsimons	Krieger	Olson, J. L.	Stassen
Blatz	Gearty	Larson	Patton	Stokowski
Borden	Hansen, Baldy	Laufenburger	Perpich, A. J.	Thorup
Brown	Hansen, Mel	Lord	Perpich, G.	Ueland
Chmielewski	Hanson, R.	Milton	Pillsbury	Willet
Coleman	Humphrey	Nelson	Purfeerst	
Conzemius	Jensen	Novak	Renneke	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Messrs. Wegener, Krieger and Coleman introduced—

Senate Resolution No. 38: A senate resolution designating September 19, 1974 as Gordon Rosenmeier Recognition Day.

Which was referred to the Committee on Rules and Administration.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. Nos. 2799, 3352 and 3048. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Keefe, J.	Novak	Schaaf
Ashbach	Dunn	Keefe, S.	Ogdahl	Schrom
Bang	Fitzsimons	Kowalczyk	Olhoft	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.	Lord	Perpich, G.	Thorup
Chmielewski	Humphrey	Milton	Pillsbury	Ueland
Coleman	Jensen	Nelson	Purfeerst	Wegener
Davies	Josefson	North	Renneke	

The Sergeant-at-Arms was instructed to bring in the absent members.

THIRD READING OF HOUSE BILLS

H. F. No. 1951: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area; imposing a tax on mortgages in the seven-county metropolitan area; amending Minnesota Statutes 1971, Section 287.05, 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. Krieger moved that those not voting be excused from voting. The motion did not prevail.

Mr. Humphrey moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 30 and nays 30, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Lewis	Olhoft	Solon
Borden	Doty	Lord	Olson, A. G.	Spear
Chenoweth	Gearty	Milton	Olson, H. D.	Stokowski
Chmielewski	Keefe, J.	Moe	Perpich, A. J.	Tennessee
Coleman	Keefe, S.	North	Purfeerst	Thorup
Conzemius	Laufenburger	Novak	Schaaf	Wegener

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Larson	Pillsbury
Bang	Fitzsimons	Josefson	McCutcheon	Renneke
Berg	Hansen, Baldy	Kirchner	Nelson	Schrom
Bernhagen	Hansen, Mel	Knutson	Ogdahl	Stassen
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Ueland
Brown	Humphrey	Krieger	Perpich, G.	Willet

So the bill failed to pass.

RECONSIDERATION

Mr. Krieger moved that the vote whereby H. F. No. 1951 failed to pass the Senate on March 19, 1974, be now reconsidered.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Arnold	Doty	Keefe, J.	Olson, A. G.	Solon
Ashbach	Dunn	Keefe, S.	Olson, H. D.	Spear
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Stassen
Blatz	Gearty	Krieger	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Larson	Perpich, G.	Thorup
Brown	Hansen, Mel	Laufenburger	Pillsbury	Ueland
Chenoweth	Hanson, R.	Lord	Purfeerst	Wegener
Chmielewski	Humphrey	North	Renneke	Willet
Coleman	Jensen	Ogdahl	Schaaf	
Davies	Josefson	Olhoft	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

The question recurred on the motion of Mr. Krieger. The motion prevailed. So the vote was reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

H. F. No. 2011: A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

With the unanimous consent of the Senate, Mr. Chmielewski moved to amend H. F. No. 2011, the printed bill, as follows:

Strike everything after the enacting clause and insert in lieu thereof:

“Section 1. [CAPITAL IMPROVEMENTS LEVY.] The St. Louis county board is hereby authorized to levy over and above and in excess of any limitations provided by law, except those contained in Minnesota Statutes, Sections 275.50 to 275.57, a special mill levy not to exceed two-thirds of a mill to be placed in a fund for capital improvements on any and all buildings now in existence or to be built for St. Louis county. For purposes of this section “mill” shall be construed to mean a “mill,” after giving effect to Laws 1971, Chapter 427.

Sec. 2. [ROAD AND BRIDGE LEVY.] Subdivision 1. The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1974 not to exceed five and one-half mills on the dollar of taxable valuation in the county; in 1975, not to exceed seven mills; and in 1976 not to exceed 8.34 mills less the taconite tax payments received for St. Louis county road and bridge purposes for 1976 under Minnesota Statutes, Sections 298.28 and 298.281.

Subd. 2. As an alternate plan, the county board of St. Louis county may issue general obligation bonds in amounts not to exceed \$650,000 for the year 1975, \$650,000 for the year 1976, and \$550,000 for the year 1977 less the taconite tax payments received for St. Louis county

road and bridge purposes for 1977 under Minnesota Statutes, Sections 298.28 and 298.281.

Sec. 3. [EFFECT ON LEVY LIMITATIONS.] The increase in the taxes authorized by this act to be levied for road and bridge purposes by St. Louis county in levy years 1974 through 1976 shall be disregarded when computing levies permitted under levy limitations provided by Minnesota Statutes, Sections 275.50 to 275.56. Effective as to taxes levied in 1977 and subsequent years, the tax levy for road and bridge purposes shall be included when computing levies permitted under the levy limitations provided by Minnesota Statutes, Sections 275.50 to 275.56.

Sec. 4. [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."

Further, amend the title by striking it in its entirety and inserting in lieu thereof:

"A bill for an act relating to St. Louis county; authorizing tax levies for capital improvements and road and bridge purposes in excess of certain existing levy limits; establishing levy limits for capital improvements and road and bridge levies; authorizing the issuance of general obligation bonds in lieu of increased levies for road and bridge purposes."

The motion prevailed. So the amendment was adopted.

H. F. No. 2011: A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

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 2, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	Novak	Stassen
Ashbach	Fitzsimons	Kowalczyk	Olson, H. D.	Stokowski
Bang	Gearty	Krieger	Olson, J. L.	Thorup
Bernhagen	Hansen, Baldy	Larson	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Laufenburger	Perpich, G.	Wegener
Brown	Hanson, R.	Lewis	Pillsbury	Willet
Chmielewski	Humphrey	Lord	Renneke	
Coleman	Jensen	Milton	Schrom	
Davies	Josefson	Nelson	Solon	
Doty	Keefe, J.	North	Spear	

Messrs. Olhoft and Olson, A. 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 H. F. No. 3027 be stricken from General

Orders and be placed on the Calendar of Ordinary Matters. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:00 o'clock p. m. The 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. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names:

Arnold	Dunn	Josefson	North	Purfeerst
Bernhagen	Fitzsimons	Keefe, S.	Novak	Schaaf
Borden	Frederick	Kirchner	Olhoft	Schrom
Chenoweth	Gearty	Lewis	Olson, A. G.	Spear
Coleman	Hansen, Baldy	Lord	Olson, J. L.	Tennessee
Davies	Hanson, R.	Milton	Perpich, G.	Thorup
Doty	Humphrey	Moe	Pillsbury	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

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. 1136:

Messrs. Perpich, A. J.; Kowalczyk and Arnold. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1425, No. 17 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's proceedings. The following Senators answered to their names:

Ashbach	Fitzsimons	Keefe, S.	Ogdahl	Spear
Blatz	Frederick	Kirchner	Olhoft	Stassen
Chenoweth	Gearty	Larson	Olson, A. G.	Tennessee
Chmielewski	Hansen, Baldy	Lewis	Olson, H. D.	Thorup
Coleman	Hansen, Mel	Lord	Olson, J. L.	Willet
Davies	Hanson, R.	Milton	Pillsbury	
Doty	Jensen	Moe	Purfeerst	
Dunn	Josefson	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SPECIAL ORDER

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.

Mr. Jensen moved to amend H. F. No. 1425, the printed bill, as follows:

Page 2, strike subdivision 6 and insert in lieu thereof:

"Subd. 6. [EFFECT UPON STATUTES.] Nothing herein contained shall be deemed to grant the supreme court power to amend or modify any statute.

Subd. 7. [RIGHT RESERVED.] This section shall not abridge the right of the legislature to enact, modify or repeal any statute or modify or repeal any rule of the supreme court adopted pursuant thereto.

Sec. 2. Minnesota Statutes 1971, Section 595.04, is repealed as to all causes of action arising after the effective date of this act."

Further, amend the title as follows:

Before the period, insert "; repealing Minnesota Statutes 1971, Section 595.04, as to causes of action after certain date"

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:

Berg	Frederick	Josefson	Nelson	Schrom
Bernhagen	Hansen, Baldy	Knutson	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	Ueland
Dunn	Hanson, R.	Krieger	Pillsbury	Willet
Fitzsimons	Jensen	Larson	Renneke	

Those who voted in the negative were:

Arnold	Gearty	Moe	Purfeerst	Thorup
Borden	Keefe, S.	Novak	Schaaf	Wegener
Coleman	Lewis	O'hofft	Solon	
Conzemius	Lord	Olson, H. D.	Spear	
Davies	McCutcheon	Perpich, A. J.	Stokowski	
Doty	Milton	Perpich, G.	Tennessee	

The motion did not prevail. So the amendment was not adopted.

H. F. No. 1425 was read the third time 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	Lord	Olhoft	Solon
Ashbach	Gearty	McCutcheon	Olson, A. G.	Spear
Borden	Humphrey	Milton	Olson, H. D.	Stokowski
Chenoweth	Keefe, S.	Moe	Perpich, A. J.	Tennessee
Conzemius	Laufenburger	North	Purfeerst	Thorup
Davies	Lewis	Novak	Schaaf	Wegener

Those who voted in the negative were:

Bang	Dunn	Josefson	Nelson	Stassen
Berg	Fitzsimons	Keefe, J.	Ogdahl	Ueland
Bernhagen	Frederick	Kirchner	Olson, J. L.	Willet
Blatz	Hansen, Baldy	Knutson	Perpich, G.	
Brown	Hansen, Mel	Kowalczyk	Pillsbury	
Chmielewski	Hanson, R.	Krieger	Renneke	
Coleman	Jensen	Larson	Schrom	

So the bill failed to pass.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 2992, No. 122 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 2992: A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

Mr. Purfeerst moved to amend H. F. No. 2992 as follows:

Strike everything after the enacting clause and insert in lieu thereof:

"ARTICLE I

GENERAL PROVISIONS, DEFINITIONS AND PROBATE

JURISDICTION OF COURT

PART 1

CITATION, CONSTRUCTION, GENERAL PROVISIONS

Section 524.1-101 [CITATION AND NUMBERING SYSTEM.] This chapter shall be known and may be cited as the uniform probate code. It is arranged and numbered, subject however to the provisions of Minnesota Statutes, Section 648.34, so that the enacted chapter may be compiled in the next published edition of Minnesota Statutes without change and in conformity with the official numbering of the uniform probate code.

Sec. 524.1-102. [PURPOSES: RULE OF CONSTRUCTION.]
 (a) This chapter shall be liberally construed and applied to promote its underlying purposes and policies.

(b) The underlying purposes and policies of this chapter are:

(1) to simplify and clarify the law concerning the affairs of decedents, missing persons, protected persons, minors and incapacitated persons;

(2) to discover and make effective the intent of a decedent in distribution of his property;

(3) to promote a speedy and efficient system for liquidating the estate of the decedent and making distribution to his successors;

(4) to facilitate use and enforcement of certain trusts;

(5) to make uniform the law among the various jurisdictions.

Sec. 524.1-103. [SUPPLEMENTARY GENERAL PRINCIPLES OF LAW APPLICABLE.] Unless displaced by the particular provisions of this chapter, the principles of law and equity supplement its provisions.

Sec. 524.1-104. [SEVERABILITY.] If any provisions of this chapter or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Sec. 524.1-105. [CONSTRUCTION AGAINST IMPLIED REPEAL.] This chapter is a general act intended as a unified coverage of its subject matter and no part of it shall be deemed impliedly repealed by subsequent legislation if it can reasonably be avoided.

Sec. 524.1-106. [EFFECT OF FRAUD AND EVASION.] Whenever fraud has been perpetrated in connection with any proceeding or in any statement filed under this chapter or if fraud is used to avoid or circumvent the provisions or purposes of this chapter, any person injured thereby may obtain appropriate relief against the perpetrator of the fraud or restitution from any person, other than a bona fide purchaser, benefitting from the fraud, whether innocent or not. Any proceeding must be commenced within two years after the discovery of the fraud, but no proceeding may be brought against one not a perpetrator of the fraud later than five years after the time of commission of the fraud. This section has no bearing on remedies relating to fraud practiced on a decedent during his lifetime which affects the succession of his estate.

Sec. 524.1-107. [EVIDENCE AS TO DEATH OR STATUS.] In proceedings under this chapter the rules of evidence in courts of general jurisdiction including any relating to simultaneous deaths, are applicable unless specifically displaced by this chapter. In addition, the following rules relating to determination of death and status are applicable:

(1) a certified or authenticated copy of a death certificate purporting to be issued by an official or agency of the place where

the death purportedly occurred is prima facie proof of the fact, place, date and time of death and the identity of the decedent;

(2) a certified or authenticated copy of any record or report of a governmental agency, domestic or foreign, that a person is missing, detained, dead, or alive is prima facie evidence of the status and of the dates, circumstances and places disclosed by the record or report;

(3) a person who is absent for a continuous period of five years, during which he has not been heard from, and whose absence is not satisfactorily explained after diligent search or inquiry is presumed to be dead. His death is presumed to have occurred at the end of the period unless there is sufficient evidence for determining that death occurred earlier.

Sec. 524.1-108. [ACTS BY HOLDER OF GENERAL POWER.] For the purpose of granting consent or approval with regard to the acts or accounts of a personal representative or trustee, including relief from liability or penalty for failure to post bond, to register a trust, or to perform other duties, and for purposes of consenting to modification or termination of a trust or to deviation from its terms, the sole holder or all co-holders of a presently exercisable general power of appointment, including one in the form of a power of amendment or revocation, are deemed to act for beneficiaries to the extent their interests as objects, takers in default, or otherwise, are subject to the power.

PART 2 DEFINITIONS

Sec. 524.1-201. [GENERAL DEFINITIONS.] Subject to additional definitions contained in the subsequent articles which are applicable to specific articles or parts, and unless the context otherwise requires, in this chapter:

(1) "Application" means a written request to the registrar for an order of informal probate or appointment under article III, part 3.

(2) "Beneficiary," as it relates to trust beneficiaries, includes a person who has any present or future interest, vested or contingent, and also includes the owner of an interest by assignment or other transfer and as it relates to a charitable trust, includes any person entitled to enforce the trust.

(3) "Child" includes any individual entitled to take as a child under law by intestate succession from the parent whose relationship is involved and excludes any person who is only a stepchild, a foster child, a grandchild or any more remote descendant.

(4) "Claims," in respect to estates of decedents and protected persons, includes liabilities of the decedent or protected person whether arising in contract, in tort or otherwise, and liabilities of the estate which arise at or after the death of the decedent or after the appointment of a conservator, including funeral expenses and expenses of administration. The term does not include estate

or inheritance taxes, demands or disputes regarding title of a decedent or protected person to specific assets alleged to be included in the estate.

(5) "Court" means the court or branch having jurisdiction in matters relating to the affairs of decedents. This court in this state is known as the probate court.

(6) "Conservator" means a person who is appointed by a court to manage the estate of a protected person.

(7) "Devise," when used as a noun, means a testamentary disposition of real or personal property and when used as a verb, means to dispose of real or personal property by will.

(8) "Devisee" means any person designated in a will to receive a devise. In the case of a devise to an existing trust or trustee, or to a trustee on trust described by will, the trust or trustee is the devisee and the beneficiaries are not devisees.

(9) "Disability" means cause for a protective order as described by section 524.5-401 .

(10) "Distributee" means any person who has received property of a decedent from his personal representative other than as a creditor or purchaser. A testamentary trustee is a distributee only to the extent of distributed assets or increment thereto remaining in his hands. A beneficiary of a testamentary trust to whom the trustee has distributed property received from a personal representative is a distributee of the personal representative. For purposes of this provision, "testamentary trustee" includes a trustee to whom assets are transferred by will, to the extent of the devised assets.

(11) "Estate" includes the property of the decedent, trust, or other person whose affairs are subject to this chapter as originally constituted and as it exists from time to time during administration.

(12) "Exempt property" means that property of a decedent's estate which is described in section 524.2-402.

(13) "Fiduciary" includes personal representative, guardian, conservator and trustee.

(14) "Foreign personal representative" means a personal representative of another jurisdiction.

(15) "Formal proceedings" means those conducted before a judge with notice to interested persons.

(16) "Guardian" means a person who has qualified as a guardian of a minor or incapacitated person pursuant to testamentary or court appointment, but excludes one who is merely a guardian ad litem.

(17) "Heirs" means those persons, including the surviving spouse, who are entitled under the statutes of intestate succession to the property of a decedent.

(18) "Incapacitated person" is as defined in section 524.5-101.

(19) "Informal proceedings" mean those conducted without notice to interested persons by an officer of the court acting as a registrar for probate of a will or appointment of a personal representative.

(20) "Interested person" includes heirs, devisees, children, spouses, creditors, beneficiaries and any others having a property right in or claim against a trust estate or the estate of a decedent, ward or protected person which may be affected by the proceeding. It also includes persons having priority for appointment as personal representative, and other fiduciaries representing interested persons. The meaning as it relates to particular persons may vary from time to time and must be determined according to the particular purposes of, and matter involved in, any proceeding.

(21) "Issue" of a person means all his lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definitions of child and parent contained in this chapter.

(22) "Lease" includes an oil, gas, or other mineral lease.

(23) "Letters" includes letters testamentary, letters of guardianship, letters of administration, and letters of conservatorship.

(24) "Minor" means a person who is under 18 years of age.

(25) "Mortgage" means any conveyance, agreement or arrangement in which property is used as security.

(26) "Nonresident decedent" means a decedent who was domiciled in another jurisdiction at the time of his death.

(27) "Organization" includes a corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal entity.

(28) "Parent" includes any person entitled to take, or who would be entitled to take if the child died without a will, as a parent under the law by intestate succession from the child whose relationship is in question and excludes any person who is only a stepparent, foster parent, or grandparent.

(29) "Person" means an individual, a corporation, an organization, or other legal entity.

(30) "Personal representative" includes executor, administrator, successor personal representative, special administrator, and persons who perform substantially the same function under the law governing their status. "General personal representative" excludes special administrator.

(31) "Petition" means a written request to the court for an order after notice.

(32) "Proceeding" includes action at law and suit in equity.

(33) "Property" includes both real and personal property or any interest therein and means anything that may be the subject of ownership.

(34) "Protected person" is as defined in section 524.5-101.

(35) "Protective proceeding" is as defined in section 524.5-101.

(36) "Registrar" refers to the official of the court designated to perform the functions of registrar as provided in section 524.1-307.

(37) "Security" includes any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease, collateral trust certificate, transferable share, voting trust certificate or, in general, any interest or instrument commonly known as a security, or any certificate of interest or participation, any temporary or interim certificate, receipt or certificate of deposit for, or any warrant or right to subscribe to or purchase, any of the foregoing.

(38) "Settlement," in reference to a decedent's estate, includes the full process of administration, distribution and closing.

(39) "Special administrator" means a personal representative as described by sections 524.3-614 through 524.3-618.

(40) "State" includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession subject to the legislative authority of the United States.

(41) "Successor personal representative" means a personal representative, other than a special administrator, who is appointed to succeed a previously appointed personal representative.

(42) "Successors" means those persons, other than creditors, who are entitled to property of a decedent under his will or this chapter.

(43) "Supervised administration" refers to the proceedings described in article III, part 5.

(44) "Testacy proceeding" means a proceeding to establish a will or determine intestacy.

(45) "Trust" includes any express trust, private or charitable, with additions thereto, wherever and however created. It also includes a trust created or determined by judgment or decree under which the trust is to be administered in the manner of an express trust. "Trust" excludes other constructive trusts, and it excludes resulting trusts, conservatorships, personal representatives, trust accounts as defined in article VI, custodial arrangements pursuant to Minnesota Statutes, Sections 527.01 to 527.11, 149.11 to 149.14, 318.01 to 318.06, business trusts providing for certificates to be issued to beneficiaries, common trust funds, voting trusts, security arrangements, liquidation trusts, and trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions, or employee benefits of any kind,

and any arrangement under which a person is nominee or escrowee for another.

(46) "Trustee" includes an original, additional, or successor trustee, whether or not appointed or confirmed by court.

(47) "Ward" is as defined in section 524.5-101.

(48) "Will" includes codicil and any testamentary instrument which merely appoints an executor or revokes or revises another will.

PART 3

SCOPE, JURISDICTION AND COURTS

Sec. 524.1-301. [TERRITORIAL APPLICATION.] Except as otherwise provided in this chapter, this chapter applies to (1) the affairs and estates of decedents, missing persons, and persons to be protected, domiciled in this state, (2) the property of nonresidents located in this state or property coming into the control of a fiduciary who is subject to the laws of this state, (3) incapacitated persons and minors in this state, (4) survivorship and related accounts in this state, and (5) trusts subject to administration in this state.

Sec. 524.1-302. [SUBJECT MATTER JURISDICTION.] (a) To the full extent permitted by the constitution, the court has jurisdiction over all subject matter relating to (1) estates of decedents, including construction of wills and determination of heirs and successors of decedents, and estates of protected persons; (2) protection of minors and incapacitated persons; and (3) trusts.

(b) The court has full power to make orders, judgments and decrees and take all other action necessary and proper to administer justice in the matters which come before it.

Sec. 524.1-303. [VENUE; MULTIPLE PROCEEDINGS; TRANSFER.] (a) Where a proceeding under this chapter could be maintained in more than one place in this state, the court in which the proceeding is first commenced has the exclusive right to proceed.

(b) If proceedings concerning the same estate, protected person, ward, or trust are commenced in more than one court of this state, the court in which the proceeding was first commenced shall continue to hear the matter, and the other courts shall hold the matter in abeyance until the question of venue is decided, and if the ruling court determines that venue is properly in another court, it shall transfer the proceeding to the other court.

(c) If a court finds that in the interest of justice a proceeding or a file should be located in another court of this state, the court making the finding may transfer the proceeding or file to the other court.

Sec. 524.1-304. [PRACTICE IN COURT.] Unless specifically provided to the contrary in this chapter or unless inconsistent with its provisions, the rules of civil procedure including the rules

concerning vacation of orders and appellate review govern formal proceedings under this chapter.

Sec. 524.1-305. [RECORDS AND CERTIFIED COPIES.] The clerk of court shall keep a record for each decedent, ward, protected person or trust involved in any document which may be filed with the court under this chapter, including petitions and applications, demands for notices or bonds, trust registrations, and of any orders or responses relating thereto by the registrar or court, and establish and maintain a system for indexing, filing or recording which is sufficient to enable users of the records to obtain adequate information. Upon payment of the fees required by law the clerk must issue certified copies of any probated wills, letters issued to personal representatives, or any other record or paper filed or recorded. Certificates relating to probated wills must indicate whether the decedent was domiciled in this state and whether the probate was formal or informal. Certificates relating to letters must show the date of appointment.

Sec. 524.1-306 [JURY TRIAL.] (a) If duly demanded, a party is entitled to trial by jury in any proceeding in which any controverted question of fact arises as to which any party has a constitutional right to trial by jury.

(b) If there is no right to trial by jury under subsection (a) or the right is waived, the court in its discretion may call a jury to decide any issue of fact, in which case the verdict is advisory only.

Sec. 524.1-307. [REGISTRAR; POWERS.] The acts and orders which this chapter specifies as performable by the registrar may be performed either by a judge of the court or by a person, including the clerk, designated by the court by a written order filed and recorded in the office of the court.

Sec. 524.1-310. [OATH OR AFFIRMATION ON FILED DOCUMENTS.] Except as otherwise specifically provided in this chapter or by rule, every document filed with the court under this chapter including applications, petitions, and demands for notice, shall be deemed to include an oath, affirmation, or statement to the effect that its representations are true as far as the person executing or filing it knows or is informed, and penalties for perjury may follow deliberate falsification therein.

PART 4

NOTICE, PARTIES AND REPRESENTATION IN ESTATE

LITIGATION AND OTHER MATTERS

Sec. 524.1-401. [NOTICE; METHOD AND TIME OF GIVING.] (a) If notice of a hearing on any petition is required and except for specific notice requirements as otherwise provided, the petitioner shall cause notice of the time and place of hearing of any petition to be given to any interested person or his attorney if he has appeared by attorney or requested that notice be sent to his attorney. Notice shall be given:

(1) by mailing a copy thereof at least 14 days before the time set for the hearing by certified, registered or ordinary first class mail addressed to the person being notified at the post office address given in his demand for notice, if any, or at his office or place of residence, if known;

(2) by delivering a copy thereof to the person being notified personally at least 14 days before the time set for the hearing; or

(3) if the address, or identity of any person is not known and cannot be ascertained with reasonable diligence, by publishing at least once a week for three consecutive weeks, a copy thereof in a newspaper having general circulation in the county where the hearing is to be held, the last publication of which is to be at least 10 days before the time set for the hearing.

(b) The court for good cause shown may provide for a different method or time of giving notice for any hearing.

(c) Proof of the giving of notice shall be made on or before the hearing and filed in the proceeding.

Sec. 524.1-402. [NOTICE; WAIVER.] A person, including a guardian ad litem, conservator, or other fiduciary, may waive notice by a writing signed by him or his attorney and filed in the proceeding.

Sec. 524.1-403. [PLEADINGS; WHEN PARTIES BOUND BY OTHERS; NOTICE.] In formal proceedings involving trusts or estates of decedents, minors, protected persons, or incapacitated persons, and in judicially supervised settlements, the following apply:

(1) Interests to be affected shall be described in pleadings which give reasonable information to owners by name or class, by reference to the instrument creating the interests, or in other appropriate manner.

(2) Persons are bound by orders binding others in the following cases:

(i) Orders binding the sole holder or all co-holders of a power of revocation or a presently exercisable general power of appointment, including one in the form of a power of amendment, bind other persons to the extent their interests as objects, takers in default, or otherwise, are subject to the power.

(ii) To the extent there is no conflict of interest between them or among persons represented, orders binding a conservator bind the person whose estate he controls; orders binding a guardian bind the ward if no conservator of his estate has been appointed; orders binding a trustee bind beneficiaries of the trust in proceedings to probate a will establishing or adding to a trust, to review the acts or accounts of a prior fiduciary and in proceedings involving creditors or other third parties; and orders binding a personal representative bind persons interested in the undistributed assets of a decedent's estate in actions or proceedings by or against the estate. If there is no conflict of interest and no con-

servator or guardian has been appointed, a parent may represent his minor child.

(iii) An unborn or unascertained person who is not otherwise represented is bound by an order to the extent his interest is adequately represented by another party having a substantially identical interest in the proceeding.

(3) Notice is required as follows:

(i) Notice as prescribed by section 524.1-401 shall be given to every interested person or to one who can bind an interested person as described in (2) (i) or (2) (ii) above. Notice may be given both to a person and to another who may bind him.

(ii) Notice is given to unborn or unascertained persons, who are not represented under (2) (i) or (2) (ii) above, by giving notice to all known persons whose interests in the proceedings are substantially identical to those of the unborn or unascertained persons.

(4) At any point in a proceeding, a court may appoint a guardian ad litem to represent the interest of a minor, an incapacitated, unborn, or unascertained person, or a person whose identity or address is unknown, if the court determines that representation of the interest otherwise would be inadequate. If not precluded by conflict of interests, a guardian ad litem may be appointed to represent several persons or interests. The court shall set out its reasons for appointing a guardian ad litem as a part of the record of the proceeding.

ARTICLE III

PROBATE OF WILLS AND ADMINISTRATION

PART 1

GENERAL PROVISIONS

Sec. 524.3-101. [DEVOLUTION OF ESTATE AT DEATH; RESTRICTIONS.] The power of a person to leave property by will, and the rights of creditors, devisees, and heirs to his property are subject to the restrictions and limitations contained in this chapter to facilitate the prompt settlement of estates. Upon the death of a person, his real and personal property devolves to the persons to whom it is devised by his last will or to those indicated as substitutes for them in cases involving lapse, renunciation, or other circumstances affecting the devolution of testate estate, or in the absence of testamentary disposition, to his heirs, or to those indicated as substitutes for them in cases involving renunciation or other circumstances affecting devolution of intestate estates, subject to homestead allowance, exempt property and family allowance, to rights of creditors, elective share of the surviving spouse, and to administration.

Sec. 524.3-102. [NECESSITY OF ORDER OF PROBATE FOR WILL.] Except as provided in section 524.3-1201, to be effective to prove the transfer of any property or to nominate an executor,

a will must be declared to be valid by an order of informal probate by the registrar, or an adjudication of probate by the court, except that a duly executed and unrevoked will which has not been probated may be admitted as evidence of a devise if (1) no court proceeding concerning the succession or administration of the estate has occurred, and (2) either the devisee or his successors and assigns possessed the property devised in accordance with the provisions of the will, or the property devised was not possessed or claimed by anyone by virtue of the decedent's title during the time period for testacy proceedings.

Sec. 524.3-103. [NECESSITY OF APPOINTMENT FOR ADMINISTRATION.] Except as otherwise provided in article IV, to acquire the powers and undertake the duties and liabilities of a personal representative of a decedent, a person must be appointed by order of the court or registrar, qualify and be issued letters. Administration of an estate is commenced by the issuance of letters.

Sec. 524.3-104. [CLAIMS AGAINST DECEDENT; NECESSITY OF ADMINISTRATION.] No proceeding to enforce a claim against the estate of a decedent or his successors may be revived or commenced before the appointment of a personal representative. After the appointment and until distribution, all proceedings and actions to enforce a claim against the estate are governed by the procedure prescribed by Chapter 525 or this article. After distribution a creditor whose claim has not been barred may recover from the distributees as provided in section 524.3-1004 or from a former personal representative individually liable as provided in section 524.3-1005. This section has no application to a proceeding by a secured creditor of the decedent to enforce his right to his security except as to any deficiency judgment which might be sought therein.

Sec. 524.3-105. [PROCEEDINGS AFFECTING DEVOLUTION AND ADMINISTRATION; JURISDICTION OF SUBJECT MATTER.] Persons interested in decedents' estates may apply to the registrar for determination in the informal proceedings provided in this article, and may petition the court for orders in formal proceedings within the court's jurisdiction including but not limited to those described in this article. The court has exclusive jurisdiction of formal proceedings to determine how decedents' estates subject to the laws of this state are to be administered, expended and distributed. The court has concurrent jurisdiction of any other action or proceeding concerning a succession or to which an estate, through a personal representative, may be a party, including actions to determine title to property alleged to belong to the estate, and of any action or proceeding in which property distributed by a personal representative or its value is sought to be subjected to rights of creditors or successors of the decedent.

Sec. 524.3-106. [PROCEEDINGS WITHIN THE EXCLUSIVE JURISDICTION OF COURT; SERVICE; JURISDICTION OVER PERSONS.] In proceedings within the exclusive jurisdiction of the court where notice is required by this chapter or by rule, interested persons may be bound by the orders of the court in respect to prop-

erty in or subject to the laws of this state by notice in conformity with section 524.1-401. An order is binding as to all who are given notice of the proceeding though less than all interested persons are notified.

Sec. 524.3-107. [SCOPE OF PROCEEDINGS; PROCEEDINGS INDEPENDENT; EXCEPTION.] Unless supervised administration as described in part 5 is involved, (1) each proceeding before the court or registrar is independent of any other proceeding involving the same estate; (2) petitions for formal orders of the court may combine various requests for relief in a single proceeding if the orders sought may be finally granted without delay. Except as required for proceedings which are particularly described by other sections of this article, no petition is defective because it fails to embrace all matters which might then be the subject of a final order; (3) proceedings for probate of wills or adjudications of no will may be combined with proceedings for appointment of personal representatives; and (4) a proceeding for appointment of a personal representative is concluded by an order making or declining the appointment.

Sec. 524.3-108. [PROBATE, TESTACY AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT.] No informal probate or appointment proceeding or formal testacy or appointment proceeding, other than a proceeding to probate a will previously probated at the testator's domicile and appointment proceedings relating to an estate in which there has been a prior appointment, may be commenced more than three years after the decedent's death, except (1) if a previous proceeding was dismissed because of doubt about the fact of the decedent's death, appropriate probate, appointment or testacy proceedings may be maintained at any time thereafter upon a finding that the decedent's death occurred prior to the initiation of the previous proceeding and the applicant or petitioner has not delayed unduly in initiating the subsequent proceeding; (2) appropriate probate, appointment or testacy proceedings may be maintained in relation to the estate of an absent, disappeared or missing person for whose estate a conservator has been appointed, at any time within three years after the conservator becomes able to establish the death of the protected person; and (3) a proceeding to contest an informally probated will and to secure appointment of the person with legal priority for appointment in the event the contest is successful, may be commenced within the later of twelve months from the informal probate or three years from the decedent's death. These limitations do not apply to proceedings to construe probated wills or determine heirs of an intestate. In cases under (1) or (2) above, the date on which a testacy or appointment proceeding is properly commenced shall be deemed to be the date of the decedent's death for purposes of other limitations provisions of this chapter which relate to the date of death.

Sec. 524.3-109. [STATUTES OF LIMITATION ON DECEDENT'S CAUSE OF ACTION.] No statute of limitation running on a cause of action belonging to a decedent which had not been barred as of the date of his death, shall apply to bar a cause of action surviving the decedent's death sooner than four months after death. A cause of action which, but for this section, would have been barred less than four months after death, is barred after four months unless tolled.

PART 2

VENUE FOR PROBATE AND ADMINISTRATION;
PRIORITY TO ADMINISTER; DEMAND FOR NOTICE

Sec. 524.3-201. [VENUE FOR FIRST AND SUBSEQUENT ESTATE PROCEEDINGS; LOCATION OF PROPERTY.] (a) Venue for the first informal or formal testacy or appointment proceedings after a decedent's death is:

(1) in the county where the decedent had his domicile at the time of his death; or

(2) if the decedent was not domiciled in this state, in any county where property of the decedent was located at the time of his death.

(b) Venue for all subsequent proceedings within the exclusive jurisdiction of the court is in the place where the initial proceeding occurred, unless the initial proceeding has been transferred as provided in section 524.1-303 or (c) of this section.

(c) If the first proceeding was informal, on application of an interested person and after notice to the proponent in the first proceeding, the court, upon finding that venue is elsewhere, may transfer the proceeding and the file to the other court.

(d) For the purpose of aiding determinations concerning location of assets which may be relevant in cases involving non-domiciliaries, a debt, other than one evidenced by investment or commercial paper or other instrument in favor of a non-domiciliary, is located where the debtor resides or, if the debtor is a person other than an individual, at the place where it has its principal office. Commercial paper, investment paper and other instruments are located where the instrument is. An interest in property held in trust is located where the trustee may be sued.

Sec. 524.3-202. [APPOINTMENT OR TESTACY PROCEEDINGS; CONFLICTING CLAIM OF DOMICILE IN ANOTHER STATE.] If conflicting claims as to the domicile of a decedent are made in a formal testacy or appointment proceeding commenced in this state, and in a testacy or appointment proceeding after notice pending at the same time in another state, the court of this state must stay, dismiss, or permit suitable amendment in, the proceeding here unless it is determined that the local proceeding was commenced before the proceeding elsewhere. The determination of domicile in the proceeding first commenced must be accepted as determinative in the proceeding in this state.

Sec. 524.3-203. [PRIORITY AMONG PERSONS SEEKING APPOINTMENT AS PERSONAL REPRESENTATIVE.] (a) Whether the proceedings are formal or informal, persons who are not disqualified have priority for appointment in the following order:

(1) the person with priority as determined by a probated will including a person nominated by a power conferred in a will;

(2) the surviving spouse of the decedent who is a devisee of the decedent;

(3) other devisees of the decedent;

(4) the surviving spouse of the decedent;

(5) other heirs of the decedent;

(6) 45 days after the death of the decedent, any creditor.

(b) An objection to an appointment can be made only in formal proceedings. In case of objection the priorities stated in (a) apply except that

(1) if the estate appears to be more than adequate to meet exemptions and costs of administration but inadequate to discharge anticipated unsecured claims, the court, on petition of creditors, may appoint any qualified person;

(2) in case of objection to appointment of a person other than one whose priority is determined by will by an heir or devisee appearing to have a substantial interest in the estate, the court may appoint a person who is acceptable to heirs and devisees whose interests in the estate appear to be worth in total more than half of the probable distributable value, or, in default of this accord any suitable person.

(c) A person entitled to letters under (2) through (5) of (a) above, may nominate a qualified person to act as personal representative. Any person aged 18 and over may renounce his right to nominate or to an appointment by appropriate writing filed with the court. When two or more persons share a priority, those of them who do not renounce must concur in nominating another to act for them, or in applying for appointment.

(d) Conservators of the estates of protected persons, or if there is no conservator, any guardian except a guardian ad litem of a minor or incapacitated person, may exercise the same right to nominate, to object to another's appointment, or to participate in determining the preference of a majority in interest of the heirs and devisees that the protected person or ward would have if qualified for appointment.

(e) Appointment of one who does not have priority, including priority resulting from renunciation or nomination determined pursuant to this section, may be made only in formal proceedings. Before appointing one without priority, the court must determine that those having priority, although given notice of the proceedings, have failed to request appointment or to nominate another for appointment, and that administration is necessary.

(f) No person is qualified to serve as a personal representative who is:

(1) under the age of 18;

(2) a person whom the court finds unsuitable in formal proceedings;

(g) A personal representative appointed by a court of the decedent's domicile has priority over all other persons except where the decedent's will nominates different persons to be personal representative in this state and in the state of domicile. The domiciliary personal representative may nominate another, who shall have the same priority as the domiciliary personal representative.

(h) This section governs priority for appointment of a successor personal representative but does not apply to the selection of a special administrator.

Sec. 524.3-204. [DEMAND FOR NOTICE OF ORDER OR FILING CONCERNING DECEDENT'S ESTATE.] Any person desiring notice of any order or filing pertaining to a decedent's estate in which he has a financial or property interest, may file a demand for notice with the court at any time after the death of the decedent stating the name of the decedent, the nature of his interest in the estate, and the demandant's address or that of his attorney. The clerk shall mail a copy of the demand to the personal representative if one has been appointed. After filing of a demand, no order or filing to which the demand relates shall be made or accepted without notice as prescribed in section 524.1-401 to the demandant or his attorney. The validity of an order which is issued or filing which is accepted without compliance with this requirement shall not be affected by the error, but the petitioner receiving the order or the person making the filing may be liable for any damage caused by the absence of notice. The requirement of notice arising from a demand under this provision may be waived in writing by the demandant and shall cease upon the termination of his interest in the estate.

PART 3

INFORMAL PROBATE AND APPOINTMENT PROCEEDINGS

Sec. 524.3-301. [INFORMAL PROBATE OR APPOINTMENT PROCEEDINGS; APPLICATION; CONTENTS.] Applications for informal probate or informal appointment shall be directed to the registrar, and verified by the applicant to be accurate and complete to the best of his knowledge and belief as to the following information:

(1) Every application for informal probate of a will or for informal appointment of a personal representative, other than a special or successor representative shall contain the following:

(i) a statement of the interest of the applicant;

(ii) the name, and date of death of the decedent, his age, and the county and state of his domicile at the time of death, and the names and addresses of the spouse, children, heirs and devisees and the ages of any who are minor so far as known or ascertainable with reasonable diligence by the applicant;

(iii) if the decedent was not domiciled in the state at the time of his death, a statement showing venue;

(iv) a statement identifying and indicating the address of any personal representative of the decedent appointed in this state or elsewhere whose appointment has not been terminated;

(v) a statement indicating whether the applicant has received a demand for notice, or is aware of any demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.

(2) An application for informal probate of a will shall state the following in addition to the statements required by (1) :

(i) that the original of the decedent's last will is in the possession of the court, or accompanies the application, or that an authenticated copy of a will probated in another jurisdiction accompanies the application;

(ii) that the applicant, to the best of his knowledge, believes the will to have been validly executed;

(iii) that after the exercise of reasonable diligence, the applicant is unaware of any instrument revoking the will, and that the applicant believes that the instrument which is the subject of the application is the decedent's last will;

(iv) that the time limit for informal probate as provided in this article has not expired either because three years or less have passed since the decedent's death, or, if more than three years from death have passed, that circumstances as described by section 524.3-108 authorizing tardy probate have occurred.

(3) An application for informal appointment of a personal representative to administer an estate under a will shall describe the will by date of execution and state the time and place of probate or the pending application or petition for probate. The application for appointment shall adopt the statements in the application or petition for probate and state the name, address and priority for appointment of the person whose appointment is sought.

(4) An application for informal appointment of an administrator in intestacy shall state in addition to the statements required by (1) :

(i) that after the exercise of reasonable diligence, the applicant is unaware of any unrevoked testamentary instrument relating to property having a situs in this state under section 524.1-301, or, a statement why any such instrument of which he may be aware is not being probated;

(ii) the priority of the person whose appointment is sought and the names of any other persons having a prior or equal right to the appointment under section 524.3-203.

(5) An application for appointment of a personal representative to succeed a personal representative appointed under a different testacy status shall refer to the order in the most recent testacy proceeding, state the name and address of the person whose appointment is sought and of the person whose appointment will be terminated if the application is granted, and describe the priority of the applicant.

(6) An application for appointment of a personal representa-

tive to succeed a personal representative who has tendered a resignation as provided in section 524.3-610 (c), or whose appointment has been terminated by death or removal, shall adopt the statements in the application or petition which led to the appointment of the person being succeeded except as specifically changed or corrected, state the name and address of the person who seeks appointment as successor, and describe the priority of the applicant.

Sec. 524.3-302. [INFORMAL PROBATE; DUTY OF REGISTRAR; EFFECT OF INFORMAL PROBATE.] Upon receipt of an application requesting informal probate of a will, the registrar, upon making the findings required by section 524.3-303 shall issue a written statement of informal probate if at least 120 hours have elapsed since the decedent's death. Informal probate is conclusive as to all persons until superseded by an order in a formal testacy proceeding. No defect in the application or procedure relating thereto which leads to informal probate of a will renders the probate void.

Sec. 524.3-303. [INFORMAL PROBATE; PROOF AND FINDINGS REQUIRED.] (a) In an informal proceeding for original probate of a will, the registrar shall determine whether:

- (1) the application is complete;
- (2) the applicant has made oath or affirmation that the statements contained in the application are true to the best of his knowledge and belief;
- (3) the applicant appears from the application to be an interested person as defined in section 524.1-201 (20) ;
- (4) on the basis of the statements in the application, venue is proper;
- (5) an original, duly executed and apparently unrevoked will is in the registrar's possession;
- (6) any notice required by section 524.3-204 has been given and that the application is not within section 524.3-304 ; and
- (7) it appears from the application that the time limit for original probate has not expired.

(b) The application shall be denied if it indicates that a personal representative has been appointed in another county of this state or except as provided in subsection (d) below, if it appears that this or another will of the decedent has been the subject of a previous probate order.

(c) A will which appears to have the required signatures and which contains an attestation clause showing that requirements of execution under section 525.18 have been met shall be probated without further proof. In other cases, the registrar may assume execution if the will appears to have been properly executed, or he may accept a sworn statement or affidavit of any person having knowledge of the circumstances of execution, whether or not the person was a witness to the will.

(d) Informal probate of a will which has been previously probated elsewhere may be granted at any time upon written application by any interested person, together with deposit of an authenticated copy of the will and of the statement probating it from the office or court where it was first probated.

(e) A will from a place which does not provide for probate of a will after death and which is not eligible for probate under subsection (a) above, may be probated in this state upon receipt by the registrar of a duly authenticated copy of the will and a duly authenticated certificate of its legal custodian that the copy filed is a true copy and that the will has become operative under the law of the other place.

Sec. 524.3-304. [INFORMAL PROBATE; UNAVAILABLE IN CERTAIN CASES.] Applications for informal probate which relate to one or more of a known series of testamentary instruments, other than wills and codicils, the latest of which does not expressly revoke the earlier, shall be declined.

Sec. 524.3-305. [INFORMAL PROBATE; REGISTRAR NOT SATISFIED.] If the registrar is not satisfied that a will is entitled to be probated in informal proceedings because of failure to meet the requirements of sections 524.3-303 and 524.3-304 or any other reason, he may decline the application. A declination of informal probate is not an adjudication and does not preclude formal probate proceedings.

Sec. 524.3-306. [INFORMAL PROBATE; NOTICE REQUIREMENTS.] The moving party must give notice as described by section 524.1-401 of his application for informal probate (1) to any person demanding it pursuant to section 524.3-204; and (2) to any personal representative of the decedent whose appointment has not been terminated. No other notice of informal probate is required.

Sec. 524.3-307. [INFORMAL APPOINTMENT PROCEEDINGS; DELAY IN ORDER; DUTY OF REGISTRAR; EFFECT OF APPOINTMENT.] (a) Upon receipt of an application for informal appointment of a personal representative other than a special administrator as provided in section 524.3-614, if at least 120 hours have elapsed since the decedent's death, the registrar, after making the findings required by section 524.3-308, shall appoint the applicant subject to qualification and acceptance; provided, that if the decedent was a non-resident, the registrar shall delay the order of appointment until 30 days have elapsed since death unless the personal representative appointed at the decedent's domicile is the applicant, or unless the decedent's will directs that his estate be subject to the laws of this state.

(b) The status of personal representative and the powers and duties pertaining to the office are fully established by informal appointment. An appointment, and the office of personal representative created thereby, is subject to termination as provided in sections 524.3-608 through 524.3-612, but is not subject to retroactive vacation.

Sec. 524.3-308. [INFORMAL APPOINTMENT PROCEEDINGS; PROOF AND FINDINGS REQUIRED.] (a) In informal appointment proceedings, the registrar must determine whether:

(1) the application for informal appointment of a personal representative is complete;

(2) the applicant has made oath or affirmation that the statements contained in the application are true to the best of his knowledge and belief;

(3) the applicant appears from the application to be an interested person as defined in section 524.1-201(20);

(4) on the basis of the statements in the application, venue is proper;

(5) any will to which the requested appointment relates has been formally or informally probated; but this requirement does not apply to the appointment of a special administrator;

(6) any notice required by section 524.3-204 has been given;

(7) from the statements in the application, the person whose appointment is sought has priority entitling him to the appointment.

(b) Unless section 524.3-612 controls, the application must be denied if it indicates that a personal representative who has not filed a written statement of resignation as provided in section 524.3-610(c) has been appointed in this or another county of this state, that, unless the applicant is the domiciliary personal representative or his nominee, the decedent was not domiciled in this state and that a personal representative whose appointment has not been terminated has been appointed by a court in the state of domicile, or that other requirements of this section have not been met.

Sec. 524.3-309. [INFORMAL APPOINTMENT PROCEEDINGS; REGISTRAR NOT SATISFIED.] If the registrar is not satisfied that a requested informal appointment of a personal representative should be made because of failure to meet the requirements of sections 524.3-307 and 524.3-308, or for any other reason, he may decline the application. A declination of informal appointment is not an adjudication and does not preclude appointment in formal proceedings.

Sec. 524.3-310. [INFORMAL APPOINTMENT PROCEEDINGS; NOTICE REQUIREMENTS.] The moving party must give notice as described by section 524.1-401 of his intention to seek an appointment informally; (1) to any person demanding it pursuant to section 524.3-204; and (2) to any person having a prior or equal right to appointment not waived in writing and filed with the court. No other notice of an informal appointment proceeding is required.

Sec. 524.3-311. [INFORMAL APPOINTMENT UNAVAILABLE IN CERTAIN CASES.] If an application for informal appointment indicates the existence of a possible unrevoked testa-

mentary instrument which may relate to property subject to the laws of this state, and which is not filed for probate in this court, the registrar shall decline the application.

PART 4

FORMAL TESTACY AND APPOINTMENT PROCEEDINGS

Sec. 524.3-401. [FORMAL TESTACY PROCEEDINGS; NATURE; WHEN COMMENCED.] A formal testacy proceeding is litigation to determine whether a decedent left a valid will. A formal testacy proceeding may be commenced by an interested person filing a petition as described in section 524.3-402(a) in which he requests that the court, after notice and hearing, enter an order probating a will, or a petition to set aside an informal probate of a will or to prevent informal probate of a will which is the subject of a pending application, or a petition in accordance with section 524.3-402(b) for an order that the decedent died intestate.

A petition may seek formal probate of a will without regard to whether the same or a conflicting will has been informally probated. A formal testacy proceeding may, but need not, involve a request for appointment of a personal representative.

During the pendency of a formal testacy proceeding, the registrar shall not act upon any application for informal probate of any will of the decedent or any application for informal appointment of a personal representative of the decedent.

Unless a petition in a formal testacy proceeding also requests confirmation of the previous informal appointment, a previously appointed personal representative, after receipt of notice of the commencement of a formal probate proceeding, must refrain from exercising his power to make any further distribution of the estate during the pendency of the formal proceeding. A petitioner who seeks the appointment of a different personal representative in a formal proceeding also may request an order restraining the acting personal representative from exercising any of the powers of his office and requesting the appointment of a special administrator. In the absence of a request, or if the request is denied, the commencement of a formal proceeding has no effect on the powers and duties of a previously appointed personal representative other than those relating to distribution.

Sec. 524.3-402 [FORMAL TESTACY OR APPOINTMENT PROCEEDINGS; PETITION; CONTENTS.] (a) Petitions for formal probate of a will, or for adjudication of intestacy with or without request for appointment of a personal representative, must be directed to the court, request a judicial order after notice and hearing and contain further statements as indicated in this section. A petition for formal probate of a will

(1) requests an order as to the testacy of the decedent in relation to a particular instrument which may or may not have been informally probated and determining the heirs,

(2) contains the statements required for informal applications

as stated in the five subparagraphs under section 524.3-301(1), the statements required by subparagraphs (ii) and (iii) of section 524.3-301 (2), and

(3) states whether the original of the last will of the decedent is in the possession of the court or accompanies the petition.

If the original will is neither in the possession of the court nor accompanies the petition and no authenticated copy of a will probated in another jurisdiction accompanies the petition, the petition also must state the contents of the will, and indicate that it is lost, destroyed, or otherwise unavailable.

(b) A petition for adjudication of intestacy and appointment of an administrator in intestacy must request a judicial finding and order that the decedent left no will and determining the heirs, contain the statements required by (1) and (4) of section 524.3-301 and indicate whether supervised administration is sought. A petition may request an order determining intestacy and heirs without requesting the appointment of an administrator, in which case, the statements required by subparagraph (ii) of section 524.3-301(4) above may be omitted.

Sec. 524.3-403. [FORMAL TESTACY PROCEEDING; NOTICE OF HEARING ON PETITION.] (a) Upon commencement of a formal testacy proceeding, the court shall fix a time and place of hearing. Notice shall be given in the manner prescribed by section 524.1-401 by the petitioner to the persons herein enumerated and to any additional person who has filed a demand for notice under section 524.3-204 of this chapter.

Notice shall be given to the following persons: the surviving spouse, children, and other heirs of the decedent, the devisees and executors named in any will that is being, or has been, probated, or offered for informal or formal probate in the county, or that is known by the petitioner to have been probated, or offered for informal or formal probate elsewhere, and any personal representative of the decedent whose appointment has not been terminated. Notice may be given to other persons. In addition, the petitioner shall give notice by publication to all unknown persons and to all known persons whose addresses are unknown who have any interest in the matters being litigated.

(b) If it appears by the petition or otherwise that the fact of the death of the alleged decedent may be in doubt, or on the written demand of any interested person, a copy of the notice of the hearing on the petition shall be sent by registered mail to the alleged decedent at his last known address. The court shall direct the petitioner to report the results of, or make and report back concerning, a reasonably diligent search for the alleged decedent in any manner that may seem advisable, including any or all of the following methods:

(1) by inserting in one or more suitable periodicals a notice requesting information from any person having knowledge of the whereabouts of the alleged decedent;

(2) by notifying law enforcement officials and public welfare agencies in appropriate locations of the disappearance of the alleged decedent;

(3) by engaging the services of an investigator. The costs of any search so directed shall be paid by the petitioner if there is no administration or by the estate of the decedent in case there is administration.

Sec. 524.3-404. [FORMAL TESTACY PROCEEDINGS; WRITTEN OBJECTIONS TO PROBATE.] Any party to a formal proceeding who opposes the probate of a will for any reason shall state in his pleadings his objections to probate of the will.

Sec. 524.3-405. [FORMAL TESTACY PROCEEDINGS; UNCONTESTED CASES; HEARINGS AND PROOF.] If a petition in a testacy proceeding is unopposed, the court may order probate or intestacy on the strength of the pleadings if satisfied that the conditions of section 524.3-409 have been met, or conduct a hearing in open court and require proof of the matters necessary to support the order sought. If evidence concerning execution of the will is necessary, the affidavit or testimony of one of any attesting witnesses to the instrument is sufficient. If the affidavit or testimony of an attesting witness is not available, execution of the will may be proved by other evidence or affidavit.

Sec. 524.3-406. [FORMAL TESTACY PROCEEDINGS; CONTESTED CASES; TESTIMONY OF ATTESTING WITNESSES.] (a) If evidence concerning execution of an attested will which is not self-proved is necessary in contested cases, the testimony of at least one of the attesting witnesses, if within the state competent and able to testify, is required. Due execution of an attested or unattested will may be proved by other evidence.

(b) If the will is self-proved, compliance with signature requirements for execution is conclusively presumed and other requirements of execution are presumed subject to rebuttal without the testimony of any witness upon filing the will and the acknowledgment and affidavits annexed or attached thereto, unless there is proof of fraud or forgery affecting the acknowledgment or affidavit.

Sec. 524.3-407. [FORMAL TESTACY PROCEEDINGS; BURDENS IN CONTESTED CASES.] In contested cases, petitioners who seek to establish intestacy have the burden of establishing prima facie proof of death, venue and heirship. Proponents of a will have the burden of establishing prima facie proof of due execution in all cases, and, if they are also petitioners, prima facie proof of death and venue. Contestants of a will have the burden of establishing lack of testamentary intent or capacity, undue influence, fraud, duress, mistake or revocation. Parties have the ultimate burden of persuasion as to matters with respect to which they have the initial burden of proof. If a will is opposed by the petition for probate of a later will revoking the former, it shall be determined first whether the later will is entitled to probate, and if a will is opposed by a petition for a declaration of intestacy, it shall be determined first whether the will is entitled to probate.

Sec. 524.3-408. [FORMAL TESTACY PROCEEDINGS; WILL CONSTRUCTION; EFFECT OF FINAL ORDER IN ANOTHER JURISDICTION.] A final order of a court of another state determining testacy, the validity or construction of a will, made in a proceeding involving notice to and an opportunity for contest by all interested persons must be accepted as determinative by the courts of this state if it includes, or is based upon, a finding that the decedent was domiciled at his death in the state where the order was made.

Sec. 524.3-409. [FORMAL TESTACY PROCEEDINGS; ORDER; FOREIGN WILL.] After the time required for any notice has expired, upon proof of notice, and after any hearing that may be necessary, if the court finds that the testator is dead, venue is proper and that the proceeding was commenced within the limitation prescribed by section 524.3-108, it shall determine the decedent's domicile at death, his heirs and his state of testacy. Any will found to be valid and unrevoked shall be formally probated. Termination of any previous informal appointment of a personal representative, which may be appropriate in view of the relief requested and findings, is governed by section 524.3-612. The petition shall be dismissed or appropriate amendment allowed if the court is not satisfied that the alleged decedent is dead. A will from a place which does not provide for probate of a will after death, may be proved for probate in this state by a duly authenticated certificate of its legal custodian that the copy introduced is a true copy and that the will has become effective under the law of the other place.

Sec. 524.3-410. [FORMAL TESTACY PROCEEDINGS; PROBATE OF MORE THAN ONE INSTRUMENT.] If two or more instruments are offered for probate before a final order is entered in a formal testacy proceeding, more than one instrument may be probated if neither expressly revokes the other or contains provisions which work a total revocation by implication. If more than one instrument is probated, the order shall indicate what provisions control in respect to the nomination of an executor, if any. The order may, but need not, indicate how any provisions of a particular instrument are affected by the other instrument. After a final order in a testacy proceeding has been entered, no petition for probate of any other instrument of the decedent may be entertained, except incident to a petition to vacate or modify a previous probate order and subject to the time limits of section 524.3-412.

Sec. 524.3-411. [FORMAL TESTACY PROCEEDINGS; PARTIAL INTESTACY.] If it becomes evident in the course of a formal testacy proceeding that, though one or more instruments are entitled to be probated, the decedent's estate is or may be partially intestate, the court shall enter an order to that effect.

Sec. 524.3-412. [FORMAL TESTACY PROCEEDINGS; EFFECT OF ORDER; VACATION.] Subject to appeal and subject to vacation as provided herein and in section 524.3-413, a formal testacy order under sections 524.3-409 to 524.3-411, including an order that the decedent left no valid will and determining heirs, is

final as to all persons with respect to all issues concerning the decedent's estate that the court considered or might have considered incident to its rendition relevant to the question of whether the decedent left a valid will, and to the determination of heirs, except that:

(1) the court shall entertain a petition for modification or vacation of its order and probate of another will of the decedent if it is shown that the proponents of the later-offered will were unaware of its existence at the time of the earlier proceeding or were unaware of the earlier proceeding and were given no notice thereof, except by publication.

(2) If intestacy of all or part of the estate has been ordered, the determination of heirs of the decedent may be reconsidered if it is shown that one or more persons were omitted from the determination and it is also shown that the persons were unaware of their relationship to the decedent, were unaware of his death or were given no notice of any proceeding concerning his estate, except by publication.

(3) A petition for vacation under either (1) or (2) above must be filed prior to the earlier of the following time limits:

(i) If a personal representative has been appointed for the estate, the time of entry of any order approving final distribution of the estate, or, if the estate is closed by statement, six months after the filing of the closing statement.

(ii) Whether or not a personal representative has been appointed for the estate of the decedent, the time prescribed by section 524.3-108 when it is no longer possible to initiate an original proceeding to probate a will of the decedent.

(iii) 12 months after the entry of the order sought to be vacated.

(4) The order originally rendered in the testacy proceeding may be modified or vacated, if appropriate under the circumstances, by the order of probate of the later-offered will or the order redetermining heirs.

(5) The finding of the fact of death is conclusive as to the alleged decedent only if notice of the hearing on the petition in the formal testacy proceeding was sent by registered or certified mail addressed to the alleged decedent at his last known address and the court finds that a search under section 524.3-403(b) was made.

If the alleged decedent is not dead, even if notice was sent and search was made, he may recover estate assets in the hands of the personal representative. In addition to any remedies available to the alleged decedent by reason of any fraud or intentional wrongdoing, the alleged decedent may recover any estate or its proceeds from distributees that is in their hands, or the value of distributions received by them, to the extent that any recovery from distributees is equitable in view of all of the circumstances.

Sec. 524.3-413. [FORMAL TESTACY PROCEEDINGS; VACATION OR ORDER FOR OTHER CAUSE.] For good cause shown, an order in a formal testacy proceeding may be modified or vacated within the time allowed for appeal.

Sec. 524.3-414. [FORMAL PROCEEDINGS CONCERNING APPOINTMENT OF PERSONAL REPRESENTATIVE.] (a) A formal proceeding for adjudication regarding the priority or qualification of one who is an applicant for appointment as personal representative, or of one who previously has been appointed personal representative in informal proceedings, if an issue concerning the testacy of the decedent is or may be involved, is governed by section 524.3-402, as well as by this section. In other cases, the petition shall contain or adopt the statements required by section 524.3-301(1) and describe the question relating to priority or qualification of the personal representative which is to be resolved. If the proceeding precedes any appointment of a personal representative, it shall stay any pending informal appointment proceedings as well as any commenced thereafter. If the proceeding is commenced after appointment, the previously appointed personal representative, after receipt of notice thereof, shall refrain from exercising any power of administration except as necessary to preserve the estate or unless the court orders otherwise.

(b) After notice to interested persons, including all persons interested in the administration of the estate as successors under the applicable assumption concerning testacy, any previously appointed personal representative and any person having or claiming priority for appointment as personal representative, the court shall determine who is entitled to appointment under section 524.3-203, make a proper appointment and, if appropriate, terminate any prior appointment found to have been improper as provided in cases of removal under section 524.3-611.

PART 5

SUPERVISED ADMINISTRATION

Sec. 524.3-501 [SUPERVISED ADMINISTRATION; NATURE OF PROCEEDING.] Supervised administration is a single in rem proceeding to secure complete administration and settlement of a decedent's estate under the continuing authority of the court which extends until entry of an order approving distribution of the estate and discharging the personal representative or other order terminating the proceeding. A supervised personal representative is responsible to the court, as well as to the interested parties, and is subject to directions concerning the estate made by the court on its own motion or on the motion of any interested party. Except as otherwise provided in this part, or as otherwise ordered by the court, a supervised personal representative has the same duties and powers as a personal representative who is not supervised.

Sec. 524.3-502. [SUPERVISED ADMINISTRATION; PETITION; ORDER.] A petition for supervised administration may be filed by any interested person or by a personal representative

at any time or the prayer for supervised administration may be joined with a petition in a testacy or appointment proceeding. If the testacy of the decedent and the priority and qualification of any personal representative have not been adjudicated previously, the petition for supervised administration shall include the matters required of a petition in a formal testacy proceeding and the notice requirements and procedures applicable to a formal testacy proceeding apply. If not previously adjudicated, the court shall adjudicate the testacy of the decedent and questions relating to the priority and qualifications of the personal representative in any case involving a request for supervised administration, even though the request for supervised administration may be denied. After notice to interested persons, the court shall order supervised administration of a decedent's estate: (1) if the decedent's will directs supervised administration, it shall be ordered unless the court finds that circumstances bearing on the need for supervised administration have changed since the execution of the will and that there is no necessity for supervised administration; (2) if the decedent's will directs unsupervised administration, supervised administration shall be ordered only upon a finding that it is necessary for protection of persons interested in the estate; or (3) in other cases if the court finds that supervised administration is necessary under the circumstances.

Sec. 524.3-503. [SUPERVISED ADMINISTRATION; EFFECT ON OTHER PROCEEDINGS.] (a) The pendency of a proceeding for supervised administration of a decedent's estate stays action on any informal application then pending or thereafter filed.

(b) If a will has been previously probated in informal proceedings, the effect of the filing of a petition for supervised administration is as provided for formal testacy proceedings by section 524.3-401.

(c) After he has received notice of the filing of a petition for supervised administration, a personal representative who has been appointed previously shall not exercise his power to distribute any estate. The filing of the petition does not affect his other powers and duties unless the court restricts the exercise of any of them pending full hearing on the petition.

Sec. 524.3-504. [SUPERVISED ADMINISTRATION; POWERS OF PERSONAL REPRESENTATIVE.] Unless restricted by the court, a supervised personal representative has, without interim orders approving exercise of a power, all powers of personal representatives under this chapter, but he shall not exercise his power to make any distribution of the estate without prior order of the court. Any other restriction on the power of a personal representative which may be ordered by the court must be endorsed on his letters of appointment and, unless so endorsed, is ineffective as to persons dealing in good faith with the personal representative.

Sec. 524.3-505. [SUPERVISED ADMINISTRATION; INTERIM ORDERS; DISTRIBUTION AND CLOSING

ORDERS.] Unless otherwise ordered by the court, supervised administration is terminated by order in accordance with time restrictions, notices and contents of orders prescribed for proceedings under section 524.3-1001. Interim orders approving or directing partial distributions or granting other relief may be issued by the court at any time during the pendency of a supervised administration on the application of the personal representative or any interested person.

PART 6

PERSONAL REPRESENTATIVE; APPOINTMENT, CONTROL AND TERMINATION OF AUTHORITY

Sec. 524.3-601. [QUALIFICATION.] Prior to receiving letters, a personal representative shall qualify by filing with the appointing court any required bond and a statement of acceptance of the duties of the office.

Sec. 524.3-602. [ACCEPTANCE OF APPOINTMENT; CONSENT TO JURISDICTION.] By accepting appointment, a personal representative submits personally to the jurisdiction of the court in any proceeding relating to the estate that may be instituted by any interested person. Notice of any proceeding shall be delivered to the personal representative, or mailed to him by ordinary first class mail at his address as listed in the application or petition for appointment or as thereafter reported to the court and to his address as then known to the petitioner.

Sec. 524.3-603 [BOND NOT REQUIRED WITHOUT COURT ORDER, EXCEPTIONS.] No bond is required of a personal representative appointed in informal proceedings, except (1) upon the appointment of a special administrator; (2) when an executor or other personal representative is appointed to administer an estate under a will containing an express requirement of bond or (3) when bond is required under section 524.3-605. Bond may be required by court order at the time of appointment of a personal representative appointed in any formal proceeding except that bond is not required of a personal representative appointed in formal proceedings if the will relieves the personal representative of bond, unless bond has been requested by an interested party and the court is satisfied that it is desirable. Bond required by any will may be dispensed with in formal proceedings upon determination by the court that it is not necessary. No bond is required of any personal representative who, pursuant to statute, has deposited cash or collateral with an agency of this state to secure performance of his duties.

Sec. 524.3-604. [BOND AMOUNT; SECURITY; PROCEDURE: REDUCTION.] If bond is required and the provisions of the will or order do not specify the amount, unless stated in his application or petition, the person qualifying shall file a statement under oath with the registrar indicating his best estimate of the value of the personal estate of the decedent and of the income expected from the personal and real estate during the next year, and he shall execute and file a bond with the registrar, or give

other suitable security, in an amount not less than the estimate. The registrar shall determine that the bond is duly executed by a corporate surety, or one or more individual sureties whose performance is secured by pledge of personal property, mortgage on real property or other adequate security. The registrar may permit the amount of the bond to be reduced by the value of assets of the estate deposited with a domestic financial institution, as defined in section 528.02, in a manner that prevents their unauthorized disposition. On petition of the personal representative or another interested person the court may excuse a requirement of bond, increase or reduce the amount of the bond, release sureties, or permit the substitution of another bond with the same or different sureties.

Sec. 524.3-605. [DEMAND FOR BOND BY INTERESTED PERSON.] Any person apparently having an interest in the estate worth in excess of \$1,000, or any creditor having a claim in excess of \$1,000, may make a written demand that a personal representative give bond. The demand must be filed with the registrar and a copy mailed to the personal representative, if appointment and qualification have occurred. Thereupon, bond is required, but the requirement ceases if the person demanding bond ceases to be interested in the estate, or if bond is excused as provided in sections 524.3-603 or 524.3-604. After he has received notice and until the filing of the bond or cessation of the requirement of bond, the personal representative shall refrain from exercising any powers of his office except as necessary to preserve the estate. Failure of the personal representative to meet a requirement of bond by giving suitable bond within 30 days after receipt of notice is cause for his removal and appointment of a successor personal representative.

Sec. 524.3-606. [TERMS AND CONDITIONS OF BONDS.]
(a) The following requirements and provisions apply to any bond required by this part:

(1) Bonds shall name the state as obligee for the benefit of the persons interested in the estate and shall be conditioned upon the faithful discharge by the fiduciary of all duties according to law.

(2) Unless otherwise provided by the terms of the approved bond, sureties are jointly and severally liable with the personal representative and with each other. The address of sureties shall be stated in the bond.

(3) By executing an approved bond of a personal representative, the surety consents to the jurisdiction of the probate court which issued letters to the primary obligor in any proceedings pertaining to the fiduciary duties of the personal representative and naming the surety as a party. Notice of any proceeding shall be delivered to the surety or mailed to him by registered or certified mail at his address as listed with the court where the bond is filed and to his address as then known to the petitioner.

(4) On petition of a successor personal representative, any other personal representative of the same decedent, or any in-

terested person, a proceeding in the court may be initiated against a surety for breach of the obligation of the bond of the personal representative.

(5) The bond of the personal representative is not void after the first recovery but may be proceeded against from time to time until the whole penalty is exhausted.

(b) No action or proceeding may be commenced against the surety on any matter as to which an action or proceeding against the primary obligor is barred by adjudication or limitation.

Sec. 524.3-607. [ORDER RESTRAINING PERSONAL REPRESENTATIVE.] (a) On petition of any person who appears to have an interest in the estate, the court by temporary order may restrain a personal representative from performing specified acts of administration, disbursement, or distribution, or exercise of any powers or discharge of any duties of his office, or make any other order to secure proper performance of his duty, if it appears to the court that the personal representative otherwise may take some action which would jeopardize unreasonably the interest of the applicant or of some other interested person. Persons with whom the personal representative may transact business may be made parties.

(b) The matter shall be set for hearing within ten days unless the parties otherwise agree. Notice as the court directs shall be given to the personal representative and his attorney of record, if any, and to any other parties named defendant in the petition.

Sec. 524.3-608. [TERMINATION OF APPOINTMENT; GENERAL.] Termination of appointment of a personal representative occurs as indicated in sections 524.3-609 to 524.3-612, inclusive. Termination ends the right and power pertaining to the office of personal representative as conferred by this chapter or any will, except that a personal representative, at any time prior to distribution or until restrained or enjoined by court order, may perform acts necessary to protect the estate and may deliver the assets to a successor representative. Termination does not discharge a personal representative from liability for transactions or omissions occurring before termination, or relieve him of the duty to preserve assets subject to his control, to account therefor and to deliver the assets. Termination does not affect the jurisdiction of the court over the personal representative, but terminates his authority to represent the estate in any pending or future proceeding.

Sec. 524.3-609. [TERMINATION OF APPOINTMENT; DEATH OR DISABILITY.] The death of a personal representative or the appointment of a conservator for the estate of a personal representative, terminates his appointment. Until appointment and qualification of a successor or special representative to replace the deceased or protected representative, the representative of the estate of the deceased or protected personal representative, if any, has the duty to protect the estate possessed and being administered by his decedent or ward at the time his

appointment terminates, has the power to perform acts necessary for protection and shall account for and deliver the estate assets to a successor or special personal representative upon his appointment and qualification.

Sec. 524.3-610. [TERMINATION OF APPOINTMENT; VOLUNTARY.] (a) An appointment of a personal representative terminates as provided in section 524.3-1003, one year after the filing of a closing statement.

(b) An order closing an estate as provided in section 524.3-1001 or 524.3-1002 terminates an appointment of a personal representative.

(c) A personal representative may resign his position by filing a written statement of resignation with the registrar after he has given at least 15 days written notice to the persons known to be interested in the estate. If no one applies or petitions for appointment of a successor representative within the time indicated in the notice, the filed statement of resignation is ineffective as a termination of appointment and in any event is effective only upon the appointment and qualification of a successor representative and delivery of the assets to him.

Sec. 524.3-611. [TERMINATION OF APPOINTMENT BY REMOVAL; CAUSE; PROCEDURE.] (a) A person interested in the estate may petition for removal of a personal representative for cause at any time. Upon filing of the petition, the court shall fix a time and place for hearing. Notice shall be given by the petitioner to the personal representative, and to other persons as the court may order. Except as otherwise ordered as provided in section 524.3-607, after receipt of notice of removal proceedings, the personal representative shall not act except to account, to correct maladministration or preserve the estate. If removal is ordered, the court also shall direct by order the disposition of the assets remaining in the name of, or under the control of, the personal representative being removed.

(b) Cause for removal exists when removal would be in the best interests of the estate, or if it is shown that a personal representative or the person seeking his appointment intentionally misrepresented material facts in the proceedings leading to his appointment, or that the personal representative has disregarded an order of the court, has become incapable of discharging the duties of his office, or has mismanaged the estate or failed to perform any duty pertaining to the office. Unless the decedent's will directs otherwise, a personal representative appointed at the decedent's domicile, incident to securing appointment of himself or his nominee as ancillary personal representative, may obtain removal of another who was appointed personal representative in this state to administer local assets.

Sec. 524.3-612. [TERMINATION OF APPOINTMENT; CHANGE OF TESTACY STATUS.] Except as otherwise ordered in formal proceedings, the probate of a will subsequent to the appointment of a personal representative in intestacy or under a will which is superseded by for-

mal probate of another will, or the vacation of an informal probate of a will subsequent to the appointment of the personal representative thereunder, does not terminate the appointment of the personal representative although his powers may be reduced as provided in section 524.3-401. Termination occurs upon appointment in informal or formal appointment proceedings of a person entitled to appointment under the later assumption concerning testacy. If no request for new appointment is made within 30 days after expiration of time for appeal from the order in formal testacy proceedings, or from the informal probate, changing the assumption concerning testacy, the previously appointed personal representative upon request may be appointed personal representative under the subsequently probated will, or as in intestacy as the case may be.

Sec. 524.3-613. [SUCCESSOR PERSONAL REPRESENTATIVE.] Parts 3 and 4 of this article govern proceedings for appointment of a personal representative to succeed one whose appointment has been terminated. After appointment and qualification, a successor personal representative may be substituted in all actions and proceedings to which the former personal representative was a party, and no notice, process or claim which was given or served upon the former personal representative need be given to or served upon the successor in order to preserve any position or right the person giving notice or filing the claim may thereby have obtained or preserved with reference to the former personal representative. Except as otherwise ordered by the court, the successor personal representative has the powers and duties in respect to the continued administration which the former personal representative would have had if his appointment had not been terminated.

Sec. 524.3-614. [SPECIAL ADMINISTRATOR; APPOINTMENT.] A special administrator may be appointed:

(1) informally by the registrar on the application of any interested person when necessary to protect the estate of a decedent prior to the appointment of a general personal representative or if a prior appointment has been terminated as provided in section 524.3-609;

(2) in a formal proceeding by order of the court on the petition of any interested person and finding, after notice and hearing, that appointment is necessary to preserve the estate or to secure its proper administration including its administration in circumstances where a general personal representative cannot or should not act. If it appears to the court that an emergency exists, appointment may be ordered without notice.

Sec. 524.3-615 [SPECIAL ADMINISTRATOR; WHO MAY BE APPOINTED.] (a) If a special administrator is to be appointed pending the probate of a will which is the subject of a pending application or petition for probate, the person named executor in the will shall be appointed if available, and qualified.

(b) In other cases, any proper person may be appointed special administrator.

Sec. 524.3-616. [SPECIAL ADMINISTRATOR; APPOINTED INFORMALLY; POWERS AND DUTIES.] A special administrator

appointed by the registrar in informal proceedings pursuant to section 524.3-614(1) has the duty to collect and manage the assets of the estate, to preserve them, to account therefor and to deliver them to the general personal representative upon his qualification. The special administrator has the power of a personal representative under the chapter necessary to perform his duties.

Sec. 524.3-617. [SPECIAL ADMINISTRATOR; FORMAL PROCEEDINGS; POWER AND DUTIES.] A special administrator appointed by order of the court in any formal proceeding has the power of a general personal representative except as limited in the appointment and duties as prescribed in the order. The appointment may be for a specified time, to perform particular acts or on other terms as the court may direct.

Sec. 524.3-618. [TERMINATION OF APPOINTMENT; SPECIAL ADMINISTRATOR.] The appointment of a special administrator terminates in accordance with the provisions of the order of appointment or on the appointment of a general personal representative. In other cases, the appointment of a special administrator is subject to termination as provided in sections 524.3-608 through 524.3-611.

PART 7

DUTIES AND POWERS OF PERSONAL REPRESENTATIVES

Sec. 524.3-701. [TIME OF ACCRUAL OF DUTIES AND POWERS.] The duties and powers of a personal representative commence upon his appointment. The powers of a personal representative relate back in time to give acts by the person appointed which are beneficial to the estate occurring prior to appointment the same effect as those occurring thereafter. Prior to appointment, a person named executor in a will may carry out written instructions of the decedent relating to his body, funeral and burial arrangements. A personal representative may ratify and accept acts on behalf of the estate done by others where the acts would have been proper for a personal representative.

Sec. 524.3-702. [PRIORITY AMONG DIFFERENT LETTERS.] A person to whom general letters are issued first has exclusive authority under the letters until his appointment is terminated or modified. If, through error, general letters are afterwards issued to another, the first appointed representative may recover any property of the estate in the hands of the representative subsequently appointed, but the acts of the latter done in good faith before notice of the first letters are not void for want of validity of appointment.

Sec. 524.3-703. [GENERAL DUTIES; RELATION AND LIABILITY TO PERSONS INTERESTED IN ESTATE; STANDING TO SUE.] (a) A personal representative is a fiduciary who shall observe the standards of care applicable to trustees.

A personal representative is under a duty to settle and distribute the estate of the decedent in accordance with the terms of any probated and effective will and this chapter, and as expeditiously and efficiently as is consistent with the best interests of the estate. He shall use the authority conferred upon him by this chapter, the terms of the will, if any, and any order in proceedings to which he is party for the best interests of successors to the estate.

(b) A personal representative shall not be surcharged for acts of administration or distribution if the conduct in question was authorized at the time. Subject to other obligations of administration, an informally probated will is authority to administer and distribute the estate according to its terms. An order of appointment of a personal representative, whether issued in informal or formal proceedings, is authority to distribute apparently intestate assets to the heirs of the decedent if, at the time of distribution, the personal representative is not aware of a pending testacy proceeding, a proceeding to vacate an order entered in an earlier testacy proceeding, a formal proceeding questioning his appointment or fitness to continue, or a supervised administration proceeding. Nothing in this section affects the duty of the personal representative to administer and distribute the estate in accordance with the rights of claimants, the surviving spouse, any minor and dependent children and any pretermitted child of the decedent as described elsewhere.

(c) Except as to proceedings which do not survive the death of the decedent, a personal representative of a decedent domiciled in this state at his death has the same standing to sue and be sued in the courts of this state and the courts of any other jurisdiction as his decedent had immediately prior to death.

Sec. 524.3-704. [PERSONAL REPRESENTATIVE TO PROCEED WITHOUT COURT ORDER; EXCEPTION.] A personal representative shall proceed expeditiously with the settlement and distribution of a decedent's estate and, except as otherwise specified or ordered in regard to a supervised personal representative, do so without adjudication, order, or direction of the court, but he may invoke the jurisdiction of the court, in proceedings authorized by this chapter, to resolve questions concerning the estate or its administration.

Sec. 524.3-705. [DUTY OF PERSONAL REPRESENTATIVE; INFORMATION TO HEIRS AND DEVISEES.] Not later than 30 days after his appointment every personal representative, except any special administrator, shall give information of his appointment to the heirs and devisees, including, if there has been no formal testacy proceeding and if the personal representative was appointed on the assumption that the decedent died intestate, the devisees in any will mentioned in the application for appointment of a personal representative. The information shall be delivered or sent by ordinary mail to each of the heirs and devisees whose address is reasonably available to the personal representative. The duty does not extend to require information to persons who have been adjudicated in a prior formal testacy proceeding to have no interest in the estate. The information shall include the name and address of the personal representative, indicate that it is being sent to persons who have or may have some interest in the estate being administered, indicate whether bond has been filed, and describe the court where papers relating to the estate are on file. The personal representative's failure to give this information is a breach of his duty to the persons concerned but does not affect the validity of his appointment, his powers or other duties. A personal representative may inform other persons of his appointment by delivery or ordinary first class mail.

Sec. 524.3-706. [DUTY OF PERSONAL REPRESENTATIVE;

INVENTORY AND APPRAISEMENT.] Within three months after his appointment, a personal representative, who is not a special administrator or a successor to another representative who has previously discharged this duty, shall prepare and file or mail an inventory of property owned by the decedent at the time of his death, listing it with reasonable detail, and indicating as to each listed item, its fair market value as of the date of the decedent's death, and the type and amount of any encumbrance that may exist with reference to any item.

The personal representative shall send a copy of the inventory to interested persons who request it, or he may file the original of the inventory with the court.

Sec. 524.3-707. [EMPLOYMENT OF APPRAISERS.] The personal representative may employ a qualified and disinterested appraiser to assist him in ascertaining the fair market value as of the date of the decedent's death of any asset the value of which may be subject to reasonable doubt. Different persons may be employed to appraise different kinds of assets included in the estate. The names and addresses of any appraiser shall be indicated on the inventory with the item or items he appraised.

Sec. 524.3-708. [DUTY OF PERSONAL REPRESENTATIVE; SUPPLEMENTARY INVENTORY.] If any property not included in the original inventory comes to the knowledge of a personal representative or if the personal representative learns that the value or description indicated in the original inventory for any item is erroneous or misleading, he shall make a supplementary inventory or appraisal showing the market value as of the date of the decedent's death of the new item or the revised market value or descriptions, and the appraisers or other data relied upon, if any, and file it with the court if the original inventory was filed, or furnish copies thereof or information thereof to persons interested in the new information.

Sec. 524.3-709. [DUTY OF PERSONAL REPRESENTATIVE; POSSESSION OF ESTATE.] Except as otherwise provided by a decedent's will, every personal representative has a right to, and shall take possession or control of, the decedent's property, except that any real property or tangible personal property may be left with or surrendered to the person presumptively entitled thereto unless or until, in the judgment of the personal representative, possession of the property by him will be necessary for purposes of administration. The request by a personal representative for delivery of any property possessed by an heir or devisee is conclusive evidence, in any action against the heir or devisee for possession thereof, that the possession of the property by the personal representative is necessary for purposes of administration. The personal representative shall pay taxes on, and take all steps reasonably necessary for the management, protection and preservation of, the estate in his possession. He may maintain an action to recover possession of property or to determine the title thereto.

Sec. 524.3-710. [POWER TO AVOID TRANSFERS.] The property liable for the payment of unsecured debts of a decedent includes all property transferred by him by any means which is in law void or voidable as against his creditors, and subject to prior

liens, the right to recover this property, so far as necessary for the payment of unsecured debts of the decedent, is exclusively in the personal representative.

Sec. 524.3-711. [POWERS OF PERSONAL REPRESENTATIVES; IN GENERAL.] Until termination of his appointment a personal representative has the same power over the title to property of the estate that an absolute owner would have, in trust however, for the benefit of the creditors and others interested in the estate. This power may be exercised without notice, hearing, or order of court.

Sec. 524.3-712. [IMPROPER EXERCISE OF POWER; BREACH OF FIDUCIARY DUTY.] If the exercise of power concerning the estate is improper, the personal representative is liable to interested persons for damage or loss resulting from breach of his fiduciary duty to the same extent as a trustee of an express trust. The rights of purchasers and others dealing with a personal representative shall be determined as provided in sections 524.3-713 and 524.3-714.

Sec. 524.3-713. [SALE, ENCUMBRANCE OR TRANSACTION INVOLVING CONFLICT OF INTEREST; VOIDABLE; EXCEPTIONS.] Any sale or encumbrance to the personal representative, his spouse, agent or attorney, or any corporation or trust in which he has a substantial beneficial interest, or any transaction which is affected by a substantial conflict of interest on the part of the personal representative, is voidable by any person interested in the estate except one who has consented after fair disclosure, unless

(1) the will or a contract entered into by the decedent expressly authorized the transaction; or

(2) the transaction is approved by the court after notice to interested persons.

Sec. 524.3-714. [PERSONS DEALING WITH PERSONAL REPRESENTATIVE; PROTECTION.] A person who in good faith either assists a personal representative or deals with him for value is protected as if the personal representative properly exercised his power. The fact that a person knowingly deals with a personal representative does not alone require the person to inquire into the existence of a power or the propriety of its exercise. Except for restrictions on powers of supervised personal representatives which are endorsed on letters as provided in section 524.3-504, no provision in any will or order of court purporting to limit the power of a personal representative is effective except as to persons with actual knowledge thereof. A person is not bound to see to the proper application of estate assets paid or delivered to a personal representative. The protection here expressed extends to instances in which some procedural irregularity or jurisdictional defect occurred in proceedings leading to the issuance of letters, including a case in which the alleged decedent is found to be alive. The protection here expressed is not by substitution for that provided by comparable provisions of the laws relating to com-

mercial transactions and laws simplifying transfers of securities by fiduciaries.

Sec. 524.3-715. [TRANSACTIONS AUTHORIZED FOR PERSONAL REPRESENTATIVES; EXCEPTIONS.] Except as restricted or otherwise provided by the will or by an order in a formal proceeding and subject to the priorities stated in section 524.3-902, a personal representative, acting reasonably for the benefit of the interested persons, may properly:

(1) retain assets owned by the decedent pending distribution or liquidation including those in which the representative is personally interested or which are otherwise improper for trust investment;

(2) receive assets from fiduciaries, or other sources;

(3) perform, compromise or refuse performance of the decedent's contracts that continue as obligations of the estate, as he may determine under the circumstances. In performing enforceable contracts by the decedent to convey or lease land, the personal representative, among other possible courses of action, may:

(i) execute and deliver a deed of conveyance for cash payment of all sums remaining due or the purchaser's note for the sum remaining due secured by a mortgage or deed of trust on the land; or

(ii) deliver a deed in escrow with directions that the proceeds, when paid in accordance with the escrow agreement, be paid to the successors of the decedent, as designated in the escrow agreement;

(4) satisfy written charitable pledges of the decedent irrespective of whether the pledges constituted binding obligations of the decedent or were properly presented as claims, if in the judgment of the personal representative the decedent would have wanted the pledges completed under the circumstances;

(5) if funds are not needed to meet debts and expenses currently payable and are not immediately distributable, deposit or invest liquid assets of the estate, including moneys received from the sale of other assets, in federally insured interest-bearing accounts, readily marketable secured loan arrangements or other prudent investments which would be reasonable for use by trustees generally;

(6) acquire or dispose of an asset, including land in this or another state, for cash or on credit, at public or private sale; and manage, develop, improve, exchange, partition, change the character of, or abandon an estate asset;

(7) make ordinary or extraordinary repairs or alterations in buildings or other structures, demolish any improvements, raze existing or erect new party walls or buildings;

(8) subdivide, develop or dedicate land to public use; make or obtain the vacation of plats and adjust boundaries; or adjust differences in valuation on exchange or partition by giving or

receiving considerations; or dedicate easements to public use without consideration;

(9) enter for any purpose into a lease as lessor or lessee, with or without option to purchase or renew, for a term within or extending beyond the period of administration;

(10) enter into a lease or arrangement for exploration and removal of minerals or other natural resources or enter into a pooling or unitization agreement;

(11) abandon property when, in the opinion of the personal representative, it is valueless, or is so encumbered, or is in condition that it is of no benefit to the estate;

(12) vote stocks or other securities in person or by general or limited proxy;

(13) pay calls, assessments, and other sums chargeable or accruing against or on account of securities, unless barred by the provisions relating to claims;

(14) hold a security in the name of a nominee or in other form without disclosure of the interest of the estate but the personal representative is liable for any act of the nominee in connection with the security so held;

(15) insure the assets of the estate against damage, loss and liability and himself against liability as to third persons;

(16) borrow money with or without security to be repaid from the estate assets or otherwise; and advance money for the protection of the estate;

(17) effect a fair and reasonable compromise with any debtor or obligor, or extend, renew or in any manner modify the terms of any obligation owing to the estate. If the personal representative holds a mortgage, pledge or other lien upon property of another person, he may, in lieu of foreclosure, accept a conveyance or transfer of encumbered assets from the owner thereof in satisfaction of the indebtedness secured by lien;

(18) pay taxes, assessments, compensation of the personal representative, and other expenses incident to the administration of the estate;

(19) sell or exercise stock subscription or conversion rights; consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution, or liquidation of a corporation or other business enterprise;

(20) allocate items of income or expense to either estate income or principal, as permitted or provided by law;

(21) employ persons, including attorneys, auditors, investment advisors, or agents, even if they are associated with the personal representative, to advise or assist the personal representative in the performance of his administrative duties; act without independent investigation upon their recommendations; and instead of

acting personally, employ one or more agents to perform any act of administration, whether or not discretionary;

(22) prosecute or defend claims, or proceedings in any jurisdiction for the protection of the estate and of the personal representative in the performance of his duties;

(23) sell, mortgage, or lease any real or personal property of the estate or any interest therein for cash, credit, or for part cash and part credit, and with or without security for unpaid balances;

(24) continue any unincorporated business or venture in which the decedent was engaged at the time of his death (i) in the same business form for a period of not more than four months from the date of appointment of a general personal representative if continuation is a reasonable means of preserving the value of the business including good will; (ii) in the same business form for any additional period of time that may be approved by order of the court in a formal proceeding to which the persons interested in the estate are parties; or (iii) throughout the period of administration if the business is incorporated by the personal representative and if none of the probable distributees of the business who are competent adults object to its incorporation and retention in the estate;

(25) incorporate any business or venture in which the decedent was engaged at the time of his death;

(26) provide for exoneration of the personal representative from personal liability in any contract entered into on behalf of the estate;

(27) satisfy and settle claims and distribute the estate as provided in this chapter.

Sec. 524.3-716. [POWERS AND DUTIES OF SUCCESSOR PERSONAL REPRESENTATIVE.] A successor personal representative has the same power and duty as the original personal representative to complete the administration and distribution of the estate, as expeditiously as possible, but he shall not exercise any power expressly made personal to the executor named in the will.

Sec. 524.3-717. [CO-REPRESENTATIVES; WHEN JOINT ACTION REQUIRED.] If two or more persons are appointed co-representatives and unless the will provides otherwise, the concurrence of all is required on all acts connected with the administration and distribution of the estate. This restriction does not apply when any co-representative receives and receipts for property due the estate, when the concurrence of all cannot readily be obtained in the time reasonably available for emergency action necessary to preserve the estate, or when a co-representative has been delegated to act for the others. Persons dealing with a co-representative if actually unaware that another has been appointed to serve with him or if advised by the personal representative with whom they deal that he has authority to act alone for any of the reasons mentioned herein, are as fully protected as if

the person with whom they dealt had been the sole personal representative.

Sec. 524.3-718. [POWERS OF SURVIVING PERSONAL REPRESENTATIVE.] Unless the terms of the will otherwise provide, every power exercisable by personal co-representatives may be exercised by the one or more remaining after the appointment of one or more is terminated, and if one of two or more nominated as co-executors is not appointed, those appointed may exercise all the powers incident to the office.

Sec. 524.3-719. [COMPENSATION OF PERSONAL REPRESENTATIVE.] A personal representative is entitled to reasonable compensation for his services. If a will provides for compensation of the personal representative and there is no contract with the decedent regarding compensation, he may renounce the provision before qualifying and be entitled to reasonable compensation. A personal representative also may renounce his right to all or any part of the compensation. A written renunciation of fee may be filed with the court.

Sec. 524.3-720. [EXPENSES IN ESTATE LITIGATION.] If any personal representative or person nominated as personal representative defends or prosecutes any proceeding in good faith, whether successful or not he is entitled to receive from the estate his necessary expenses and disbursements including reasonable attorneys' fees incurred.

Sec. 524.3-721. [PROCEEDINGS FOR REVIEW OF EMPLOYMENT OF AGENTS AND COMPENSATION OF PERSONAL REPRESENTATIVES AND EMPLOYEES OF ESTATE.] After notice to all interested persons or on petition of an interested person or on appropriate motion if administration is supervised, the propriety of employment of any person by a personal representative including any attorney, auditor, investment advisor or other specialized agent or assistant, the reasonableness of the compensation of any person so employed, or the reasonableness of the compensation determined by the personal representative for his own services, may be reviewed by the court. Any person who has received excessive compensation from an estate for services rendered may be ordered to make appropriate refunds.

PART 9

SPECIAL PROVISIONS RELATING TO DISTRIBUTION

Sec. 524.3-901. [SUCCESSORS' RIGHTS IF NO ADMINISTRATION.] In the absence of administration, the heirs and devisees are entitled to the estate in accordance with the terms of a probated will or the laws of intestate succession. Devisees may establish title by the probated will to devised property. Persons entitled to property by homestead allowance, exemption or intestacy may establish title thereto by proof of the decedent's ownership, his death, and their relationship to the decedent. Successors take subject to all charges incident to administration, including the claims of creditors and allowances of surviving spouse and dependent children, and subject to the rights of others resulting from abatement, retainer, advancement, and ademption.

Sec. 524.3-902. [DISTRIBUTION; ORDER IN WHICH ASSETS APPROPRIATED; ABATEMENT.] (a) Except as provided in subsection (b) and except as provided in connection with the share of the surviving spouse who elects to take an elective share, shares of distributees abate, without any preference or priority as between real and personal property, in the following order: (1) property not disposed of by the will; (2) residuary devises; (3) general devises; (4) specific devises. For purposes of abatement, a general devise charged on any specific property or fund is a specific devise to the extent of the value of the property on which it is charged, and upon the failure or insufficiency of the property on which it is charged, a general devise to the extent of the failure or insufficiency. Abatement within each classification is in proportion to the amounts of property each of the beneficiaries would have received if full distribution of the property had been made in accordance with the terms of the will.

(b) If the will expresses an order of abatement, or if the testamentary plan or the express or implied purpose of the devise would be defeated by the order of abatement stated in subsection (a), the shares of the distributees abate as may be found necessary to give effect to the intention of the testator.

(c) If the subject of a preferred devise is sold or used incident to administration, abatement shall be achieved by appropriate adjustments in, or contribution from, other interests in the remaining assets.

Sec. 524.3-903. [RIGHT OF RETAINER.] The amount of a non-contingent indebtedness of a successor to the estate if due, or its present value if not due, shall be offset against the successor's interest; but the successor has the benefit of any defense which would be available to him in a direct proceeding for recovery of the debt.

Sec. 524.3-904. [INTEREST ON GENERAL PECUNIARY DEVISE.] General pecuniary devises bear interest at the legal rate beginning one year after the first appointment of a personal representative until payment, unless a contrary intent is indicated by the will.

Sec. 524.3-905. [PENALTY CLAUSE FOR CONTEST.] A provision in a will purporting to penalize any interested person for contesting the will or instituting other proceedings relating to the estate is unenforceable if probable cause exists for instituting proceedings.

Sec. 524.3-906. [DISTRIBUTION IN KIND; VALUATION; METHOD.] (a) Unless a contrary intention is indicated by the will, the distributable assets of a decedent's estate shall be distributed in kind to the extent possible through application of the following provisions:

(1) A specific devisee is entitled to distribution of the thing devised to him, and a spouse or child who has selected particular assets of an estate shall receive the items selected.

(2) Any homestead or family allowance or devise payable in money may be satisfied by value in kind provided

(i) the person entitled to the payment has not demanded payment in cash;

(ii) the property distributed in kind is valued at fair market value as of the date of its distribution, and

(iii) no residuary devisee has requested that the asset in question remain a part of the residue of the estate.

(3) For the purpose of valuation under paragraph (2) securities regularly traded on recognized exchanges, if distributed in kind, are valued at the price for the last sale of like securities, traded on the business day prior to distribution, or if there was no sale on that day, at the median between amounts bid and offered at the close of that day. Assets consisting of sums owed the decedent or the estate by solvent debtors as to which there is no known dispute or defense are valued at the sum due with accrued interest or discounted to the date of distribution. For assets which do not have readily ascertainable values, a valuation as of a date not more than 30 days prior to the date of distribution, if otherwise reasonable, controls. For purposes of facilitating distribution, the personal representative may ascertain the value of the assets as of the time of the proposed distribution in any reasonable way, including the employment of qualified appraisers, even if the assets may have been previously appraised.

(4) The residuary estate shall be distributed in kind if there is no objection to the proposed distribution and it is practicable to distribute undivided interests. In other cases, residuary property may be converted into cash for distribution.

(b) After the probable charges against the estate are known, the personal representative may mail or deliver a proposal for distribution to all persons who have a right to object to the proposed distribution. The right of any distributee to object to the proposed distribution on the basis of the kind or value of asset he is to receive, if not waived earlier in writing, terminates if he fails to object in writing received by the personal representative within 30 days after mailing or delivery of the proposal.

Sec. 524.3-907. [DISTRIBUTION IN KIND; EVIDENCE.] If distribution in kind is made, the personal representative shall execute an instrument or deed of distribution assigning, transferring or releasing the assets to the distributee as evidence of the distributee's title to the property.

Sec. 524.3-908. [DISTRIBUTION; RIGHT OR TITLE OF DISTRIBUTE.] Proof that a distributee has received an instrument or deed of distribution of assets in kind, or payment in distribution, from a personal representative, is conclusive evidence that the distributee has succeeded to the interest of the estate in the distributed assets, as against all persons interested in the estate, except that the personal representative may recover the assets or their value if the distribution was improper.

Sec. 524.3-909. [IMPROPER DISTRIBUTION; LIABILITY OF DISTRIBUTE.] Unless the distribution or payment no longer can be questioned because of adjudication, estoppel, or limitation, a distributee of property improperly distributed or paid, or a claimant who was improperly paid, is liable to return the property improperly received and its income since distribution if he has the property. If he does not have the property, then he is liable to return the value as of the date of disposition of the property improperly received and its income and gain received by him.

Sec. 524.3-910. [PURCHASERS FROM DISTRIBUTEES PROTECTED.] If property distributed in kind or a security interest therein is acquired by a purchaser, or lender, for value from a distributee who has received an instrument or deed of distribution from the personal representative, the purchaser or lender takes title free of any claims of the estate, whether or not the distribution was proper. To be protected under this provision, a purchaser or lender need not inquire whether a personal representative acted properly in making the distribution in kind.

Sec. 524.3-911. [PARTITION FOR PURPOSE OF DISTRIBUTION.] When two or more heirs or devisees are entitled to distribution of undivided interests in any real or personal property of the estate, the personal representative or one or more of the heirs or devisees may petition the court prior to the formal or informal closing of the estate, to make partition. After notice to the interested heirs or devisees, the court shall partition the property in the same manner as provided by the law for civil actions of partition. The court may direct the personal representative to sell any property which cannot be partitioned without prejudice to the owners and which cannot conveniently be allotted to any one party.

Sec. 524.3-912. [PRIVATE AGREEMENTS AMONG SUCCESSORS TO DECEDENT BINDING ON PERSONAL REPRESENTATIVE.] Subject to the rights of creditors and taxing authorities, competent successors may agree among themselves to alter the interests, shares, or amounts to which they are entitled under the will of the decedent, or under the laws of intestacy, in any way that they provide in a written contract executed by all who are affected by its provisions. The personal representative shall abide by the terms of the agreement subject to his obligation to administer the estate for the benefit of creditors, to pay all taxes and costs of administration, and to carry out the responsibilities of his office for the benefit of any successors of the decedent who are not parties. Personal representatives of decedents' estates are not required to see to the performance of trusts if the trustee thereof is another person who is willing to accept the trust. Accordingly, trustees of a testamentary trust are successors for the purposes of this section. Nothing herein relieves trustees of any duties owed to beneficiaries of trusts.

Sec. 524.3-913. [DISTRIBUTIONS TO TRUSTEE.] (a) Before distributing to a trustee, the personal representative may require that the trust be registered if the state in which it is to be

administered provides for registration and that the trustee inform the beneficiaries as provided in section 524.7-303.

(b) If the trust instrument does not excuse the trustee from giving bond, the personal representative may petition the appropriate court to require that the trustee post bond if he apprehends that distribution might jeopardize the interests of persons who are not able to protect themselves, and he may withhold distribution until the court has acted.

(c) No inference of negligence on the part of the personal representative shall be drawn from his failure to exercise the authority conferred by subsections (a) and (b).

Sec. 524.3-914. [DISPOSITION OF UNCLAIMED ASSETS.]

(a) If an heir, devisee or claimant cannot be found, the personal representative shall distribute the share of the missing person to his conservator, if any, otherwise to the state treasurer to become a part of the general fund.

(b) The money received by state treasurer shall be paid to the person entitled on proof of his right thereto or, if the state treasurer refuses or fails to pay, the person may petition the court which appointed the personal representative, whereupon the court upon notice to the state treasurer may determine the person entitled to the money and order the treasurer to pay it to him. No interest is allowed thereon and the heir, devisee or claimant shall pay all costs and expenses incident to the proceeding. If no petition is made to the court within eight years after payment to the state treasurer, the right of recovery is barred.

Sec. 524.3-915. [DISTRIBUTION TO PERSON UNDER DISABILITY.] A personal representative may discharge his obligation to distribute to any person under legal disability by distributing to his conservator, or any other person authorized by this chapter or otherwise to give a valid receipt and discharge for the distribution.

PART 10

CLOSING ESTATES

Sec. 524.3-1001. [FORMAL PROCEEDINGS TERMINATING ADMINISTRATION; TESTATE OR INTTESTATE; ORDER OF GENERAL PROTECTION.] (a) A personal representative or any interested person may petition for an order of complete settlement of the estate. The personal representative may petition at any time, and any other interested person may petition after one year from the appointment of the original personal representative except that no petition under this section may be entertained until the time for presenting claims which arose prior to the death of the decedent has expired. The petition may request the court to determine testacy, if not previously determined, to consider the final account or compel or approve an accounting and distribution, to construe any will or determine heirs and adjudicate the final settlement and distribution of the estate. After notice to all interested persons and hearing the court may enter an order or orders, on appropriate conditions, determining the

persons entitled to distribution of the estate, and, as circumstances require, approving settlement and directing or approving distribution of the estate and discharging the personal representative from further claim or demand of any interested person.

(b) If one or more heirs or devisees were omitted as parties in, or were not given notice of, a previous formal testacy proceeding, the court, on proper petition for an order of complete settlement of the estate under this section, and after notice to the omitted or unnotified persons and other interested parties determined to be interested on the assumption that the previous order concerning testacy is conclusive as to those given notice of the earlier proceeding, may determine testacy as it affects the omitted persons and confirm or alter the previous order of testacy as it affects all interested persons as appropriate in the light of the new proofs. In the absence of objection by an omitted or unnotified person, evidence received in the original testacy proceeding shall constitute prima facie proof of due execution of any will previously admitted to probate, or of the fact that the decedent left no valid will if the prior proceedings determined this fact.

Sec. 524.3-1002. [FORMAL PROCEEDINGS TERMINATING TESTATE ADMINISTRATION; ORDER CONSTRUING WILL WITHOUT ADJUDICATING TESTACY.] A personal representative administering an estate under an informally probated will or any devisee under an informally probated will may petition for an order of settlement of the estate which will not adjudicate the testacy status of the decedent. The personal representative may petition at any time, and a devisee may petition after one year, from the appointment of the original personal representative, except that no petition under this section may be entertained until the time for presenting claims which arose prior to the death of the decedent has expired. The petition may request the court to consider the final account or compel or approve an accounting and distribution, to construe the will and adjudicate final settlement and distribution of the estate. After notice to all devisees and the personal representative and hearing, the court may enter an order or orders, on appropriate conditions, determining the persons entitled to distribution of the estate under the will, and, as circumstances require, approving settlement and directing or approving distribution of the estate and discharging the personal representative from further claim or demand of any devisee who is a party to the proceeding and those he represents. If it appears that a part of the estate is intestate, the proceedings shall be dismissed or amendments made to meet the provisions of section 524.3-1001.

Sec. 524.3-1003. [CLOSING ESTATES; BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE.] (a) Unless prohibited by order of the court and except for estates being administered in supervised administration proceedings, a personal representative may close an estate by filing with the court no earlier than six months after the date of original appointment of a general personal representative for the estate, a verified statement stating that he, or a prior personal representative whom he has succeeded, has or have:

(1) published notice to creditors and that the first publication occurred more than six months prior to the date of the statement;

(2) fully administered the estate of the decedent by making payment, settlement or other disposition of all claims which were presented, expenses of administration and estate, inheritance and other death taxes, except as specified in the statement, and that the assets of the estate have been distributed to the persons entitled. If any claims remain undischarged, the statement shall state whether the personal representative has distributed the estate subject to possible liability with the agreement of the distributees or it shall state in detail other arrangements which have been made to accommodate outstanding liabilities; and

(3) sent a copy thereof to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected thereby.

(b) If no proceedings involving the personal representative are pending in the court one year after the closing statement is filed, the appointment of the personal representative terminates.

Sec. 524.3-1004. [LIABILITY OF DISTRIBUTEES TO CLAIMANTS.] After assets of an estate have been distributed and subject to section 524.3-1006, an undischarged claim not barred may be prosecuted in a proceeding against one or more distributees. No distributee shall be liable to claimants for amounts in excess of the value of his distribution as of the time of distribution. As between distributees, each shall bear the cost of satisfaction of unbarred claims as if the claim had been satisfied in the course of administration. Any distributee who shall have failed to notify other distributees of the demand made upon him by the claimant in sufficient time to permit them to join in any proceeding in which the claim was asserted against him loses his right of contribution against other distributees.

Sec. 524.3-1005. [LIMITATIONS ON PROCEEDINGS AGAINST PERSONAL REPRESENTATIVE.] Unless previously barred by adjudication and except as provided in the closing statement, the rights of successors and of creditors whose claims have not otherwise been barred against the personal representative for breach of fiduciary duty are barred unless a proceeding to assert the same is commenced within six months after the filing of the closing statement. The rights thus barred do not include rights to recover from a personal representative for fraud, misrepresentation, or inadequate disclosure related to the settlement of the decedent's estate.

Sec. 524.3-1006. [LIMITATIONS ON ACTIONS AND PROCEEDINGS AGAINST DISTRIBUTEES.] Unless previously adjudicated in a formal testacy proceeding or in a proceeding settling the accounts of a personal representative or otherwise barred, the claim of any claimant to recover from a distributee who is liable to pay the claim, and the right of any heir or devisee, or of a successor personal representative acting in their behalf, to

recover property improperly distributed or the value thereof from any distributee is forever barred at the later of (1) three years after the decedent's death; or (2) one year after the time of distribution thereof. This section does not bar an action to recover property or value received as the result of fraud.

Sec. 524.3-1007. [CERTIFICATE DISCHARGING LIENS SECURING FIDUCIARY PERFORMANCE.] After his appointment has terminated, the personal representative, his sureties, or any successor of either, upon the filing of a verified application showing, so far as is known by the applicant, that no action concerning the estate is pending in any court, is entitled to receive a certificate from the registrar that the personal representative appears to have fully administered the estate in question. The certificate evidences discharge of any lien on any property given to secure the obligation of the personal representative in lieu of bond or any surety, but does not preclude action against the personal representative or the surety.

Sec. 524.3-1008. [SUBSEQUENT ADMINISTRATION.] If other property of the estate is discovered after an estate has been settled and the personal representative discharged or after one year after a closing statement has been filed, the court upon petition of any interested person and upon notice as it directs may appoint the same or a successor personal representative to administer the subsequently discovered estate. If a new appointment is made, unless the court orders otherwise, the provisions of this chapter apply as appropriate; but no claim previously barred may be asserted in the subsequent administration.

PART 11

COMPROMISE OF CONTROVERSIES

Sec. 524.3-1101. [EFFECT OF APPROVAL OF AGREEMENTS INVOLVING TRUSTS, INALIENABLE INTERESTS, OR INTERESTS OF THIRD PERSONS.] A compromise of any controversy as to admission to probate of any instrument offered for formal probate as the will of a decedent, the construction, validity, or effect of any probated will, the rights or interests in the estate of the decedent, of any successor, or the administration of the estate, if approved in a formal proceeding in the court for that purpose, is binding on all the parties thereto including those unborn, unascertained or who could not be located. An approved compromise is binding even though it may affect a trust or an inalienable interest. A compromise does not impair the rights of creditors or of taxing authorities who are not parties to it.

Sec. 524.3-1102. [PROCEDURE FOR SECURING COURT APPROVAL OF COMPROMISE.] The procedure for securing court approval of a compromise is as follows:

(1) The terms of the compromise shall be set forth in an agreement in writing which shall be executed by all competent persons and parents acting for any minor child having beneficial interests or having claims which will or may be affected by the compromise. Execution is not required by any person whose identity

cannot be ascertained or whose whereabouts is unknown and cannot reasonably be ascertained.

(2) Any interested person, including the personal representative or a trustee, then may submit the agreement to the court for its approval and for execution by the personal representative, the trustee of every affected testamentary trust, and other fiduciaries and representatives.

(3) After notice to all interested persons or their representatives, including the personal representative of the estate and all affected trustees of trust, the court, if it finds that the contest or controversy is in good faith and that the effect of the agreement upon the interests of persons represented by fiduciaries or other representatives is just and reasonable, shall make an order approving the agreement and directing all fiduciaries under its supervision to execute the agreement. Minor children represented only by their parents may be bound only if their parents join with other competent persons in execution of the compromise. Upon the making of the order and the execution of the agreement, all further disposition of the estate is in accordance with the terms of the agreement.

PART 12

COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT AND SUMMARY ADMINISTRATION PROCEDURE FOR SMALL ESTATES

Sec. 524.3-1201. [COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT.] (a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

(1) the value of the entire estate, wherever located, less liens and encumbrances, does not exceed \$5,000;

(2) 30 days have elapsed since the death of the decedent;

(3) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction; and

(4) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

Sec. 524.3-1202. [EFFECT OF AFFIDAVIT.] The person paying, delivering, transferring, or issuing personal property or the

evidence thereof pursuant to affidavit is discharged and released to the same extent as if he dealt with a personal representative of the decedent. He is not required to see to the application of the personal property or evidence thereof or to inquire into the truth of any statement in the affidavit. If any person to whom an affidavit is delivered refuses to pay, deliver, transfer, or issue any personal property or evidence thereof, it may be recovered or its payment, delivery, transfer, or issuance compelled upon proof of their right in a proceeding brought for the purpose by or on behalf of the persons entitled thereto. Any person to whom payment, delivery, transfer or issuance is made is answerable and accountable therefor to any personal representative of the estate or to any other person having a superior right.

Sec. 524.3-1203. [SMALL ESTATES; SUMMARY ADMINISTRATIVE PROCEDURE.] If it appears from the inventory and appraisal that the value of the entire estate, less liens and encumbrances, does not exceed homestead allowance, exempt property, family allowance, costs and expenses of administration, reasonable funeral expenses, and reasonable and necessary medical and hospital expenses of the last illness of the decedent, the personal representative, without giving notice to creditors, may immediately disburse and distribute the estate to the persons entitled thereto and file a closing statement as provided in section 524.3-1204.

Sec. 524.3-1204. [SMALL ESTATES; CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE.] (a) Unless prohibited by order of the court and except for estates being administered by supervised personal representatives, a personal representative may close an estate administered under the summary procedures of section 524.3-1203 by filing with the court, at any time after disbursement and distribution of the estate, a verified statement stating that:

(1) to the best knowledge of the personal representative, the value of the entire estate, less liens and encumbrances, did not exceed homestead allowance, exempt property, family allowance, costs and expenses of administration, reasonable funeral expenses, and reasonable, necessary medical and hospital expenses of the last illness of the decedent;

(2) the personal representative has fully administered the estate by disbursing and distributing it to the persons entitled thereto; and

(3) the personal representative has sent a copy of the closing statement to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected.

(b) If no actions or proceedings involving the personal representative are pending in the court one year after the closing statement is filed, the appointment of the personal representative terminates.

(c) A closing statement filed under this section has the same effect as one filed under section 524.3-1003.

ARTICLE IV
FOREIGN PERSONAL REPRESENTATIVES;
ANCILLARY ADMINISTRATION

PART 1
DEFINITIONS

Sec. 524.4-101. [DEFINITIONS.] In this article

(1) "local administration" means administration by a personal representative appointed in this state pursuant to appointment proceedings described in article III.

(2) "local personal representative" includes any personal representative appointed in this state pursuant to appointment proceedings described in article III and excludes foreign personal representatives who acquire the power of a local personal representative pursuant to section 524.4-205.

(3) "resident creditor" means a person domiciled in, or doing business in this state, who is, or could be, a claimant against an estate of a nonresident decedent.

PART 2
POWERS OF FOREIGN PERSONAL REPRESENTATIVES

Sec. 524.4-201. [PAYMENT OF DEBT AND DELIVERY OF PROPERTY TO DOMICILIARY FOREIGN PERSONAL REPRESENTATIVE WITHOUT LOCAL ADMINISTRATION.] At any time after the expiration of 60 days from the death of a nonresident decedent, any person indebted to the estate of the nonresident decedent or having possession or control of personal property, or of an instrument evidencing a debt, obligation, stock or chose in action belonging to the estate of the nonresident decedent may pay the debt, deliver the personal property, or the instrument evidencing the debt, obligation stock or chose in action, to the domiciliary foreign personal representative of the nonresident decedent upon being presented with proof of his appointment and an affidavit made by or on behalf of the representative stating:

- (1) the date of the death of the nonresident decedent,
- (2) that no local administration, or application or petition therefor, is pending in this state,
- (3) that the domiciliary foreign personal representative is entitled to payment or delivery.

Sec. 524.4-202. [PAYMENT OR DELIVERY DISCHARGES.] Payment or delivery made in good faith on the basis of the proof of authority and affidavit releases the debtor or person having possession of the personal property to the same extent as if payment or delivery had been made to a local personal representative.

Sec. 524.4-203. [RESIDENT CREDITOR NOTICE.] Payment or delivery under section 524.4-201 may not be made if a resident creditor of the nonresident decedent has notified the debtor of the nonresident decedent or the person having possession of the personal property belonging to the nonresident decedent that the debt should not be paid nor the property delivered to the domiciliary foreign personal representative.

Sec. 524.4-204. [PROOF OF AUTHORITY-BOND.] If no local administration or application or petition therefor is pending in this state, a domiciliary foreign personal representative may file with a court in this state in a county in which property belonging to the decedent is located, authenticated copies of his appointment and of any official bond he has given.

Sec. 524.4-205. [POWERS.] A domiciliary foreign personal representative who has complied with section 524.4-204 may exercise as to assets in this state all powers of a local personal representative and may maintain actions and proceedings in this state subject to any conditions imposed upon nonresident parties generally.

Sec. 524.4-206. [POWER OF REPRESENTATIVES IN TRANSITION.] The power of a domiciliary foreign personal representative under section 524.4-201 or 524.4-205 shall be exercised only if there is no administration or application therefor pending in this state. An application or petition for local administration of the estate terminates the power of the foreign personal representative to act under section 524.4-205, but the local court may allow the foreign personal representative to exercise limited powers to preserve the estate. No person who, before receiving actual notice of a pending local administration, has changed his position in reliance upon the powers of a foreign personal representative shall be prejudiced by reason of the application or petition for, or grant of, local administration. The local personal representative is subject to all duties and obligations which have accrued by virtue of the exercise of the powers by the foreign personal representative and may be substituted for him in any action or proceedings in this state.

Sec. 524.4-207. [ANCILLARY AND OTHER LOCAL ADMINISTRATIONS; PROVISIONS GOVERNING.] In respect to a nonresident decedent, the provisions of article III of this chapter govern (1) proceedings, if any, in a court of this state for probate of the will, appointment, removal, supervision, and discharge of the local personal representative, and any other order concerning the estate; and (2) the status, powers, duties and liabilities of any local personal representative and the rights of claimants, purchasers, distributees and others in regard to a local administration.

PART 3

JURISDICTION OVER FOREIGN REPRESENTATIVES

Sec. 524.4-301. [JURISDICTION BY ACT OF FOREIGN PERSONAL REPRESENTATIVE.] A foreign personal representative submits personally to the jurisdiction of the courts of this state

in any proceeding relating to the estate by (1) filing authenticated copies of his appointment as provided in section 524.4-204, (2) receiving payment of money or taking delivery of personal property under section 524.4-201, or (3) doing any act as a personal representative in this state which would have given the state jurisdiction over him as an individual. Jurisdiction under (2) is limited to the money or value of personal property collected.

Sec. 524.4-302. [JURISDICTION BY ACT OF DECEDENT.] In addition to jurisdiction conferred by section 524.4-301, a foreign personal representative is subject to the jurisdiction of the courts of this state to the same extent that his decedent was subject to jurisdiction immediately prior to death.

Sec. 524.4-303. [SERVICE ON FOREIGN PERSONAL REPRESENTATIVE.] (a) Service of process may be made upon the foreign personal representative by registered or certified mail, addressed to his last reasonable ascertainable address, requesting a return receipt signed by addressee only. Notice by ordinary first class mail is sufficient if registered or certified mail service to the addressee is unavailable. Service may be made upon a foreign personal representative in the manner in which service could have been made under other laws of this state on either the foreign personal representative or his decedent immediately prior to death.

(b) If service is made upon a foreign personal representative as provided in subsection (a), he shall be allowed at least 30 days within which to appear or respond.

PART 4

JUDGMENTS AND PERSONAL REPRESENTATIVE

Sec. 524.4-401. [EFFECT OF ADJUDICATION FOR OR AGAINST PERSONAL REPRESENTATIVE.] An adjudication rendered in any jurisdiction in favor of or against any personal representative of the estate is as binding on the local personal representative as if he were a party to the adjudication.

ARTICLE VIII

EFFECTIVE DATE AND REPEALER

Sec. 524.8-101. [TIME OF TAKING EFFECT; PROVISIONS FOR TRANSITION.] (a) This chapter takes effect on August 1, 1975.

(b) Except as provided elsewhere in this chapter, on the effective date of this chapter:

(1) the chapter applies to any wills of decedents dying thereafter;

(2) the chapter applies to any proceedings in court then pending or thereafter commenced regardless of the time of the death of decedent except to the extent that in the opinion of the court the former procedure should be made applicable in a particular case in the interest of justice or because of infeasibility of application of the procedure of this chapter;

(3) every personal representative including a person administering an estate of a minor or incompetent holding an appointment on that date, continues to hold the appointment but has only the powers conferred by this chapter and is subject to the duties imposed with respect to any act occurring or done thereafter;

(4) an act done before the effective date in any proceeding and any accrued right is not impaired by this chapter. If a right is acquired, extinguished or barred upon the expiration of a prescribed period of time which has commenced to run by the provisions of any statute before the effective date, the provisions shall remain in force with respect to that right;

(5) any rule of construction or presumption provided in this chapter applies to instruments executed and multiple party accounts opened before the effective date unless there is a clear indication of a contrary intent;

(6) a person holding office as judge of the court on the effective date of this chapter may continue the office of judge of this court and may be selected for additional terms after the effective date of this chapter even though he does not meet the qualifications of a judge as provided in article I.

Sec. 524.8-102. [SPECIFIC REPEALER.] Minnesota Statutes, 1973 Supplement, Sections 525.331, 525.481, 525.482, 525.485, 525.501, 525.80, and 525.83, are repealed. Minnesota Statutes 1971, Sections 525.222, 525.23, 525.231, 525.24, 525.241, 525.243, 525.244, 525.25, 525.251, 525.252, 525.273, 525.28, 525.281, 525.282, 525.29, 525.291, 525.292, 525.30, 525.301, 525.302, 525.303, 525.304, 525.31, 525.311, 525.312, 525.314, 525.315, 525.316, 525.32, 525.321, 525.322, 525.323, 525.324, 525.34, 525.35, 525.36, 525.37, 525.38, 525.40, 525.401, 525.47, 525.486, 525.49, 525.50, 525.502, 525.503, 525.504, 525.52, 525.805, 525.81, 525.82, 525.89, and 525.91, are repealed.

Sec. 524.8-103. [EARLY EFFECTIVE DATE.] Notwithstanding section 524.8-101, the provisions of this act relating to bonds and appraisals found at sections 524.3-603 to 524.3-606, and 524.3-706 to 524.3-707, and sections 146 to 148 of this act, and that portion of section 524.8-102 which repeals sections which are inconsistent with the provisions relating to bonds and appraisals found herein are effective August 1, 1974.

Sec. 146. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

[525.475] [DORMANT ESTATE; REMOVAL OF REPRESENTATIVE OR ATTORNEY.] (a) *If a final decree is not entered in an estate within 18 months after the commencement of the proceeding and the estate is not open pursuant to an order extending time, the court shall order the personal representative and his attorney to show good cause why a final decree has not been entered.*

(b) *If good cause is not shown the court shall discharge the personal representative or instruct the personal representative to*

dismiss his attorney and employ another attorney if necessary to complete the administration.

(c) If good cause is shown, the court shall order that the time for administration of the estate be extended for an additional period not to exceed six months.

If a final decree is not entered within six months from the date of extension the court shall again order the personal representative and his attorney to show cause why a final decree has not been ordered pursuant to the provisions of this section and the court may grant a further extension.

(d) An attorney dismissed pursuant to this section and who is seeking attorney fees for services rendered to the estate has the burden of affirmatively proving that the estate has benefited from his services and that the benefits warrant the payment of the requested fee.

Sec. 147. Minnesota Statutes 1971, Section 525.48, is amended to read:

525.48 [FILING OF ACCOUNT.] *(a) Within the time limited every representative shall file a verified account of his administration and petition the court to settle and allow his account and to assign the estate to the persons entitled thereto. The representative shall also account at such other times as the court may require; the hearing on such account shall be had upon such notice as the court may direct.*

(b) The final account shall include a statement of attorney fees. This statement shall include the total fees charged to date and estimated future fees to be charged.

Sec. 148. Minnesota Statutes 1971, Section 525.515, is amended to read:

525.515 [BASIS FOR ATTORNEY'S FEES.] *(a) Notwithstanding any law to the contrary, an attorney performing services for the estate at the instance of the representative shall have compensation therefor out of the estate as the court shall deem just and reasonable. In any proceeding under this section, fair and reasonable attorney's fees shall be based upon time spent, the complexity of any problems involved, and the value of the estate shall not be the controlling factor. Further, the provisions of this section shall not be limited to proceedings under section 525.51 but shall apply to all probate proceedings.*

(b) In determining what is a fair and reasonable attorney's fee the court shall give effect to a prior agreement in writing by a testator concerning attorney fees. Where there is no prior agreement in writing with the testator the court shall consider the following factors in determining what is a fair and reasonable attorney's fee:

- (1) The time and labor required;*
- (2) The experience and knowledge of the attorney;*
- (3) The complexity and novelty of problems involved;*

(4) *The extent of the responsibilities assumed and the results obtained; and*

(5) *The sufficiency of assets properly available to pay for the services.*

(c) *An interested beneficiary under a will or heir may petition the probate court to review the attorney fees listed in section 147 of this act. In determining the reasonableness of the attorney fees, the court shall consider all the factors listed in clause (b) and the value of the estate shall not be the controlling factor.*

(d) *Unless previously agreed to in writing by the testator it is declared to be against the public policy of Minnesota for an award of attorney fees for services rendered to an estate to be based on a percentage of the estate."*

Further, amend the title by striking it and inserting in lieu thereof:

"A bill for an act relating to probate; affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others and constituting the uniform probate code; consolidating and revising aspects of the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; requiring the final account of the representative to include a statement of attorney fees; providing for the determination of reasonable attorney fees and the removal of an attorney if a final decree is not filed within a certain time; amending Minnesota Statutes 1971, Sections 525.48 and 525.515; and Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Sections 525.331, 525.481, 525.482, 525.485, 525.501, 525.80, and 525.83; repealing Minnesota Statutes 1971, Sections 525.222, 525.23, 525.231, 525.24, 525.241, 525.243, 525.244, 525.25, 525.251, 525.252, 525.273, 525.28, 525.281, 525.282, 525.29, 525.291, 525.292, 525.30, 525.301, 525.302, 525.303, 525.304, 525.31, 525.311, 525.312, 525.314, 525.315, 525.316, 525.32, 525.321, 525.322, 525.323, 525.324, 525.34, 525.35, 525.36, 525.37, 525.38, 525.40, 525.401, 525.47, 525.486, 525.49, 525.50, 525.502, 525.503, 525.504, 525.52, 525.805, 525.81, 525.82, 525.89, and 525.91."

The question being taken on adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 35 and nays 16, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Kirchner	North	Renneke
Bernhagen	Doty	Kowalczyk	Novak	Schaaf
Borden	Dunn	Larson	Olhoff	Solon
Brown	Frederick	Laufenburger	Olson, H. D.	Spear
Chenoweth	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Chmielewski	Hanson, R.	Lord	Perpich, G.	Wegener
Coleman	Josefson	Moe	Purfeerst	Willet

Those who voted in the negative were:

Blatz	Jensen	Milton	Patton	Stassen
Fitzsimons	Keefe, J.	Ogdahl	Pillsbury	Thorup
Gearty	Krieger	Olson, J. L.	Schrom	Ueland
Hansen, Baldy				

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend the amendment placed on H. F. No. 2992, the printed bill, by the Committee on Judiciary, adopted by the Senate March 18, 1974, as follows:

In the amendment to page 2, after line 23, section 525.32, last line, after "requirement" and before the period insert ", provided there are no outstanding debts, governmental claims, or taxes unpaid in which event the court shall fix a bond in sufficient amount to pay the same"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 2992 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. The motion did not prevail.

Mr. Purfeerst moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 47 and nays 13, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Kowalczyk	Ogdahl	Solon
Ashbach	Doty	Laufenburger	Olhoff	Spear
Berg	Dunn	Lewis	Olson, A. G.	Stassen
Bernhagen	Frederick	Lord	Olson, H. D.	Stokowski
Borden	Hansen, Mel	McCutcheon	Olson, J. L.	Tennessee
Brown	Hanson, R.	Milton	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Moe	Purfeerst	Willet
Chmielewski	Josefson	Nelson	Renneke	
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Novak	Schrom	

Those who voted in the negative were:

Blatz	Hansen, Baldy	Knutson	Patton	Ueland
Fitzsimons	Jensen	Krieger	Pillsbury	
Gearty	Keefe, J.	Larson	Thorup	

So the bill, as amended, passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House and First Reading of House Bills, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2970: A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.-021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Section 205.041.

Senate File No. 2970 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 18, 1974

CONCURRENCE AND REPASSAGE

Mr. Olson, A. G. moved that the Senate do now concur in the amendments by the House to S. F. No. 2970 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2970 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:

Arnold	Doty	Kirchner	North	Solon
Ashbach	Dunn	Knutson	Novak	Spear
Bang	Fitzsimons	Kowalczyk	Olhoft	Stassen
Berg	Frederick	Krieger	Olson, A. G.	Stokowski
Bernhagen	Gearty	Larson	Olson, J. L.	Tennessen
Blatz	Hansen, Baldy	Laufenburger	Patton	Thorup
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Brown	Hanson, R.	Lord	Perpich, G.	Wegener
Chmielewski	Humphrey	McCutcheon	Pillsbury	Willet
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Moe	Schaaf	
Davies	Keefe, J.	Nelson	Schrom	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which

amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3046: A bill for an act relating to weeds; notice to landowners of required eradication; amending Minnesota Statutes 1971, Section 18.271, Subdivision 2.

Senate File No. 3046 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Frederick moved that the Senate do now concur in the amendments by the House to S. F. No. 3046 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3046 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended, And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	North	Schaaf
Ashbach	Doty	Kirchner	Novak	Schrom
Bang	Dunn	Knutson	Olhoff	Solon
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Bernhagen	Frederick	Larson	Olson, J. L.	Stassen
Blatz	Gearty	Lewis	Patton	Stokowski
Borden	Hansen, Mel	Lord	Perpich, A. J.	Tennessee
Brown	Hanson, R.	McCutcheon	Perpich, G.	Thorup
Chenoweth	Humphrey	Milton	Pillsbury	Ueland
Coleman	Jensen	Moe	Purfeerst	Wegener
Conzemius	Josefson	Nelson	Renneke	Willet

Mr. Hansen, Baldy 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. 3208: A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; 245A.18, Subdivision 2 and Laws 1973, Chapter 650, Article XXI, Section 32.

Senate File No. 3208 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Coleman moved that the Senate do now concur in the amendments by the House to S. F. No. 3208 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3208: A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; 245A.18, and Laws 1973, Chapter 650, Article XXI, Section 32.

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:

Arnold	Doty	Kirchner	Norak	Schrom
Ashbach	Dunn	Knutson	Ogdahl	Solon
Bang	Fitzsimons	Kowalczyk	Olhoft	Spear
Berg	Frederick	Krieger	Olson, A. G.	Stassen
Bernhagen	Gearty	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Baldy	Lewis	Patton	Tennessee
Brown	Hansen, Mel	Lord	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Ueland
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Jensen	Moe	Purfeerst	Willet
Conzemius	Josefson	Nelson	Renneke	
Davies	Keefe, J.	North	Schaaf	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

Senate File No. 3163 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1974

Mr. North moved that the Senate do not concur in the amendments by the House to S. F. No. 3163 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested.

S. F. No. 2818: A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

Senate File No. 2818 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

Mr. Olhott moved that the Senate do not concur in the amendments by the House to S. F. No. 2818 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes, 1973 Supplement, Section 16.027, Subdivision 8.

There has been appointed as such committee on the part of the House:

Parish, Quirin and Faricy.

Senate File No. 2759 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

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. 2933: A bill for an act relating to free-standing ambulatory surgery facilities; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Chapter 62A, by adding a section; Section 62C.14, by adding a subdivision; Chapter 144, by adding a section; and Section 145.72, Subdivision 2.

There has been appointed as such committee on the part of the House:

Pehler, Quirin and Knickerbocker.

Senate File No. 2933 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned:

S. F. Nos. 3194, 1231, 2878, 3016, 3193, 3409, 1149, 2779, 3036, 3048 and 3428.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 2737, 2900, 452 and 3712.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 19, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2737: A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

H. F. No. 2900: A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

H. F. No. 452: A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

H. F. No. 3712: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

Which were read the first time and referred to the Committee on Rules and Administration.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1835, pursuant to the request of the House:

Messrs. Olson, A. G.; Perpich, A. J.; Ashbach.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3571, pursuant to the request of the House:

Messrs. Coleman, Krieger, Conzemius.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1931, No. 110 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1931: 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.

Mr. Doty moved to amend the amendment placed on H. F. No. 1931, the printed bill, by the Committee on Labor and Commerce, adopted by the Senate March 15, 1974, as follows:

In section 1, line 3, after "first class" insert "with a population of 150,000 or more"

The motion did not prevail. So the amendment was not adopted.

Mr. Solon moved to amend the amendment placed on H. F. No. 1931, the printed bill, by the Committee on Labor and Commerce, adopted by the Senate March 15, 1974, as follows:

After the last line of section 2, insert:

"Sec. 3. Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. [SALES; WHERE FORBIDDEN.] No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one half mile of such campus except as hereinafter otherwise provided by charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;

(6) At any place on the east side of the Mississippi river within one mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; and within one mile of the Kirby student center building of the University of Minnesota, Duluth Branch; a license may be issued under this clause notwithstanding any local law to the contrary;

(7) Within 1,500 feet of any state college, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state college, and at Southwest state college and in determining the distance, the measurement shall be along the most direct line from the nearest corner of the administration building of the college to the main entrance of the licensed premises; as to the Valley campus of the Mankato state college in the city of Mankato when the place of sale is within 1,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato, or between the Valley campus and Highland campus or within 1,500 feet of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision."

Renumber the sections in sequence

Further, amend the amendment to the title as follows:

Second line of the title amendment, after "areas;" insert "amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3;"

Mr. Spear moved to amend the Solon amendment to H. F. No. 1931, the printed bill, as follows:

Strike all of clause (6) and renumber the clauses in sequence

The motion prevailed. So the amendment to the Solon amendment was adopted.

The question recurred on the Solon amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

H. F. No. 1931 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. Larson moved that those not voting be excused from voting. The motion did not prevail.

Mr. Tennessen moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 28 and nays 28, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Milton	Perpich, G.	Tennessee
Bang	Hansen, Baldy	Moe	Purfeerst	Thorup
Berg	Hanson, R.	Novak	Schaaf	Wegener
Borden	Keefe, S.	Olson, A. G.	Solon	Willet
Chenoweth	Laufenburger	Olson, H. D.	Spear	
Conzemius	Lord	Perpich, A. J.	Stokowski	

Those who voted in the negative were:

Ashbach	Doty	Jensen	Larson	Renneke
Bernhagen	Dunn	Keefe, J.	McCutcheon	Schrom
Blatz	Fitzsimons	Kirchner	North	Stassen
Brown	Frederick	Knutson	Ogdahl	Ueland
Chmielewski	Gearty	Kowalczyk	Olhoff	
Coleman	Hansen, Mel	Krieger	Pillsbury	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that S. F. No. 919 be taken from the table.

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate do now concur in the amendments by the House to S. F. No. 919 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 919: A bill for an act relating to intoxicating liquor; exclusive liquor stores; entertainment; providing for elections to authorize exceeding statutory limits on the number of liquor licenses; amending Minnesota Statutes 1971, Sections 340.07, Subdivision 13; 340.11, by adding subdivisions; and 340.353, 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 39 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Keefe, S.	Ogdahl	Spear
Ashbach	Dunn	Knutson	Olson, H. D.	Stassen
Bang	Fitzsimons	Kowalczyk	Perpich, A. J.	Stokowski
Berg	Frederick	Larson	Perpich, G.	Thorup
Borden	Gearty	Laufenburger	Pillsbury	Ueland
Brown	Hanson, R.	Lewis	Purfeerst	Wegener
Chmielewski	Humphrey	Milton	Renneke	Willet
Coleman	Jensen	North	Schaaf	

Those who voted in the negative were:

Bernhagen	Davies	Keefe, J.	McCutcheon	Schrom
Blatz	Hansen, Baldy	Kirchner	Moe	Solon
Chenoweth	Hansen, Mel	Krieger	Olhoff	

So the bill, as amended, was repassed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Knutson; Pillsbury; Perpich, G. and Nelson were excused from this evening's Session. Mr. Lord was excused from the first hour of this evening's Session. Mr. Chmielewski was excused from this evening's Session until 8:00 o'clock p.m. Mr. Hansen, Mel was excused from this evening's Session until 9:00 o'clock p.m.

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 heard immediately: H. F. Nos. 932, 3356, 2980, 2120, 3015 and 3143. The motion prevailed.

SPECIAL ORDER

H. F. No. 3356: A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Keefe, S.	North	Solon
Blatz	Gearty	Kirchner	Novak	Spear
Borden	Hansen, Baldy	Kowalczyk	Ogdahl	Stassen
Coleman	Hanson, R.	Krieger	Olhoft	Stokowski
Conzemius	Humphrey	Laufenburger	Olson, A. G.	Ueland
Doty	Jensen	Lewis	Olson, H. D.	Wegener
Dunn	Josefson	Milton	Olson, J. L.	Willet
Fitzsimons	Keefe, J.	Moe	Renneke	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2980: A bill for an act relating to corrections; providing judges of the district court with certain sentencing discretion in the case of a person committed to the Minnesota corrections authority; amending Minnesota Statutes 1971, Section 242.13.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, J.	Milton	Renneke
Bang	Fitzsimons	Keefe, S.	Moe	Schrom
Bernhagen	Frederick	Kirchner	North	Solon
Blatz	Gearty	Kowalczyk	Novak	Spear
Borden	Hansen, Baldy	Krieger	Ogdahl	Stassen
Chenoweth	Hanson, R.	Larson	Olhoft	Stokowski
Coleman	Humphrey	Laufenburger	Olson, A. G.	Ueland
Conzemius	Jensen	Lewis	Olson, H. D.	Wegener
Doty	Josefson	McCutcheon	Olson, J. L.	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

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.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 19 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Krieger	Perpich, A. J.	Solon
Berg	Hanson, R.	Larson	Perpich, G.	Spear
Coleman	Keefe, J.	Lewis	Schaaf	Ueland
Conzemius	Keefe, S.	Milton	Schrom	

Those who voted in the negative were:

Arnold	Doty	Jensen	North	Purfeerst
Ashbach	Dunn	Josefson	Novak	Renneke
Bernhagen	Fitzsimons	Kirchner	Ogdahl	Stassen
Blatz	Frederick	Kowalczyk	Olhoft	Wegener
Borden	Gearty	Laufenburger	Olson, A. G.	Willet
Chenoweth	Hansen, Mel	McCutcheon	Olson, H. D.	
Davies	Humphrey	Moe	Olson, J. L.	

So the bill failed to pass.

SPECIAL ORDER

H. F. No. 3015: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.-8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

Mr. Keefe, J. moved to amend the amendment placed on H. F. No. 3015, the printed bill, by the Committee on Judiciary, adopted by the Senate March 13, 1974, as follows:

Section 7, subdivision 3a, line 5, strike "*costs of investigation and*"

Section 7, subdivision 3a, strike the last sentence of this subdivision

The motion did not prevail. So the amendment was not adopted.

H. F. No. 3015 was read the third time 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:

Arnold	Doty	Kirchner	Olson, A. G.	Stassen
Ashbach	Dunn	Laufenburger	Oison, H. D.	Stokowski
Bang	Fitzsimons	Lewis	Perpich, A. J.	Tennessee
Berg	Frederick	Lord	Perpich, G.	Ueland
Bernhagen	Gerty	McCutcheon	Purfeerst	Wegener
Borden	Hansen, Mel	Milton	Renneke	Willet
Chenoweth	Hanson, R.	Moe	Schaaf	
Coleman	Humphrey	North	Schrom	
Conzemius	Josefson	Noak	Solon	
Davies	Keefe, S.	Olhoft	Spear	

Messrs. Hansen, Baldy; Keefe, J.; and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2120: A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

Mr. Milton moved to amend the amendment placed on H. F. No. 2120, the printed bill, by the Committee on Labor and Commerce, adopted by the Senate March 9, 1974, as follows:

Page 1, line 5, strike "\$70" and insert "\$75"

Page 1, line 8, strike "\$70" where it appears in that line, and insert "\$75"

Page 2, line 4, strike "\$70" and insert "\$75"

Page 2, line 15, strike "\$70" and insert "\$75"

The motion did not prevail. So the amendment was not adopted.

H. F. No. 2120 was read the third time 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:

Arnold	Dunn	Keefe, S.	Olson, H. D.	Stokowski
Ashbach	Fitzsimons	Kirchner	Olson, J. L.	Tennessee
Berg	Frederick	Laufenburger	Perpich, A. J.	Thorup
Bernhagen	Gearty	Lord	Purfeerst	Ueland
Borden	Hansen, Baldy	McCutcheon	Renneke	Willet
Chenoweth	Hansen, Mel	Milton	Schaaf	
Coleman	Hansen, R.	Moe	Schrom	
Conzemius	Humphrey	Novak	Solon	
Davies	Jensen	Olhoft	Spear	
Doty	Josefson	Olson, A. G.	Stassen	

Mr. Keefe, J. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 3143: A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 7, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Jensen	North	Schrom
Ashbach	Fitzsimons	Josefson	Novak	Stassen
Bang	Frederick	Kirchner	Olson, H. D.	Thorup
Berg	Gearty	Kowalczyk	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Willet
Borden	Hansen, Mel	Lord	Purfeerst	
Davies	Hansen, R.	McCutcheon	Renneke	
Doty	Humphrey	Moe	Schaaf	

Those who voted in the negative were:

Chenoweth	Conzemius	Olhoft	Olson, A. G.	Tennessee
Coleman	Keefe, J.			

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Laufenburger in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Laufenburger reported that the committee had considered H. F. Nos. 2405, 268, 1716 and 242, which the committee recommends to pass.

H. F. No. 2837, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Amend the amendment placed on H. F. No. 2837, the printed bill, by the Committee on Labor and Commerce adopted by the Senate, March 2, 1974, as follows:

Section 1, strike the first sentence

Section 1, reinstate all of the old language

Section 1, strike the new language in the second sentence

H. F. No. 1415, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Amend H. F. No. 1415, the printed bill, as follows:

Page 1, line 8, strike "1971" and insert ", 1973 Supplement"

Page 2, line 1, strike "and the levy is insufficient to pay the county's share"

Page 2, line 2, strike "of such costs,"

Page 2, line 7, restore the stricken language

Page 2, line 7 strike "*developmentally disabled*" and insert "*or cerebral palsied*"

Page 2, line 8, strike the comma and insert a period

Page 2, line 8, strike "provided that"

Page 2, line 8, strike "*and*" and insert "*or*"

Page 2, line 23, strike "*palsied*" and insert "*palsy*"

Page 2, line 34, strike "that" and insert "*which*"

Page 3, after line 3 insert:

"Sec. 5. Minnesota Statutes 1971, Section 252.21, is amended to read:

252.21 [COMMISSIONER OF PUBLIC WELFARE MAY MAKE GRANTS FOR DAYTIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED.] In order to assist in the establishment of daytime activity centers for the mentally retarded *and cerebral palsied*, the commissioner of public welfare is hereby authorized and directed to make grants, within the limits of the money appropriated, to those daytime activity centers for the mentally retarded *and cerebral palsied* that he shall select.

Sec. 6. Minnesota Statutes, 1973 Supplement, Section 252.22, is amended to read:

252.22 [APPLICANTS FOR ASSISTANCE; TAX LEVY.] Any city, village, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for assistance in establishing and operating a daytime

activity center and program for mentally retarded *and cerebral palsied* persons. Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Any city, town, village, or county is authorized, at the discretion of its governing body, to make grants from special tax revenues or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded *and cerebral palsied*. In order to provide necessary funds to establish and operate daytime activity centers for the mentally retarded *and cerebral palsied*, the governing body of any city, town, village, or county may levy annually upon all taxable property in such city, town, village, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one-half mill as to any city, town or village. The governing body of any city, town, village, or county may make such a levy, where necessary, separate from the general levy. Nothing contained herein shall in any way preclude the use of funds available for this purpose under any existing statute or charter provision relating to cities, towns, villages and counties.

Sec. 7. Minnesota Statutes 1971, Section 252.23, is amended to read:

252.23 [ELIGIBILITY REQUIREMENTS.] An applicant shall satisfy all of the following requirements to be eligible for assistance under sections 252.21 to 252.26:

(1) Provide daytime activities for any or all of the following classes of persons:

Mentally retarded *and cerebral palsied* children who can benefit from the program of services, including those school age children who have been excused or excluded from school;

Mentally retarded *and cerebral palsied* children and adults who are unable to attend school because of the chronological age and are unable to independently engage in ordinary community activities;

(2) Provide counselling services to parents or guardians of mentally retarded *and cerebral palsied* persons who may register at the center;

(3) Comply with all rules and regulations duly promulgated by the commissioner of public welfare."

Further, amend the title as follows:

Strike the title and insert:

"A bill for an act relating to health; providing for grants to daytime activity centers for mentally retarded and cerebral palsied persons; amending Minnesota Statutes 1971, Sections 252.21;

252.23; 252.24, Subdivision 1; 252.25; 252.26; and Minnesota Statutes, 1973 Supplement, Sections 252.22 and 252.24, Subdivision 4."

H. F. No. 1421, which the committee recommends to pass with the following amendment offered by Mr. Stassen:

Amend H. F. No. 1421, the printed bill, as follows:

Page 1, line 5, strike "*the legislature shall elect as one of the 12 regents of the university*" and insert "*one member of the board of regents of the university shall be*"

Page 1, line 6, after "*person who*" insert "*at the time of his election to the board*"

Page 1, line 6, strike "*last*"

Page 1, line 7, after "*years*" insert "*prior to his election. This person shall serve for a six year term and shall represent the state at large. Upon expiration of his term or in the event of a vacancy in his office, one position shall be filled by a person having the same qualifications*"

The question being taken on the committee recommendation to pass H. F. No. 1421,

And the roll being called, there were yeas 32 and nays 20, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Josefson	Milton	Solon
Bernhagen	Fitzsimons	Keefe, J.	Moe	Snear
Brown	Frederick	Keefe, S.	Ogdahl	Stassen
Chenoweth	Gearty	Kowalczyk	Olson, J. L.	Ueland
Chmielewski	Hansen, Mel	Krieger	Perpich, A. J.	
Conzemius	Hanson, R.	Larson	Renneke	
Doty	Humphrey	Lord	Schaaf	

Those who voted in the negative were:

Arnold	Hansen, Baldy	North	Olson, H. D.	Tennessee
Borden	Jensen	Novak	Purfeerst	Thorup
Coleman	Lewis	Olhoff	Schrom	Wegener
Davies	McCutcheon	Olson, A. G.	Stokowski	Willett

So the committee recommended H. F. No. 1421 to pass.

H. F. No. 1047, which the committee recommends to pass with the following amendment offered by Mr. Stassen:

Amend H. F. No. 1047 as follows:

Page 1, line 15, after "Subdivision 1." strike the remainder of the line, and insert "[COMMISSIONER OF ADMINISTRATION.] The commissioner of administration shall have general supervisory authority over the implementation of the metric system in the state of Minnesota. The commissioner of administration shall promulgate such rules and regulations as may be necessary to plan for the gradual implementation in the commerce of this state the metric system of weights and measures. The rules and regulations promulgated by the commissioner of administration pursuant to this subdivision shall:

(1) Provide for the full conversion of the commerce of this state to the metric system when this system has been fully adopted as national standards by the Congress of the United States; and

(2) Insure that all state departments, divisions, agencies, boards and commissions having any authority and/or responsibility in matters concerning standards of weights and measurement in this state shall forthwith initiate planning for the gradual conversion to and implementation of the metric system of weights and measures in this state.

Sec. 3. The commissioner of education shall in consultation with the commissioner of administration develop and implement a plan of public education on the metric system of weights and measures. The commissioner of education shall implement the plan."

Page 1, strike lines 16 and 17

Page 2, strike lines 1 through 13

H. F. No. 862, which the committee recommends to pass with the following amendment offered by Mr. Olson, J. L.:

Amend H. F. No. 862, the printed bill, as follows:

Page 1, after line 16, insert:

"Nothing in this subdivision shall apply to trailers or semi-trailers hauling farm produce between farms or market."

And then, on motion of Mr. Laufenburger, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 3372: A bill for an act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

Senate File No. 3372 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate do now concur in the amendments by the House to S. F. No. 3372 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3372 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:

Arnold	Fitzsimons	Kirchner	North	Stassen
Bang	Frederick	Kowalczyk	Olhoff	Tenessen
Berg	Gearty	Krieger	Olson, A. G.	Thorup
Brown	Hansen, Baldy	Larson	Olson, J. L.	Ueland
Chmielewski	Hansen, Mel	Laufenburger	Perpich, A. J.	Wegener
Coleman	Hanson, R.	Lewis	Purfeerst	Willet
Conzemius	Humphrey	Lord	Renneke	
Davies	Jensen	McCutcheon	Schrom	
Doty	Josefson	Milton	Solon	
Dunn	Keefe, S.	Moe	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 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. 1728: A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

Senate File No. 1728 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

Mr. Davies moved that S. F. No. 1728 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1879: A bill for an act relating to insurance; licensing and regulation of insurance premium finance companies; granting rule-making authority; and providing penalties.

Senate File No. 1879 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate do now concur in the amendments by the House to S. F. No. 1879 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1879 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 1, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Krieger	Olhoft	Stassen
Bang	Frederick	Larson	Olson, A. G.	Stokowski
Berg	Gearty	Laufenburger	Olson, H. D.	Tennessee
Brown	Hansen, Mel	Lewis	Olson, J. L.	Thorup
Chmielewski	Hanson, R.	Lord	Perpich, A. J.	Ueland
Coleman	Humphrey	McCutcheon	Purfeerst	Wegener
Conzemius	Jensen	Milton	Renneke	Willet
Davies	Josefson	Moe	Schrom	
Doty	Keefe, S.	North	Solon	
Dunn	Kirchner	Novak	Spear	

Mr. Hansen, Baldy 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. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

Senate File No. 3108 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Krieger moved that the Senate do now concur in the amendments by the House to S. F. No. 3108 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes 1971, Section 169.09, Subdivision 5; Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

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 5, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Josefson	McCutcheon	Renneke
Bang	Dunn	Keefe, S.	Milton	Schrom
Berg	Fitzsimons	Kirchner	Moe	Solon
Borden	Frederick	Kowalczyk	North	Spear
Brown	Gearty	Krieger	Novak	Stassen
Chmielewski	Hansen, Mel	Larson	Olhoft	Stokowski
Coleman	Hanson, R.	Laufenburger	Olson, J. L.	Thorup
Conzemius	Humphrey	Lewis	Perpich, A. J.	Ueland
Davies	Jensen	Lord	Purfeerst	Wegener

Those who voted in the negative were:

Hansen, Baldy Olson, A. G. Olson, H. D. Tennesen Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 423: A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; amending Minnesota Statutes 1971, Section 393.01, Subdivision 5.

Senate File No. 423 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 423 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 423 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 5, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Josefson	Milton	Renneke
Bang	Fitzsimons	Keefe, S.	Moe	Solon
Berg	Frederick	Kirchner	North	Spear
Borden	Gearty	Kowalczyk	Novak	Stassen
Brown	Hansen, Baldy	Krieger	Olhoft	Stokowski
Chmielewski	Hansen, Mel	Laufenburger	Olson, A. G.	Tennessee
Coleman	Hanson, R.	Lewis	Olson, J. L.	Thorup
Conzemius	Humphrey	Lord	Perpich, A. J.	Ueland
Davies	Jensen	McCutcheon	Purfeerst	Wegener

Those who voted in the negative were:

Dunn	Larson	Olson, H. D.	Schrom	Willet
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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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2177: A bill for an act relating to welfare; prohibiting restriction of foster homes by zoning; providing for notice to affected municipalities and political subdivisions; amending Minnesota Statutes 1971, Section 257.101, by adding subdivisions.

Senate File No. 2177 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate do now concur in the amendments by the House to S. F. No. 2177 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2177 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	Fitzsimons	Kowalczyk	Olhoft	Stassen
Bang	Frederick	Krieger	Olson, A. G.	Stokowski
Berg	Gearty	Larson	Olson, H. D.	Tennessee
Borden	Hansen, Baldy	Laufenburger	Olson, J. L.	Thorup
Brown	Hansen, Mel	Lewis	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Lord	Purfeerst	Wegener
Coleman	Humphrey	McCutcheon	Renneke	Willet
Conzemius	Jensen	Milton	Schaaf	
Davies	Josefson	Moe	Schrom	
Doty	Keefe, S.	North	Solon	
Dunn	Kirchner	Novak	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 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. 1079: A bill for an act relating to local improvements; assessment procedures; notice of assessment; amending Minnesota Statutes 1971, Section 429.061, Subdivision 1.

Senate File No. 1079 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. North moved that the Senate do now concur in the amendments by the House to S. F. No. 1079 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1079: A bill for an act relating to local improvements; assessment procedures; notice of assessment; amending Minnesota Statutes 1971, Sections 429.061, Subdivision 1; and 429.021, Subdivision 3.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, S.	North	Schrom
Bang	Fitzsimons	Kirchner	Novak	Solon
Berg	Frederick	Kowalczyk	Olhoff	Spear
Borden	Gearty	Krieger	Olson, A. G.	Stassen
Brown	Hansen, Baldy	Laufenburger	Olson, H. D.	Stokowski
Chmielewski	Hansen, Mel	Lewis	Olson, J. L.	Tennessee
Coleman	Hanson, R.	Lord	Perpich, A. J.	Thorup
Conzemius	Humphrey	McCutcheon	Purfeerst	Ueland
Davies	Jensen	Milton	Renneke	Wegener
Doty	Josefson	Moe	Schaaf	Willet

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2716: A bill for an act relating to game and fish; seasons for taking of moose; amending Minnesota Statutes 1971, Section 100.271, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 100.27, Subdivision 2.

Senate File No. 2716 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate do now concur in the amendments by the House to S. F. No. 2716 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2716 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 4, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olhoft	Stassen
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Stokowski
Berg	Frederick	Krieger	Olson, H. D.	Tennessen
Borden	Gearty	Larson	Olson, J. L.	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Lord	Purfeerst	Wegener
Coleman	Humphrey	McCutcheon	Renneke	Willet
Conzemiun	Jensen	Milton	Schaaf	
Davies	Josefson	Moe	Schrom	
Doty	Keefe, S.	North	Solon	

Messrs. Hansen, Baldy; Lewis; Novak and Spear voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2818, pursuant to the request of the Senate:

Messrs. Olhoft; Hansen, Baldy; Hanson, R.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2576, pursuant to the request of the Senate:

Messrs. Anderson, Dunn, Willet.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 3163, pursuant to the request of the Senate:

Messrs. North, Novak, McCutcheon.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 3123, pursuant to the request of the Senate:

Messrs. Keefe, S.; Kowalczyk; Spear.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1759, pursuant to the request of the Senate:

Messrs. Chenoweth; Keefe, J.; Schaaf.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 3311, pursuant to the request of the Senate:

Messrs. Chenoweth, O'Neill, McCutcheon.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3035, pursuant to the request of the House:

Messrs. Chenoweth, Gearty, Doty, Schaaf, Kirchner.

Mr. Davies moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. Nos. 3060 and 987 be stricken from General Orders and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, March 20, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.