

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1976

## SEVENTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 19, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Doty	Kaley	Neisen	Sherwood
Adams, L.	Enebo	Kalis	Nelsen	Sieben, H.
Adams, S.	Erickson	Kelly, R.	Nelson	Sieben, M.
Albrecht	Esau	Kelly, W.	Niehaus	Sieloff
Anderson, G.	Evans	Kempe, A.	Norton	Simoneau
Anderson, I.	Ewald	Kempe, R.	Novak	Skoglund
Arlandson	Faricy	Ketola	Osthoff	Smith
Beauchamp	Fjoslien	Knickerbocker	Parish	Smogard
Begich	Forsythe	Kostohryz	Patton	Spanish
Berg	Friedrich	Kroening	Pehler	Stanton
Berglin	Fudro	Kvam	Peterson	Suss
Biersdorf	Fugina	Laidig	Petraleso	Swanson
Birnstihl	George	Langseth	Philbrook	Tomlinson
Braun	Graba	Lemke	Pleasant	Ulland
Brinkman	Hanson	Lindstrom	Prahl	Vanasek
Byrne	Haugerud	Luther	Reding	Vento
Carlson, A.	Heinitz	Mangan	Rice	Volk
Carlson, L.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, R.	Jacobs	McCarron	Samuelson	Wenzel
Casserly	Jaros	McCauley	Sarna	White
Clawson	Jensen	McCollar	Savelkoul	Wieser
Corbid	Johnson, C.	McEachern	Schreiber	Wigley
Dahl	Johnson, D.	Menning	Schulz	Williamson
Dean	Jopp	Metzen	Schumacher	Zubay
DeGroat	Jude	Moe	Searle	Speaker Sabo
Dieterich	Kahn	Munger	Setzepfandt	

A quorum was present.

Eckstein and Voss were excused. Clark was excused until 3:35 p.m. Eken was excused until 4:00 p.m. Knoll was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 764, 1897, 1898 and 2244 and S. F. No. 1135 have been placed in the members' files.

## REPORTS OF STANDING COMMITTEES

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

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

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 8, delete "834 is" and insert "832 and Independent School District No. 833 are".

Page 1, line 10, delete "832 and Independent School".

Page 1, line 11, delete "District No. 833" and insert "834".

Page 1, line 15, delete "is effective upon approval by the".

Page 1, delete lines 16 to 18 and insert "shall take effect with respect to each of the independent school districts named in section 1 upon its approval by the school board of the independent school district."

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 2201, A bill for an act relating to census data; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

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

H. F. No. 1847, A bill for an act relating to dentistry; authorizing continuing education requirements for dental assistants; amending Minnesota Statutes 1974, Section 150A.10, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 150A.01, is amended by adding a subdivision to read:

*Subd. 8. "Registered dental assistant" means a person registered pursuant to section 3 of this act.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 150A.02, Subdivision 1, is amended to read:

150A.02 [BOARD OF DENTISTRY.] Subdivision 1. There is hereby created a board of dentistry whose duty it shall be to carry out the purposes and enforce the provisions of sections 150A.01 to 150A.12. The board shall consist of two public members as defined for purposes of Laws 1973, Chapter 638 (AND), five qualified resident dentists, *one qualified resident registered dental assistant, and one qualified resident dental hygienist* appointed by the governor. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. Each board member who is a dentist, *registered dental assistant, or dental hygienist* shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall be eligible for appointment to more than two consecutive

four year terms, and members serving on the board at the time of the enactment hereof shall be eligible to reappointment provided they shall not have served more than nine consecutive years at the expiration of the term to which they are to be appointed. (THE MINNESOTA STATE DENTAL ASSOCIATION,) At least 90 days prior to the expiration of the terms of dentists, *registered dental assistants, or dental hygienists, the Minnesota dental association, Minnesota dental assistants association, or the Minnesota state dental hygiene association* shall recommend to the governor for each term expiring not less than two dentists, *two registered dental assistants, or two dental hygienists, respectively, who are qualified to serve on the board,* and from the list (OF DENTISTS) so recommended the governor may appoint members to the board for the term of four years, the appointments to be made within 30 days after the expiration of the terms. Within 60 days after the occurrence of a *dentist, registered dental assistant, or dental hygienist* vacancy, prior to the expiration of the term, in the board, the Minnesota (STATE) dental association, *the Minnesota state dental assistants association, or the Minnesota state dental hygiene association* shall recommend to the governor not less than two dentists, *two registered dental assistants, or two dental hygienists, who are qualified to serve on the board* and from the list (OF DENTISTS) so recommended the governor, within 30 days after receiving such list of dentists, may appoint one member to the board for the unexpired term occasioned by such vacancy. Any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy. *The first four year term of the dental hygienist and of the registered dental assistant shall commence on the first Monday in January, 1977.*

Sec. 3. Minnesota Statutes 1974, Section 150A.06, is amended by adding a subdivision to read:

*Subd. 2a. [REGISTERED DENTAL ASSISTANT.] A person of good moral character not already a registered dental assistant in this state and a graduate of a training program approved by the board, upon payment of a fee established by the board, may be examined as prescribed by the board to test an applicant's ability. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant who successfully passes the examination shall be registered as a dental assistant.*

Sec. 4. Minnesota Statutes 1974, Section 150A.06, is amended by adding a subdivision to read:

*Subd. 2b. [EXAMINATION.] When the examination of persons applying for licensure or registration is done by board members it shall be conducted by those board members qualified for the particular part of the examination being conducted.*

Sec. 5. Minnesota Statutes 1974, Section 150A.06, Subdivision 6, is amended to read:

Subd. 6. [DISPLAY OF NAME AND CERTIFICATES.] Every licensed dentist (OR), dental hygienist, or *registered dental assistant* shall post and keep conspicuously displayed his name, license certificate and annual registration certificate in every office wherein he practices, in plain sight of his patients and if there is more than one dentist (OR), dental hygienist, or *registered dental assistant* practicing or employed in any office the manager or proprietor of such office shall post and display or cause to be posted and displayed, in like manner the name, license certificate and annual registration certificate of each dentist (OR), dental hygienist, or *registered dental assistant* so practicing or employed therein. In addition there shall be posted or displayed near or upon the entrance door to every office wherein dentistry is practiced, the name of each and every dentist practicing therein and such names shall be the name of the person inscribed upon the license certificate and annual registration certificate of each dentist.

Sec. 6. Minnesota Statutes 1974, Section 150A.08, is amended to read:

150A.08 [SUSPENSION OR REVOCATION OF LICENSE.] Subdivision 1. [GROUNDS.] The board may by order suspend or revoke, in the manner hereinafter provided, any license to practice dentistry or dental hygiene or *the registration of any dental assistant* issued heretofore or hereunder upon any of the following grounds:

- (1) Fraud or deception in connection with the securing of such license or annual registration certificate;
- (2) Conviction of the holder in any court of a felony;
- (3) Conviction of the holder in any court of an offense involving moral turpitude;
- (4) Habitual indulgence in the use of narcotics or habitual overindulgence in the use of intoxicating liquors;
- (5) Conduct unbecoming a person licensed to practice dentistry or dental hygiene or *registered as a dental assistant*, or conduct contrary to the best interest of the public, as such conduct is defined by the rules and regulations of the board;
- (6) Gross immorality;
- (7) Advanced physical or mental disability;
- (8) Failure to maintain adequate safety and sanitary conditions for a dental office in accordance with the standards established by the rules and regulations of the board;

(9) Employing, assisting, or enabling in any manner an unlicensed person to practice dentistry; or

(10) Violation of, or failure to comply with, any other provisions of Sections 150A.01 to 150A.12 or the rules and regulations of the board of dentistry. Suspension or revocation shall not be based upon any judgment as to therapeutic or monetary value of any individual drug prescribed or any individual treatment rendered, but only upon a repeated pattern of conduct.

Subd. 2. [PROCEDURE.] Before the board shall order any such suspension or revocation it shall on its own motion cause an investigation to be made and a citation to issue under the seal of the board, signed by the secretary-treasurer, requiring the holder to show cause on a certain date why his license to practice dentistry or dental hygiene or *registration as a dental assistant* should not be suspended or revoked on the grounds specified therein. The holder of such license shall have 20 days' notice of the hearing and be entitled to be represented by an attorney.

A stenographic record shall be kept of all such proceedings. A certified copy of the conviction of any licensee shall be conclusive evidence as to the conviction in any proceeding before the board. The action of the board in suspending or revoking a license shall be subject to a review by a writ of certiorari brought in the district court of Ramsey county. The action of the board shall stand until otherwise directed by the district court or by the supreme court upon appeal.

Subd. 3. [REINSTATEMENT.] Any licensee or *registrant* whose license (TO PRACTICE DENTISTRY OR DENTAL HYGIENE) or *registration* has been suspended or revoked may have his license or *registration* reinstated or a new license or *registration* issued (TO HIM), as the case may be, when in the discretion of the board such action is warranted and the board may require the licensee or *registrant* to pay all costs of proceedings resulting in his suspension or revocation of license or *registration* and reinstatement or new license and, in addition thereto, the fee for reinstatement established by the board.

Subd. 4. [RECORDS.] The secretary-treasurer of the board shall keep a record of all licenses and *registration certificates* issued, suspended, or revoked.

Sec. 7. Minnesota Statutes 1974, Section 150A.09, Subdivision 1, is amended to read:

150A.09 [ANNUAL REGISTRATION OF LICENSE.] Subdivision 1. [ANNUAL INFORMATION AND PROCEDURE.] On or before the first day of January each year every licensed dentist (AND), dental hygienist, and *registered dental assistant* shall transmit to the secretary of the board, upon a form prescribed by the board, his signature, office address or

addresses, the number of his license *or registration* certificate, whether such (LICENSEE) *person* has been engaged during the preceding year in (THE) active practice (OF DENTISTRY OR DENTAL HYGIENE), whether within or without the state, and such other pertinent information as may be required by the board, together with the fee established by the board and, in default of providing such information or payment of such fee, the board may, upon hearing and upon 30 days' notice, suspend *or revoke* the license (OF THE DENTIST OR DENTAL HYGIENIST) *or registration* during such default, but the providing of such information as requested by the board and the payment of such fee on or before the date of hearing, with an additional sum equal to that of the renewal fee, shall excuse the default and the suspension proceeding shall thereupon terminate. The board may collect such fee by civil action. At least 30 days before January 1, the board shall cause a written notice stating the amount and due date of the fee and the information to be provided (BY THE LICENSEE), to be sent to every licensed dentist (AND), dental hygienist, *and registered dental assistant*.

Sec. 8. Minnesota Statutes 1974, Section 150A.09, Subdivision 2, is amended to read:

Subd. 2. [FIVE YEAR EDUCATIONAL REQUIREMENT FOR DENTISTS, DENTAL HYGIENISTS AND REGISTERED DENTAL ASSISTANTS.] Five years from June 6, 1969 or upon the fifth anniversary of the issuance of his license, whichever occurs last, and each five years thereafter, each person licensed to practice dentistry or dental hygiene *or registered as a dental assistant* in this state shall provide the state board of dentistry evidence, of a nature suitable to the board, that such licensed person has attended, or participated in such amount of continuing education in dentistry as shall be required by the board; however, for dentists this requirement shall be not less than (20) 75 hours during the preceding five years of licensure. The board may accept for compliance with this requirement any of the following which, in the opinion of the board, contributes directly to the dental education of the licensee *or registrant*:

(1) Attendance at lectures, study clubs, college postgraduate courses, or scientific sessions of conventions; and

(2) Research, graduate study, teaching, or service as a clinician; and

(3) Any other such evidence of continuing education the board may approve.

Any licensed person who shall fail to comply with this requirement shall, at the discretion of the board, be re-examined to determine his competency to continue licensure. If, in the opinion of the board, such licensed person does not qualify for further licensed practice, the board shall suspend such license until such

time as the dentist or dental hygienist shall provide acceptable evidence to the board of his competency to practice.

Sec. 9. Minnesota Statutes 1974, Section 150A.10, Subdivision 2, is amended to read:

Subd. 2. [DENTAL ASSISTANTS.] Every licensed dentist who uses the services of any unlicensed person for the purpose of assisting him in the practice of dentistry shall be responsible for the acts of such unlicensed person while engaged in such assistance. Such dentist shall permit such unlicensed assistant to perform only those acts which he is authorized to delegate to unlicensed assistants by the board of dentistry. Such acts shall be performed under supervision of a licensed dentist. The board may permit differing levels of dental assistance based upon recognized educational standards, approved by the board, for the training of dental assistants. *The board may also permit differing levels of dental assistant based upon a person's qualifications or lack thereof as a registered dental assistant. The board by rule may require continuing education for differing levels of dental assistants, as a condition to their registration or authority to perform their authorized duties.* Any licensed dentist who shall permit such unlicensed assistant to perform any dental service other than that authorized by the board shall be deemed to be enabling an unlicensed person to practice dentistry, and commission of such an act by such unlicensed assistant shall constitute a violation of sections 150A.01 to 150A.12.”.

Further, strike the title and insert:

“A bill for an act relating to dentistry; providing for registration of dental assistants; changing the membership of the board of dentistry; providing for continuing education; amending Minnesota Statutes 1974, Sections 150A.01, by adding a subdivision; 150A.06, Subdivision 6, and by adding subdivisions; 150A.08; 150A.09, Subdivisions 1 and 2; and 150A.10, Subdivision 2; and amending Minnesota Statutes, 1975 Supplement, Section 150A.-02, Subdivision 1.”.

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

The report was adopted.

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

H. F. No. 2037, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27;



Chapter 256B, by adding a section; Minnesota Statutes, 1975 Supplement, Section 609.52, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 17, strike "finally".

Page 1, line 19, delete "has been found".

Page 1, delete line 20 and insert "*submits to the department of public welfare a claim for reimbursement, cost report or rate application which he knows to be false in whole or in part shall be*".

Page 1, delete line 25.

Page 2, delete lines 1 to 3 and insert "*eligibility. No vendor shall be declared ineligible without prior notice and an opportunity for a hearing, pursuant to Minnesota Statutes, Chapter 15, on the commissioner's proposed action.*".

Page 2, line 12, after "operations" insert "*or health care services provided*".

Page 2, line 13, delete "nursing homes" and insert "*medical vendors*".

Page 2, delete lines 14 and 15 and insert "*rates or reimbursement shall be submitted under oath as to the truthfulness of their contents by the vendor or an officer or authorized representative of the vendor.*".

Page 2, line 18, delete "determining" and insert "*investigating*".

Page 2, delete line 22 and insert "*vendor has submitted a claim for reimbursement, cost report or rate application which he knows to be false in whole or in part. To the extent feasible, the commissioner shall contract with a 'review organization', as defined in Minnesota Statutes, Section 145.61, in determining whether or not the medical care provided was medically necessary.*".

Page 2, line 30, after "report" insert "*, rate application*".

Page 2, line 31, after "which" insert "*the vendor knows*".

Page 3, line 5, delete "fraudulent".

Page 3, line 5, delete "received" and insert "*which result from the false representation*".

Page 3, line 7, insert a new section to read:

"Sec. 4. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.466] [MEDICAL ASSISTANCE FRAUD.] *Any person who, with the intent to defraud, presents a claim for reimbursement, cost report or rate application, relating to the payment of medical assistance funds pursuant to Minnesota Statutes, Chapter 256B, to the department of public welfare, which is false in whole or in part, is guilty of an attempt to commit theft of public funds and may be sentenced accordingly.*"

Renumber subsequent sections in sequence.

Page 4, line 9, before "cost" insert "claim for reimbursement,".

Page 4, line 9, after "report" insert "or rate application".

Page 4, line 12, delete "report".

Further amend the title as follows:

Page 1, line 7, delete "Chapter" and insert "Chapters".

Page 1, line 8, after "section;" insert "and 609, by adding a section;"

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

The report was adopted.

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

H. F. No. 2040, A bill for an act relating to nursing homes; establishing an office of nursing home complaints; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "4" and insert "6".

Page 1, line 13, after "staff;" delete "or".

Page 1, line 15, delete the period and insert "; or".

Page 1, after line 15, insert "(d) Any court or judge."

Page 1, after line 17 insert "Subd. 4. "Nursing home" means a facility or that part of a facility which provides skilled nursing care, intermediate care or boarding of custodial care to five or more persons. Nursing home does not include a facility or that part of a facility which is a hospital, clinic, doctor's office, diagnostic or treatment center, or a residential facility licensed pursuant to Minnesota Statutes, Sections 245.78 to 245.821, 252.28, and 257.081 to 257.124."

Renumber subsequent subdivision.

Page 1, line 18, delete "Patient" and insert "Resident".

Page 2, line 10, delete "personal".

Page 2, line 13, delete "personal".

Page 2, line 24, delete "In selecting a staff,".

Page 2, line 25, delete "make certain that it includes" and insert "include on his staff".

Page 2, line 26, delete "areas such as nursing" and insert "law, health".

Page 2, line 27, delete "and".

Page 2, line 28, after "homes" insert ", and any other relevant fields".

Page 3, line 1, delete the fourth comma and insert a semicolon.

Page 3, line 6, delete ". The legislative audit commission may,".

Page 3, delete line 7.

Page 3, line 8, delete "director".

Page 3, line 11, after the semicolon insert "provided, however, that he cooperates with the department of health's nursing home complaint team when undertaking an investigation,".

Page 3, line 23, delete "patients" and insert "residents".

Page 3, line 26, after "agency" insert "or a nursing home".

Page 4, line 12, delete "being".

Page 4, line 13, delete "questioned" and insert "under investigation".

Page 4, line 28, delete the second comma.

Page 4, delete lines 29 and 30 and insert "and recommendations. The director shall transmit his conclusions and recommendations to the".

Page 4, line 32, delete "impliedly" and insert "by implication criticizes an".

Page 5, line 12, after "information" insert ", other than resident records,".

Page 5, after line 12, insert "Subd. 3. In performing his duties under this act, the director shall preserve the confidentiality of resident records. He may release a resident's records with the written approval of the resident who is the subject of the records."

Sec. 5. [HEALTH DEPARTMENT COMPLAINT TEAM.] It is the intent of the legislature that the complaint team of the state board of health continue its activities in investigating complaints related to nursing homes. The director shall consult with and coordinate his activities with the activities of the state board of health.

Sec. 6. [ADVISORY COMMITTEE.] The legislative audit commission shall appoint a fifteen member advisory committee to advise the director in the performance of his duties under this act."

Renumber the remaining section in sequence.

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

The report was adopted.

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

H. F. No. 2236, A bill for an act relating to medical assistance for the needy; allowing the cost of certain home care services provided by public health nurses to be paid by medical assistance; authorizing an experimental program for the cost of home care of the elderly; amending Minnesota Statutes, 1974, Chapter 256B, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 256B.02, Subdivision 7.

Reported the same back with the following amendments:

Page 2, line 9, delete "*households which*" and insert "*individuals who*".

Page 2, line 10, delete "*an elderly person*" and insert "*elderly or disabled persons*".

Page 2, line 11, delete "*households caring*" and insert "*care*".

Page 2, line 12, after "*older*" insert "*, or who have been determined to be disabled pursuant to Title XVIII or Title XIX of the United States Social Security Act, and*".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 11, delete "*any*" and insert "*not more than one*".

Page 1, line 13, after the second "*or*" delete "*any*" and insert "*not more than one*".

Page 2, line 14, after "*609.485,*" insert "*subdivision 4, clause (1),*".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2020, A bill for an act relating to courts; increasing the jurisdictional amount in conciliation court of Hennepin and Ramsey counties; amending Minnesota Statutes 1974, Section 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 3. Minnesota Statutes 1974, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 4. Minnesota Statutes 1974, Section 488A.31, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever."

Further amend the title as follows:

Page 1, line 5, strike "and" and insert "488A.14, Subdivision 6;"

Page 1, line 6, before the period insert "; and 488A.31, Subdivision 6".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 2024, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15A.083, Subdivision 4; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.03; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivisions 1 and 2; 271.12; 271.13; 271.14; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 124.212, Subdivision 11; repealing Minnesota Statutes 1974, Sections 271.001; 271.01, Subdivisions 2 and 3; 271.06, Subdivision 5; 271.11; and 271.16.

Reported the same back with the following amendments:

Page 3, line 10, strike "receive compensation for time".

Page 3, strike line 11.

Page 3, line 22, delete *"courts have"* and insert *"court has"*.

Page 3, line 27, after *"property"* insert *"or in any case that is under the jurisdiction of the probate court"*.

Page 5, line 21, delete *"The"* and insert *"Each"*.

Page 5, line 24, after the period insert *"When an appeal is taken by a resident taxpayer from an order of the commissioner, venue for the case shall be in Ramsey county or in the county in which the taxpayer resides. Venue shall be in Ramsey county for an appeal taken by a nonresident taxpayer from an order of the commissioner."*

Page 5, line 24, after *"for"* insert *"all other"*.

Page 6, line 24, after the period insert *"In Ramsey county, notice of appeal may be filed with the tax court clerk or with the administrator."*

Page 8, line 2, reinstate the stricken *"any"*.

Page 8, line 2, strike *"the"*.

Page 8, line 32, after *"empanel"* delete *"a"* and insert *"an advisory"*.

Page 8, line 32, after *"upon"* delete *"a"* and insert *"his own"*.

Page 9, line 1, delete *"of the court"*.

Page 9, line 11, delete *"in equity"*.

Page 9, line 11, after *"aside"* insert *"or modify"*.

Page 10, line 28, strike *"within six"*.

Page 10, line 29, strike *"months after such order has become final,"*.

Page 11, line 5, delete *"sections"* and insert *"section"*.

Page 11, line 26, delete *"3"* and insert *"4"*.

Page 18, line 21, strike *"member,"*.

Page 21, line 9, delete *"and equitable"*.

Page 22, line 9, after the period insert "*Each referee shall have authority to hear and decide the cases that he hears as small claims referee.*".

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 2147, 2292, 1847, 1087 and 2020 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Graba, Wenstrom, Fjoslien, DeGroat and Sherwood introduced:

H. F. No. 2362, A bill for an act relating to economic development; appropriating money.

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

Faricy introduced:

H. F. No. 2363, A bill for an act relating to public welfare; authorizing grants for community residential facilities for the cerebral palsied; appropriating money; amending Minnesota Statutes 1974, Section 252.30; and Chapter 252, by adding a Section.

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



Voss, Eken, McCauley, Arlandson and Haugerud introduced:

H. F. No. 2364, A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1974, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; 638.08; and Laws 1971, Chapter 121, Section 2, as amended; repealing Minnesota Statutes 1974, Sections 7.07; 138.821; Minnesota Statutes, 1975 Supplement, Sections 123.937; 144.146, Subdivision 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

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

McCarron, Lindstrom, Kaley, Novak and Haugerud introduced:

H. F. No. 2365, A bill for an act relating to crimes; prohibiting devices intended to be used to avoid payment of long distance telecommunications services; prescribing penalties; amending Minnesota Statutes 1974, Section 609.785.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Patton; Anderson, G.; Munger; Sherwood and Kahn introduced:

H. F. No. 2366, A bill for an act relating to the regulation and control of junk yards adjacent to trunk highways; requiring junk yards to be concealed from the view of motorists using the highway; amending Minnesota Statutes, 1975 Supplement, Section 161.242, Subdivision 3.

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

Anderson, I.; Johnson, D.; Biersdorf; Braun and Prah! introduced:

H. F. No. 2367, A bill for an act relating to state lands; procedure for timber sales; amending Minnesota Statutes, 1975 Supplement, Section 90.101, Subdivision 1.

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

Parish; Patton; Anderson, I.; Beauchamp and Biersdorf introduced:

H. F. No. 2368, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; amending Minnesota Statutes 1974, Sections 353.01, Subdivisions 2b, 16, and 30; 353.03, by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; and Minnesota Statutes, 1975 Supplement, Sections 353.01, Subdivision 24; 353.15; and 353.29, Subdivision 7.

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

Eken introduced:

H. F. No. 2369, A bill for an act relating to state lands; directing conveyance of certain state owned lands in Mahnomen county.

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

Sieben, M.; Jaros; Knoll and McCauley introduced:

H. F. No. 2370, A bill for an act relating to daytime activity centers; renaming them developmental achievement centers; making the necessary revisions in Minnesota Statutes; amending Minnesota Statutes 1974, Sections 252.21; 252.22; 252.23; 252.24, as amended; 252.25; 257.081, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Sections 123.39, Subdivision 13; and 252.26.

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

Berglin, Heinitz, Clark, Byrne and Volk introduced:

H. F. No. 2371, A bill for an act relating to health; providing guidelines for licensing nurse-midwives; defining registered nurse-midwife; amending Minnesota Statutes 1974, Section 148.171; and Chapter 148, by adding a section.

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

Kahn and Dean introduced:

H. F. No. 2372, A bill for an act relating to eminent domain; providing for referees in lieu of court appointed commissioners and prescribing the powers and duties of a referee; providing that the county or city assessor's market value or estimated market value be the basis of the referee's initial award; providing a method of determining past taxes due on certain acquired property by reason of under assessment, and providing for the collection and distribution thereof; amending Minnesota Statutes 1974, Sections 117.105; 117.115; 117.135, by adding subdivisions; 117.145; 117.165, Subdivisions 1 and 2; 117.175, Subdivision 1; 117.195; Chapter 117, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 117.042; repealing Minnesota Statutes 1974, Sections 117.075 and 117.085.

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

Faricy introduced:

H. F. No. 2373, A bill for an act relating to courts; creating a system of district attorneys in the state; providing for assistant district attorneys and temporary assignments; authorizing compensation.

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

Luther; Dieterich; Carlson, L.; Wenstrom and Arlandson introduced:

H. F. No. 2374, A bill for an act relating to highway traffic regulation; requiring courts to report to the commissioner of public safety a stay of imposition of sentence granted under provisions of law relating to driving while under the influence of drugs or alcoholic beverages; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6.

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

Philbrook, Arlandson, Beauchamp, White and Dean introduced:

H. F. No. 2375, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

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

Patton, Fugina, McCauley and Spanish introduced:

H. F. No. 2376, A bill for an act relating to public employment labor relations; providing that students in state universities be present at certain negotiations; amending Minnesota Statutes 1974, Sections 179.61; 179.63, Subdivisions 15 and 16 and by adding a subdivision; 179.65, Subdivision 4; 179.68, Subdivisions 2 and 3; 179.69, Subdivision 1; 179.73; and Chapter 179 by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Petrafeso, Pleasant and Tomlinson introduced:

H. F. No. 2377, A bill for an act relating to metropolitan government; comprehensive transportation planning; providing for council adoption of a transportation policy plan and appointment of a transportation advisory board which shall prepare a transportation development program; establishing a program of transportation development grants; directing the highway department to promote the use of car pools and commuter vans; authorizing tax levies; amending Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 18, 19, and by adding subdivisions; 473.405, Subdivision 1; 473.411, Subdivisions 1 and 3; 473.413, Subdivisions 4, 5, 6, and 11; 473.424; 473.435; 473.445, Subdivision 1; 473.446, by adding a subdivision; and Chapter 473, by adding sections; repealing Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 17; 473.146, Subdivisions 3 and 4; 473.416 to 473.423; 473.425 and 473.445, Subdivision 2.

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

Brinkman and Fjoslien introduced:

H. F. No. 2378, A bill for an act relating to taxation; providing for taxation of certain camps.

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

Mangan, Arlandson and Dieterich introduced:

H. F. No. 2379, A bill for an act relating to taxation; restoring the ten percent rent credit for rent paid after December 31, 1974; appropriating money; amending Minnesota Statutes, 1975 Supplement, Sections 290.985; 290A.04, Subdivision 2; and 290A.21.

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

Heinitz, Neisen, Tomlinson and Sieloff introduced:

H. F. No. 2380, A bill for an act relating to taxation; providing for a credit against income tax for the cost of remodeling buildings and facilities to accommodate handicapped persons; amending Minnesota Statutes 1974, Section 290.06, by adding a subdivision.

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

Carlson, A., and Dean introduced:

H. F. No. 2381, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

Berglin, Fudro, Novak, Schreiber and Pleasant introduced:

H. F. No. 2382, A bill for an act relating to highways; providing for the construction and maintenance of acoustical barriers along the perimeter of certain trunk highways; amending Minnesota Statutes, 1975 Supplement, Section 161.125.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 19, A House Concurrent Resolution providing that either house may adjourn from February 19 until February 25, 1976.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1880, A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Kittson.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 830, 1273, 1636 and 1794.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 1813 and 1820.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### FIRST READING OF SENATE BILLS

S. F. No. 830, A bill for an act relating to health care; requiring certain insurance policies and health care plans to provide benefits for health care services rendered in free standing ambulatory surgical centers.

The bill was read for the first time.

Pehler moved that S. F. No. 830 and H. F. No. 764, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1273, A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter registration campaigns and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions; amending Minnesota Statutes 1974, Section 10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34, by adding a subdivision.

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

S. F. No. 1636, A bill for an act relating to insurance; clarifying license requirements for persons who enter into, acquire or

hold insurance premium finance agreements; amending Minnesota Statutes 1974, Section 59A.03, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

S. F. No. 1794, A bill for an act relating to courts; prescribing the jurisdictional limits of conciliation courts in the counties of Hennepin and Ramsey; amending Minnesota Statutes 1974, Sections 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

The bill was read for the first time.

Schreiber moved that S. F. No. 1794 and H. F. No. 2020, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1813, A bill for an act authorizing the conveyance by the state of certain lands located in Roseau county.

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

S. F. No. 1820, A bill for an act relating to Marshall county; authorizing the county law library to be supported by certain judicially imposed fee charges.

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

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Osthoff reported on the progress of S. F. No. 570, now in Conference Committee.

Pursuant to Joint Rule 13, Patton reported on the progress of S. F. No. 919, now in Conference Committee.

Pursuant to Joint Rule 13, Sherwood reported on the progress of S. F. No. 1308, now in Conference Committee.

#### CONSENT CALENDAR

H. F. No. 2071, A bill for an act relating to towns; adoption of optional form of government; amending Minnesota Statutes, 1975 Supplement, Section 367.31, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kahn	Moe	Sieloff
Adams, L.	Enebo	Kalis	Munger	Simoneau
Adams, S.	Erickson	Kelly, R.	Neisen	Skoglund
Albrecht	Esau	Kelly, W.	Nelsen	Smith
Anderson, G.	Evans	Kempe, A.	Niehaus	Smogard
Anderson, I.	Ewald	Kempe, R.	Novak	Spanish
Arlandson	Faricy	Ketola	Osthoff	Stanton
Beauchamp	Fjoslien	Knickerbocker	Parish	Suss
Begich	Forsythe	Kostohryz	Patton	Swanson
Berg	Friedrich	Kroening	Peterson	Tomlinson
Berglin	Fudro	Kvam	Philbrook	Ulland
Biersdorf	Fugina	Laidig	Pleasant	Vanasek
Birnstihl	George	Langseth	Prahl	Vento
Braun	Graba	Lemke	Reding	Volk
Brinkman	Hanson	Lindstrom	St. Onge	Wenstrom
Byrne	Heinitz	Luther	Samuelson	Wenzel
Carlson, A.	Hokanson	Mangan	Sarna	White
Carlson, L.	Jacobs	Mann	Savelkoul	Wigley
Carlson, R.	Jaros	McCarron	Schreiber	Williamson
Casserly	Jensen	McCauley	Schumacher	Zubay
Clawson	Johnson, C.	McCollar	Setzepfandt	Speaker Sabo
Corbid	Johnson, D.	McEachern	Sherwood	
DeGroat	Jopp	Menning	Sieben, H.	
Dieterich	Jude	Metzen	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 2170, A bill for an act relating to towns; election of officers; submittal of optional plans of town government to electors; amending Minnesota Statutes, 1975 Supplement, Sections 367.03, Subdivision 1; and 367.31, Subdivision 1.

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

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

Those who voted in the affirmative were:

Abeln	Carlson, A.	Ewald	Jensen	Kvam
Adams, L.	Carlson, L.	Faricy	Johnson, C.	Laidig
Adams, S.	Carlson, R.	Fjoslien	Johnson, D.	Langseth
Albrecht	Casserly	Forsythe	Jopp	Lemke
Anderson, G.	Clawson	Friedrich	Jude	Lindstrom
Anderson, I.	Corbid	Fudro	Kahn	Luther
Arlandson	Dahl	Fugina	Kalis	Mangan
Beauchamp	Dean	George	Kelly, R.	Mann
Begich	DeGroat	Graba	Kelly, W.	McCarron
Berg	Dieterich	Hanson	Kempe, A.	McCauley
Biersdorf	Doty	Haugerud	Kempe, R.	McCollar
Birnstihl	Enebo	Heinitz	Ketola	McEachern
Braun	Erickson	Hokanson	Knickerbocker	Menning
Brinkman	Esau	Jacobs	Kostohryz	Metzen
Byrne	Evans	Jaros	Kroening	Moe



Munger	Peterson	Savelkoul	Skoglund	Vento
Neisen	Petrafeso	Schreiber	Smith	Volk
Nelsen	Philbrook	Schulz	Smogard	Wenstrom
Nelson	Pleasant	Schumacher	Spanish	Wenzel
Niehaus	Prahl	Setzepfandt	Stanton	White
Novak	Reding	Sherwood	Suss	Wieser
Osthoff	Rice	Sieben, H.	Swanson	Wigley
Parish	St. Onge	Sieben, M.	Tomlinson	Williamson
Patton	Samuelson	Sieloff	Ulland	Zubay
Pehler	Sarna	Simoneau	Vanasek	Speaker Sabo

The bill was passed and its title agreed to.

## CALENDAR

S. F. No. 806, A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

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

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

Those who voted in the affirmative were:

Abeln	Doty	Kalis	Neisen	Sieben, H.
Adams, L.	Enebo	Kelly, R.	Nelsen	Sieben, M.
Adams, S.	Erickson	Kelly, W.	Nelson	Sieloff
Albrecht	Esau	Kempe, A.	Niehaus	Simoneau
Anderson, G.	Evans	Kempe, R.	Novak	Skoglund
Anderson, I.	Ewald	Ketola	Osthoff	Smith
Arlandson	Faricy	Knickerbocker	Parish	Smogard
Beauchamp	Fjoslien	Kostohryz	Patton	Spanish
Begich	Forsythe	Kroening	Pehler	Stanton
Berg	Friedrich	Kvam	Peterson	Suss
Berglin	Fudro	Laidig	Petrafeso	Swanson
Biersdorf	Fugina	Langseth	Philbrook	Tomlinson
Birnstihl	George	Lemke	Pleasant	Ulland
Braun	Graba	Lindstrom	Prahl	Vanasek
Brinkman	Hanson	Luther	Reding	Vento
Carlson, A.	Haugerud	Mangan	Rice	Volk
Carlson, L.	Heinitz	Mann	Samuelson	Wenstrom
Carlson, R.	Hokanson	McCarron	Sarna	Wenzel
Casserly	Jacobs	McCauley	Savelkoul	White
Clawson	Jaros	McCollar	Schreiber	Wieser
Corbid	Jensen	McEachern	Schulz	Wigley
Dahl	Johnson, C.	Menning	Schumacher	Williamson
Dean	Johnson, D.	Metzen	Searle	Zubay
DeGroat	Jopp	Moe	Setzepfandt	Speaker Sabo
Dieterich	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1898, A bill for an act relating to insurance; providing for interest on unpaid benefits; amending Minnesota Statutes 1974, Chapter 61A, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kaley	Neisen	Sieben, H.
Adams, L.	Enebo	Kalis	Nelsen	Sieben, M.
Adams, S.	Erickson	Kelly, R.	Nelson	Sieloff
Albrecht	Esau	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Evans	Kempe, A.	Norton	Skoglund
Anderson, I.	Ewald	Kempe, R.	Novak	Smith
Arlandson	Faricy	Ketola	Osthoff	Smogard
Beauchamp	Fjoslien	Knickerbocker	Parish	Spanish
Begich	Forsythe	Kostohryz	Patton	Stanton
Berg	Friedrich	Kroening	Pehler	Suss
Berglin	Fudro	Kvam	Peterson	Swanson
Biersdorf	Fugina	Laidig	Petrafeso	Tomlinson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Haugerud	Luther	Reding	Volk
Carlson, A.	Heinitz	Mangan	Rice	Wenstrom
Carlson, L.	Hokanson	Mann	St. Onge	Wenzel
Carlson, R.	Jacobs	McCarron	Samuelson	White
Casserly	Jaros	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Savelkoul	Wigley
Corbid	Johnson, C.	McEachern	Schreiber	Williamson
Dahl	Johnson, D.	Menning	Schulz	Zubay
Dean	Jopp	Metzen	Schumacher	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Berg	Carlson, R.	Enebo	Fudro
Adams, L.	Berglin	Casserly	Erickson	Fugina
Adams, S.	Biersdorf	Clawson	Esau	George
Albrecht	Birnstihl	Corbid	Evans	Graba
Anderson, G.	Braun	Dahl	Ewald	Hanson
Anderson, I.	Brinkman	Dean	Faricy	Haugerud
Arlandson	Byrne	DeGroat	Fjoslien	Heinitz
Beauchamp	Carlson, A.	Dieterich	Forsythe	Hokanson
Begich	Carlson, L.	Doty	Friedrich	Jacobs

Jaros	Kvam	Nelsen	Samuelson	Stanton
Jensen	Laidig	Nelson	Sarna	Suss
Johnson, C.	Langseth	Niehaus	Savelkoul	Swanson
Johnson, D.	Lemke	Norton	Schreiber	Tomlinson
Jopp	Lindstrom	Novak	Schulz	Ulland
Jude	Luther	Osthoff	Schumacher	Vento
Kahn	Mangan	Parish	Searle	Volk
Kaley	Mann	Patton	Setzepfandt	Wenstrom
Kalis	McCarron	Pehler	Sherwood	Wenzel
Kelly, R.	McCauley	Peterson	Sieben, H.	White
Kelly, W.	McCollar	Petrafeso	Sieben, M.	Wieser
Kempe, A.	McEachern	Philbrook	Sieloff	Wigley
Kempe, R.	Menninng	Pleasant	Simoneau	Williamson
Ketola	Metzen	Prahl	Skoglund	Zubay
Knickerbocker	Moe	Reding	Smith	Speaker Sabo
Kostohryz	Munger	Rice	Smogard	
Kroening	Neisen	St. Onge	Spanish	

The bill was passed and its title agreed to.

H. F. No. 1323, A bill for an act relating to health; setting standards for contract emergency ambulance services; amending Minnesota Statutes 1974, Section 144.804, Subdivision 3.

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

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

Those who voted in the affirmative were:

Abeln	Dieterich	Jude	Metzen	Schumacher
Adams, L.	Doty	Kahn	Moe	Searle
Adams, S.	Enebo	Kaley	Munger	Setzepfandt
Albrecht	Erickson	Kalis	Neisen	Sherwood
Anderson, G.	Esau	Kelly, R.	Nelsen	Sieben, H.
Anderson, I.	Evans	Kelly, W.	Nelson	Sieben, M.
Arlandson	Ewald	Kempe, A.	Niehaus	Sieloff
Beauchamp	Faricy	Kempe, R.	Norton	Simoneau
Begich	Fjoslien	Ketola	Novak	Skoglund
Berg	Forsythe	Knickerbocker	Osthoff	Smogard
Berglin	Friedrich	Kostohryz	Parish	Spanish
Biersdorf	Fudro	Kroening	Patton	Stanton
Birnstihl	Fugina	Kvam	Pehler	Suss
Braun	George	Laidig	Peterson	Swanson
Brinkman	Graba	Langseth	Petrafeso	Tomlinson
Byrne	Hanson	Lemke	Philbrook	Ulland
Carlson, A.	Haugerud	Lindstrom	Pleasant	Volk
Carlson, L.	Heinitz	Luther	Prahl	Wenstrom
Carlson, R.	Hokanson	Mangan	Reding	Wenzel
Casserly	Jacobs	Mann	Rice	White
Clawson	Jaros	McCarron	St. Onge	Wieser
Corbid	Jensen	McCauley	Samuelson	Wigley
Dahl	Johnson, C.	McCollar	Sarna	Williamson
Dean	Johnson, D.	McEachern	Schreiber	Zubay
DeGroat	Jopp	Menning	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2038, A bill for an act relating to medical assistance for the needy; directing the commissioner of public welfare to identify and investigate certain medical assistance abuses; requiring certain reports; amending Minnesota Statutes 1974, Section 256B.04, Subdivision 5, and by adding subdivisions.

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

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

Those who voted in the affirmative were:

Abeln	Enebo	Kalis	Nelsen	Sieben, M.
Adams, L.	Erickson	Kelly, R.	Nelson	Sieloff
Adams, S.	Esau	Kelly, W.	Niehaus	Simoneau
Albrecht	Evans	Kempe, A.	Norton	Skoglund
Anderson, G.	Ewald	Kempe, R.	Novak	Smith
Anderson, I.	Faricy	Ketola	Osthoff	Smogard
Arlandson	Fjoslien	Knickerbocker	Parish	Spanish
Beauchamp	Forsythe	Kostohryz	Patton	Stanton
Begich	Friedrich	Kroening	Pehler	Suss
Berglin	Fudro	Kvam	Peterson	Swanson
Biersdorf	Fugina	Laidig	Petrateso	Tomlinson
Birnstihl	George	Langseth	Philbrook	Ulland
Braun	Graba	Lemke	Pleasant	Vanasek
Brinkman	Hanson	Lindstrom	Prahl	Vento
Byrne	Haugerud	Luther	Reding	Volk
Carlson, A.	Heinitz	Mangan	Rice	Wenstrom
Carlson, L.	Hokanson	Mann	St. Onge	Wenzel
Carlson, R.	Jacobs	McCarron	Samuelson	White
Cassery	Jaros	McCauley	Sarna	Wieser
Clawson	Jensen	McCollar	Schreiber	Wigley
Corbid	Johnson, C.	McEachern	Schulz	Williamson
Dahl	Johnson, D.	Menning	Schumacher	Zubay
Dean	Jopp	Metzen	Searle	Speaker Sabo
DeGroat	Jude	Moe	Setzepfandt	
Dieterich	Kahn	Munger	Sherwood	
Doty	Kaley	Neisen	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1870, A bill for an act relating to public employees; administrative expenses of salary deductions for annuity contracts; appropriating funds; repealing Laws 1975, Chapter 433, Section 12.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

Berglin	Friedrich	Knickerbocker	Novak	Sieloff
Biersdorf	Fudro	Kostohryz	Osthoff	Simoneau
Birnstihl	Fugina	Kroening	Parish	Skoglund
Braun	George	Kvam	Patton	Smith
Brinkman	Graba	Laidig	Pehler	Smogard
Byrne	Hanson	Langseth	Peterson	Spanish
Carlson, A.	Haugerud	Lemke	Petraleso	Stanton
Carlson, L.	Heinitz	Lindstrom	Philbrook	Suss
Carlson, R.	Hokanson	Luther	Pleasant	Swanson
Casserly	Jacobs	Mangan	Prahl	Tomlinson
Clawson	Jaros	Mann	Reding	Ulland
Corbid	Jensen	McCarron	Rice	Vanasek
Dean	Johnson, C.	McCauley	St. Onge	Vento
DeGroat	Johnson, D.	McCollar	Samuelson	Volk
Dieterich	Jopp	McEachern	Sarna	Wenstrom
Doty	Jude	Menning	Savelkoul	Wenzel
Enebo	Kahn	Metzen	Schreiber	White
Erickson	Kaley	Moe	Schulz	Wieser
Esau	Kalis	Munger	Schumacher	Wigley
Evans	Kelly, R.	Neisen	Searle	Williamson
Ewald	Kelly, W.	Nelsen	Setzepfandt	Zubay
Faricy	Kempe, A.	Nelson	Sherwood	Speaker Sabo
Fjoslien	Kempe, R.	Niehaus	Sieben, H.	
Forsythe	Ketola	Norton	Sieben, M.	

The bill was passed and its title agreed to.

H. F. No. 1904, A bill for an act relating to cemeteries; prohibiting certain activities on public and private cemeteries and Indian burial grounds; requiring the posting of Indian burial grounds; amending Minnesota Statutes 1974, Section 307.08.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Jacobs	Lindstrom	Petraleso
Adams, L.	Dean	Jaros	Luther	Philbrook
Adams, S.	DeGroat	Jensen	Mangan	Pleasant
Albrecht	Dieterich	Johnson, C.	Mann	Prahl
Anderson, G.	Doty	Johnson, D.	McCarron	Reding
Anderson, I.	Enebo	Jopp	McCollar	Rice
Arlandson	Erickson	Jude	McEachern	St. Onge
Beauchamp	Esau	Kahn	Menning	Samuelson
Begich	Evans	Kaley	Metzen	Sarna
Berg	Ewald	Kalis	Moe	Savelkoul
Berglin	Faricy	Kelly, R.	Munger	Schreiber
Biersdorf	Fjoslien	Kelly, W.	Neisen	Schulz
Birnstihl	Forsythe	Kempe, A.	Nelsen	Schumacher
Braun	Friedrich	Kempe, R.	Nelson	Searle
Brinkman	Fudro	Ketola	Niehaus	Setzepfandt
Byrne	Fugina	Knickerbocker	Norton	Sherwood
Carlson, A.	George	Kostohryz	Novak	Sieben, H.
Carlson, L.	Graba	Kroening	Osthoff	Sieben, M.
Carlson, R.	Hanson	Kvam	Parish	Sieloff
Casserly	Haugerud	Laidig	Patton	Simoneau
Clawson	Heinitz	Langseth	Pehler	Skoglund
Corbid	Hokanson	Lemke	Peterson	Smith

Smogard	Swanson	Vento	White	Zubay
Spanish	Tomlinson	Volk	Wieser	Speaker Sabo
Stanton	Ulland	Wenstrom	Wigley	
Suss	Vanasek	Wenzel	Williamson	

The bill was passed and its title agreed to.

H. F. No. 59, A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kalis	Nelsen	Sieben, H.
Adams, L.	Erickson	Kelly, R.	Nelson	Sieben, M.
Adams, S.	Esau	Kelly, W.	Niehaus	Sieloff
Albrecht	Evans	Kempe, A.	Norton	Simoneau
Anderson, G.	Ewald	Kempe, R.	Novak	Skoglund
Anderson, I.	Faricy	Ketola	Osthoff	Smith
Arlandson	Fjoslien	Knickerbocker	Parish	Smogard
Beauchamp	Forsythe	Kostohryz	Patton	Spanish
Begich	Friedrich	Kroening	Pehler	Stanton
Berg	Fudro	Kvam	Peterson.	Suss
Berglin	Fugina	Laidig	Petrafeso	Swanson
Biersdorf	George	Langseth	Philbrook	Tomlinson
Birnstihl	Graba	Lemke	Pleasant	Ulland
Braun	Hanson	Lindstrom	Prahl	Vanasek
Brinkman	Haugerud	Luther	Reding	Vento
Byrne	Heinitz	Mangan	Rice	Volk
Carlson, A.	Hokanson	Mann	St. Onge	Wenstrom
Carlson, L.	Jacobs	McCarron	Samuelson	Wenzel
Carlson, R.	Jaros	McCauley	Sarna	White
Casserly	Jensen	McCollar	Savelkoul	Wieser
Clawson	Johnson, C.	McEachern	Schreiber	Wigley
Corbid	Johnson, D.	Menning	Schulz	Williamson
Dean	Jopp	Metzen	Schumacher	Zubay
DeGroat	Jude	Moe	Searle	Speaker Sabo
Dieterich	Kahn	Munger	Setzepfandt	
Doty	Kaley	Neisen	Sherwood	

The bill was passed and its title agreed to.

Adams, S., was excused at 2:35 p.m. Pleasant was excused at 4:00 p.m. Osthoff was excused at 4:55 p.m. Sherwood was excused at 5:00 p.m. Abeln was excused at 5:10 p.m.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 1.6, a roll call was taken on the motion of Pehler to recommend passage of H. F. No. 468, as amended.

The roll being called, there were yeas 56, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, L.	Enebo	Knoll	Osthoff	Tomlinson
Beauchamp	Evans	Kostohryz	Patton	Vanasek
Berg	Faricy	Lemke	Pehler	Vento
Berglin	Fudro	Luther	Philbrook	Volk
Brinkman	George	Mangan	Rice	Wenzel
Byrne	Hanson	McCarron	St. Onge	Williamson
Carlson, A.	Heinitz	McCauley	Sarna	Zubay
Carlson, L.	Jacobs	Metzen	Sieben, H.	Speaker Sabo
Casserly	Jaros	Moe	Sieben, M.	
Clawson	Jensen	Nelson	Simoneau	
Dean	Johnson, C.	Norton	Stanton	
Dieterich	Kahn	Novak	Suss	

Those who voted in the negative were:

Abeln	Fjoslien	Ketola	Parish	Sieloff
Albrecht	Forsythe	Knickerbocker	Peterson	Skoglund
Anderson, G.	Friedrich	Kroening	Petrafeso	Smith
Arlandson	Graba	Kvam	Pleasant	Smogard
Begich	Hokanson	Laidig	Prahl	Spanish
Biersdorf	Johnson, D.	Langseth	Reding	Swanson
Birnstihl	Jopp	Lindstrom	Samuelson	Ulland
Braun	Jude	Mann	Savelkoul	Wenstrom
Carlson, R.	Kaley	McCollar	Schreiber	White
Corbid	Kalis	Menning	Schulz	Wieser
DeGroat	Kelly, R.	Munger	Schumacher	Wigley
Doty	Kelly, W.	Neisen	Searle	
Ericson	Kempe, A.	Nelsen	Setzepfandt	
Esau	Kempe, R.	Niehaus	Sherwood	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the motion of Ulland to recommend passage of H. F. No. 1702, as amended.

The roll being called, there were yeas 94, and nays 11, as follows:

Those who voted in the affirmative were:

Adams, L.	Carlson, R.	Esau	Jaros	Kroening
Albrecht	Casserly	Evans	Johnson, C.	Laidig
Anderson, G.	Clark	Ewald	Jopp	Langseth
Anderson, I.	Clawson	Faricy	Kahn	Lindstrom
Arlandson	Corbid	Fjoslien	Kaley	Luther
Beauchamp	Dahl	Friedrich	Kelly, W.	Mangan
Berg	Dean	Fudro	Kempe, A.	McCarron
Berglin	DeGroat	Fugina	Kempe, R.	McCauley
Byrne	Dieterich	George	Ketola	McCollar
Carlson, A.	Doty	Graba	Knickerbocker	McEachern
Carlson, L.	Enebo	Hokanson	Knoll	Menning

Moe	Osthoff	Prahl	Simoneau	Wenzel
Munger	Parish	St. Onge	Skoglund	White
Neisen	Patton	Sarna	Smogard	Wieser
Nelsen	Pehler	Savelkoul	Spanish	Wigley
Nelson	Peterson	Setzepfandt	Stanton	Williamson
Niehaus	Petrafeso	Sherwood	Ulland	Zubay
Norton	Philbrook	Sieben, H.	Vento	Speaker Sabo
Novak	Pleasant	Sieben, M.	Volk	

Those who voted in the negative were:

Abeln	Birnstihl	Kalis	Schumacher	Vanasek
Begich	Jensen	Reding		
Biersdorf	Johnson, D.	Samuelson		

The motion prevailed.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 1326, as amended, offered by Brinkman:

Page 10, line 19, to Page 13, line 12, delete Section 13 of the bill.

The roll being called, there were yeas 53, and nays 61, as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	McEachern	Schulz
Anderson, G.	Esau	Kalis	Menning	Setzepfandt
Begich	Evans	Kempe, R.	Metzen	Smith
Biersdorf	Ewald	Ketola	Nelsen	Spanish
Birnstihl	Fjoslien	Knickerbocker	Niehaus	Swanson
Braun	Forsythe	Laidig	Patton	Wenzel
Brinkman	Friedrich	Lemke	Peterson	Wieser
Dahl	Heinitz	Lindstrom	Reding	Wigley
DeGroat	Jensen	Mann	St. Onge	Zubay
Doty	Jopp	McCauley	Samuelson	
Eken	Jude	McCollar	Schreiber	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, A.	Parish	Suss
Anderson, I.	Farcy	Knoll	Pehler	Tomlinson
Arlandson	Fugina	Kostohryz	Petrafeso	Ulland
Berg	George	Kroening	Philbrook	Vanasek
Byrne	Graba	Langseth	Rice	Vento
Carlson, A.	Hanson	Luther	Schumacher	Volk
Carlson, L.	Haugerud	Mangan	Sieben, H.	Wenstrom
Carlson, R.	Hokanson	Moe	Sieben, M.	Williamson
Casserly	Jaros	Munger	Sieloff	Speaker Sabo
Clark	Johnson, D.	Neisen	Simoneau	
Clawson	Kahn	Nelson	Skoglund	
Corbid	Kelly, R.	Norton	Smogard	
Dieterich	Kelly, W.	Novak	Stanton	

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



Pursuant to Rule 1.6, a roll call was taken on the motion of Casserly to recommend passage of H. F. No. 1326, as amended.

The roll being called, there were yeas 53, and nays 69, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kelly, R.	Norton	Skoglund
Anderson, I.	Faricy	Kempe, A.	Novak	Stanton
Arlandson	Fudro	Knoll	Parish	Suss
Beauchamp	Fugina	Kostohryz	Pehler	Tomlinson
Berg	George	Kroening	Petrafeso	Ulland
Byrne	Hanson	Luther	Prahl	Vanasek
Carlson, A.	Hokanson	Mangan	Rice	Vento
Carlson, L.	Jacobs	McCarron	Sarna	White
Carlson, R.	Jaros	Moe	Sieben, H.	Speaker Sabo
Casserly	Johnson, D.	Munger	Sieben, M.	
Clark	Kahn	Nelson	Simoneau	

Those who voted in the negative were:

Albrecht	Enebo	Jude	McEachern	Searle
Anderson, G.	Erickson	Kaley	Menning	Setzepfandt
Begich	Esau	Kalis	Metzen	Sieloff
Biersdorf	Evans	Kelly, W.	Neisen	Smith
Birnstihl	Ewald	Kempe, R.	Nelsen	Smogard
Braun	Fjoslien	Ketola	Niehaus	Spanish
Brinkman	Forsythe	Knickerbocker	Patton	Swanson
Clawson	Friedrich	Laidig	Peterson	Wenstrom
Corbid	Graba	Langseth	Philbrook	Wenzel
Dahl	Haugerud	Lemke	Reding	Wieser
Dean	Heinitz	Lindstrom	St. Onge	Wigley
DeGroat	Jensen	Mann	Samuelson	Williamson
Doty	Johnson, C.	McCauley	Schulz	Zubay
Eken	Jopp	McCollar	Schumacher	

The motion did not prevail.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 1337 which it recommended to pass.

H. F. No. 437 upon which it recommended progress.

H. F. No. 1249 upon which it recommended progress until Tuesday, March 2, 1976.

H. F. No. 1891 upon which it recommended progress until Thursday, February 26, 1976 retaining its place on General Orders.

H. F. No. 1892 upon which it recommended progress until Wednesday, February 25, 1976 retaining its place on General Orders.

H. F. No. 1897 upon which it recommended progress until Wednesday, February 25, 1976 retaining its place on General Orders.

H. F. No. 468 upon which it recommended progress with the following amendment offered by Evans:

Page 1, line 23, after "in" delete "or on".

Page 2, line 1, before "building" insert "dormitory".

Page 2, line 1, delete "grounds" and insert ", in the case of special events authorized by the administration, in other buildings".

H. F. No. 1702 upon which it recommended to pass with the following amendment offered by Ulland:

Page 1, line 23, after "sale" insert "at wholesale".

Page 2, line 12, after "use" strike the remainder of the line. Strike lines 13 and 14 and insert "or to the sale of such compounds for use in the cleaning, maintenance, testing and repair of electronic equipment."

H. F. No. 910 upon which it recommended to pass with the following amendment offered by Novak:

Page 2, line 29, after "whoever" strike the rest of the line.

Page 2, line 30, strike "fire to, or burns or causes to be burned," and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, line 1, strike "or stable, barn, or other outbuilding that is".

Page 3, line 2, strike "parcel thereof or belonging to or adjoining" and insert "appurtenant to or connected with".

Page 3, line 7, after "whoever" strike the rest of the line.

Page 3, line 8, strike "explosives sets fire to or burns or causes to be burned" and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, strike all of line 21.

Page 3, line 22, strike "burns or causes to be burned" and insert "unlawfully by means of fire or explosives, intentionally destroys or damages".

Page 3, line 29, after "*whoever*" strike the rest of the line.

Page 3, line 30, strike "*fire to or burns or causes to be burned*" and insert "*unlawfully by means of fire or explosives, intentionally destroys or damages*".

Page 4, line 11, after "*property*" insert "*of value*".

Page 4, delete lines 14 to 22.

Page 4, line 23, delete "8" and insert "7".

Page 5, line 15, delete "9" and insert "8".

Page 5, line 24, delete the comma and insert a semicolon.

Page 5, line 27, delete the period and insert a semicolon.

Page 5, line 27, after "*greater.*" add a new paragraph to read:

*"(c) Proof that the actor recovered or attempted to recover on a policy of insurance by reason of the fire is relevant but not essential to establish his intent to defraud the insurer."*

Page 5, line 28, delete "10" and insert "9".

H. F. No. 1326 upon which it recommended progress with the following amendments:

Offered by Casserly:

Page 12, line 18, delete the second "*Program*" and insert "*County*".

Page 12, line 26, delete second "*Program*" and insert "*County*".

Offered by Sieloff:

Page 20, line 8, after "*otherwise*" strike the balance of the sentence.

Page 22, line 31, after "*otherwise*" strike the balance of the sentence.

Offered by Brinkman:

Page 1, line 13, delete "24" and insert "23".

Page 5, lines 3 to 31 delete section 6 of the bill.

Renumber sections accordingly.

Further, amend the title:

Page 1, line 4, delete "14,".

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Fjoslien moved that his name be stricken as an author on H. F. No. 903. The motion prevailed.

Stanton moved that his name be stricken as an author on H. F. No. 2222. The motion prevailed.

Skoglund moved that the name of Evans be stricken and the name of Simoneau be added as an author on H. F. No. 2196. The motion prevailed.

Ketola introduced:

House Resolution No. 26, A house resolution congratulating the Cloquet High School ski team upon winning the state championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

### ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Wednesday, February 25, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Wednesday, February 25, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives