

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 3, 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	Kahn	Nelsen	Sieben, M.
Adams, L.	Eckstein	Kaley	Nelson	Sieloff
Adams, S.	Eken	Kalis	Niehaus	Simoneau
Albrecht	Enebo	Kelly, R.	Norton	Skoglund
Anderson, G.	Erickson	Kelly, W.	Novak	Smith
Anderson, I.	Esau	Kempe, A.	Osthoff	Smogard
Arlandson	Evans	Kempe, R.	Parish	Stanton
Beauchamp	Ewald	Ketola	Patton	Suss
Begich	Faricy	Knickerbocker	Pehler	Swanson
Berg	Fjoslien	Knoll	Peterson	Tomlinson
Berglin	Forsythe	Kostohryz	Petraleso	Ulland
Biersdorf	Friedrich	Kroening	Philbrook	Vanasek
Birnstihl	Fudro	Kvam	Pleasant	Vento
Braun	Fugina	Laidig	Prahl	Volk
Brinkman	George	Langseth	Reding	Voss
Byrne	Graba	Lemke	Rice	Wenstrom
Carlson, A.	Hanson	Lindstrom	St. Onge	Wenzel
Carlson, L.	Haugerud	Luther	Samuelson	White
Carlson, R.	Heinitz	Mangan	Sarna	Wieser
Casserly	Hokanson	McCarron	Savelkoul	Wigley
Clark	Jacobs	McCauley	Schreiber	Williamson
Clawson	Jaros	McCollar	Schulz	Zubay
Corbid	Jensen	McEachern	Schumacher	Speaker Sabo
Dahl	Johnson, C.	Metzen	Searle	
Dean	Johnson, D.	Moe	Setzepfandt	
DeGroat	Jopp	Munger	Sherwood	
Dieterich	Jude	Neisen	Sieben, H.	

A quorum was present.

Mann and Spanish were excused. Menning was excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek 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. 1056, 2165, 116 and 1322 and S. F. Nos. 1825, 1135 and 1047 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 1, 1976

The Honorable Martin O. Sabo
Speaker of the House
State of Minnesota

Dear Sir:

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

H. F. No. 2331, An act relating to education; authorizing Independent School District No. 625 to issue bonds for the purpose of correcting cash flow problems and for other purposes; requiring a tax levy in certain years to eliminate the operating debt of the district; removing certain persons from the application of Minnesota Statutes, Section 125.17 and removing their tenure rights granted thereunder; appropriating money.

Sincerely,

WENDELL R. ANDERSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 2, 1976

The Honorable Martin Sabo
Speaker of the House

Sir:

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

H. F. No. 1721, An act relating to education; vocational-technical institutes; providing for student associations.

H. F. No. 1829, An act relating to insurance; regulation of insurance premium finance companies; maintenance of records; charging examination fees; requiring reports; amending Minnesota Statutes 1974, Section 59A.06.

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

Sincerely,

WENDELL R. ANDERSON
Governor

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

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
1949		19	March 1	March 1
	2331	20	March 1	March 1

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1699, A bill for an act relating to public utilities furnishing at retail electric service; providing that a customer may

elect to purchase electric service from either electric utility providing him with service when he has buildings on land constituting his homestead located within more than one assigned service area; amending Minnesota Statutes 1974, Section 216B.40; and Chapter 216B, by adding a section.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1988, A bill for an act relating to port authorities; authorizing port authorities to apply for and exercise the powers of a foreign trade zone; amending Minnesota Statutes 1974, Section 458.192, Subdivision 1, and by adding a subdivision.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2046, A bill for an act relating to contests and giveaways; requiring certain disclosure; providing a penalty.

Reported the same back with the following amendments:

Page 1, line 16, after "services" insert ", and includes an opportunity to receive such merchandise".

Page 2, line 1, delete "complete".

Page 2, line 1, after the comma, insert "including the brand name and other major characteristics of the prize,".

Page 2, line 3, after "solicitation" insert "or promotion".

Page 2, line 7, after "calculated" insert "or estimated".

Page 2, delete lines 14 to 23 and insert "shall advertise or promote the sale of the primary type of merchandise sold by such person by offering any merchandise of a different type, either at no cost or for an amount less than the regular price, unless he clearly and conspicuously discloses, as part of every such offer:

(1) all conditions which must be fulfilled in order to receive the merchandise being offered at no cost or for an amount less than the regular price;

(2) a description of each item of merchandise offered at no cost or for an amount less than the regular price, including the brand name and other major characteristics of the merchandise;

(3) the primary type of merchandise being promoted by such person.”.

Page 3, delete line 5 and insert “the provisions of”.

Page 3, line 6, after “325.907” insert “shall apply”.

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 2219, A bill for an act relating to intoxicating liquor; permits to sell upon military bases or installations.

Reported the same back with the following amendments:

Page 1, line 8, delete “adjutant general, with the approval of the”.

Page 1, line 9, delete the comma.

Page 1, line 11, after “installations” insert “under the jurisdiction of the adjutant general and provided the adjutant general authorizes such licenses”.

Page 1, after line 14, add a section to read:

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

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1909, A bill for an act relating to health; prohibiting sale and use of certain chemicals; providing penalties.

Reported the same back with the following amendments:

Page 1, line 9, after "2, 4, 5-T" and before the period insert ", or 2, 3, 7, 8-tetrachlorodibenzo-para-dioxin".

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

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 930, A bill for an act relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1974, Sections 62B.01; 62B.04, Subdivision 1; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; 62B.11; and 61A.12, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 14, strike "if the indebtedness is repayable in".

Page 2, strike lines 15 and 16.

Page 2, line 17, strike "indebtedness, whichever is greater" and insert "*the insurance shall decrease at a rate which reflects to within five percent the reduction in indebtedness pursuant to the terms of such contract of indebtedness. For purposes of this subdivision "finance charges" mean interest or time price differential whether discounted, added on, or computed actuarially, but shall not include other charges permitted under applicable lending, finance or other laws*".

Page 3, after line 3, insert a new section to read as follows:

"Sec. 4. Minnesota Statutes 1974, Section 62B.05, is amended to read:

62B.05 [TERM OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.]
The term of any credit life insurance or credit accident and health insurance shall, subject to acceptance by the insurer, commence on the date when the debtor becomes obligated to the creditor, except that, where a group policy provides coverage with respect to existing obligations, the insurance on a debtor with respect to the indebtedness shall commence on the effective date of the policy. Where evidence of insurability is required and the evidence is furnished more than 30 days after the date when

the debtor becomes obligated to the creditor, the term of the insurance may commence on the date on which the insurance company determines the evidence to be satisfactory, and in that event there shall be an appropriate refund or adjustment of any charge to the debtor for insurance. The term of the insurance shall not extend more than 15 days beyond the scheduled maturity date of the indebtedness except when extended without additional cost to the debtor. If the indebtedness is discharged due to renewal or refinancing prior to the scheduled maturity date, the insurance in force shall be terminated before any new insurance may be issued in connection with the renewed or refinanced indebtedness (, **UNLESS THE DEBTOR REQUESTS IN WRITING THAT IT BE CONTINUED**). In all cases of termination prior to scheduled maturity, a refund shall be paid or credited as provided in section 62B.08."

Page 3, line 8, delete ", and before the transaction is binding".

Page 3, line 9, delete "upon either creditor or debtor".

Page 3, line 14, delete "4" and insert "5".

Page 3, line 19, after "insurance" and before "over" insert "or credit accident and health insurance".

Page 3, line 20, after the period insert a new sentence as follows: "*The commissioner shall approve the use of forms now used by financial institutions which substantially comply with the requirements of this act.*".

Page 3, delete lines 21 to 31.

Page 4, line 4, delete "4" and insert "5", delete "8" and insert "7", and delete "12" and insert "14".

Page 4, line 5, after the period and before "He" insert "*The commissioner shall approve the use of forms now used by financial institutions which substantially comply with the requirements of this act.*".

Page 4, line 8, delete "4" and insert "5", delete "8" and insert "7", and delete "12" and insert "14".

Page 4, line 12, delete "4" and insert "5", delete "12" and insert "14".

Page 4, line 16, after "shall" and before "render" insert "not", and delete "loan".

Page 4, line 17, delete "agreement or", after "transaction" and before "voidable" insert "void or", and after "voidable" and before "at" insert "but".

Page 4, line 18, after "debtor" insert "*any credit life insurance or credit health and accident insurance shall be terminated and the creditor shall refund any premiums paid in connection therewith. The creditor shall not thereafter require any credit life insurance or credit accident and health insurance in connection with such transactions*".

Page 6, line 7, after the period insert a sentence to read "*The provisions of this subdivision shall not apply to the federal instrumentalities chartered under the Farm Credit Act of 1971.*".

Page 6, line 17, after "loan or" and before "contract" insert "installment", after "contract" and before "is" insert "initially exceeds \$2,000, exclusive of finance charges and insurance premiums, and", and after "of" and before "one" insert "more than", and delete "or more".

Page 6, line 18, after "advance" insert ", except in those transactions wherein the debtor and creditor agree in a separate writing to extend the period of prepayment by an additional six months".

Page 6, line 19, after "in" insert "not more than annual".

Page 6, delete lines 22 and 23 and insert "*In the event that the debtor shall be in default on any periodic installment payment which includes a credit accident and health insurance premium, the creditor may, at its election, allocate any principal previously paid by the debtor to the unpaid insurance premium or may advance the amount necessary to pay the insurance premium in default and add it to the principal of the contract. The provisions of this subdivision shall not apply to the federal instrumentalities chartered under the Farm Credit Act of 1971.*".

Page 6, line 28, restore the stricken language and delete the new language.

Renumber the sections in sequence.

Further, amend the title as follows: Line 5, after "Subdivision 1;" insert "62B.05;".

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

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2335, A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amend-

ing Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

Reported the same back with the following amendments:

Page 1, line 10, after "be" insert "*initially*".

Page 1, line 21, delete "*continuously*" and insert "*constantly*".

Page 1, line 22, after "*after*" and before "*authorization*" insert "*initial*".

Page 6, line 10, delete "*1982*" and insert "*1983*".

Page 6, line 14, delete "*1982*" and insert "*1983*".

Page 6, line 18, delete "*1982*" and insert "*1983*".

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

The report was adopted.

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 2491, A bill for an act relating to insurance; establishing a temporary joint underwriting association for medical malpractice insurance; requiring membership; setting standards; providing for appeals, recovery of contributions and reporting of financial conditions; establishing an expiration date.

Reported the same back with the following amendments:

Page 1, line 23, delete "of".

Page 1, line 24, delete "the medical profession" and insert "who are health care providers".

Page 6, line 28, delete "offering medical malpractice liability" and insert "affording those kinds of".

Page 6, line 29, delete "under procedures established by" and insert "which form the basis for their participation in".

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

The report was adopted.

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

H. F. No. 2117, A bill for an act relating to public welfare; authorizing the assignment of accident insurance proceeds by any recipient of medical assistance; amending Minnesota Statutes, 1975 Supplement, Sections 256B.02, Subdivision 9; 256B.042, by adding a subdivision; and 256B.06, Subdivision 1.

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

The report was adopted.

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

H. F. No. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [256B.41] [POLICY; INTENT.] Subdivision 1. The department of public welfare shall establish a formula for the reimbursement of nursing homes which qualify as vendors of medical assistance.

Subd. 2. It is the intent of the legislature to establish limitations for the department of public welfare in setting standards for the reimbursement of nursing homes for the care of recipients of medical assistance pursuant to Minnesota Statutes, Chapter 256B. It is not the intent of the legislature to reverse or change any existing or future rule promulgated by the department relating to the reimbursement of nursing homes unless it is clearly in conflict with sections 1 to 6 of this act. If any provision of sections 1 to 6 of this act is determined by the United States government to be in conflict with existing or future requirements of the United States government with respect to medical assistance, the federal requirements shall prevail.

Sec. 2. [256B.42] [CAPITAL ALLOWANCE.] The department of public welfare shall establish by rule an earnings allowance for nursing homes consistent with federal requirements. The earnings allowance shall be based on the owner's net investment in the facility. The earnings allowance shall be graduated so that it increases with (1) the length of time that a nursing home is owned by the same owner and (2) the owner's net investment as a percentage of the net asset value of the

facility. The earnings allowance may also include incentives to reward efficient management and quality care.

Sec. 3. [256B.43] [INTEREST EXPENSE.] Subdivision 1. The department of public welfare shall reimburse nursing homes for the actual expense of interest on net debt if the interest rate is not in excess of what a borrower would have had to pay in an arms-length transaction in the money market at the time the loan was made, and the net debt is directly related to purchasing or improving the nursing home or providing patient care at the nursing home.

Subd. 2. After the first three years that a nursing home has been in operation, the department of public welfare shall not reimburse a nursing home for the expense of interest on net debt for any indebtedness and loans which exceed 100 percent of the net asset value of the facility.

Subd. 3. For the purposes of this section, "net asset value" means the historical cost of fixed assets of a nursing home less accumulated depreciation on them, and "net debt" means the total of capital indebtedness and loans used for operating expenses. Depreciation on any new construction or expansion of capital facilities commenced on or after January 1, 1977, other than governmentally owned facilities, shall be on a thirty year basis.

Sec. 4. [256B.44] [BASIS FOR FIXED ASSETS.] If a nursing home is sold, the value of the fixed assets of the nursing home for medical assistance purposes shall not be increased by more than the lesser of ten percent per year or the actual increase in the construction component of the consumer price index as determined by the United States department of labor for each year since the last prior sale of the nursing home. The value of the fixed assets arrived at pursuant to this section shall be subject to depreciation rules promulgated by the department of public welfare. In no event shall the value of the fixed assets for medical assistance purposes exceed the selling price of the nursing home.

Sec. 5. [256B.45] [RATE LIMITS.] Subdivision 1. The department of public welfare shall establish separate limitations on the costs for items which directly relate to the provision of patient care to residents of nursing homes and those which do not directly relate to the provision of care. The limits on patient care related items shall be hourly limits based on the needs of the residents in the nursing home up to maximum limits established by the department of public welfare.

Subd. 2. No reimbursement shall be allowed for dues in nursing home or hospital associations. The department of public welfare shall by rule exclude the costs of any other items which it determines are not directly related to the operation of a nursing home.

Sec. 6. [256B.46] [CONDITIONS FOR PARTICIPATION.]

Subdivision 1. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing that it will refrain from:

(a) Charging nonmedical assistance residents average rates which differ from those which are approved by the department of public welfare for public assistance recipients;

(b) Requiring an applicant for admission to the home, or the guardian or conservator of the applicant, as a condition of admission, to pay an admission fee in excess of \$100, loan any money to the nursing home, or promise to leave all or part of the applicant's estate to the home; and

(c) Requiring any resident of the nursing home to utilize a vendor of health care services who is a licensed physician or pharmacist chosen by the nursing home.

Subd. 2. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing to:

(a) Provide the department of public welfare with its most recent consolidated balance sheet and statement of revenues and expenses as audited by a certified public accountant or public accountant licensed by this state or by a public accountant as defined in section 412.222, and statement of ownership for the nursing home, including separate statements for each nursing home if more than one nursing home or other business operation is owned by the same owner;

(b) Provide the department of public welfare with copies of all leases, purchase agreements and other related documents related to the lease or purchase of the nursing home; and

(c) Provide to the department of public welfare upon request copies of leases, purchase agreements, or similar documents for equipment, goods and service for which reimbursement is requested from the department of public welfare.

Subd. 3. The department of public welfare may reject any annual cost report filed by a nursing home pursuant to Minnesota Statutes, Chapter 256B, if it determines that the report has been filed in a form that is incomplete or inaccurate. In the event that a report is rejected pursuant to this subdivision, the department may reimburse a nursing home at the rate determined for its prior fiscal year until a complete and accurate report is filed.

Sec. 7. [EFFECTIVE DATE.] Except for section 6 the provisions of this act shall be effective for all cost reports for fiscal years beginning after December 31, 1976. The provisions of section 6 shall be effective January 1, 1977."

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

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1939, A bill for an act relating to employment agencies; excluding teachers and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 435, A bill for an act relating to the city of Two Harbors; providing for reimbursement of city officers for wages lost during time spent on official business.

Reported the same back with the following amendments:

Page 1, line 12, delete "member" and insert "official".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1972, A bill for an act relating to the county of Lake of the Woods; authorizing the county to acquire real estate for and establish and operate a television translator system either within or without the county.

Reported the same back with the following amendments:

Page 2, line 3, after "with" insert "the provisions of".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2066, A bill for an act relating to the city of Minneapolis; authorizing a commercial and industrial lease and revenue bond guarantee program; providing for the issuance of limited general obligation bonds, and limited revenue bonds or obligations.

Reported the same back with the following amendments:

Page 4, line 10, after "the" and before "review" insert "independent".

Page 4, line 15, after the period insert "The city council, or its designee, shall contract with a person so qualified to provide such review."

Page 5, line 9, after "all" insert "general obligation".

Page 5, line 9, delete "or obligations".

Page 5, line 10, delete "not".

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 2282, A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for a certain charitable festival.

Reported the same back with the following amendments:

Page 1, line 22, after "645.021." insert two new sections:

"Sec. 3. The temporary license shall be subject to local ordinances and to such terms including a license fee, as the issuing authority shall prescribe.

Sec. 4. This act is effective on the day following final enactment."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1575, A bill for an act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes.

Reported the same back with the following amendments:

Page 1, line 15, after "departments" insert a comma.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1852, A bill for an act relating to the city of Fulda; validating election proceedings and authorizing the issuance of bonds of the city approved by the electors.

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1471, A bill for an act relating to public improvements; allowing certain fees to discharge cancelled special assessments.

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1946, A bill for an act relating to intoxicating liquor; importation of limited quantities without payment of tax; amending Minnesota Statutes 1974, Section 340.601.

Reported the same back with the following amendments:

Page 1, line 13, after "liquor" insert "*or fermented malt beverages*".

Page 2, after line 7 insert:

"Sec. 2. *This act is effective on June 1, 1976.*"

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2104, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2186, A bill for an act relating to public safety; highway patrol; authorizing the commissioner of public safety to maintain certain aircraft; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

Reported the same back with the following amendments:

Page 2, line 6, delete "*two*" and insert "*helicopters and*".

Page 2, line 11, after "*to*" insert "*helicopters and*".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2285, A bill for an act relating to highways; adding a new route to the trunk highway system in substitution of an existing route.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2286, A bill for an act relating to driver licenses; permitting limited licenses for violators of no-fault law; amending Minnesota Statutes 1974, Section 171.30, Subdivision 1.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

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.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 2414, A bill for an act relating to motor vehicles; motor vehicle excise tax on vehicles purchased for resale; use of motor vehicles bearing motor vehicle dealer plates; amending Minnesota Statutes 1974, Sections 168.27, Subdivision 5; 297B.-01, Subdivision 6; and Chapter 297B, by adding a section.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1699, 1988, 2046, 2219, 1909, 930, 2335, 2491, 2117, 2203, 1939, 435, 1972, 2066, 2282, 1471, 1946, 2104, 2186, 2285, 2286, 2381 and 2414 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1575 and 1852 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Anderson, I.; Sarna; Osthoff; Johnson, D.; and McEachern introduced:

H. F. No. 2547, A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council.

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

Jude; Johnson, D.; Neisen; Fudro and Ulland introduced:

H. F. No. 2548, A bill for an act relating to public safety; appropriating money for the manufacture of license plates.

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

Johnson, D.; Corbid; Lindstrom; Samuelson and Anderson, I., introduced:

H. F. No. 2549, A bill for an act relating to natural resources; appropriating money for overtime compensation to conservation officers pursuant to contract; describing the contract provisions.

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

Prahl, Faricy, Hanson and Stanton introduced:

H. F. No. 2550, bill for an act relating to crimes; unjustifiably entering a building owned by another; prescribing penalties therefor; amending Minnesota Statutes 1974, Section 609.60.

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

Prahl, Abeln, Sieloff, McCollar and Brinkman introduced:

H. F. No. 2551, A bill for an act relating to no-fault automobile insurance; clarifying the method by which survivors economic loss benefits are calculated; establishing certain conclusive presumptions; prescribing certain duties for the commissioner of insurance; amending Minnesota Statutes, 1975 Supplement, Section 65B.44, Subdivision 6.

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

Biersdorf, Sarna and Beauchamp introduced:

H. F. No. 2552, A bill for an act relating to retirement; pre-retirement orientation and planning sessions.

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

Sieloff introduced:

H. F. No. 2553, A bill for an act relating to workmen's compensation; providing that compensation for injury to internal organs will be based on that injury's contribution to the individual's general physical disability; amending Minnesota Statutes 1974, Section 176.101, Subdivision 3.

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

Anderson, I.; Corbid and Begich introduced:

H. F. No. 2554, A bill for an act relating to water well contractors; requiring water well drilling machines to be operated by licensed water well contractors; amending Minnesota Statutes 1974, Sections 156A.02, Subdivision 3; and 156A.03, Subdivision 2.

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

Lindstrom; Luther; Adams, S.; Casserly and Schreiber introduced:

H. F. No. 2555, A bill for an act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

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

Beauchamp, Langseth, Setzepfandt, Kelly, W., and Friedrich introduced:

H. F. No. 2556, A bill for an act relating to zoning; providing for enforcement of certain subdivision regulations by prohibiting the recording of conveyances containing unapproved descriptions; amending Minnesota Statutes 1974, Section 394.37, Subdivision 1.

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

Evans, Johnson, C., and Wigley introduced:

H. F. No. 2557, A bill for an act relating to Blue Earth county; providing for a tax levy in excess of limits for cost of coordinating services for the elderly.

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

Skoglund, Dean, Hokanson, Clark and Abeln introduced:

H. F. No. 2558, A bill for an act relating to Hennepin county; providing for sheriffs' fees; amending Laws 1969, Chapter 1063, Section 1; repealing Laws 1969, Chapter 1063, Section 2.

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

Johnson, D., introduced:

H. F. No. 2559, A bill for an act relating to Lake county; law enforcement; authorizing the collection of taxes in excess of the levy limits for purposes of law enforcement.

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

Fjoslien and Fudro introduced:

H. F. No. 2560, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, Subdivision 2.

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

Kalis, Kostohryz, Savelkoul, Lemke and Eckstein introduced:

H. F. No. 2561, A bill for an act relating to motor vehicles; registration and taxation; exempting certain vehicles from license fees; amending Minnesota Statutes, 1975 Supplement, Section 168.012, Subdivision 2b.

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

Simoneau, Skoglund, Clark and Arlandson introduced:

H. F. No. 2562, A bill for an act relating to motor vehicles; requiring the name and post office address of the owner to be shown on certain trucks; prescribing penalties.

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

CONSENT CALENDAR

S. F. No. 1590, A bill for an act relating to elections; requiring the secretary of state to prescribe forms and uniform methods for the reporting of election returns; requiring certain information in returns and canvasses; and imposing certain duties on canvassing officers; amending Minnesota Statutes, 1975 Supplement, Sections 204A.46, by adding a subdivision; and 204.51.

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	Clark	Graba	Kostohryz	Norton
Adams, L.	Clawson	Hanson	Kroening	Novak
Adams, S.	Corbid	Heinitz	Kvam	Osthoff
Albrecht	Dahl	Hokanson	Laidig	Parish
Anderson, G.	Dean	Jacobs	Langseth	Patton
Anderson, I.	DeGroat	Jaros	Lemke	Pehler
Arlandson	Dieterich	Jensen	Lindstrom	Peterson
Beauchamp	Doty	Johnson, C.	Luther	Petrafeso
Begich	Eckstein	Johnson, D.	Mangan	Philbrook
Berg	Eken	Jopp	McCarron	Pleasant
Berglin	Erickson	Jude	McCauley	Prahl
Biersdorf	Esau	Kahn	McCollar	Reding
Birnstihl	Ewald	Kaley	McEachern	Rice
Braun	Faricy	Kalis	Metzen	St. Onge
Brinkman	Fjoslien	Kelly, R.	Moe	Samuelson
Byrne	Forsythe	Kempe, A.	Munger	Sarna
Carlson, A.	Friedrich	Kempe, R.	Neisen	Savelkoul
Carlson, L.	Fudro	Ketola	Nelsen	Schreiber
Carlson, R.	Fugina	Knickerbocker	Nelson	Schulz
Casserty	George	Knoll	Niehaus	Schumacher

Searle	Sieloff	Stanton	Volk	Wieser
Setzepfandt	Simoneau	Suss	Voss	Wigley
Sherwood	Skoglund	Ulland	Wenstrom	Williamson
Sieben, H.	Smith	Vanasek	Wenzel	Zubay
Sieben, M.	Smogard	Vento	White	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1005, A bill for an act relating to meetings of state agencies and governing bodies open to public; providing for notice of meetings; amending Minnesota Statutes 1974, Section 471.705, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 1135, A bill for an act relating to intoxicating and non-intoxicating liquor; age for licensing, sale, purchase, consumption, possession and furnishing; amending Minnesota Statutes 1974, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.355;

340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 99, and nays 30, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Jensen	McCollar	Searle
Adams, S.	DeGroat	Johnson, C.	McEachern	Setzepfandt
Albrecht	Doty	Jopp	Munger	Sherwood
Anderson, G.	Eckstein	Kaley	Neisen	Sieloff
Anderson, I.	Eken	Kalis	Nelsen	Skoglund
Arlandson	Erickson	Kelly, R.	Niehaus	Smith
Beauchamp	Esau	Kelly, W.	Novak	Smogard
Begich	Evans	Kempe, A.	Peterson	Stanton
Berg	Ewald	Kempe, R.	Petrafeso	Suss
Biersdorf	Fjoslien	Ketola	Philbrook	Ulland
Birnsthil	Forsythe	Knickerbocker	Pleasant	Vanasek
Braun	Friedrich	Kostohryz	Prahl	Volk
Brinkman	Fudro	Kroening	Reding	Wenstrom
Byrne	Fugina	Kvam	Rice	Wenzel
Carlson, A.	Graba	Laidig	Samuelson	White
Carlson, L.	Hanson	Langseth	Sarna	Wieser
Carlson, R.	Haugerud	Lemke	Savelkoul	Wigley
Clawson	Heinitz	Lindstrom	Schreiber	Williamson
Corbid	Hokanson	Luther	Schulz	Zubay
Dahl	Jacobs	McCauley	Schumacher	

Those who voted in the negative were:

Adams, L.	Faricy	Mangan	Osthoff	Sieben, M.
Berglin	George	McCarron	Parish	Simoneau
Cassery	Jaros	Metzen	Patton	Swanson
Clark	Johnson, D.	Moe	Pehler	Vento
Dieterich	Jude	Nelson	St. Onge	Voss
Enebo	Kahn	Norton	Sieben, H.	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 116, A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 74, and nays 56, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, I.	Beauchamp	Berglin
Adams, L.	Anderson, G.	Arlandson	Berg	Byrne

Carlson, A.	Fugina	Knoll	Osthoff	Skoglund
Carlson, L.	George	Kostohryz	Parish	Stanton
Casserly	Graba	Laidig	Petraseso	Suss
Clark	Haugerud	Langseth	Philbrook	Swanson
Clawson	Heinitz	Luther	Pleasant	Tomlinson
Corbid	Hokanson	Mangan	Prahl	Ulland
Dean	Jacobs	McCarron	Rice	Vanasek
Eckstein	Jaros	McCollar	Samuelson	Vento
Eken	Johnson, D.	Moe	Savelkoul	Volk
Enebo	Kahn	Munger	Searle	Voss
Ewald	Kaley	Nelson	Sieben, M.	Williamson
Faricy	Kelly, W.	Norton	Sieloff	Speaker Sabo
Forsythe	Knickerbocker	Novak	Simoneau	

Those who voted in the negative were:

Albrecht	Evans	Kempe, R.	Patton	Smith
Begich	Fjoslien	Ketola	Pehler	Smogard
Biersdorf	Friedrich	Kroening	Peterson	Wenstrom
Birnstihl	Fudro	Kvam	Reding	Wenzel
Braun	Hanson	Lemke	St. Onge	White
Brinkman	Jensen	Lindstrom	Sarna	Wieser
Carlson, R.	Johnson, C.	McCauley	Schreiber	Wigley
Dahl	Jopp	McEachern	Schulz	Zubay
DeGroat	Jude	Metzen	Schumacher	
Doty	Kalis	Neisen	Setzepfandt	
Erickson	Kelly, R.	Nelsen	Sherwood	
Esau	Kempe, A.	Niehaus	Sieben, H.	

The bill was passed and its title agreed to.

H. F. No. 1322, A bill for an act relating to public health; providing for the regulation of ambulance services; providing penalties; amending Minnesota Statutes 1974, Chapter 144, by adding sections; and Sections 144.801; 144.803; and 144.806; and Minnesota Statutes, 1975 Supplement, Section 144.802; repealing Minnesota Statutes 1974, Sections 144.804, Subdivisions 2 and 3; and 144.805.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 120, and nays 7, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Eckstein	George	Jude
Adams, L.	Byrne	Eken	Graba	Kaley
Adams, S.	Carlson, A.	Enebo	Hanson	Kelly, R.
Anderson, G.	Carlson, L.	Erickson	Haugerud	Kelly, W.
Anderson, I.	Carlson, R.	Evans	Heinitz	Kempe, A.
Arlandson	Casserly	Ewald	Hokanson	Kempe, R.
Beauchamp	Clark	Faricy	Jacobs	Ketola
Begich	Clawson	Fjoslien	Jaros	Knickerbocker
Berg	Dahl	Forsythe	Jensen	Knoll
Berglin	Dean	Friedrich	Johnson, C.	Kostohryz
Birnstihl	DeGroat	Fudro	Johnson, D.	Kroening
Braun	Doty	Fugina	Jopp	Kvam

Laidig	Neisen	Philbrook	Setzepfandt	Vanasek
Langseth	Nelsen	Pleasant	Sherwood	Vento
Lemke	Nelson	Prahl	Sieben, H.	Volk
Lindstrom	Niehaus	Reding	Sieloff	Voss
Luther	Norton	Rice	Simoneau	Wenstrom
Mangan	Novak	St. Onge	Skoglund	Wenzel
McCarron	Osthoff	Sarna	Smith	White
McCollar	Parish	Savelkoul	Smogard	Wieser
McEachern	Patton	Schreiber	Stanton	Wigley
Metzen	Pehler	Schulz	Swanson	Williamson
Moe	Peterson	Schumacher	Tomlinson	Zubay
Munger	Petrateso	Searle	Ulland	Speaker Sabo

Those who voted in the negative were:

Albrecht	Corbid	Kalis	McCauley	Samuelson
Biersdorf	Dieterich			

The bill was passed and its title agreed to.

Jacobs was excused at 3:25 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.

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

S. F. No. 43 which it recommended to pass.

H. F. No. 2220 upon which it recommended progress.

H. F. No. 510 upon which it recommended progress retaining its place on General Orders.

H. F. No. 1735 upon which it recommended progress until Tuesday, March 9, 1976.

S. F. No. 749 upon which it recommended to pass with the following amendments:

Offered by Lindstrom:

The unofficial engrossment, as follows:

Page 1, line 16, after the word "*promulgated*" insert "*in accordance with Chapter 15*".

Offered by Savelkoul:

The unofficial engrossment, as follows:

Page 1, line 21, delete the comma and insert a period.

Page 1, strike lines 22 and 23.

Page 2, strike line 1.

Offered by Lindstrom:

The unofficial engrossment, as follows:

Page 1, line 15, after "*with*" insert "*minimum*".

S. F. No. 840 upon which it recommended progress with the following amendments:

Offered by Casserly:

The unofficial engrossment, as follows:

Page 4, line 26, strike "The commissioner shall appoint".

Page 4, line 28, strike "an examiner to hear the complaint." and insert "*A complaint issued by the commissioner shall be heard as a contested case, except that the report of the hearing examiner shall be binding on all parties to the proceeding and if appropriate shall be implemented by an order as provided for in subdivision 2.*".

Page 5, line 5, strike "If the" and insert "*The hearing*".

Page 5, line 5, strike "finds that the respondent has".

Page 5, line 6, strike "engaged in an unfair discriminatory practice, the".

Page 5, line 7, strike "examiner".

Page 5, line 8, after "and" insert "*if the hearing examiner finds that the respondent has engaged in an unfair discriminatory practice, the hearing examiner*".

Page 9, after line 21, add a new section to read:

"Sec. 5. [REPEAL.] *Minnesota Statutes 1974, Section 363.06, Subdivision 7, is repealed.*"

Further amend the title as follows:

Page 1, line 8, after "Subdivision 1" insert "; repealing Minnesota Statutes 1974, Section 363.06, Subdivision 7".

Offered by Casserly:

The unofficial engrossment, as follows:

Page 5, lines 19 to 22, delete the new language.

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

Page 1, line 23, delete "*a post-secondary school*".

Page 2, line 1, delete "*building*" and insert "*buildings*".

Page 2, line 4, after "*body*" insert a period and delete "*in the case of individual*".

Page 2, line 5, delete "*institutions.*" and insert "*The governing body of St. Cloud State University shall report back the program and its effects to the legislature on or before February 1, 1978.*".

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

MOTIONS AND RESOLUTIONS

Smith moved that the names of Prahl and Johnson, D., be added as authors on H. F. No. 2424. The motion prevailed.

Pursuant to Rule 1.15, Savelkoul moved that S. F. No. 276 be recalled from the Committee on General Legislation and Veterans Affairs, be given a second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the Savelkoul motion and the roll being called, there were yeas 38, and nays 86, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Heinitz	Niehaus	Stanton
Albrecht	Esau	Jopp	Peterson	Ulland
Arlandson	Evans	Kaley	Pleasant	Volk
Biersdorf	Ewald	Kempe, R.	Savelkoul	White
Carlson, A.	Faricy	Knickerbocker	Schreiber	Wigley
Dean	Fjoslien	Kvam	Searle	Zubay
DeGroat	Forsythe	Laidig	Sherwood	
Dieterich	Friedrich	Nelsen	Sieloff	

Those who voted in the negative were:

Abeln	Berg	Carlson, R.	Doty	George
Adams, L.	Berglin	Casserly	Eckstein	Hanson
Anderson, G.	Birnstihl	Clark	Eken	Haugerud
Anderson, I.	Braun	Clawson	Enebo	Hokanson
Beauchamp	Brinkman	Corbid	Fudro	Jaros
Begich	Carlson, L.	Dahl	Fugina	Jensen

Johnson, C.	Langseth	Neisen	St. Onge	Tomlinson
Johnson, D.	Lemke	Nelson	Samuelson	Vanasek
Jude	Luther	Norton	Sarna	Vento
Kahn	Mangan	Novak	Schulz	Voss
Kalis	McCarron	Osthoff	Schumacher	Wenstrom
Kelly, R.	McCauley	Parish	Setzepfandt	Wenzel
Kelly, W.	McCollar	Patton	Sieben, H.	Williamson
Kempe, A.	McEachern	Pehler	Sieben, M.	Speaker Sabo
Ketola	Menning	Petrafeso	Simoneau	
Knoll	Metzen	Philbrook	Skoglund	
Kostohryz	Moe	Prahl	Smogard	
Kroening	Munger	Reding	Swanson	

The motion did not prevail.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the conference Committee on S. F. No. 932:

Berglin, Dahl and Heinitz.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Thursday, March 4, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives