

STATE OF MINNESOTA
SEVENTIETH SESSION - 1977

TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 7, 1977

The House of Representatives 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	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Cummiskey	Jude	Neisen	Sieben, M.
Anderson, B.	Dahl	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kaley	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kalis	Nelson	Smogard
Anderson, I.	Eken	Kelly, R.	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, W.	Norton	Stanton
Arlandson	Enebo	Kempe, A.	Novak	Stoa
Battaglia	Erickson	Kempe, R.	Osthoff	Suss
Beauchamp	Esau	King	Patton	Swanson
Begich	Evans	Knickerbocker	Pehler	Tomlinson
Berg	Ewald	Kostohryz	Peterson	Vanasek
Berglin	Faricy	Kroening	Petrafaso	Waldorf
Berkelman	Fjoslien	Kvam	Pleasant	Welch
Biersdorf	Forsythe	Laidig	Prahl	Wenstrom
Birnstihl	Friedrich	Langseth	Reding	Wenzel
Brandl	Fudro	Lehto	Rice	White
Braun	Fugina	Lemke	Rose	Wieser
Brinkman	George	Mangan	St. Onge	Wigley
Byrne	Gunter	Mann	Samuelson	Williamson
Carlson, A.	Hanson	McCarron	Sarna	Wynia
Carlson, D.	Haugerud	McCollar	Savelkoul	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

A quorum was present.

Voss was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 54, 464, 62, 259, 107, 382, 383, 45, 352, 212 and 296 and S. F. No. 339 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 282, A bill for an act relating to franchises; amending Minnesota Statutes 1976, Sections 80C.01, Subdivision 4; 80C.08, Subdivision 1; and 80C.09, Subdivision 1.

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

The report was adopted.

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

H. F. No. 1, A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.62; 245.68; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144.13; 145.01; 145.03; 145.05; 145.06; 145.07; 145.08, Subdivisions 2, 3 and 4; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.921; 245.61; 245.63; 245.64; 245.66; 245.67; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.14; 254A.15; 254A.16; 254A.17; 256.977; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE I

Section 1. [STATE FUNDS FOR SOCIAL SERVICES.]
Subdivision 1. [FORMULA.] *The commissioner of finance shall distribute social service aids to each county board in an amount certified by the commissioner of public welfare for county planning and provision of social services. The commissioner of public welfare shall determine the amount according to the following formula.*

a. *In calendar year 1978:*

(1) *An amount equal to \$80 times the average number of persons who receive AFDC or general assistance per month in calendar year 1977 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$8 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) *Plus an amount equal to \$50 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;*

(4) *Less an amount equal to two mills times the adjusted assessed value of the county for calendar year 1976, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10.*

b. *In calendar year 1979:*

(1) *An amount equal to \$90 times the average number of persons who receive AFDC or general assistance per month in calendar year 1978 as reported in the average monthly caseload reports required under sections 256D.04 and 256.01, subdivision 4, and certified by the commissioner of public welfare;*

(2) *Plus an amount equal to \$9 times the number of persons residing in the county in calendar year 1975 as determined by the state demographer;*

(3) *Plus an amount equal to \$55 times the number of persons residing in the county who is 60 years old or older in calendar year 1975 as determined by the state demographer;*

(4) *Less an amount equal to two mills times the adjusted assessed value of the county for calendar year 1976, as determined by the equalization aid review committee pursuant to section 124.212, subdivision 10.*

Subd. 2. [MINIMUM FUNDING LEVEL.] No county shall receive less for social services under subdivision 1, in calendar years 1978 and 1979 than it received in state funds in calendar year 1977 as authorized by Laws 1975, Chapter 434, Laws 1976, Chapter 9, Chapter 125, Section 11, and the 1977 legislature for the following services: community based residential services for the mentally ill, the chemically dependent and the mentally retarded; community mental health centers; daytime activity centers for the mentally retarded; cost of care for the mentally retarded, the epileptic and the emotionally disturbed; day care services development and funding, except funds appropriated for migrant labor day care; foster care for children under state guardianship; foster group care; and community health services.

For purposes of this subdivision, 50 percent of the county administrative cost reimbursement and 50 percent of the equalization aid authorized by Laws 1975, Chapter 434 which were received in calendar year 1977 are considered social service funds. The term state funds does not include any federal funds received by the state or counties for financing these services.

Subd. 3. [HUMAN SERVICES BOARD INCREMENT.] In addition to the funds granted in subdivision 1, a county which alone or in cooperation with other counties establishes a human services board pursuant to chapter 402 or two or more contiguous counties having an aggregate population of 30,000 or more persons or three or more contiguous counties situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B which have combined to provide social services shall be granted an amount equal to ten percent of the sum of the factors in subdivision 1, clauses (1), (2) and (3) for the appropriate year.

Subd. 4. [SOCIAL SERVICE LEVY.] Beginning in calendar year 1977 for taxes payable 1978 and the following years, a county board shall levy upon all taxable property in the county a tax of two mills on the current adjusted assessed value as certified by the equalization aid review committee pursuant to section 124.212, subdivision 10, for social service programs. Levies authorized in subdivisions 4 and 5 shall replace any social service levies authorized pursuant to sections 275.50. All funds available to counties pursuant to article I may be used by counties to match federal funds.

Subd. 5. [OPTIONAL EXCESS LEVY.] In addition to the levy required by subdivision 4, a county may levy one mill on the current adjusted assessed value as certified by the equalization aid review committee pursuant to Minnesota Statutes, Section 124.212, Subdivision 10, for social service programs funded pursuant to article I. If the sum of state aid and local levies for social services authorized in any year is less than the sum of state aids and county levies received by a county for social services in calendar year 1977, that county may levy the addi-

tional amount required to equal the social service funds it received in 1977 from state aids and county levies. The term county levies for social services means levies for social services made pursuant to Minnesota Statutes 275.50, including levies which were made to match federal funds received pursuant to Title XX of the federal social security act.

Sec. 2. [PAYMENTS TO COUNTIES.] *The commissioner of finance shall make payments for social services to each county, as calculated and certified by the commissioner of public welfare, in 12 equal installments payable on or before the 15th day of each month. The commissioner of welfare may certify the payments for the first three months of a calendar year based on estimates of the number of persons receiving AFDC or general assistance for the prior year. The following nine payments shall be adjusted to reflect the actual number of persons who received AFDC or general assistance as required by section 1, subdivision 1.*

Sec. 3. [PENALTIES.] *Subdivision 1. [FAILURE TO SPEND.] A county which has not spent the aids granted under sections 1 and 2 for social services within two years of receiving those aids shall receive a reduction in aid calculated pursuant to section 1, subdivision 1. This reduction shall be made in the calendar year which begins no more than 24 months after the underspending has occurred and shall be equal to one-half the amount of aids which were not spent.*

Subd. 2. [FAILURE TO LEVY; PENALTY.] A county which levies less than the levy required in section 1, subdivision 4 shall receive a reduction in the aid calculated pursuant to section 1, subdivision 1. The commissioner shall calculate the reduced aid as follows:

(a) Divide the amount levied by the amount required to be levied in section 1, subdivision 4.

(b) Multiply the ratio derived in clause (a) times the aid calculated under section 1, subdivision 1.

Sec. 4. Minnesota Statutes 1976, Section 477A.01, Subdivision 2, is amended to read:

Subd. 2. Every county government except that of a county containing a city of the first class shall receive a distribution equal to the distribution it was entitled to receive in 1975 pursuant to Minnesota Statutes 1974, Section 477A.01. Beginning in calendar year 1979 the distribution shall be reduced by an amount equal to the social services aids allocated pursuant to sections 1 and 2 in the immediately preceding year which have been spent for purposes unauthorized by articles I to III.

Sec. 5. [TACONITE ADJUSTMENT.] *Social service aids provided pursuant to section 1 shall be reduced by an amount equal to ten percent to the taconite aids received in the preceding year which were distributed to the county under the provisions of sections 294.26, 298.26, 298.28, subdivisions 1 and 1a, 298.281, subdivision 1, 298.32 and 298.244.*

Any county receiving taconite aid under the provisions of 294.26; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.32 and 298.244 shall be required to spend 10 percent of these aids for social service purposes pursuant to this act. Taconite aids which are required to be spent for social service purposes pursuant to this section shall not be used to reduce a county's levy limit base under the provisions of Minnesota Statutes, Section 275.51.

Sec. 6. [TITLE XX ALLOCATION.] *Funds for social services which are received from the federal government to reimburse counties for social service expenditures pursuant to Title XX of the Social Security Act shall be allocated to each county according to the formula established in section 1, as follows:*

(a) *The commissioner shall derive an index for each county by adding the amounts calculated in section 1, subdivision 1, clauses (1), (2), and (3).*

(b) *The index for each county shall be divided by the sum of the indices for all counties in the state.*

(c) *The total county share of title XX funds shall be multiplied by the ratio derived in clause (b) for each county. At least 94 percent of the funds received from the federal government for social services pursuant to title XX of the social security act shall be allocated to the counties pursuant to this section.*

(d) *In calendar year 1978 and subsequent years, no county shall receive a reimbursement of an amount less than 90 percent of the federal title XX funds it received in the immediately preceding calendar year. If the amount allocated to any county pursuant to paragraphs (a), (b) and (c) is less than 90 percent of its preceding year's allocation, its allocation shall be raised to 90 percent of the preceding year's allocation and the allocations to other counties shall be reduced proportionately as necessary to supply the difference. If in any year the amount of federal title XX funds to the state is reduced, the 90 percent guarantee provided in this paragraph shall be reduced by a percentage reduction equal to the percentage reduction in title XX funds to the state as a whole. The commissioner of public welfare shall quarterly review the use of title XX funds by each county and reallocate unused funds among the other counties according to the formula in section 1 so that all available federal funds are used within the federal fiscal year.*

Sec. 7. Minnesota Statutes 1976, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1975 payable in 1976 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any action other than an action on an express contract or default on an express contract, or to pay the costs of settlements out of court against the governmental subdivision in any action other than an action on an express contract when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order issued by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs of complying with any law enacted by the 1975 legislature or a subsequent year's legislature *except this act* which specifically and directly requires a new or altered activity after levy year 1974, taxes payable in 1975, but only to the extent of the increased cost for such activity after levy year 1974, taxes payable in 1975;

(d) pay the costs of an expanded county court system to the extent of the increase in costs over the amount levied in support of a county court or a probate court in levy year 1974, taxes payable in 1975;

(e) pay amounts required by any public pension plan to the extent that operation of the laws of the state of Minnesota or the United States governing such fund directly causes the level of governmental financial support to exceed the level of such support prior to July 1, 1971, provided that such increases are not the result of amendment by any means to the benefit plan

after July 1, 1971 which required the approval of the governing body of the governmental subdivision;

(f) pay amounts required to be levied in support of a volunteer firemen's relief association if resulting from the operation of sections 69.772 and 69.773;

(g) pay the costs to a governmental subdivision for their share of any program otherwise authorized by law, including the administrative costs (OF SOCIAL SERVICES AND) of county (WELFARE SYSTEMS) *public assistance programs*, for which matching funds have been appropriated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act. *Funds distributed pursuant to section 1 and section 6 shall not be considered matching funds for purposes of this levy*;

(h) pay expenses reasonably and necessarily incurred in preventing, preparing for or repairing the effects of natural disaster. "Natural disaster" as used herein means the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from natural causes, including and limited to fire, flood, earthquake, wind storm, wave action, oil spill, or other water contamination requiring action to avert danger or damage, volcanic activity, drought or air contamination. The emergency services division of the state department of public safety shall formulate standards by which an occurrence of any of the aforementioned natural phenomena would be deemed a natural disaster by reason of the level of damage, injury or loss of life or property that has occurred or would occur if preventative action was not taken;

(i) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(j) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(k) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(l) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(m) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(n) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. A governmental subdivision shall qualify for this special levy only if the decrease in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capita levy limitation for the preceding levy year;

(o) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(q) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(r) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(s) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal board in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the board in its order pursuant to section 414.01, subdivision 15. Special levies authorized by the board shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the board's order;

(t) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development;

(u) recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48.

Sec. 8. There is appropriated from the general fund to the commissioner of finance the sum of \$. . . . to be distributed as certified under this article by the commissioner of public welfare.

ARTICLE II

Section 1. [COUNTY SOCIAL SERVICE AUTHORITY.] *The county board is the designated authority for the planning and provision of social services in the county, and has the powers and duties with regard to social services as provided in article II.*

Sec. 2. [COUNTY SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [DUTIES.] The county board of each county receiving social service aids under article I, section 1 shall distribute the funds for social service programs licensed or approved by the state authority within the county as it deems appropriate. These services provided by the county shall comply with rules established by the commissioner of public welfare and the state board of health. "Social services" means those services included in the state social service plan of the commissioner of public welfare, and those defined by Laws 1976, Chapter 9, Section 2.*

Subd. 2. [MANDATORY SOCIAL SERVICES.] Among the social services the county provides shall be:

(a) Adoption services, pursuant to Minnesota Statutes, Chapter 259;

(b) Child protective services, pursuant to Minnesota Statutes, Sections 393.07 and 626.556;

(c) Detoxification services, pursuant to Minnesota Statutes, Section 254A.08;

(d) Foster care services, pursuant to Minnesota Statutes, Sections 252.27, 260.251 and 261.27; provided, however, that no county shall be required to spend more than 25 percent of the aids received pursuant to article I, sections 1 and 2 for the services required in section 252.27, subdivision 1;

(e) Mental health, mental retardation and inebriacy services, pursuant to Minnesota Statutes, Chapters 252A and 253A; Section 393.07; and section 7 of this act;

(f) Disease prevention and control services as defined by Laws 1976, Chapter 9, Section 2, Subdivision 8;

(g) Community nursing and home health services as defined by Laws 1976, Chapter 9, Section 2, Subdivisions 6 and 7.

Subd. 3. [DELIVERY OF SOCIAL SERVICES.] The county board may contract with private organizations or political subdivisions, as defined in section 15.162, subdivision 5, for the planning and delivery of social services. The county board shall appoint a social services advisory committee, which shall assist

in the formulation of the plan and the operation of the program and services by the board and shall make formal recommendations to the board concerning the allocation of funds and implementation of the plan prior to final adoption by the board. Membership on the advisory committee shall not include providers of social services in the county. The advisory committee may appoint task forces to assist it in its functions.

Subd. 4. [PLANNING PROCESS.] By July 1 of each calendar year commencing in 1978, the county board shall publish a proposed county social service plan for the following year which shall include:

- (a) A description of each service program proposed;*
- (b) Identification of the agency or person proposed to provide the service;*
- (c) The amount of funds proposed to be allocated to each service;*
- (d) Methods to be employed to encourage participation of citizens and providers in development of the plan and allocation of funds;*
- (e) Methods whereby existing providers of social services may be utilized on a purchase of service basis; and*
- (f) Any comments from the appropriate health systems agency, designated pursuant to 42 USC 300M, which may be available at least 25 days prior to the plan's publication regarding the consistency of the plan with health planning objectives.*

Subd. 5. [TECHNICAL ASSISTANCE.] A county may request technical assistance from the commissioner of public welfare and the state board of health to plan, implement, or improve any social services which it is required to or may provide, or which it plans to provide.

Subd. 6. [PUBLIC NOTICE.] The county board shall make available to the public through publication or posting in public buildings the names and locations of agencies responsible for delivery of social services.

Subd. 7. [RULE PROMULGATION; AUTHORITY AND ENFORCEMENT.] (a) By resolution the county board may adopt, amend and repeal rules governing the providing of social services, applicable throughout the whole or any part of the county. Proposed rules shall be published at least once in a newspaper of general circulation throughout the county at least ten days before adoption. No county rule shall supersede or conflict with higher standards established by statute, the rules of the commis-

sioner of public welfare, the rules of the state board of health, or the provisions of the charter or ordinances of any city pertaining to the same subject matter.

(b) The county board may enforce its rules and laws governing the provision of social services. The commissioner of public welfare and the state board of health shall cooperate with each other in assisting counties to perform this function.

Subd. 8. [MAXIMUM USE OF FACILITIES.] Before the county or counties allocate state aids for capital expenditures for social service programs, the commissioner of public welfare shall certify that existing institutions or facilities could not be acquired or leased to provide the needed facilities safely and at a lower cost, including schools, public and private hospitals, and churches. The commissioner shall respond to requests for certification required by this subdivision within 60 days.

Subd. 9. By October 1 of each calendar year commencing in 1978, the county board shall submit to the state and publish a final county social service plan for the following year.

Sec. 3. [SOCIAL SERVICE FUND.] Subdivision 1. [CREATION.] In the accounts and records of each county there shall be created a social service fund. All aids provided for social services by article I and all other tax moneys, fees, grants-in-aid, gifts, or bequests designated for social service purposes, shall be identified in the record of the fund. This fund shall be used only for social service purposes as defined in article II. If county boards have joined for purposes of providing social services, the county boards may create a "joint social service fund." If human service boards have been designated, the human service board shall account for their social service funds as a part of the human services program offered under the provisions of chapter 402.

Subd. 2. [COLLECTION OF FEES.] Twenty percent of the social service funds of the county under article I may be distributed to provide social services to clients on a sliding fee plan based on the client's ability to pay. The county board shall establish by rule a schedule of fees for social services to be charged to recipients of these services.

Payment, in whole or in part, for services may be accepted from any person. When services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief, payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof, or from any individual, governmental agency, or corporation, public or private.

Subd. 3. [PROGRAM SPENDING.] No county shall be required to spend more than 60 percent of the aids distributed pursuant to article I for social services which are required in article II, section 2, subdivision 2.

Subd. 4. [FINANCIAL REPORTING BY COUNTIES.] Beginning in calendar year 1979 each county shall submit to the commissioner of public welfare a quarterly financial statement of the county social service fund. The statement shall be submitted no later than January 15 of each year, and shall include:

(a) A detailed balance sheet of the county social service fund for the preceding year;

(b) A detailed statement of income and expenses attributable to the fund in the preceding year; and

(c) A statement of the source and application of all funds used for social services by the county during the preceding year, including the number of clients served and expenditures for each service provided, as required by the commissioner of public welfare.

If county boards have joined, or designated human service boards, for purposes of providing social services, the county boards may submit a joint statement or the human service board shall submit the statement as applicable.

Sec. 4. In calendar years 1978 and 1979 the county shall not reduce the funding provided for each of the social services which were funded in calendar year 1977.

Sec. 5. [INTERCOUNTY COOPERATION.] Two or more contiguous counties which are situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B and which have not established a human services board may, by resolution of their respective county boards, agree to combine into one board for social service purposes to serve the counties that enter into the agreement. The joint board shall have the same powers, duties and functions as the individual county boards. The term of the joint board, withdrawal from the joint board, composition of the board, and contribution to the expenses of the board shall be according to the terms of the agreement. Nothing in this section shall prevent a county board from purchasing services from an agency outside the boundaries of the Minnesota economic development region in which it is situated. A joint board established pursuant to this section may encompass completely two regions.

Sec. 6. [COUNTY LIAISON TO STATE; INCOME MAINTENANCE DUTIES.] The county board shall designate the human services board, or if none is established, the county board,

to cooperate with state agencies in administering income maintenance programs in the county. The county board shall see that the purposes of chapters 145 and 393, are carried out.

Sec. 7. [MENTAL HEALTH SERVICES.] *Each county shall provide mental health services which shall include: (a) out-patient diagnostic and treatment services; (b) rehabilitative services for patients suffering from mental or emotional disorders, particularly those who have received prior treatment in an in-patient facility; (c) consultative services as requested by public and private agencies; (d) collaborative and cooperative services with other public and private agencies for programs of prevention of mental illness. Mental health services provided by the county shall comply with standards established by the commissioner of public welfare. The county may utilize existing agencies to meet this responsibility.*

Sec. 8. Minnesota Statutes 1976, Section 252.22, is amended to read:

252.22 [APPLICANTS FOR ASSISTANCE; TAX LEVY.] Any city, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for *technical* assistance in establishing and operating a daytime activity center and program for mentally retarded and cerebral palsied persons. (APPLICATION FOR SUCH ASSISTANCE SHALL BE ON FORMS SUPPLIED BY THE COMMISSIONER. EACH APPLICANT SHALL ANNUALLY SUBMIT TO THE COMMISSIONER ITS PLAN AND BUDGET FOR THE NEXT FISCAL YEAR. NO APPLICANT SHALL BE ELIGIBLE FOR A GRANT HEREUNDER UNLESS ITS PLAN AND BUDGET HAVE BEEN APPROVED BY THE COMMISSIONER.)

Any (CITY, TOWN, OR) county is authorized, at the discretion of its governing body, to make grants from (SPECIAL TAX REVENUES) *state and county social services funds* or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded and cerebral palsied. (IN ORDER TO PROVIDE NECESSARY FUNDS TO ESTABLISH AND OPERATE DAYTIME ACTIVITY CENTERS FOR THE MENTALLY RETARDED AND CEREBRAL PALSIED, THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY LEVY ANNUALLY UPON ALL TAXABLE PROPERTY IN SUCH CITY, TOWN, OR COUNTY, A SPECIAL TAX IN EXCESS OF ANY STATUTORY OR CHARTER LIMITATION BUT SUCH LEVY SHALL NOT EXCEED ONE SIXTH OF ONE MILL AS TO ANY CITY OR TOWN. THE GOVERNING BODY OF ANY CITY, TOWN, OR COUNTY MAY MAKE SUCH A LEVY, WHERE NECESSARY, SEPARATE FROM THE GENERAL LEVY. NOTHING CONTAINED HEREIN SHALL IN ANY

WAY PRECLUDE THE USE OF FUNDS AVAILABLE FOR THIS PURPOSE UNDER ANY EXISTING STATUTE OR CHARTER PROVISION RELATING TO CITIES, TOWNS AND COUNTIES.)

Sec. 9. Minnesota Statutes 1976, Section 252.23, is amended to read:

252.23 [ELIGIBILITY REQUIREMENTS.] (AN APPLICANT) *Each county* shall (SATISFY ALL OF THE FOLLOWING REQUIREMENTS TO BE ELIGIBLE FOR ASSISTANCE UNDER SECTIONS 252.21 TO 252.26):

(1) Provide daytime activities for any or all of the following classes of persons:

Mentally retarded and cerebral palsied children who can benefit from the program of services, including those school age children who have been excused or excluded from school;

Mentally retarded and cerebral palsied children and adults who are unable to attend school because of their chronological age and are unable to independently engage in ordinary community activities;

(2) Provide counseling services to parents or guardians of mentally retarded and cerebral palsied persons (WHO MAY REGISTER AT THE CENTER);

(3) Comply with all rules (AND REGULATIONS DULY) promulgated by the commissioner of public welfare.

Sec. 10. Minnesota Statutes 1976, Section 252.26, is amended to read:

252.26 [DUTIES OF DAY ACTIVITIES CENTERS.] Subject to (THE PROVISIONS OF SECTIONS 252.21 TO 252.26 AND) the rules (AND REGULATIONS) of the commissioner of public welfare, (EACH BOARD OF DIRECTORS OF) a daytime activity center *established pursuant to section 252.22* shall:

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, *the county board*, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, which provide service to the mentally retarded and cerebral palsied;

(3) Advise the (COMMISSIONER OF PUBLIC WELFARE) *county board* on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the (COMMISSIONER OF PUBLIC WELFARE) *county board*, and when indicated to the public;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23, (CLAUSE (1)) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist.

Sec. 11. Minnesota Statutes 1976, Section 252.27, Subdivision 1, is amended to read:

252.27 [COST OF BOARDING CARE OUTSIDE OF HOME OR INSTITUTION.] Subdivision 1. Whenever any child who is mentally retarded, epileptic or emotionally handicapped is cared for outside the home and outside the several state institutions, in a facility approved by the commissioner of public welfare, the cost of such care shall be paid by the county in which such child has settlement for poor relief purposes; if the child does not have a settlement in this state, such cost shall be paid by the county in which he is found. (THE COUNTY PAYING THE COSTS OF SUCH CARE AND TREATMENT SHALL, SUBJECT TO UNIFORM REGULATIONS ESTABLISHED BY THE COMMISSIONER OF PUBLIC WELFARE, RECEIVE REIMBURSEMENT NOT EXCEEDING 70 PERCENT OF SUCH COSTS FROM FUNDS MADE AVAILABLE FOR THIS PURPOSE BY THE LEGISLATURE, PROVIDED, HOWEVER, THAT SUCH REIMBURSEMENT SHALL CEASE UPON THE MENTALLY RETARDED, EPILEPTIC OR EMOTIONALLY HANDICAPPED CHILD REACHING AGE 18. IF THE STATE APPROPRIATION FOR THIS PURPOSE IS INSUFFICIENT, REIMBURSEMENT SHALL BE PRORATED.) For the purposes of this section an "emotionally handicapped child" means any child having a psychiatric or other disorder which substantially impairs his mental health and who is in need of treatment or supervision.

Sec. 12. Minnesota Statutes 1976, Section 253A.02, is amended by adding a subdivision to read:

Subd. 23. "Designated agency" means an agency selected by the county board to provide the services under Minnesota Statutes, Chapter 253A.

Sec. 13. Minnesota Statutes 1976, Section 253A.07, Subdivision 1, is amended to read:

253A.07 [JUDICIAL COMMITMENT.] Subdivision 1. Any interested person may file in the probate court of the county of the proposed patient's settlement or presence a petition for commitment of a proposed patient, setting forth the name and address of the proposed patient, the name and address of his nearest relatives, and the reasons for the petition. Such petition shall be accompanied either by a written statement by a licensed physician stating that he has examined the proposed patient and is of the opinion that the proposed patient may be mentally ill, mentally deficient, or inebriate, and should be hospitalized, or by a written statement by the petitioner that, after reasonable effort, the petitioner has been unable to obtain an examination by a licensed physician or that an examination could not be performed. Before filing, a copy of the petition shall be delivered by the petitioner to the (COUNTY WELFARE DEPARTMENT) *designated agency*.

Sec. 14. Minnesota Statutes 1976, Section 253A.07, Subdivision 7, is amended to read:

Subd. 7. The probate court shall direct the (COUNTY WELFARE DEPARTMENT) *designated agency* to make an investigation into the financial circumstances, family relationships, residence, social history, and background of such patient and make a report thereof in writing to be filed with the court for the use and guidance of the head of the hospital to which such person may be committed. The court may require that such report be filed prior to the commitment hearing.

Sec. 15. Minnesota Statutes 1976, Section 253A.09, Subdivision 1, is amended to read:

253A.09 [TRANSPORTATION.] Subdivision 1. Whenever an individual is about to be placed in a hospital or public health facility under the terms of sections 253A.01 to 253A.21, the court may by order:

(a) Upon the request of an interested person, authorize the (COUNTY WELFARE DEPARTMENT) *designated agency* to arrange for the individual's transportation to the hospital with appropriate medical or nursing attendants, and by such means as may be suitable for the individual's condition. The person making the request shall be liable for the cost of such transportation.

(b) Authorize (COUNTY WELFARE DEPARTMENT) *the designated agency* or public health facility personnel to transport the individual to the designated facility if the head of the (WELFARE DEPARTMENT) *designated agency* or health fa-

cility has advised the court that such personnel are available for the purpose.

(c) Authorize an interested or any other responsible person to transport the individual to the designated facility.

(d) Authorize a peace officer to transport the individual to the hospital or public health facility. Unless otherwise ordered by the court, the peace officer shall not be in uniform and shall use a motor vehicle not visibly marked as a police vehicle.

Sec. 16. Minnesota Statutes 1976, Section 253A.10, Subdivision 4, is amended to read:

Subd. 4. The (COUNTY WELFARE BOARD) *designated agency* shall take such reasonable measures, including provision for medical treatment, as may be necessary to assure proper care and treatment of a person temporarily detained pursuant to this section.

Sec. 17. Minnesota Statutes 1976, Section 253A.14, Subdivision 1, is amended to read:

253A.14 [TRANSFER.] Subdivision 1. The commissioner may transfer any patient who is committed by probate court as mentally ill, mentally deficient, or inebriate from one state hospital or institution to any other hospital or other institution under his jurisdiction which is capable of providing such patient proper care and treatment, unless such patient was found by the committing court to be dangerous to the public or to have a psychopathic personality. Whenever a patient is transferred from one hospital to another written notice shall be given to the probate court if the patient was committed under sections 253A.01 to 253A.21, and to his parent or spouse or, if none be known, to an interested person, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 18. Minnesota Statutes 1976, Section 253A.15, Subdivision 6, is amended to read:

Subd. 6. Notice of the expiration of the one year period or of the extended period shall be given by the head of the hospital to the committing court, the commissioner, and the (COUNTY WELFARE BOARD) *designated agency*.

Sec. 19. Minnesota Statutes 1976, Section 253A.15, Subdivision 11, is amended to read:

Subd. 11. (a) The head of any hospital, prior to the discharge or provisional discharge of any patient committed as mentally ill, mentally deficient, or inebriate, shall notify the patient's spouse, or if there be none, an adult child, or if there

be none, the next of kin of the patient, of the proposed discharge date. The notice shall be sent to the last known address of the patient's next of kin by registered mail with return receipt. Further, the notice shall include the following information: (1) the proposed date of discharge or provisional discharge; (2) the date, time and place of the meeting of the staff, who have been treating the patient, to discuss discharge and discharge planning; (3) that the patient will be present at the meeting; (4) that the next of kin may attend the designated staff meeting and present any information relevant to the discharge of the patient. The notice shall be sent to the next of kin at least one week prior to the date designated for the meeting.

(b) The head of any hospital, upon the provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, shall notify the (WELFARE BOARD AND IN THE EVENT THE PATIENT IS A DRUG DEPENDENT PERSON THE COMMUNITY MENTAL HEALTH CENTER OF THE COUNTY OF SUCH PATIENT'S RESIDENCE) *designated agency* before the patient is to leave the hospital. Whenever possible said notice shall be given at least one week before the patient is to leave the hospital. The commissioner shall provide by (REGULATION) *rule* the procedure and methods whereby such patient shall be helped to receive all public assistance benefits provided by state or federal law to which his residence and circumstances entitle him. (SUCH REGULATIONS) *The rules* shall be uniformly applied in all counties, and all counties shall provide temporary relief whenever necessary to meet the intent of this subdivision.

Sec. 20. Minnesota Statutes 1976, Section 253A.15, Subdivision 12, is amended to read:

Subd. 12. Prior to the date of discharge, provisional discharge, partial hospitalization, or release of any patient hospitalized under sections 253A.01 to 253A.21, the (COUNTY WELFARE BOARD) *designated agency* of the county of such patient's residence, in cooperation with the head of the hospital where the patient is hospitalized, (THE DIRECTOR OF THE COMMUNITY HEALTH CENTER SERVICE OF SAID AREA,) and the patient's physician, if notified pursuant to subdivision 13, shall establish a continuing plan of after-care services for such patient including a plan for medical and psychiatric treatment, nursing care, vocational assistance, and such other aid as the patient shall need. It shall be the duty of (SUCH WELFARE BOARD) *the designated agency* to supervise and assist such patient in finding employment, suitable shelter, and adequate medical and psychiatric treatment, and to aid in his readjustment to the community.

Sec. 21. Minnesota Statutes 1976, Section 253A.15, Subdivision 13, is amended to read:

Subd. 13. In establishing such plan for after-care services the (COUNTY WELFARE BOARD) *designated agency* shall engage in (SUCH) consultation with persons or agencies, including any public health nurse and vocational rehabilitation personnel, as is necessary to insure adequate planning for after-care services.

Sec. 22. Minnesota Statutes 1976, Section 254A.07, Subdivision 1, is amended to read:

254A.07 [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.] Subdivision 1. The (COMMISSIONER OF PUBLIC WELFARE SHALL DESIGNATE THE COMMUNITY MENTAL HEALTH BOARDS TO (A)) *county board shall* coordinate all alcohol and other drug abuse services conducted by (LOCAL) agencies *in the county*, and (TO (B)) review all proposed agreements, contracts, plans, and programs in relation to alcohol and other drug abuse prepared by (ANY SUCH LOCAL) *those agencies for funding from any local, state or federal governmental sources.*

Sec. 23. Minnesota Statutes 1976, Section 254A.08, Subdivision 1, is amended to read:

254A.08 [DETOXIFICATION CENTERS.] Subdivision 1. Every (COMMUNITY MENTAL HEALTH) *county board shall* provide a detoxification program for drug dependent persons (WITHIN ITS AREA;). The *county board may utilize existing treatment programs and other agencies to meet this responsibility.*

Sec. 24. Minnesota Statutes 1976, Section 256.12, Subdivision 9, is amended to read:

Subd. 9. [COUNTY AGENCY.] As used in sections 256.72 to 256.87, "county agency" means the (COUNTY BOARD OF PUBLIC WELFARE AS ESTABLISHED BY LAW) *agency designated by the county board.*

Sec. 25. Minnesota Statutes 1976, Section 256.871, Subdivision 5, is amended to read:

Subd. 5. [COUNTY AUTHORITY.] The county (WELFARE) board shall designate (A) *an agency, person or persons who shall be authorized to immediately grant emergency assistance pursuant to this section.*

Sec. 26. Minnesota Statutes 1976, Section 256.95, is amended to read:

256.95 [EXPENSE OF ATTENDANCE AT CONFERENCE.] The necessary expenses of all probate judges and of

one (MEMBER OF THE) *person representing county child welfare (BOARD) programs and appointed by the county board* in each county invited to attend such conference shall be paid out of the funds of their respective counties.

Sec. 27. Minnesota Statutes 1976, Section 260.251, Subdivision 1a, is amended to read:

Subd. 1a. [COST OF GROUP FOSTER CARE.] Whenever a child is placed in a group foster care facility *licensed by the commissioner of public welfare* as provided in section 260.185, subdivision 1, clause (b) or clause (c), item (5), *or clause (f)*, the cost of providing the care shall, upon certification by the juvenile court, be paid (FROM THE WELFARE FUND OF) *by the county in which the proceedings were held. (TO REIMBURSE THE COUNTIES FOR THE COSTS OF PROVIDING GROUP FOSTER CARE FOR DELINQUENT CHILDREN AND TO PROMOTE THE ESTABLISHMENT OF SUITABLE GROUP FOSTER HOMES, THE STATE SHALL QUARTERLY, FROM FUNDS APPROPRIATED FOR THAT PURPOSE, REIMBURSE COUNTIES 50 PERCENT OF THE COSTS NOT PAID BY FEDERAL AND OTHER AVAILABLE STATE AIDS AND GRANTS. REIMBURSEMENT SHALL BE PRORATED IF THE APPROPRIATION IS INSUFFICIENT.)*

(THE COMMISSIONER OF CORRECTIONS SHALL ESTABLISH PROCEDURES FOR REIMBURSEMENT AND CERTIFY TO THE COMMISSIONER OF FINANCE EACH COUNTY ENTITLED TO RECEIVE STATE AID UNDER THE PROVISIONS OF THIS SUBDIVISION. UPON RECEIPT OF A CERTIFICATE THE COMMISSIONER OF FINANCE SHALL ISSUE A STATE WARRANT TO THE COUNTY TREASURER FOR THE AMOUNT DUE, TOGETHER WITH A COPY OF THE CERTIFICATE PREPARED BY THE COMMISSIONER OF CORRECTIONS.)

Sec. 28. Minnesota Statutes 1976, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county (WELFARE) board, subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including general assistance, aid to dependent children, county supplementation, if any, or state aid to recipients of supplemental security income for aged, blind and disabled, child welfare services, mental health services, and other public assistance or public welfare services (, PROVIDED THAT THE COUNTY WELFARE BOARD SHALL NOT EMPLOY PUBLIC HEALTH NURSING OR HOME HEALTH SERVICE PERSONNEL OTHER THAN HOMEMAKER

HOME HELP AIDES, BUT SHALL CONTRACT FOR OR PURCHASE THE NECESSARY SERVICES FROM EXISTING COMMUNITY AGENCIES). The duties of the county (WELFARE) board shall be performed in accordance with the (STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county (WELFARE) board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1976, Section 393.07, Subdivision 3, is amended to read:

Subd. 3. [FEDERAL SOCIAL SECURITY.] The county welfare board shall (BE CHARGED WITH THE DUTIES OF ADMINISTRATION OF) *administer* all forms of public assistance and public child welfare or other programs within the purview of the federal social security act, (OTHER THAN PUBLIC HEALTH NURSING AND HOME HEALTH SERVICES,) and which now are, or hereafter may be, imposed on the commissioner of public welfare by law, of both children and adults. The duties of (SUCH) *the* county welfare board shall be performed in accordance with (THE STANDARDS,) rules (AND REGULATIONS WHICH MAY BE) promulgated by the commissioner of public welfare in order to achieve the purposes of the law and to comply with the requirements of the federal social security act needed to qualify the state to obtain grants-in-aid available under that act. (NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW TO THE CONTRARY,) The welfare board may delegate to the director the authority to determine eligibility and disburse funds without first securing board action, provided that the director shall present to the board, at the next scheduled meeting, any such action taken by him for ratification by the board.

Sec. 30. Minnesota Statutes 1976, Section 626.556, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection by the child's parents, guardian, or person responsible for the child's care, to any act which constitutes a violation of sections 609.291, 609.292, 609.293, 609.295, or 609.296.

(b) "Neglected child" shall have the meanings defined in section 260.015, subdivision 10. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian or other person responsible for his care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child.

(c) "Physical abuse" means:

(i) Any physical injury inflicted by a parent, guardian or other person responsible for the child's care on a child other than by accidental means; or

(ii) Any physical injury that cannot reasonably be explained by the history of injuries provided by the parent, guardian or other person responsible for the child's care.

(d) "Report" means any report received by the local welfare agency pursuant to this section.

(e) "*Local welfare agency*" means the agency designated by the county board to provide the services required under Minnesota Statutes, Section 626.556.

ARTICLE III

Section 1. [STATE RESPONSIBILITY FOR COUNTY SOCIAL SERVICE PROGRAMS.] *Subdivision 1. [TECHNICAL ASSISTANCE.] The commissioner of public welfare is the state authority responsible for providing technical assistance to counties and for assisting the planning and providing of social services as requested by the county. The state board of health shall collaborate with the commissioner of public welfare in providing technical assistance to counties in matters pertaining to the public health.*

Subd. 2. [CERTIFICATION OF FUNDS.] The commissioner of public welfare shall certify to the commissioner of finance the amounts due to each county according to the formula established in article 1.

Subd. 3. [PROGRAM PLANNING.] The commissioner of public welfare and the state board of health shall provide consultative staff service to counties to assist in ascertaining local needs and in planning and establishing county social service programs. The commissioner of public welfare, in collaboration with the state board of health, and with representation from county boards, shall develop guidelines to assist counties in the development of social service plans and the administration and provision of services to clients. Compliance with these guidelines shall not be a prerequisite for receipt of aids allocated pursuant to article 1, sections 1 and 2. Each county shall enumerate the num-

bers and types of recipients of each service and shall establish measurable program objectives and performance criteria for each social service program. The commissioner of public welfare shall establish a comprehensive program evaluation system which shall encompass all major social service programs. The commissioner of public welfare shall conduct studies of the relative cost and effectiveness of programs and shall submit these evaluations to the respective counties and to the appropriate standing committees of the legislature for review. The commissioner shall consult with the state health planning and development agency, designated pursuant to 42 USC 300M, regarding the consistency of county social service plans with the state health plan developed pursuant to 42 USC 3001-1.

Subd. 4. [REVIEW OF FINANCIAL REPORTS.] The commissioner of public welfare shall review the financial statement of the county social service fund of each county within 60 days of receipt. The commissioner shall then certify to the commissioner of finance any reduction in subsequent allocations pursuant to the provisions of article I if applicable.

Subd. 5. [APPEAL.] Prior to certifying to the commissioner of finance any reduction in aids, the commissioner of public welfare shall notify the county or counties of his intention to certify a reduction. He shall notify the county or counties of the right to a contested case hearing pursuant to chapter 15. Within 30 days of notification being given, the county or counties shall notify the commissioner of public welfare of intention to contest the reduction in aid. The commissioner shall not certify any reduction in aids until the hearing is concluded.

Subd. 6. [GRANTS FOR EXPERIMENTAL PROGRAMS.] To encourage innovation and increase the efficiency of delivery of social services, the commissioner of public welfare may make grants to counties for experimental social service programs which are not included in the state social service plan defined in Laws 1976, Chapter 9, Section 2. No experimental program shall receive a grant under this section for more than three years. The experimental program shall be certified pursuant to rules of the commissioner before a grant is made. The commissioner may request assistance from the state board of health in evaluating programs.

Subd. 7. [PLANNING GRANTS.] The commissioner of public welfare may make grants to a human services board or to the county board of any county or group of counties, for planning social service programs. Planning grants shall be limited to one year.

Subd. 8. [RULES.] The commissioner of public welfare or the state board of health shall promulgate rules prescribing standards for all services eligible for funds under this act, and shall be responsible for monitoring the maintenance of these

standards in the services delivered through use of funds made available by this act.

Sec. 2. Minnesota Statutes 1976, Section 144.065, is amended to read:

144.065 [VENEREAL DISEASE TREATMENT CENTERS.] The state board of health shall assist (LOCAL) *county boards and health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate (REGULATIONS RELATIVE TO THE COMPOSITION OF SUCH) rules for providing the services (AND SHALL ESTABLISH A METHOD OF PROVIDING FUNDS TO LOCAL HEALTH AGENCIES AND ORGANIZATIONS WHICH OFFER SUCH SERVICES).* The state board of health shall provide technical assistance to (SUCH) agencies and organizations in accordance with the needs of the (LOCAL AREA) *county.*

Sec. 3. Minnesota Statutes 1976, Section 145.55, Subdivision 1, is amended to read:

145.55 [AGREEMENT TO PERFORM FUNCTIONS OF STATE BOARD.] Subdivision 1. The state board of health (HEREAFTER CALLED THE STATE AGENCY) may enter into an agreement with (ANY) *the county (WHICH HAS ESTABLISHED A HEALTH DEPARTMENT, HEREAFTER CALLED THE COUNTY AGENCY, UNDER THE PROVISIONS OF LAWS 1969, CHAPTER 235, OR MINNESOTA STATUTES, SECTIONS 145.47 TO 145.54), under which agreement (SUCH) the county (AGENCY) may agree to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. Such agreement may set out requirements that the county (AGENCY) comply with rules and regulations promulgated by the state agency for the performance of duties under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157. It may also set forth criteria under which the state agency will determine that the performance by the county (AGENCY) complies with state standards and shall be deemed sufficient to replace licensing by the state board of health.*

The agreement may further specify minimum staff requirements and qualifications and may provide for procedures for termination if the state agency finds that the county (AGENCY) fails to comply with the terms and requirements of the agreement.

Sec. 4. Minnesota Statutes 1976, Section 245.70, is amended to read:

245.70 [MENTALLY ILL AND MENTALLY RETARDED; FEDERAL AID.] The commissioner of public welfare (IS HEREBY DESIGNATED THE STATE AGENCY TO) *shall* establish and administer a state-wide plan for the construction, equipment, maintenance, and operation of any facilities for the care, treatment, diagnosis, or rehabilitation, of the mentally retarded or mentally ill which are or may be required as a condition for eligibility for benefits under any federal law and in particular under the Federal Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164). The commissioner of public welfare (IS AUTHORIZED AND DIRECTED TO) *shall* receive, administer, and expend any funds that may be available under any federal law (OR FROM ANY OTHER SOURCE, PUBLIC OR PRIVATE,) for such purposes.

Sec. 5. Minnesota Statutes 1976, Section 254A.05, Subdivision 1, is amended to read:

254A.05 [DUTIES OF ADVISORY COUNCIL.] Subdivision 1. (a) The council shall assist in the formulation of policies and guidelines for the implementation of the commissioner's responsibilities in the area of alcohol and drug abuse.

(b) The council shall advise the commissioner and director on policies, goals, and the operation of the comprehensive state plan for alcohol and drug abuse program services in the state and other matters as directed by the commissioner and director, and shall encourage public understanding and support of the alcohol and drug abuse programs.

(c) The council shall make recommendations to the commissioner regarding grants (TO COMMUNITY MENTAL HEALTH BOARDS UNDER SECTION 254A.07).

Sec. 6. Minnesota Statutes 1976, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The (DEPARTMENT OF PUBLIC WELFARE) *county board* may make grants (TO COMMUNITY MENTAL HEALTH BOARDS) for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. (GRANTS MADE FOR PROGRAMS SERVING THE NATIVE AMERICAN COMMUNITY SHALL TAKE INTO ACCOUNT THE GUIDELINES ESTABLISHED IN SECTION 254A.03, SUBDIVISION 1, CLAUSE (J). GRANTS MAY BE MADE FOR THE COST OF THESE COMPREHENSIVE PROGRAMS AND SERVICES WHETHER PROVIDED DIRECTLY BY COMMU-

NITY MENTAL HEALTH BOARDS OR BY OTHER PUBLIC AND PRIVATE AGENCIES AND ORGANIZATIONS, BOTH PROFIT AND NONPROFIT, AND INDIVIDUALS, PURSUANT TO CONTRACT. NOTHING HEREIN SHALL PREVENT THE STATE AUTHORITY FROM ENTERING INTO CONTRACTS WITH AND MAKING GRANTS TO OTHER STATE AGENCIES FOR THE PURPOSE OF PROVIDING SPECIFIC SERVICES AND PROGRAMS.)

Sec. 7. *There is appropriated from the general fund to the commissioner of public welfare the sum of \$ for the purposes of article III, section 1, subdivisions 5 and 6.*

Sec. 8. *In the next and all subsequent editions of Minnesota Statutes, the revisor shall substitute the words "county board" for the words "county welfare board" wherever they occur.*

Sec. 9. [REPEALER.] *Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12; 254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11, are repealed."*

Further delete the title and insert:

"A bill for an act relating to public welfare; establishing a formula for allocating state funds to counties for social service programs; prescribing county duties; providing for social service tax levies; prescribing duties of the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 144.065; 145.55, Subdivision 1; 245.70; 252.22; 252.23; 252.26; 252.27, Subdivision 1; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 256.12, Subdivision 9; 256.871, Subdivision 5; 256.95; 260.251, Subdivision 1a; 275.50, Subdivision 5; 393.07, Subdivisions 2 and 3; 477A.01, Subdivision 2; 626.556, Subdivision 2; repealing Minnesota Statutes 1976, Sections 145.08, Subdivision 2; 145.11; 145.12; 145.123; 145.125, Subdivisions 1 and 2; 145.47; 145.48; 145.49; 145.50; 145.51; 145.52; 145.53; 145.54; 145.911; 145.912; 145.913; 145.914; 145.915; 145.916; 145.917; 145.918; 145.919; 145.92; 145.921; 145.922; 245.61; 245.62; 245.63; 245.64; 245.65; 245.66; 245.67; 245.68; 245.69; 245.691; 245.72; 245.83; 245.84; 245.85; 245.86; 245.87; 252.21; 252.24; 252.25; 254A.02, Subdivision 12;

254A.07, Subdivision 3; 254A.08, Subdivision 3; 254A.12; 254A.14; 254A.15; 254A.16; 254A.17; 393.01; 393.02; 393.03; 393.04; 393.06; 393.07, Subdivision 8; 393.08; 393.09; 393.11."

With the recommendation that when so amended the bill 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. 57, A bill for an act relating to health and safety; licensing and certification of ambulance services; amending Minnesota Statutes 1976, Chapter 144, by adding a section; Sections 144.801; 144.802; 144.803; 144.804; and 144.805.

Reported the same back with the following amendments:

Page 1, line 14, after "section 6" delete "of".

Page 1, line 15, delete "this act".

Page 1, line 18, after "intended" delete "or" and insert "for and".

Page 2, line 1, after "intended" delete "or" and insert "for and".

Page 2, line 17, after "means" insert "transportation and treatment which is rendered or offered to be rendered preliminary to or during transportation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by".

Page 2, line 17, delete "person, firm, partnership, corporation,".

Page 2, delete lines 18 to 23 and insert "operator.".

Page 2, line 24, after "means" insert "transportation to or from a health care facility for examination, diagnosis, treatment, therapy, or consultation for wounded, injured, sick, invalid, or incapacitated persons, or expectant mothers, provided by".

Page 2, delete lines 25 to 30.

Page 2, line 31, delete "persons, or expectant mothers, which" and insert "operator. This service is".

Page 2, line 31, after "*transportation*" insert "*which*".

Page 2, line 32, delete "*by any person*".

Page 3, delete lines 1 to 3 and insert "*but which does not regularly necessitate treatment of the person while being transported. Nonemergency ambulance service does not include the provision of transportation services to persons for whom the need for oxygen, resuscitation or aspiration is not reasonably foreseeable during transportation.*".

Page 3, delete lines 9 and 10.

Page 3, line 13, strike "*municipality*" and insert "*political subdivision*".

Page 3, line 18, delete "*municipality*" and insert "*political subdivision*".

Page 3, delete lines 22 and 23.

Page 3, line 24, delete "*municipality, or other organization*" and insert "*an emergency ambulance service or nonemergency ambulance service*".

Page 3, line 25, delete "*with certification*".

Page 3, line 27, delete "*the proposed*" and insert "*a*".

Page 4, line 4, delete "*municipality in which the service is based*" and insert "*location of the base of operations and the type or types of ambulance service for which the operator is licensed*".

Page 4, line 5, delete "*separate*" and insert "*new*".

Page 4, line 5, delete "*from the state board of*".

Page 4, line 6, delete "*health*".

Page 4, line 6, delete "*he*" and insert "*it*".

Page 4, line 6, delete "*in*".

Page 4, line 7, delete "*another municipality*" and insert "*or provide a new type or types of service*".

Page 4, line 12, delete "*of this act*".

Page 4, line 19, strike "*licenses*" and insert "*a license*".

Page 4, line 20, after "service" insert "*, a new type or types of ambulance service*".

Page 4, line 32, reinstate the stricken language, delete the underscored language and after "144.806" insert "*or section 6*".

Page 5, line 12, after "by" insert "*rules adopted by*".

Page 5, line 13, delete "*the administrative procedure act*" and insert "*chapter 15*".

Page 5, line 15, strike "July" and insert "*August*".

Page 5, line 16, delete "1977" and insert "1979".

Page 5, line 19, after "Surgeons" insert "*or the equivalent as determined by standards adopted by the state board of health pursuant to chapter 15*".

Page 5, line 19, delete "*After July*".

Page 5, delete lines 20 to 22.

Page 5, line 23, after "All" insert "*land*".

Page 5, line 26, after "and" insert "*an*".

Page 5, line 26, after "attendant" insert "*, physician or registered nurse*".

Page 5, line 26, delete "*In cases of patient*".

Page 5, delete lines 27 to 30.

Page 5, line 31, delete "*personnel in lieu of an attendant*".

Page 6, line 5, after "ambulances" delete "*offering*".

Page 6, line 6, delete "*nonemergency service*".

Page 6, line 7, strike "an" and insert "*a land emergency*".

Page 6, line 19, delete "*such*" and insert "*the*".

Page 6, line 20, after "by" insert "*rules adopted by*".

Page 6, line 21, delete "*the administrative*".

Page 6, line 22, delete "*procedures act*" and insert "*chapter 15*".

Page 7, line 16, after "*adopts*" insert "*as*".

Page 7, delete line 18.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 166, A bill for an act relating to health; licensing certain facilities; amending Minnesota Statutes 1976, Section 144.50.

Reported the same back with the following amendments:

Page 2, line 1, delete "*one of the following purposes*".

Page 2, line 4, after "*services*" insert "*offered 24 hours a day, seven days a week*".

Page 2, after line 22, insert a new section to read:

"Sec. 2. [EXISTING RULES.] *Rules previously promulgated by the state board of health relating to the licensure of any institution, place, building or agency, in which any accommodation is maintained, furnished or offered for elective outpatient surgery for preexamined, prediagnosed low risk patients shall apply until repealed, modified or superseded by a rule promulgated in accordance with chapter 15.*"

Renumber the remaining section.

Further amend the title:

Page 1, line 2, after "*facilities;*" insert "*allowing for the reinstatement of previously adopted rules;*".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 68, 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 1976, Sections 15A.083, Subdivision 4;

124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 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; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.06, Subdivision 5; 271.11; 271.14; and 271.16.

Reported the same back with the following amendments:

Page 2, line 8, after "years" insert "*commencing at the expiration of the preceding term*".

Page 2, line 8, after the period insert "*Any vacancy shall be filled by the governor for the unexpired term, subject to confirmation by the senate. The terms of the judges shall end on the first Monday in January. The terms of the judges shall continue to be staggered. Judges may serve until their successors are appointed and qualify.*".

Page 2, line 9, restore the stricken language and delete the new language.

Page 2, line 10, delete the new language.

Page 3, line 19, delete "*Subject to appeal to the supreme court*" and insert "*Except for an appeal to the supreme court or any other appeal allowed under this subdivision*".

Page 3, line 22, after "state" insert "*, as defined in this subdivision,*".

Page 3, delete line 23.

Page 3, line 24, delete "*rule, subject to approval by the supreme court*" and insert "*cases that have been appealed to the tax court and in any case that has been transferred by the district court to the tax court*".

Page 3, line 29, after "The" and before "tax" insert "*small claims division of the*".

Page 4, line 1, before the period insert "*, except for those taxpayers whose original assessments are determined by the commissioner of revenue*".

Page 4, line 9, after "laws" insert "*of this state*".

Page 4, line 10, after "This" insert "*subdivision*".

Page 5, line 21, delete "*the taxpayer*" and insert "*a party to a case*".

Page 6, line 14, after the period insert "*Notwithstanding subdivision 2 of this section, when an appeal is taken to the tax court in any case dealing with property valuation, assessment, or taxation for property tax purposes, the provisions of section 274.19, subdivisions 4 and 5, section 277.011, and chapter 278 shall apply as if the appeal had been taken to the district court.*".

Page 6, line 21, delete "*or of the county board of equalization,*".

Page 9, line 29, after "*court*" and before the period insert "*, where practicable*".

Page 9, line 30, after "*require*" insert "*, provided that before any additional rule is adopted, the tax court first holds a public hearing thereon, affording all affected interests an opportunity to participate, and gives notice of its intention to hold such a hearing at least 30 days prior to the date set for the hearing by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose and in the state register. The notice in the state register shall include the full text of the rule proposed for adoption. The tax court shall make available at least one free copy of the proposed rule to any person requesting it. At the public hearing the tax court shall make an affirmative presentation of facts establishing the need for and reasonableness of the rule proposed for adoption and fulfilling any relevant substantive or procedural requirements imposed on the tax court by law. After the hearing ends, 20 days shall be allowed for written material to be submitted and recorded in the hearing record. If the tax court approves the rule, the tax court shall promptly file it in the office of the secretary of state. A rule shall become effective 20 days after its publication in the state register unless a later date is specified in the rule. Any rule adopted after July 1, 1977, which is not published in the state register, shall be of no effect*".

Page 11, line 17, after "*act*" insert "*, unless an appeal is taken to the district court*".

Page 13, line 10, strike "*complaint*" and insert "*taxpayer*".

Page 13, line 10, after "*becomes due*" delete the comma.

Page 13, line 11, strike old language and delete new language.

Page 13, strike lines 12 to 17.

Page 13, line 21, strike the comma.

Page 13, line 22, after the period insert "*The provisions of section 274.19, subdivision 5, section 277.011, subdivision 3, and section 278.03 shall govern the filing with the tax court of an appeal*".

dealing with property valuation, assessment, or taxation for property tax purposes, as if the appeal had been taken to the district court."

Page 14, delete lines 8 to 19.

Page 14, lines 22 and 23, restore the stricken language.

Page 14, line 24, restore the stricken language and after the comma insert "*or the making and filing of an order on a petition for rehearing,*".

Page 14, lines 25 to 32, restore the stricken language and delete the new language.

Page 15, lines 1 to 15, restore the stricken language and delete the new language.

Page 20, line 10, after "*valuation*" insert "*, assessment,*".

Page 21, line 3, after "*the*" insert "*small claims division of the*".

Page 21, line 3, after "*court*" insert "*, except for those taxpayers whose original assessments are determined by the commissioner of revenue*".

Page 22, line 7, after the period insert "*No judgment shall be rendered in a case dealing with property valuation or assessment for property tax purposes until after the state board of equalization has issued its order, if any, for that area or property.*".

Page 22, delete lines 10 to 13.

Page 23, line 2, delete "*members*" and insert "*judges*".

Page 23, line 5, delete "*members*" and insert "*judges*".

Page 23, line 8, after "*act*" insert "*by the judges of the tax court who heard the case, and they shall be paid the salary specified before the effective date of this act, unless they are appointed to the tax court created by this act*".

Page 24, line 1, after "*except*" insert "*that the sales ratio studies shall be admissible as a public record without the laying of a foundation in*".

Page 24, line 4, delete "*, as a public record without the laying of a*".

Page 24, line 5, delete "*foundation*".

Page 24, line 32, delete "271.06, *Subdivision*".

Page 25, line 1, delete "5;".

Renumber the sections accordingly.

Further, amend the title as follows:

Line 11, delete "Subdivisions 1 and" and insert "Subdivision".

Line 16, delete "271.06, *Subdivision 5;*".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 282, 57 and 166 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kvam, Eckstein, Kahn, Anderson, G., and Kroening introduced:

H. F. No. 734, A bill for an act creating a commission to study moving the agriculture department to the university of Minnesota campus; appropriating money therefor.

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

Kvam, Wigley, Kahn, Eckstein and Kelly, W., introduced:

H. F. No. 735, A bill for an act relating to energy conservation; appropriating money to the university of Minnesota for the purpose of research into developing an alcohol supplement that can be blended with gasoline.

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

Savelkoul introduced:

H. F. No. 736, A resolution memorializing the Secretary of Agriculture and the Congress of the United States to expedite enactment of legislation to assist the domestic sugar industry.

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

Arlandson; Casserly; Sieben, M.; Kroening and Ewald introduced:

H. F. No. 737, A bill for an act relating to commerce; regulating and licensing collection agencies and certain employees; providing civil remedies; prohibiting practices; providing investigatory powers; providing a penalty; amending Minnesota Statutes 1976, Sections 332.31, Subdivision 3, and by adding subdivisions; 332.32; 332.33; 332.37; 332.42; 332.43, Subdivision 1; 332.44; and Chapter 332, by adding sections; repealing Minnesota Statutes 1976, Sections 332.31, Subdivision 5; 332.34; 332.35; 332.40; and 332.43, Subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenzel and Begich introduced:

H. F. No. 738, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; providing for determinate terms for certain crimes; amending Minnesota Statutes 1976, Sections 242.19, Subdivision 1; 243.05; 243.06; 243.18; 299F.811; 299F.815; 609.02, by adding a subdivision; 609.10; 609.12, Subdivision 1; 609.135, Subdivision 1; 609.19; 609.195; 609.20; 609.205; 609.225; 609.24; 609.245; 609.25, Subdivision 2; 609.342; 609.343; 609.344; 609.561; 609.562; 609.58, Subdivision 2; repealing Minnesota Statutes 1976, Sections 609.11; and 609.346.

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

Beauchamp, Corbid, Pehler, Dean and St. Onge introduced:

H. F. No. 739, A bill for an act relating to education; public television; altering the calculation of matching funds required by public stations; appropriating money; amending Minnesota Statutes 1976, Section 139.18, Subdivision 2.

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

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 740, A bill for an act relating to education; handicapped pupils; providing an exception to the deduction of school aid allowances for certain handicapped children; amending Minnesota Statutes 1976, Section 124.32, Subdivision 1.

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

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 741, A bill for an act relating to education; school aids; declining enrollment; changing the computation of pupil units in certain districts; amending Minnesota Statutes 1976, Section 124.17, Subdivision 1.

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

Johnson, Albrecht, McEachern, Tomlinson and Anderson, D., introduced:

H. F. No. 742, A bill for an act relating to education; authorizing transportation aid for adjacent school districts engaged in a joint educational program; amending Minnesota Statutes 1976, Section 124.223.

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

Johnson, Birnstihl, Esau, Tomlinson and Mann introduced:

H. F. No. 743, A bill for an act relating to education; school finance; creating a study commission; appropriating money.

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

Lemke; Fudro; Anderson, D.; Jensen and Birnstihl introduced:

H. F. No. 744, A bill for an act relating to the environment; environmental impact statements; providing an exception for certain street and highway construction or improvement projects; amending Minnesota Statutes 1976, Section 116D.04, by adding a subdivision.

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

Johnson, Mann, Kalis, Gunter and Biersdorf introduced:

H. F. No. 745, A bill for an act relating to drainage; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; improving the power of county boards to repair drainage systems; increasing the repair limit per year; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivision 2; and 106.471, Subdivisions 1, 2, and 4.

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

Wenstrom; Gunter; Anderson, G.; Kvam and Smogard introduced:

H. F. No. 746, A bill for an act relating to liquefied petroleum gas pipelines; minimum depth in certain areas; landowners liability; amending Minnesota Statutes 1976, Chapter 299F, by adding a section.

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

Wenstrom, Patton, Fjoslien, Clawson and Brinkman introduced:

H. F. No. 747, A bill for an act relating to electric utilities; power plant and high voltage transmission line siting; amending Minnesota Statutes 1976, Sections 116C.53; 116C.55, Subdivisions 2 and 3; 116C.56; 116C.57, Subdivisions 1, 2 and 4; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; and 116C.66.

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

Corbid, Berg, McCollar, Osthoff and Carlson, D., introduced:

H. F. No. 748, A bill for an act relating to elections; establishing a uniform municipal election day for election of county, city and school district officers, county and municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; providing state reimbursement to towns and cities for election costs; appropriating money; amending Minnesota Statutes 1976, Chapters 204A by adding a section; and 205 by adding sections; and Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 123.12, Subdivisions 1 and 5; 123.33,

Subdivision 1; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 200.02, Subdivisions 1, 8, and 24 and by adding subdivisions; 202A.52; 203A.17; 203A.32, Subdivision 3; 204A.06, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2 and by adding a subdivision; 204A.48; 205.01; 205.021; 205.13; 205.14; 205.16, Subdivision 2; 207.02; 207.151; 209.02, Subdivisions 1 and 3; 398.04; and 410.21; repealing Minnesota Statutes 1976, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5 and 6; 123.32; 128.01; 128.02; 201.33; 205.02; 205.03; 205.07; 205.11; 205.18; 205.19; and 205.20.

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

McEachern introduced:

H. F. No. 749, A bill for an act adopting the whitetailed deer as the official state animal; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

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

Simoneau, Heinitz and Neisen introduced:

H. F. No. 750, A bill for an act relating to the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Sections 179.66, Subdivision 4 and by adding a subdivision; 179.74, Subdivision 4.

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

Simoneau, Heinitz and Neisen introduced:

H. F. No. 751, A bill for an act relating to labor relations; providing for the exclusion of certain positions and classes of positions in the classified and unclassified civil service of the executive branch from bargaining units; amending Minnesota Statutes 1976, Section 179.74, Subdivision 4.

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

Hanson, Patton, Biersdorf, Beauchamp and Moe introduced:

H. F. No. 752, A bill for an act relating to retirement; membership and duties of the Minnesota state retirement system board; amending Minnesota Statutes 1976, Section 352.03, Subdivisions 1, 2, and by adding a subdivision.

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

Jensen, Suss, Birnstihl, White and Sieben, H., introduced:

H. F. No. 753, A bill for an act relating to architects, engineers, surveyors and landscape architects; work performed by persons exempted from licensure requirements; amending Minnesota Statutes 1976, Section 326.03, Subdivision 2.

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

Kostohryz, Birnstihl, McEachern, Mangan and Esau introduced:

H. F. No. 754, A bill for an act relating to the public employees retirement association; providing for the payment of school district employers' contributions by the state; appropriating money therefor.

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

Beauchamp, Pehler, Stoa, St. Onge and Wenstrom introduced:

H. F. No. 755, A bill for an act relating to retirement; teachers retirement association; extension of employment beyond the mandatory retirement age upon a finding of designated exceptional teaching abilities.

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

Kroening, Jacobs, Sabo, Anderson, I., and Begich introduced:

H. F. No. 756, A bill for an act relating to public lands; authorizing sale of certain state owned and tax forfeited lands for use in a taconite tailings disposal facility.

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

Byrne; Faricy; Carlson, L.; Carlson, A.; and Mangan introduced:

H. F. No. 757, A bill for an act relating to health; establishing a health program for pre-school children; providing for reimbursement to school districts; appropriating money.

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

Abeln, Heinitz, McCollar and Scheid introduced:

H. F. No. 758, A bill for an act relating to public welfare; providing for rate setting in residential facilities for the mentally ill.

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

Abeln, Heinitz, McCollar and Scheid introduced:

H. F. No. 759, A bill for an act relating to public welfare; providing a licensing program for supervised living facilities for the aged, providing for the establishment of rate limits for such facilities.

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

Enebo, Clark, Pleasant, Neisen and Novak introduced:

H. F. No. 760, A bill for an act relating to the practice of chiropractic; prohibiting the state and its political subdivisions from discrimination against licensed chiropractors because of race, creed or sex or in any manner which would tend to impede their performing and receiving compensation for authorized services; amending Minnesota Statutes 1976, Sections 148.03 and 148.08, Subdivision 2.

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

Carlson, L.; Berglin; Scheid; Wenstrom and Heinitz introduced:

H. F. No. 761, A bill for an act relating to public health; requiring nurses to take throat cultures for the detection of infection; appropriating money; amending Minnesota Statutes 1976, Section 145.085, Subdivision 1.

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

Berglin; Carlson, L.; Samuelson; Corbid and Forsythe introduced:

H. F. No. 762, A bill for an act relating to health care; directing the state board of health to compile certain physician directories; providing for their distribution; appropriating money.

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

Fudro, Sarna, Laidig, Nelsen, M., and Birnstihl introduced:

H. F. No. 763, A bill for an act relating to labor; prohibiting certain terms in employment contracts relating to inventions by employees.

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

Kelly, R.; George; Berglin; Waldorf and Casserly introduced:

H. F. No. 764, A bill for an act relating to animals; authorizing destruction rather than research use for unclaimed animals; amending Minnesota Statutes 1976, Section 35.71, Subdivision 3.

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

Clawson, Abeln, Suss and Stanton introduced:

H. F. No. 765, A bill for an act relating to taxation; providing for a tax on certain capital gains from the sale of land; providing penalties.

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

Tomlinson introduced:

H. F. No. 766, A bill for an act relating to taxation; removing reference to payment of salaries of local officers based on assessed valuation of jurisdiction; repealing Minnesota Statutes 1976, Section 273.13, Subdivision 7a.

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

Skoglund, Scheid, Novak, Pleasant and Schulz introduced:

H. F. No. 767, A bill for an act relating to taxation; allowing certain income adjusted homestead credit claims on behalf of decedents; amending Minnesota Statutes 1976, Section 290A.03, Subdivision 13.

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

Tomlinson, Pehler, Novak, Kempe, A., and Pleasant introduced:

H. F. No. 768, A bill for an act relating to taxation; providing for valuation of residential property at sale price; requiring year of construction to be included on certificate of value; providing for certain increased income-adjusted homestead credit amounts; amending Minnesota Statutes 1976, Sections 273.11, Subdivision 1; 287.241, Subdivision 4; and 290A.04, Subdivision 2, and by adding a subdivision.

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

Cummiskey, Birnstihl, Zubay, St. Onge and Stoa introduced:

H. F. No. 769, A bill for an act relating to taxation; providing an exemption from the gasoline and special fuels tax for certain municipal transit systems; amending Minnesota Statutes 1976, Sections 296.02 and 296.025, by adding subdivisions.

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

McEachern introduced:

H. F. No. 770, A bill for an act relating to motor vehicles; requiring operator of motorcycle to stop upon signal from law enforcement officer; requiring owner of motorcycle to disclose identity of operator of motorcycle; providing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

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

Patton, Sabo and Knickerbocker introduced:

H. F. No. 771, A bill for an act relating to metropolitan government; providing for sports facilities; establishing a sports commission; providing financing; providing a tax on the sales of certain intoxicating and fermented malt beverages in the metropolitan area; prohibiting certain restrictive agreements relating to the telecasting of games; increasing the levy limitation base for the city of Bloomington; regulating facilities location; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 11a.

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

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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

House Concurrent Resolution No. 4, A Concurrent Resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House concur in the Senate amendments to House Concurrent Resolution No. 4 and that the resolution be adopted as amended by the Senate. The motion prevailed and House Concurrent Resolution No. 4 as amended by the Senate was adopted.

Mr. Speaker:

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

S. F. Nos. 10, 69, 99 and 104.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 10, A bill for an act relating to cities; providing for the establishment of tourist information centers; authorizing payments of expenses of governing officers in certain cases; amending Minnesota Statutes 1976, Sections 465.53 and 465.54.

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

S. F. No. 69, A bill for an act relating to adoption; increasing the exceptions in execution of consents to adoptions; requiring consents to be in writing, before witnesses; amending Minnesota Statutes 1976, Section 259.24, Subdivision 5.

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

S. F. No. 99, A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

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

S. F. No. 104, A bill for an act relating to Cook county; authorizing construction of a building for the county highway department and the issuance of general obligation bonds to finance the cost thereof.

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

CONSENT CALENDAR

H. F. No. 54, A bill for an act relating to state government; purchase of products and services from sheltered workshops and work activity programs; setting standards for price determination; amending Minnesota Statutes 1976, Section 16.281, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Johnson	Munger	Sieben, H.
Adams	Corbid	Jude	Murphy	Sieben, M.
Albrecht	Dahl	Kahn	Neisen	Simoneau
Anderson, B.	Dean	Kaley	Nelsen, B.	Skoglund
Anderson, D.	Eckstein	Kalis	Nelsen, M.	Smogard
Anderson, G.	Eken	Kelly, R.	Nelson	Spanish
Anderson, I.	Ellingson	Kelly, W.	Niehaus	Stoa
Anderson, R.	Enebo	Kempe, A.	Norton	Suss
Arlandson	Erickson	Kempe, R.	Novak	Swanson
Battaglia	Esau	King	Osthoff	Tomlinson
Beauchamp	Evans	Knickerbocker	Patton	Vanasek
Begich	Ewald	Kostohryz	Pehler	Waldorf
Berg	Faricy	Kroening	Peterson	Welch
Berkelman	Fjoslien	Kvam	Petraleso	Wenstrom
Biersdorf	Forsythe	Laidig	Prahl	Wenzel
Birnstihl	Friedrich	Langseth	Reding	White
Brandl	Fudro	Lehto	Rose	Wieser
Braun	Fugina	Lemke	St. Onge	Wigley
Brinkman	George	Mangan	Samuelson	Williamson
Byrne	Gunter	Mann	Sarna	Wynia
Carlson, A.	Hanson	McCarron	Savelkoul	Zubay
Carlson, D.	Heinitz	McCollar	Scheid	Speaker Sabo
Carlson, L.	Hokanson	McDonald	Schulz	
Casserly	Jacobs	McEachern	Searle	
Clark	Jaros	Metzen	Searles	
Clawson	Jensen	Moe	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 107, A bill for an act relating to state property; authorizing the conveyance of certain state property in Sherburne county to the city of St. Cloud, Minnesota.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Ewald	Kalis	McEachern
Adams	Byrne	Faricy	Kelly, R.	Metzen
Albrecht	Carlson, A.	Fjoslien	Kelly, W.	Moe
Anderson, B.	Carlson, D.	Forsythe	Kempe, A.	Munger
Anderson, D.	Carlson, L.	Friedrich	Kempe, R.	Murphy
Anderson, G.	Casserly	Fudro	King	Neisen
Anderson, I.	Clark	Fugina	Knickerbocker	Nelsen, B.
Anderson, R.	Clawson	George	Kostohryz	Nelsen, M.
Arlandson	Cohen	Gunter	Kroening	Nelson
Battaglia	Corbid	Hanson	Kvam	Niehaus
Beauchamp	Dahl	Heinitz	Laidig	Norton
Begich	Dean	Hokanson	Langseth	Novak
Berg	Eckstein	Jacobs	Lehto	Patton
Berglin	Eken	Jaros	Lemke	Pehler
Berkelman	Ellingson	Jensen	Mangan	Peterson
Biersdorf	Enebo	Johnson	Mann	Petraleso
Birnstihl	Erickson	Jude	McCarron	Prahl
Brandl	Esau	Kahn	McCollar	Reding
Braun	Evans	Kaley	McDonald	Rice

Rose	Searle	Smogard	Vanasek	Williamson
St. Onge	Searles	Spanish	Weich	Wynia
Samuelson	Sherwood	Stanton	Wenstrom	Zubay
Sarna	Sieben, H.	Stoa	Wenzel	Speaker Sabo
Savelkoul	Sieben, M.	Suss	White	
Scheid	Simoneau	Swanson	Wieser	
Schulz	Skoglund	Tomlinson	Wigley	

The bill was passed and its title agreed to.

H. F. No. 212, A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Searles
Adams	Cohen	Jensen	Moe	Sherwood
Albrecht	Corbid	Johnson	Munger	Sieben, H.
Anderson, B.	Dahl	Jude	Murphy	Sieben, M.
Anderson, D.	Dean	Kahn	Neisen	Simoneau
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Skoglund
Anderson, I.	Eken	Kalis	Nelsen, M.	Smogard
Anderson, R.	Ellingson	Kelly, R.	Nelson	Spanish
Arlandson	Enebo	Kelly, W.	Niehaus	Stanton
Battaglia	Erickson	Kempe, A.	Norton	Stoa
Beauchamp	Esau	Kempe, R.	Novak	Suss
Begich	Evans	King	Osthoff	Swanson
Berg	Ewald	Knickerbocker	Patton	Tomlinson
Berglin	Faricy	Kostohryz	Pehler	Vanasek
Berkelman	Fjoslien	Kroening	Peterson	Waldorf
Biersdorf	Forsythe	Kvam	Petrafeso	Welch
Birnstihl	Friedrich	Laidig	Prahl	Wenstrom
Brandl	Fudro	Langseth	Reding	Wenzel
Braun	Fugina	Lehto	Rose	White
Brinkman	George	Lemke	St. Onge	Wieser
Byrne	Gunter	Mangan	Samuelson	Wigley
Carlson, A.	Hanson	Mann	Sarna	Williamson
Carlson, D.	Haugerud	McCarron	Savelkoul	Zubay
Carlson, L.	Heinitz	McCollar	Scheid	Speaker Sabo
Casserly	Hokanson	McDonald	Schulz	
Clark	Jacobs	McEachern	Searle	

The bill was passed and its title agreed to.

H. F. No. 464, A bill for an act relating to licensed occupations; providing for reciprocity in licensing for plumbers licensed in other states; amending Minnesota Statutes 1976, Chapter 326, by adding a section.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Metzen	Searle
Adams	Cohen	Jensen	Moe	Searles
Albrecht	Corbid	Johnson	Munger	Sherwood
Anderson, B.	Dahl	Jude	Murphy	Sieben, H.
Anderson, D.	Dean	Kahn	Neisen	Sieben, M.
Anderson, G.	Eckstein	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Eken	Kalis	Nelsen, M.	Skoglund
Anderson, R.	Ellingson	Kelly, R.	Nelson	Smogard
Arlandson	Enebo	Kelly, W.	Niehaus	Spanish
Battaglia	Erickson	Kempe, A.	Norton	Stanton
Beauchamp	Esau	Kempe, R.	Novak	Stoa
Begich	Evans	King	Osthoff	Suss
Berg	Ewald	Knickerbocker	Patton	Swanson
Berglin	Faricy	Kostohryz	Pehler	Tomlinson
Berkelman	Fjoslien	Kroening	Peterson	Vanasek
Biersdorf	Forsythe	Kvam	Petrafeso	Waldorf
Birnstihl	Friedrich	Laidig	Prahl	Welch
Brandl	Fudro	Langsath	Reding	Wenstrom
Braun	Fugina	Lehto	Rice	Wenzel
Brinkman	George	Lemke	Rose	White
Byrne	Gunter	Mangan	St. Onge	Wieser
Carlson, A.	Hanson	Mann	Samuelson	Wigley
Carlson, D.	Haugerud	McCarron	Sarna	Williamson
Carlson, L.	Heinitz	McCollar	Savelkoul	Wynia
Casserly	Hokanson	McDonald	Scheid	Zubay
Clark	Jacobs	McEachern	Schulz	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 62, A bill for an act relating to towns; annual audit report; eliminating the requirement that a copy of the report be furnished to the state auditor; amending Minnesota Statutes 1976, Section 366.22.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Berkelman	Cohen	Fjoslien	Jensen
Adams	Biersdorf	Corbid	Forsythe	Johnson
Albrecht	Birnstihl	Dahl	Friedrich	Jude
Anderson, B.	Brandl	Dean	Fudro	Kahn
Anderson, D.	Braun	Eckstein	Fugina	Kaley
Anderson, G.	Brinkman	Eken	George	Kalis
Anderson, I.	Byrne	Ellingson	Gunter	Kelly, R.
Anderson, R.	Carlson, A.	Enebo	Hanson	Kelly, W.
Battaglia	Carlson, D.	Erickson	Haugerud	Kempe, A.
Beauchamp	Carlson, L.	Esau	Heinitz	Kempe, R.
Begich	Casserly	Evans	Hokanson	King
Berg	Clark	Ewald	Jacobs	Knickerbocker
Berglin	Clawson	Faricy	Jaros	Kroening

Kvam	Munger	Pleasant	Sherwood	Waldorf
Laidig	Murphy	Prahl	Sieben, H.	Welch
Langseth	Neisen	Reding	Sieben, M.	Wenstrom
Lehto	Nelsen, B.	Rice	Simoneau	Wenzel
Lemke	Nelsen, M.	Rose	Skoglund	White
Mangan	Nelson	St. Onge	Smogard	Wieser
Mann	Niehaus	Samuelson	Spanish	Wigley
McCarron	Norton	Sarna	Stanton	Williamson
McCollar	Novak	Savelkoul	Stoa	Wynia
McDonald	Patton	Scheid	Suss	Zubay
McEachern	Pehler	Schulz	Swanson	Speaker Sabo
Metzen	Peterson	Searle	Tomlinson	
Moe	Petrafeso	Searles	Vanasek	

The bill was passed and its title agreed to.

S. F. No. 48, A bill for an act relating to Becker county; ratifying sales of certain tax-forfeited lands.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clark	Hokanson	Metzen	Schulz
Adams	Clawson	Jacobs	Moe	Searle
Albrecht	Cohen	Jaros	Munger	Searles
Anderson, B.	Corbid	Jensen	Murphy	Sherwood
Anderson, D.	Dahl	Johnson	Neisen	Sieben, H.
Anderson, G.	Dean	Jude	Nelsen, B.	Sieben, M.
Anderson, I.	Eckstein	Kahn	Nelsen, M.	Simoneau
Anderson, R.	Eken	Kaley	Nelson	Skoglund
Arlandson	Ellingson	Kalis	Niehaus	Smogard
Battaglia	Enebo	Kelly, R.	Norton	Spanish
Beauchamp	Erickson	Kelly, W.	Novak	Stanton
Begich	Esau	Kempe, A.	Osthoff	Stoa
Berg	Evans	Kempe, R.	Patton	Suss
Berglin	Ewald	King	Pehler	Swanson
Berkelman	Faricy	Knickerbocker	Peterson	Tomlinson
Biersdorf	Fjoslien	Kroening	Petrafeso	Vanasek
Birnstihl	Forsythe	Kvam	Pleasant	Waldorf
Braun	Friedrich	Laidig	Prahl	Wenstrom
Brinkman	Fudro	Langseth	Rice	White
Byrne	Fugina	Lehto	St. Onge	Wigley
Carlson, A.	George	Lemke	Samuelson	Williamson
Carlson, D.	Hanson	Mann	Sarna	Wynia
Carlson, L.	Haugerud	McCollar	Savelkoul	Zubay
Cassery	Heinitz	McDonald	Scheid	Speaker Sabo

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 291, A bill for an act relating to education; school districts; joint powers; authorizing joint boards to acquire certain property for data processing; amending Minnesota Statutes 1976, Section 123.73.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Jaros	Munger	Sherwood
Adams	Cohen	Jensen	Murphy	Sieben, H.
Albrecht	Corbid	Johnson	Neisen	Sieben, M.
Anderson, B.	Dahl	Jude	Nelsen, B.	Simoneau
Anderson, D.	Dean	Kahn	Nelsen, M.	Skoglund
Anderson, G.	Eckstein	Kaley	Nelson	Smogard
Anderson, I.	Eken	Kalis	Niehaus	Spanish
Anderson, R.	Ellingson	Kelly, R.	Norton	Stanton
Arlandson	Enebo	Kelly, W.	Novak	Stoa
Battaglia	Erickson	Kempe, A.	Osthoff	Suss
Beauchamp	Esau	Kempe, R.	Pehler	Swanson
Begich	Evans	King	Peterson	Tomlinson
Berg	Ewald	Knickerbocker	Petrafeso	Vanasek
Berglin	Faricy	Kroening	Pleasant	Waldorf
Berkelman	Fjoslien	Kvam	Prahl	Welch
Biersdorf	Forsythe	Laidig	Reding	Wenstrom
Birnstihl	Friedrich	Langseth	Rice	Wenzel
Brandl	Fudro	Lehto	Rose	White
Braun	Fugina	Lemke	St. Onge	Wieser
Brinkman	George	Mangan	Samuelson	Wigley
Byrne	Gunter	Mann	Sarna	Williamson
Carlson, A.	Hanson	McCarron	Savelkoul	Wynia
Carlson, D.	Haugerud	McCollar	Scheid	Zubay
Carlson, L.	Heimitz	McEachern	Schulz	
Casserly	Hokanson	Metzen	Searle	
Clark	Jacobs	Moe	Searles	

The bill was passed and its title agreed to.

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. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. Nos. 380, 299, 383, 352 and 259 which it recommended to pass.

H. F. No. 45 which it recommended progress.

H. F. No. 140 which it recommended to pass with the following amendment offered by Battaglia:

Page 2, line 8, after "*Silver Bay*" delete the rest of the line.

Page 2, line 9, delete "*of taconite tailings into the lake*" and insert "*upon the discretion of the commissioner*".

H. F. No. 37 which it recommended to pass with the following amendment offered by Jacobs:

Page 1, line 8, after "electronic" insert "or magnetic".

Page 1, line 14, delete "presented" and insert "electronically or magnetically scanned".

Page 2, line 1, delete "Consumer commodities" and insert "Retail merchandise".

Page 2, line 1, delete "are" and insert "is".

Page 2, line 2, delete "weigh" and insert "weighs".

Page 2, line 2, delete "are" and insert "is".

Page 2, line 4, delete "Consumer commodities" and insert "Retail merchandise".

Page 2, line 6, delete "commodities are" and insert "merchandise is".

Page 2, line 9, delete "commodities" and insert "merchandise".

Page 2, line 13, delete "consumer commodity" and insert "retail merchandise".

Page 2, line 15, after "electronic" insert "or magnetic".

H. F. No. 296 which it recommended to pass with the following amendment offered by Casserly:

Page 15, line 31, delete "*information*" and insert "*insurance*".

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Carlson, D., moved to amend H. F. No. 352 as follows:

Line 10, after "22." strike everything through the period on line 13 and insert the following: "*The Department of Natural Resources shall review and recommend to the legislature whether taking fish by angling with the aid of devices that reveal the location of fish by any method of sensing and display should be allowed.*".

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Forsythe	McDonald	Sarna
Adams	Carlson, D.	Friedrich	McEachern	Savelkoul
Albrecht	Cohen	Fudro	Metzen	Searles
Anderson, D.	Eckstein	Heinitz	Moe	Tomlinson
Anderson, R.	Erickson	Hokanson	Nelsen, B.	Wenzel
Arlandson	Evans	Kaley	Niehaus	Wigley
Brandl	Ewald	Knickerbocker	Peterson	Williamson
Brinkman	Fjoslien	Kvam	Pleasant	

Those who voted in the negative were:

Anderson, B.	Dean	Kelly, R.	Nelson	Simoneau
Anderson, G.	Eken	Kelly, W.	Norton	Skoglund
Battaglia	Ellingson	Kempe, A.	Novak	Smogard
Beauchamp	Enebo	Kempe, R.	Osthoff	Stanton
Begich	Esau	King	Patton	Stoa
Berg	Faricy	Kostohryz	Pehler	Suss
Berglin	Fugina	Kroening	Petraleso	Swanson
Berkelman	George	Laidig	Reding	Vanasek
Biersdorf	Gunter	Langseth	Rice	Waldorf
Birnstihl	Hanson	Lehto	Rose	Welch
Braun	Haugerud	Lemke	St. Onge	Wenstrom
Byrne	Jacobs	Mangan	Samuelson	White
Carlson, L.	Jaros	Mann	Scheid	Wieser
Casserly	Jensen	McCarron	Schulz	Wynia
Clark	Johnson	McCollar	Searle	Zubay
Clawson	Jude	Munger	Sherwood	Speaker Sabo
Corbid	Kahn	Murphy	Sieben, H.	
Cummiskey	Kalis	Nelsen, M.	Sieben, M.	

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

The question was taken on the motion to recommend passage of H. F. No. 352 and the roll was called. There were 85 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Berg	Carlson, L.	Dean	Fugina
Anderson, D.	Berglin	Casserly	Eken	George
Anderson, G.	Berkelman	Clark	Ellingson	Hanson
Anderson, I.	Biersdorf	Clawson	Enebo	Haugerud
Battaglia	Birnstihl	Cohen	Erickson	Jacobs
Beauchamp	Braun	Corbid	Esau	Jaros
Begich	Byrne	Cummiskey	Faricy	Johnson

Kahn	Lehto	Nelson	St. Onge	Stoa
Kelly, R.	Mangan	Norton	Scheid	Suss
Kelly, W.	Mann	Novak	Schulz	Vanasek
Kempe, A.	McCarron	Osthoff	Searle	Waldorf
Kempe, R.	McCollar	Patton	Sherwood	Welch
King	McDonald	Pehler	Simoneau	Wenstrom
Kostohryz	Moe	Petrafeso	Skoglund	White
Kroening	Munger	Reding	Smogard	Wieser
Laidig	Murphy	Rice	Spanish	Wynia
Langseth	Nelsen, M.	Rose	Stanton	Speaker Sabo

Those who voted in the negative were:

Abeln	Eckstein	Hokanson	Metzen	Searles
Adams	Evans	Jensen	Nelsen, B.	Sieben, H.
Albrecht	Ewald	Jude	Niehaus	Swanson
Anderson, R.	Fjoslien	Kaley	Peterson	Tomlinson
Arlandson	Forsythe	Kalis	Pleasant	Wenzel
Brandl	Friedrich	Knickerbocker	Prahl	Wigley
Brinkman	Fudro	Kvam	Samuelson	Williamson
Carlson, A.	Gunter	Lemke	Sarna	Zubay
Carlson, D.	Heinitz	McEachern	Savelkoul	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Clawson moved that H. F. No. 633 and H. F. No. 634 be recalled from the Committee on Financial Institutions and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Casserly moved that H. F. No. 681 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

Carlson, L., moved that H. F. No. 641 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Health and Welfare. The motion prevailed.

Faricy moved that the names of Osthoff, McDonald and Zubay be added as authors on H. F. No. 54. The motion prevailed.

Wenzel moved that the name of Knickerbocker be added as an author on H. F. No. 738. The motion prevailed.

Begich moved that the name of Kelly, R., be added as an author on H. F. No. 517. The motion prevailed.

Sabo moved that the name of Skoglund be added as an author on H. F. No. 700. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 10, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 10, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

