

STATE OF MINNESOTA  
SEVENTIETH SESSION—1977

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THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 20, 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        | Corbid    | Jensen        | Munger     | Sherwood     |
| Adams        | Cummiskey | Johnson       | Murphy     | Sieben, H.   |
| Albrecht     | Dahl      | Jude          | Neisen     | Sieben, M.   |
| Anderson, B. | Dean      | Kahn          | Nelsen, B. | Simoneau     |
| Anderson, D. | Den Ouden | 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      | Petraieso  | Voss         |
| Berkelman    | Fjoslien  | Kvam          | Pleasant   | Waldorf      |
| Biersdorf    | Forsythe  | Laidig        | Prahl      | Welch        |
| Birnstihl    | Friedrich | Langseth      | Reding     | Wenstrom     |
| Brandl       | Fudro     | Lehto         | Rice       | Wenzel       |
| Braun        | Fugina    | Lemke         | Rose       | White        |
| Brinkman     | George    | Mangan        | St. Onge   | Wieser       |
| Byrne        | Gunter    | Mann          | Samuelson  | Wigley       |
| Carlson, A.  | Hanson    | McCarron      | Sarna      | Williamson   |
| Carlson, D.  | Haugerud  | McCollar      | Savelkoul  | Wynia        |
| Carlson, L.  | Heinitz   | McDonald      | Scheid     | Zubay        |
| Casserly     | Hokanson  | McEachern     | Schulz     | Speaker Sabo |
| Clark        | Jacobs    | Metzen        | Searle     |              |
| Clawson      | Jaros     | Moe           | Searles    |              |

A quorum was present.

Cohen was excused until 3:30 p.m.

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. 240, 1094, 267, 978, 41, 635, 462, 972, 338, 405, 829 and 7 and S. F. Nos. 651, 826, 847, 919, 450, 478 and 757 have been placed in the members' files.

S. F. No. 919 and H. F. No. 1076, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Lemke moved that the rules be so far suspended that S. F. No. 919 be substituted for H. F. No. 1076 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1275, A bill for an act relating to agriculture; grain inspection and weighing; fees; providing a basis for establishing and adjusting fees; amending Minnesota Statutes 1976, Section 17B.15, Subdivision 2.

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

The report was adopted.

Mann from the Committee on Agriculture to which was referred:

H. F. No. 1421, A bill for an act relating to natural resources; designating wild rice as the official state grain; amending Minnesota Statutes 1976, Chapter 1, by adding a section.

Reported the same back with the following amendments:

Page 1, line 10, before "*Wild*" insert "*Zizania aquatica, commonly known as*".

Page 1, line 10, after "*rice*" insert "*or manomin,*".

Page 1, line 13, before "*wild*" insert "*zizania aquatica, commonly known as*".

Page 1, line 14, after "*rice*" insert "*or manomin,*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 679, A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

Reported the same back with the following amendments:

Page 3, line 25, delete "\$9,000,000" and insert "\$5,000,000".

Page 3, line 31, delete "\$5,000,000" and insert "\$1,000,000".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 723, A bill for an act relating to economic development; providing grants to community development corporations; setting out criteria for making such grants; appropriating funds; amending Minnesota Statutes 1976, Chapter 362, by adding a section.

Reported the same back with the following amendments:

Page 1, line 19, delete "1060.2-4" and insert "1060.2-2".

Page 1, lines 22 and 23, delete "*commissioner of economic development is responsible to*" and insert "*director of the state planning agency shall*".

Page 1, line 23, delete "*may make*".

Page 2, delete line 1.

Page 2, line 2, delete "*provisions*" and insert "*shall enforce the rules related to community development corporations promulgated by the department of economic development. The director may amend, suspend, repeal or otherwise modify these rules as provided for in chapter 15*".

Page 2, line 3, delete "*commissioner*" and insert "*director*".

Page 2, line 14, delete "*when*".

Page 2, line 15, delete "*authorized by the metropolitan council*" and insert "*or cities, townships, unincorporated areas or combinations thereof*".

Page 2, line 21, delete "*commissioner*" and insert "*director*".

Page 3, line 2, delete "*commissioner*" and insert "*director*".

Page 3, line 8, delete "*commissioner*" and insert "*director*".

Page 3, line 18, delete "*commissioner*" and insert "*director*".

Page 3, line 31, delete "*commissioner of economic development*" and insert "*director of the state planning agency*".

Page 3, line 32, delete "*1,500,000*" and insert "*1,574,200*".

Page 4, line 1, delete "*equitably*" and insert "*equally*".

Page 4, line 2, delete "*outstate*" and insert "*nonmetropolitan*".

Page 4, line 2, delete "*\$89,579*" and insert "*\$74,200*".

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

The report was adopted.

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

H. F. No. 1208, A bill for an act relating to commerce; regulating mobile home lot payments; prohibiting entrance fees; specifying required notice for termination of tenancies; amending Minnesota Statutes 1976, Sections 327.43, Subdivision 1; and 327.44.

Reported the same back with the following amendments:

Page 1, line 23, strike "except".

Page 1, line 23, restore the stricken language.

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1428, A bill for an act relating to education; authorizing the state board of education to create additional

advisory task forces; amending Minnesota Statutes 1976, Section 15.014, by adding subdivisions.

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

The report was adopted.

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

H. F. No. 15, A bill for an act relating to parks; appropriating money for the development of recreation facilities for the handicapped at Islands of Peace park.

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

The report was adopted.

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

H. F. No. 419, A bill for an act relating to public welfare; establishing programs for displaced homemakers; establishing multipurpose service programs; defining terms; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 to 5 may be cited as the "Equal Opportunity for Displaced Homemakers Act".

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 5, the terms defined in this section have the meanings given them.

Subd. 2. "Displaced homemaker" means a person who:

(a) Worked in the home for a substantial number of years providing unpaid household services for family members;

(b) Is not gainfully employed;

(c) Has difficulty in securing employment; and

(d) Was dependent on the income of another family member but is no longer supported by such income, or was dependent on federal assistance but is no longer eligible for such assistance.

Subd. 3. "Director" means the executive director of the governor's manpower office.

Sec. 3. [DISPLACED WORKER PROGRAMS.] Subdivision 1. In order to enable the displaced homemaker to contribute to society and maintain independence and economic security, the director may enter into arrangements with existing private or nonprofit organizations and agencies with experience in dealing with displaced homemakers to provide the counseling and training services authorized by sections 1 to 5. The governor's manpower office shall retain ultimate responsibility for administration of the counseling and training programs.

Subd. 2. The director shall allocate funds to two pilot programs, one in the metropolitan area and one serving rural Minnesota.

Subd. 3. The director shall allocate funds to establish specific components within the pilot programs to more effectively serve the individual needs of the displaced homemakers. The components within the system shall provide the following services:

(a) Job counseling services which shall:

- (1) Be designed specifically for displaced homemakers; and
- (2) Operate to counsel displaced homemakers with respect to appropriate job opportunities.

(b) Job training and job placement services which shall:

(1) Provide weekly training allowances for the economically disadvantaged, and those displaced homemakers receiving public and private job training or education;

(2) Develop public sector jobs by working with state and local government agencies, as well as with private, nonprofit organizations;

(3) Develop individual employability plans to comprehensively provide specific services including health care, child support, financial counseling, education and training counseling, and legal counseling; and

(4) Take into account, and build on the skills and experiences of the displaced homemakers.

Subd. 4. To the extent of available funding, the director may provide basic weekly allowances for individuals receiving training or education under sections 1 to 5 who are economically disadvantaged.

Subd. 5. The director may provide counseling, job training, and placement services to all individuals qualifying under the rules of the director.

Sec. 4. [ADMINISTRATION OF PROGRAMS.] Subdivision 1. The director shall cooperate with federal, state and local agencies and private employees to coordinate the service programs established pursuant to section 3. The director, with the advice of the governor, shall promulgate rules concerning the eligibility of persons for the job training and other programs provided for under sections 1 to 5, as well as the level of stipends for the job training programs. The director shall assist displaced homemakers in applying for appropriate welfare programs and shall take welfare allowances received into account in setting the stipend level. Income received as a stipend under this program shall be totally disregarded for purposes of determining eligibility for and the amount of a general assistance grant.

Subd. 2. The director shall evaluate the effectiveness of the job training, placement and service to displaced homemakers, including the number of persons trained, the number of persons placed in employment, follow-up data on such persons, the number of persons served by the pilot programs, and cost effectiveness of the various components of the pilot programs.

Subd. 3. The staff members of the pilot programs shall assist the displaced homemaker in finding permanent employment. To this end, the director and the staff members shall work with the department of employment services and any other agency to secure employment for displaced homemakers.

Subd. 4. The coordinator of each pilot program may accept, use and dispose of contributions of money, services and property from any source for the purposes of sections 1 to 5. Any funds accepted pursuant to this subdivision are hereby appropriated for the purposes for which they are received.

Sec. 5. [PILOT PROGRAM STAFFING.] To the extent possible, supervisory, technical, and administrative positions in the pilot programs established pursuant to sections 1 to 5 shall be filled by displaced homemakers.

Sec. 6. [APPROPRIATIONS.] There is appropriated from the general fund to the executive director of the governor's manpower office the sum of \$160,000 for the purposes of sections 1 to 5."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to the governor's manpower office; providing for the employment and training of displaced home-

makers; authorizing certain job training, counseling and placement activities; appropriating money.”.

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

The report was adopted.

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

H. F. No. 461, A bill for an act relating to welfare; providing penalties for welfare offenses; requiring notification of change of circumstances; amending Minnesota Statutes 1976, Sections 256.98; and 393.07, Subdivision 10.

Reported the same back with the following amendments:

Page 1, line 11, delete “*Subdivision 1.*”.

Page 1, line 15, strike “he” and insert “*a recipient or applicant*”.

Page 1, line 16, strike “he” and insert “*a recipient or applicant*”.

Page 2, line 1, strike “shall be” and insert “*is*”.

Page 2, line 2, before “*sentenced*” insert “*shall be*”.

Page 2, line 3, after “(5).” insert “*The amount of the assistance incorrectly paid shall be the difference between the amount of assistance actually received and the amount to which the recipient would have been entitled under state and federal law had the welfare agency been informed of all material facts.*”.

Page 2, delete lines 16 to 32.

Page 3, delete lines 1 to 4.

Page 3, line 31, after “(c)” insert “*Willfully*”.

Further amend the title as follows:

Page 1, line 3, delete “requiring notification of change”.

Page 1, line 4, delete “of circumstances;”.

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. 644, A bill for an act relating to public welfare; general assistance work programs; providing authority for local agencies to contract with nonprofit organizations for work program services; amending Minnesota Statutes 1976, Section 256D.11, Subdivision 4.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

“Section 1. [STATEMENT OF PURPOSE.] The legislature finds that early detection of children’s health and developmental problems can reduce their later need for costly care, minimize their physical and educational handicaps, and aid in their rehabilitation. The purpose of this act is to assist parents and communities in improving the health of Minnesota children and in planning educational and health programs.

Sec. 2. [SCHOOL BOARD RESPONSIBILITIES.] Subdivision 1. Every school board shall provide for a voluntary health and developmental screening program for children at least once before entering kindergarten. This screening program shall be established either by one board or by two or more boards acting in cooperation. In fiscal years 1978 and 1979, the screening programs shall include at least the following components to the extent the school board determines are financially feasible: developmental assessments, hearing and vision screening, dental assessments, and the review of health history and immunization status. In fiscal year 1979, the screening programs shall include at least the following additional components to the extent the school board determines are financially feasible: laboratory tests and nutritional and physical assessments. All screening components shall be consistent with the standards of the state board of health for early and periodic screening programs.

Subd. 2. If any child’s screening indicates a condition which requires diagnosis or treatment, his parents shall be notified by

the school board and the school board shall arrange for appropriate follow-up diagnosis or treatment in accordance with procedures established pursuant to section 3, subdivision 1.

Subd. 3. The school board shall actively encourage participation in the screening program.

Subd. 4. To the extent possible, every school board shall attempt to integrate and utilize existing volunteer screening programs in implementing sections 2 to 4.

Subd. 5. A school board may contract with health care providers to operate the screening programs and shall consult with local societies of health care providers.

Sec. 3. [RESPONSIBILITIES OF STATE BOARD OF EDUCATION AND STATE BOARD OF HEALTH.] Subdivision 1. The state board of education shall adopt rules establishing procedures to assist school boards in implementing the health and developmental screening programs. Before August 15, 1977, the state board of education shall establish these procedures in emergency rules pursuant to section 15.0412, subdivision 5. The state board of education shall consider the standards of the state board of health for early and periodic screening programs in establishing these procedures.

Subd. 2. The state board of education, in cooperation with the state board of health and health service providers, shall provide information and consultation services to school boards.

Subd. 3. The state board of education, in cooperation with the state board of health, shall report to the legislature by February 1, 1979, on the success of the screening programs in accomplishing the purposes specified in section 1.

Sec. 4. [DATA USE.] Data on individuals collected in screening programs established pursuant to section 2 is private, as defined by section 15.162, subdivision 5a. Individual and summary data shall be reported to the school district by the health provider who performs the screening services, for the purposes of developing appropriate educational programs for children and appropriate health education programs for the district; provided, no data on an individual shall be disclosed to the district without the consent of that individual's parent or guardian.

Sec. 5. [STATE AID.] The state board of education shall reimburse each school district for the cost of screening services provided pursuant to this act. The reimbursement shall not exceed \$13 per child screened in fiscal year 1978 and \$24 per child screened in fiscal year 1979. Any district may request and receive an advance payment equal to 50 percent of its estimated reimbursement for screening eligible children.

Sec. 6. [APPROPRIATION.] Subdivision 1. There is appropriated to the state board of education from the general fund the sum of \$650,000 for fiscal year 1978 and \$1,200,000 for fiscal year 1979 for reimbursement of school districts as provided in section 5.

Subd. 2. There is appropriated to the state board of education from the general fund the sum of \$100,000 for fiscal year 1978 and \$100,000 for fiscal year 1979, for consultation with school districts and for evaluation of the screening programs established pursuant to section 2, subdivision 1.

Subd. 3. There is appropriated to the state board of health from the general fund the sum of \$100,000 for fiscal year 1978 and \$100,000 for fiscal year 1979, for the purposes of: training staff to provide screening services required by this act; providing technical assistance to screening programs established pursuant to this act; and monitoring and evaluation of screening programs established pursuant to this act.

Subd. 4. Any unexpended balances remaining from the appropriations for fiscal year 1978 in this section shall not cancel but shall be available for fiscal year 1979.”.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [DIRECTORY OF CURRENTLY LICENSED PHYSICIANS.] Subdivision 1. The state board of health shall publish a directory of those currently licensed physicians in this state, who voluntarily agree to be included in that directory. The state board of health may distinguish among different types of physicians for purposes of the directory. The directory shall include the following information for each physician:

(a) The office address of the physician, the office hours of the physician, after-hours coverage, type of practice of the physician, number of medical specialties provided by the physician’s

office and the health care facilities in which the physician provides services to patients;

(b) Board certification, speciality society membership, teaching appointments, length of postgraduate training, participation in continuing education programs and state of professional credentialing of the physician;

(c) Acceptance of new patients by the physician, maximum or minimum age limits on patients, and time required to obtain appointments;

(d) Availability of services in the physician's office including but not limited to x-ray facilities, laboratory facilities, cardiograms, obstetrics, family planning, generic prescriptions, treatment of fractures, minor surgery and minor emergencies;

(e) Fee for service information;

(f) Billing procedures of the physician and participation by the physician in health care reimbursement programs funded by the federal government; and

(g) Types of services designed to enhance the accessibility of health care that are offered by the physician to the patient.

Subd. 2. The directory shall contain an introduction explaining the purposes and uses of the directory and a listing of physicians by speciality and by geographic location. The directory shall also contain information about various types of health care delivery centers including health maintenance organizations and community clinics, and information about financial assistance that may be available to a patient.

Subd. 3. The state board of health shall provide for the active involvement of members of the general public and physicians in the development of the directory. Collection of data from physicians shall be done in cooperation with professional physicians' organizations, which organizations shall be compensated for any expense incurred in collection of data not normally collected.

Subd. 4. The state board of health shall publish a physician directory for each health systems agency designated in accordance with 42 U.S.C., Section 3001-1. Each directory shall be revised at least every two years to reflect current data.

Subd. 5. The state board of health shall provide the commissioner of administration with enough copies of the physician directories to meet the distribution needs of the commissioner of administration as authorized by subdivision 6.

Subd. 6. The commissioner of administration shall offer physician directories for sale to the public at a central location determined by the commissioner of administration and at a price determined by the commissioner. The commissioner of administration shall provide for the mailing of physician directories to any person, agency, or organization if so requested, provided that reasonable costs are borne by the requesting party.

Subd. 7. The state board of health shall notify the board of medical examiners as to the amount of the anticipated costs of compilation, production and distribution of physicians directories during a fiscal year. The board of medical examiners shall deposit at least this amount in the general fund from licensing and annual license renewal fees collected during that fiscal year, pursuant to section 147.02, subdivision 1.

Sec. 2. There is appropriated from the general fund to the state board of health \$24,000 for the biennium ending June 30, 1979, for the purposes of section 1."

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to health care; directing the state board of health to compile and distribute certain physician directories; assessing physicians for a portion of the cost; appropriating money."

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

The report was adopted.

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

H. F. No. 916, A bill for an act relating to welfare; child support; authorizing additional procedures in collection of support payments; updating uniform reciprocal enforcement of support act; amending Minnesota Statutes 1976, Sections 256.87, Subdivision 1; 256.872; 256.873; 257.253; 257.254; 257.257; 257.259; 257.261, Subdivision 1; 257.29; 393.07, Subdivision 9; 393.11; 487.19, Subdivision 1; 518.41; 518.42, Subdivisions 2, 5, 7, 8, 9, and by adding subdivisions; 518.45, Subdivisions 2, 4 and 5; 518.46, Subdivisions 2, 3 and 4; 518.48; 518.49; 518.551; and Chapter 518, by adding a section.

Reported the same back with the following amendments:

Page 1, line 25, strike "such" and insert "the".

Page 1, line 26, strike "such" and insert "the".

Page 2, line 1, strike "such" and insert "the".

Page 2, line 3, strike "such" and insert "the".

Page 2, line 4, strike "such" and insert "the".

Page 2, line 5, strike "such" and insert "the".

Page 2, line 6, after "to" strike "such" and insert "the".

Page 2, line 6, after "or" strike "such" and insert "any".

Page 2, line 7, strike "such" and insert "the".

Page 2, line 10, strike "such" and insert "the".

Page 2, line 12, after "of" strike "such" and insert "the".

Page 2, line 12, before "notice" strike "such" and insert "the".

Page 2, line 14, strike "such" and insert "the".

Page 2, line 19, delete "*continue only as long as*" and insert "*be effective only for the period of time during which*".

Page 7, line 17, delete "*enter into written agreements*" and insert "*contract*".

Page 7, line 18, before "*board*" insert "*county welfare*".

Page 7, line 19, after "*paternity*" delete "*and*" and insert "*actions,*".

Page 7, line 21, delete "*such*" and insert "*the*".

Page 9, line 6, after "*otherwise*" insert a comma.

Page 9, line 19, delete "*including*" and insert "*or*".

Page 9, line 20, after "*owed*" insert a comma.

Page 9, line 20, delete "*including*" and insert "*or*".

Page 9, line 27, delete "*a subdivision*" and insert "*subdivisions*".

Page 9, delete lines 31 to 32.

Page 10, delete lines 3 to 4.

Page 10, delete lines 8 to 9.

Page 10, delete lines 14 to 15.

Renumber the sections in sequence.

Page 15, line 6, delete "*subdivision 6*" and insert "*this section*".

Page 16, line 16, after "*of*" insert "*a court of*".

Page 16, line 22, delete "*At the hearing to enforce the registered support*".

Page 16, delete lines 23 to 32.

Page 17, delete lines 1 to 5 and insert "*If at any hearing to enforce the registered support order the obligor shows to the court any ground upon which enforcement of a support order of this state may be stayed the court shall stay enforcement of the order for an appropriate period if the obligor furnishes the same security for payment of the support ordered that is required for a support order of this state.*".

Page 17, line 26, delete "*In such cases*" and insert "*After receipt of the notice*".

Page 17, line 30, delete "*a court order for custody, child*".

Page 17, delete lines 31 to 32.

Page 18, lines 1 to 4, delete the new language and insert "*the judgment and decree in the proceeding. If the court finds in a dissolution proceeding before issuing the judgment and decree that notification has not been given to the agency responsible for the welfare payments, the court shall order that notification be made and shall not issue its order for judgment and decree until the agency has made its recommendations. In those proceedings where no notification has been made and the agency determines that the judgment is not proper and adequate for the care and support of the child or children, it may petition the court for a redetermination of the support payments ordered*".

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. 917, A bill for an act relating to public welfare; appropriating money for the Vinland National Center.

Reported the same back with the following amendments:

Page 1, line 9, after "Center." insert "Money available for planning may be used for pursual of a certificate of need by the board of directors of the Vinland National Center. Money shall not be used for construction until the Vinland National Center has secured a certificate of need."

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

The report was adopted.

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

H. F. No. 981, A bill for an an act relating to health; health maintenance organizations; requiring health maintenance organizations to permit optometrists to provide services to enrollees; amending Minnesota Statutes 1976, Section 62D.12, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, after "organization" insert "offering vision care services".

Page 1, line 15, after "perform." insert "*This subdivision shall not apply to a health maintenance organization that provides vision care services which constitute the scope of practice of a licensed optometrist through providers who are employees of that health maintenance organization, or through providers who contract to provide these services for a health maintenance organization on a per capita basis. This subdivision shall not require a health maintenance organization to pay for vision care services provided by an optometrist who is not designated as a member of the panel of providers of that health maintenance organization as long as its procedures and criteria for the qualification of an optometrist as a provider of vision care services are reasonable and not discriminatory.*"

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. 1050, A bill for an act relating to nursing homes; clarifying requirements for administration and inspections; changing provisions for reimbursement of expenses for interest on capital indebtedness; deleting certain provisions and adding new provisions on investment allowance; providing an annual cost settlement; appropriating money; amending Minnesota



Statutes 1976, Sections 144A.05; 144A.10, Subdivisions 2 and 5; 256B.27, by adding a subdivision; 256B.44, Subdivision 3; 256B.45; 256B.47, Subdivision 1; and Chapter 256B, by adding a section.

Reported the same back with the following amendments:

Page 2, line 23, strike "during".

Page 2, line 24, strike "the remainder of its license year".

Page 3, line 16, delete "*in the license year following the year in*".

Page 3, line 17, delete "*which the correction order was issued*" and insert "*any other scheduled inspection*".

Page 3, after line 24, insert sections to read:

"Sec. 4. Minnesota Statutes 1976, Section 144A.61, Subdivision 2, is amended to read:

Subd. 2. [NURSING ASSISTANTS.] For the purposes of sections 144A.61 and 144A.611 "nursing assistant" means a nursing home employee, including a nurse's aide or an orderly, who is assigned by the director of nursing to provide or assist in the provision of direct patient care services under the supervision of a registered nurse. The (BOARD OF NURSING) commissioner of education may, by rule, establish categories of nursing assistants who are not required to comply with the educational requirements of sections 144A.61 and 144A.611.

Sec. 5. Minnesota Statutes 1976, Section 144A.61, Subdivision 3, is amended to read:

Subd. 3. [CURRICULA.] The commissioner of education shall develop curricula which may be used for nursing assistant training programs for employees of nursing homes. The curricula (AS APPROVED BY THE BOARD OF NURSING,) shall be utilized by all facilities, institutions, or programs offering nursing assistant training programs.

Sec. 6. Minnesota Statutes 1976, Section 144A.61, Subdivision 6, is amended to read:

Subd. 6. [TRAINING PROGRAM.] Each nursing assistant hired to work in a nursing home on or after July 1, (1977) 1978, shall have successfully completed an approved nursing assistant training program or shall be enrolled in the first available approved training program which is scheduled to commence within 60 days of the date of the assistant's employment. Ap-

proved training programs shall be offered at the location most reasonably accessible to the enrollees in each class.

Sec. 7. Minnesota Statutes 1976, Section 144A.611, Subdivision 1, is amended to read:

144A.611 [REIMBURSABLE EXPENSES PAYABLE TO NURSING ASSISTANTS.] Subdivision 1. [NURSING HOMES.] The actual costs of tuition and reasonable expenses for that approved program deemed by the (BOARD OF NURSING) *commissioner of education* to be minimally necessary to protect the health and welfare of nursing home residents, which are paid to nursing home assistants pursuant to subdivision 2, shall be a reimbursable expense for nursing homes under the provisions of chapter 256B and the rules promulgated thereunder.”.

Page 3, after line 29, add a new section to read:

“Sec. 9. Minnesota Statutes 1976, Section 256B.43, is amended by adding subdivisions to read:

*Subd. 5. Depreciation shall be allowed for all governmentally owned nursing homes regardless of the source of funds used to construct or expand the facility. The provisions of this subdivision shall apply to all cost reports submitted on or after November 1, 1972.*

*Subd. 6. The state agency shall by rule establish a separate depreciation allowance for land improvements, equipment and vehicles.”.*

Page 4, line 19, strike “1977” and insert “1978”.

Page 5, line 28, reinstate the stricken language.

Page 5, line 29, reinstate the stricken language.

Page 5, line 30, reinstate the stricken language and insert before the period “*which do not directly relate to the provision of patient care*”.

Page 6, after line 2, insert new sections to read:

“Sec. 13. Minnesota Statutes 1976, Section 256B.47, Subdivision 2, is amended to read:

*Subd. 2. The following costs shall not be recognized as allowable to the extent that these costs cannot be demonstrated by the nursing home to the state agency to be directly related to the provision of patient care: (1) political contributions; (2) salaries*

or expenses of a lobbyist, as defined in section 10A.01, subdivision 11, for lobbying activities; (3) advertising designed to encourage potential residents to select a particular nursing home; (4) assessments levied by the health department for uncorrected violations; (5) legal fees for unsuccessful challenges to decisions by state agencies; and (6) dues paid to a nursing home or hospital association. *The state agency shall promulgate rules establishing standards which shall distinguish between any patient-care related components and nonpatient-care related components of these costs, where applicable. For purposes of these rules, the state agency shall exercise emergency powers and establish emergency rules pursuant to section 15.0412, subdivision 5, before September 1, 1977.* The state agency shall by rule exclude the costs of any other items which it determines are not directly related to the provision of patient care.

Sec. 14. Minnesota Statutes 1976, Section 256B.48, Subdivision 1, is amended to read:

256B.48 [CONDITIONS FOR PARTICIPATION.] Subdivision 1. No nursing home shall be eligible to receive medical assistance payments unless it agrees in writing that it will refrain from:

(a) Charging nonmedical assistance residents rates for similar services which exceed by more than ten percent those rates which are approved by the state agency for medical assistance recipients(;). *For nursing homes charging nonmedical assistance residents rates less than ten percent more than those rates which are approved by the state agency for medical assistance recipients, the maximum differential in rates between non-medical assistance residents and medical assistance recipients shall not exceed that differential which was in effect on April 13, 1976. If a nursing home has exceeded this differential since April 13, 1976, it shall return the amount collected in excess of the allowable differential stated by this subdivision to the non-medical assistant resident, or that person's representative, by July 1, 1977.* Effective July 1, 1978, no nursing home shall be eligible for medical assistance if it charges nonmedical assistance recipients rates for similar services which exceed those which are approved by the state agency for medical assistance recipients; provided, however, that the nursing home may (1) charge nonmedical assistance residents a higher rate for a private room, and (2) charge for special services which are not included in the daily rate if medical assistance patients are charged separately at the same rate for the same services in addition to the daily rate paid by the state agency;

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

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

The prohibitions set forth in clause (b) shall not apply to a (NONPROPRIETARY) retirement home *with more than 325 beds including at least 150 licensed nursing home beds and which (CONTAINS AN IDENTIFIABLE UNIT OF FEWER THAN 20 PERCENT OF THE TOTAL NUMBER OF FACILITY BEDS TO PROVIDE NURSING CARE TO THE RESIDENTS OF THE HOME)*:

(1) *is owned and operated by an organization tax-exempt under section 290.05, subdivision 1, clause (i); and*

(2) *at the time of admission places all of the applicant's assets which are required to be assigned to the home in a trust account from which only expenses for the cost of care of the applicant may be deducted; and*

(3) *agrees in writing at the time of admission to the home to permit the applicant, or his guardian, or conservator, to examine the records relating to the individual's trust account upon request, and to receive an audited statement of the expenditures from his individual account upon request; and*

(4) *agrees in writing at the time of admission to the home to permit the applicant to withdraw from the home at any time and to receive, upon withdrawal, all of the unexpended funds remaining in his individual trust account; and*

(5) *was in compliance with provisions (1) to (4) as of June 30, 1976".*

Page 6, delete lines 3 to 12.

Page 6, after line 12, insert a new section to read:

"Sec. 15. [REPEALER.] *Minnesota Statutes 1976, Section 144A.61, Subdivision 5, is hereby repealed.*"

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 3, after "inspections;" insert "changing certain provisions governing the training of nursing assistants;"

Page 1, line 7, delete "providing an annual cost settlement" and insert "requiring the state agency to establish certain standards; exempting certain homes from certain requirements".

Page 1, line 10, after "5;" insert "144A.61, Subdivisions 2, 3 and 6; 144A.611, Subdivision 1;"

Page 1, line 10, after "subdivision;" insert "256B.43, by adding subdivisions;"

Page 1, line 11, delete "Subdivision 1;" and insert "Subdivisions 1 and 2; 256B.48, Subdivision 1;"

Page 1, delete line 12 and insert "repealing Minnesota Statutes 1976, Section 144A.61, Subdivision 5."

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

The report was adopted.

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

H. F. No. 1052, A bill for an act relating to human services; providing grants to plan and organize human services programs; requiring notification of affected state agencies; requiring certain membership on advisory councils; promulgating rules; amending Minnesota Statutes 1976, Sections 402.01, by adding a subdivision; 402.02, Subdivisions 1 and 2; 402.03; 402.04, Subdivision 1; 402.05; and 402.06; repealing Minnesota Statutes 1976, Sections 402.08 and 402.09.

Reported the same back with the following amendments:

Page 2, line 29, strike "Receive and expend for the purposes of sections".

Page 2, strike lines 30 to 31.

Page 2, strike line 32 to the semicolon and insert "*Perform all clerical and accounting functions for the receipt and expenditure of funds for the purposes of sections 402.01 to 402.10*".

Page 3, line 1, after "*Rent*" delete the comma and insert "*and*".

Page 3, line 1, after "*purchase*" delete "*, and own*".

Page 3, line 1, after "*equipment*;" delete "*and*".

Page 3, line 3, strike the period and insert "*; and*".

Page 3, after line 3, insert:

*"(h) If a single county has been authorized to establish a county welfare board composed solely of county commissioners,*

*the board of commissioners is authorized to assume the responsibilities and duties of human services boards pursuant to this chapter, notwithstanding any other provision herein to the contrary relating to membership of the human services board."*

Page 6, line 4, after "grants" insert ", not to exceed \$25,000,".

Page 6, line 5, delete "Planning grants shall be".

Page 6, delete lines 6 to 7 and insert "Applications for grants shall be made on forms approved by the state planning officer."

Page 7, line 8, before "for" insert ", not to exceed \$75,000,".

Page 7, line 8, delete "not to exceed" and insert "of".

Page 7, delete lines 9 to 11 and insert "Applications for grants shall be made on forms approved by the state planning officer."

Page 7, after line 11, insert a new section to read:

"Sec. 8. [REPORTS TO LEGISLATURE.] *The state planning agency shall report to the legislature not later than January 1 of each legislative session on the experience of human services boards established pursuant to this act. The report shall include an assessment of the effect of establishment of human services boards on the cost and quality of services provided.*"

Page 7, after line 19, insert sections to read:

"Sec. 10. *On or before the first day of July each year the human services board shall submit to each county board of commissioners participating in the human services board an estimate of the amount needed by it to perform its duties, including expenses of administration, and, if approved, each county shall levy a tax as provided by law for these purposes. In the event the estimate is not approved, each county board of commissioners participating in the human services board shall confer with the human services board, develop a budget and levy a tax for the amount required. The state auditor shall audit the books and accounts of the human services board once each year. The human services board shall pay to the state the total cost and expenses of the examination, including the salaries paid to auditors while actually engaged in making the examination. The revolving fund of the state auditor shall be credited with all collections made for any examination.*

Sec. 11. *The state planning officer shall have authority for human services development. He may appoint professional and clerical staff as he deems necessary. The positions shall be established in the unclassified civil service pursuant to section 43.05, for a period not to exceed two years.*

Sec. 12. *The state planning officer shall be the repository for all files, reports, documents, information and property acquired by or otherwise considered the property of the office of human services created pursuant to Laws 1975, Chapter 434, Section 2, Subdivision 24, except property which was loaned by other state agencies. The state planning officer shall assume ongoing or continuing duties of the office of human services, including, but not limited to:*

(1) *Support for the development of human services boards created pursuant to Minnesota Statutes, Chapter 402, and ongoing technical assistance to the boards;*

(2) *Disbursement and monitoring grants pursuant to sections 402.01, clause (3), and 402.06, clause (2);*

(3) *Receiving and coordinating the review of annual plans required by section 402.06; and*

(4) *Cooperating with other state departments and agencies in assisting local human services integration projects. Any unexpended funds from the appropriation established pursuant to Laws 1975, Chapter 434, Section 2, Subdivision 24, shall not cancel and shall be reappropriated for the purposes of this section."*

Page 7, after line 21, insert a new section to read:

"Sec. 14. *This act shall be effective July 1, 1977.*"

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 6, after "rules;" insert "providing for auditing of funds; giving additional powers to the state planning officer; appropriating money;"

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

The report was adopted.

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

H. F. No. 1095, A bill for an act relating to public health; requiring medical malpractice information from insurers; granting subpoena power to the board of medical examiners; amending Minnesota Statutes 1976, Section 147.072.

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

The report was adopted.

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

H. F. No. 1113, A bill for an act relating to welfare; clarifying the powers of guardianship by the commissioner; amending Minnesota Statutes 1976, Sections 252A.02, Subdivision 2; 252A.03, Subdivision 3; 252A.04, Subdivision 3; 252A.07, Subdivision 1; and 252A.18; repealing Minnesota Statutes 1976, Section 252.03.

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

The report was adopted.

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

H. F. No. 1114, A bill for an act relating to public welfare; creating a rebuttable presumption that certain transfers of property are intended to make persons eligible for medical or maintenance assistance; amending Minnesota Statutes 1976, Chapter 256, by adding a section; repealing Minnesota Statutes 1976, Section 256B.17.

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:

S. F. No. 651, A bill for an act relating to health; developing standards for safe drinking water; providing penalties; defining terms; amending Minnesota Statutes 1976, Section 115.71, Subdivision 7; and 144.12, Subdivision 1.

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

The report was adopted.

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

S. F. No. 872, A bill for an act relating to state government; closing Hastings state hospital.

Reported the same back with the following amendments:



Delete everything after the enacting clause and insert:

*“Section 1. The commissioner of welfare shall, on or before November 1, 1977, transfer to the commissioner of veterans’ affairs custodial control of the Hastings state hospital to be used by the commissioner of veterans’ affairs to provide domiciliary care for veterans.*

*Sec. 2. The commissioner of personnel shall provide for the orderly transfer of affected employees of Hastings state hospital and for relocation expenses to such employees pursuant to Minnesota Statutes, Section 246.60.*

*The commissioner shall ensure that the affected employees may transfer to any vacancy in their current classification in a state agency and location where they are willing to serve, without loss in salary and without serving a new probationary period.*

*If no such vacancy exists, employees may transfer to any vacancy in an equal or lower classification for which they are qualified in a state agency and location where they are willing to serve, without loss in salary. The commissioner shall provide employees with sufficient training to qualify them for positions.*

*Employees shall be offered transfer opportunities in order of their seniority in the department of public welfare.*

*If another appointing authority operates a program at Hastings state hospital which utilizes the current employees of the hospital, that appointing authority shall not abrogate or modify any rights now enjoyed by those employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.*

*The commissioner of personnel shall confer with the exclusive bargaining representatives of the employees of Hastings state hospital in implementing this section.*

*Sec. 3. Of the funds allocated to Hastings state hospital from the appropriations made to the commissioner of administration for the department of public welfare by Laws 1976, Chapter 347, Section 7, Subdivision 2, and Laws 1976, Chapter 348, Section 7, Subdivision 3, 35 percent of the unencumbered balances on the date of transfer of custodial control shall be transferred to the commissioner of administration for the department of veterans’ affairs, Hastings state hospital, for the same purposes as the original appropriations. The amounts transferred are reappropriated for these purposes. The balance of the unencumbered funds shall be reallocated to projects at other hospitals and institutions under the control of the department of public welfare.*

Sec. 4. *All transfers of department of public welfare personnel, furniture, equipment, furnishings, records and funds to the department of veterans' affairs, other departments or other state institutions made pursuant to this act shall be subject to the approval of the commissioner of administration. Transfers of furniture, equipment and furnishings are authorized.*

Sec. 5. *Notwithstanding any law to the contrary, the commissioner of veterans' affairs may enter into agreements with other governmental and nonprofit health service organizations for participation in "shared service" agreements that would be of mutual benefit to the state, the health service organizations involved and the public. The charges for services shall be on an actual cost basis, and the receipts deposited in the general fund.*

Sec. 6. Minnesota Statutes 1976, Section 246.02, Subdivision 2, is amended to read:

Subd. 2. The commissioner of public welfare shall act with the advice of the medical policy directional committee on mental health in the appointment and removal of the chief executive officers of the following institutions: Anoka Nursing Home, Ah-Gwa-Ching State Hospital, Fergus Falls State Hospital, (HASTINGS STATE HOSPITAL,) Moose Lake State Hospital, Oak Terrace Nursing Home, Rochester State Hospital, St. Peter State Hospital, Willmar State Hospital, Faribault State Hospital, Cambridge State Hospital, and Brainerd State Hospital.

Sec. 7. Minnesota Statutes 1976, Section 253.015, is amended to read:

253.015 [LOCATION; MANAGEMENT; COMMITMENT; SUPERINTENDENT.] The state hospitals located at Anoka, Fergus Falls, (HASTINGS,) Moose Lake, Rochester, St. Peter, and Willmar shall constitute the state hospitals for mentally ill, and shall be maintained under the general management of the commissioner of public welfare. The commissioner of public welfare shall determine to what state hospital mentally ill persons shall be committed from each county and notify the probate judge thereof, and of changes made from time to time. The chief executive officer of each hospital for the mentally ill shall be known as the superintendent. *The facility formerly known as Hastings State Hospital shall be maintained under the general management of the commissioner of veterans' affairs.*

Sec. 8. Minnesota Statutes 1976, Section 254.05, is amended to read:

254.05 [DESIGNATION OF STATE HOSPITALS.] The state hospital for the insane located at Anoka shall hereafter be known and designated as the Anoka state hospital; the state hospital (FOR THE INSANE) located at Hastings shall here-

after be known and designated as the Hastings state hospital; the state hospital for the insane and the hospital farm for inebriates located at Willmar shall hereafter be known and designated as the Willmar state hospital; the state hospital for the insane located at Moose Lake shall hereafter be known and designated as the Moose Lake state hospital; the state hospital for the insane located at Fergus Falls shall hereafter be known and designated as the Fergus Falls state hospital; the state hospital for the insane located at Rochester shall hereafter be known and designated as the Rochester state hospital; and the state hospital for the insane located at St. Peter shall hereafter be known and designated as the St. Peter state hospital. Each of the foregoing state hospitals, *except that at Hastings*, shall also be known by the name of regional center at the discretion of the commissioner of public welfare.

Sec. 9. *The transfer of public grounds to the department of veterans affairs made pursuant to the provisions of this act shall include the cemetery contained thereon.*

Sec. 10. *There is appropriated \$ . . . . . from the general fund to the commissioner of personnel for the fiscal year ending June 30, 1978 to reimburse relocation, real estate and moving expenses as authorized in section 2 and provided by the rules of the personnel department.*

Sec. 11. *There is appropriated \$ . . . . . from the general fund to the commissioner of public welfare for the biennium ending June 30, 1979 to purchase furniture, equipment and furnishings.*

Sec. 12. *This act is effective the day following final enactment. Notwithstanding Minnesota Statutes, Section 16A.28, or other law, the several appropriations made by this act shall expire on the dates indicated in this act or pursuant to Laws 1976, Chapters 347 and 348."*

Further amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to state government; transferring certain functions of the department of public welfare; appropriating money; amending Minnesota Statutes 1976, Sections 246.02, Subdivision 2; 253.015; and 254.05."

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1060, A bill for an act relating to education; loans to medical students; changing requirements for loan forgiveness and limitations on loan amounts; amending Minnesota Statutes 1976, Section 147.30.

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1264, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of osteopathy and optometry; authorizing the board to explore the feasibility of a regional school of osteopathy and optometry; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY.] The legislature finds there is a shortage of osteopaths in this state and that these practitioners provide important parts of the delivery of health care services to citizens of this state. There are no colleges of osteopathy located in Minnesota. The high cost and restrictive admissions policies of out of state institutions make it difficult for a sufficient number of Minnesota students to become osteopaths. It is in the public interest that opportunity be provided for Minnesota students to become osteopaths.

Sec. 2. The higher education coordinating board shall seek to contract with schools of osteopathy located in other states for placement spaces for Minnesota residents. The number of placements per year in colleges of osteopathy shall not exceed ten.

Sec. 3. Selection of students for spaces obtained through contract between the higher education coordinating board and the out of state schools shall be the responsibility of the individual school, provided that any student for whom space is contracted is required to enter into an agreement with the higher education coordinating board to practice osteopathy in the state of Minnesota for a period of not less than three years.

Sec. 4. The agreement with the student shall provide that practice in Minnesota by the student shall begin within 18 months following completion of the academic program unless the board approves a later time for beginning practice. The board

may approve a delay in the time for the student to begin practice in Minnesota for a period of not to exceed seven years, to allow for additional education or clinical experience or for extenuating circumstances which in the judgment of the board constitute sufficient justification for delay.

Sec. 5. A student who fails to fulfill the obligation to practice in accordance with section 4 or who for any reason except death or disability discontinues full time study under the agreement shall pay a penalty in an amount equal to the amount paid to the school by the higher education coordinating board for the space which the student has occupied. The penalty shall be payable on demand in accordance with terms and conditions prescribed by the board.

Sec. 6. The higher education coordinating board is authorized to establish terms and conditions of contracts with schools of osteopathy including the amount of payment to be made to each school.

Sec. 7. The sum of \$160,000 is appropriated from the general fund to the higher education coordinating board for the biennium ending June 30, 1979. Of this amount, not to exceed \$25,000 shall be available for administrative expenses of the board. Also of this amount, the sum of \$135,000 shall be available for payments under contract to schools of osteopathy for the year ending June 30, 1979."

Further, amend the title as follows:

Page 1, line 5, delete "and optometry".

Page 1, delete lines 6 and 7.

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

H. F. No. 1322, A bill for an act relating to education; higher education coordinating board; personnel policies, practices and benefits for officers and employees; amending Minnesota Statutes 1976, Section 136A.03.

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

The report was adopted.

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

H. F. No. 921, A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

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

The report was adopted.

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

H. F. No. 651, A bill for an act relating to Norman county; validating certain funds transfers.

Reported the same back with the following amendments:

Page 1, line 8, delete "or after".

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

The report was adopted.

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

H. F. No. 809, A bill for an act changing the boundary line between Lac qui Parle county and Big Stone county; amending Laws 1937, Chapter 423, Section 1.

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

The report was adopted.

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

H. F. No. 862, A bill for an act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, before "or" insert "*or any successor agency thereof,*".

Page 3, line 2, after "*benefits,*" insert "*except pension benefits,*".

Page 4, line 7, before "*The pension*" insert "*Notwithstanding any contrary provision of law,*".

Page 4, line 15, delete "*or to enroll in the pension and*".

Page 4, delete line 16, and insert "*under said pension plan or to become covered as coordinated members of the public employees retirement association upon election, by making such election within one year from the effective date of this act.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 937, A bill for an act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

Reported the same back with the following amendments:

Page 8, line 7, after the stricken "(4)" insert "(d)" and reinstate the stricken language remaining in the line.

Page 8, reinstate the stricken language in lines 8 and 9.

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

The report was adopted.

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

H. F. No. 938, A bill for an act relating to Ramsey county and the cities of Arden Hills, Roseville, Saint Paul and Shoreview; providing for construction of necessary highway improvements; apportioning costs; prescribing certain limitations; amending Laws 1974, Chapter 435, Section 1.0209, as amended.

Reported the same back with the following amendments:

Page 1, line 23, reinsert the stricken language.

Page 2, lines 1 and 2, reinsert the stricken language.

Page 3, line 7, reinsert the stricken language.

Page 3, line 8, reinsert the stricken "the construction shall not exceed".

Page 3, line 8, after the stricken "\$2,500" insert "\$10,000" and reinsert the stricken "for a project".

Page 3, line 24, delete "*December 31*" and insert "*September 7*".

Page 3, line 24, delete "*governing bodies of*".

Page 3, delete line 25.

Page 3, line 26, delete "*shall*" and insert "*board of commissioners may*".

Page 3, line 26, delete "*December 31*" and insert "*September 7*".

Page 3, line 30, delete "*as approved by*".

Page 3, line 31, delete "*the governing bodies*".

Page 4, line 6, delete "*bodies of the cities of Arden*".

Page 4, line 7, delete "*Hills, Roseville and Shoreview and*" and insert "*body*".

Page 4, line 9, delete "*upon its approval by the city council*".

Page 4, delete lines 10 and 11, and insert "*the day following its final enactment*".

Amend the title as follows:

Page 1, line 2, delete "*and the cities of Arden*".

Page 1, line 3, delete "*Hills, Roseville, Saint Paul and Shoreview*".

With the recommendation that when so amended the bill pass.

The report was adopted.



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

H. F. No. 1129, A bill for an act relating to Ramsey county; codifying existing laws relating to the composition, terms, selection and redistricting of the board of commissioners; providing for the time and place of certain board meetings; authorizing rules of procedure and the keeping and publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, and by adding sections; repealing Laws 1974, Chapters 435, Sections 2.01, 2.02 and 2.06; and 576, Section 2, Subdivisions 1, 2, 3 and 5.

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

The report was adopted.

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

H. F. No. 1300, A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Section 473.315, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [NATURAL RESOURCES; OUTDOOR RECREATION; APPROPRIATION FOR LAND ACQUISITION AND BETTERMENT.] *Subdivision 1. There are appropriated from the Minnesota state building fund to the commissioner of natural resources the sums of money set forth in this section, for the acquisition and betterment of public outdoor recreation lands and capital improvements as more specifically described in subdivisions 2 to 9.*

*All acquisition shall be in accordance with the policies established in sections 86A.01 to 86A.09. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.*

**TOTAL APPROPRIATED: . . . . . \$24,000,000**

*Subd. 2. For acquisition of state parks and recreation areas, as listed and described in sections 85.012 and 85.013. . . . . \$7,393,850*

*First priority for acquisitions shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.*

*Subd. 3. For acquisition of state trails, as listed and described in section 85.015, and pursuant to section 84.029, subdivision 2. . . . . \$1,714,750. For betterment of such trails. . . . . \$1,200,000*

*No further expenditure of funds for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the full house environment and natural resources committee, the full house appropriations committee and the full senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations shall be advisory only.*

*Subd. 4. For acquisition of state forests, as listed and described in section 89.021. . . . . \$5,244,000*

*Priority shall first be given to acquiring the remaining lands in the Sand Dunes and Memorial Hardwood state forests and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.*

*Subd. 5. For acquisition of fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. . . . . \$957,600*

*Subd. 6. For acquisition of state wildlife management areas, acquired pursuant to section 97.48, subdivision 13, or section 97.481. . . . . \$2,462,400*

*Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or are situated in an area where the market value of comparable property has risen more than ten percent*

*in each of the previous two years, and that can be acquired from a willing seller.*

*Subd. 7. For acquisition of wild, scenic and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32. . . . . \$1,286,300*

*Subd. 8. For acquisition of scientific and natural areas designated pursuant to section 84.033. . . . . \$321,100*

*Subd. 9. For costs of staff and independent professional services necessary to the acquisition and betterment of such lands and improvements. . . . . \$3,420,000*

**Sec. 2. [APPROPRIATION FOR METROPOLITAN PARKS AND TRAILS.]** *\$24,000,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341. Of the amount appropriated by this section, the metropolitan council may expend no more than \$200,000 for staff and independent professional services necessary for the acquisition and betterment of such open space and the performance of duties of the metropolitan council under this section and sections 6, 7 and 9.*

**Sec. 3. [160.265] [BICYCLE TRAIL PROGRAM.]** *The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the department of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the development of the statewide transportation plan pursuant to section 174.03, with the bicycle trail program established by the department of natural resources pursuant to section 85.016, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and*

*bicyclist organizations. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails. The program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules and regulations, pursuant to chapter 15, and emergency rules and regulations to commence immediately the grant program, pursuant to section 15.0412. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.*

Sec. 4. Minnesota Statutes 1976, Section 85.016, is amended to read:

**85.016 [BICYCLE TRAIL PROGRAM.]** The commissioner of natural resources shall (DEVELOP) *establish a program for (AN INTERCONNECTING STATEWIDE SYSTEM) the development of bicycle trails utilizing (BOTH) the state trails authorized by section 85.015, other state parks and recreation land, and state forests (AND EXISTING AND PROPOSED LOCAL BICYCLE TRAILS).* *The program shall be coordinated with the bicycle trail program established by the department of transportation pursuant to section 3 of this act, with the local park trail grant program established by the state planning agency pursuant to section 7 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. (IN ADDITION) The commissioner shall provide technical assistance to local units of government in planning and developing bicycle (TRAIL SYSTEMS) trails in local parks. The (STATE) bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. (THE PROGRAM SHALL INCLUDE A PROPOSAL FOR A SYSTEM OF STATE AID TO LOCALITIES. THE PROPOSAL FOR A SYSTEM OF STATE AID TO LOCALITIES SHALL INCLUDE A PROVISION THAT THE AMOUNT OF AID APPORTIONED TO A LOCALITY WILL DEPEND, IN PART, UPON THE NUMBERS OF BICYCLES REGISTERED IN THE LOCALITY.)* The program shall be developed after consultation with the state trail council and re-

gional and local units of government and bicyclists organizations. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264.

Sec. 5. Minnesota Statutes 1976, Chapter 85, is amended by adding a section to read:

[85.017] [TRAIL REGISTRY.] *The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The metropolitan council, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.*

Sec. 6. [APPROPRIATION FOR TRAIL ACQUISITION AND BETTERMENT.] *Subdivision 1. There is appropriated from the Minnesota state building fund \$7,300,000 for trail acquisition and betterment programs as more specifically provided in subdivisions 2 to 5.*

*Subd. 2. [DEPARTMENT OF NATURAL RESOURCES.] \$1,300,000 is appropriated from the Minnesota state building fund to the commissioner of natural resources for the betterment of public land and improvements needed for trails for skiing, hiking, and bicycling within state parks and recreation areas as listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary for the betterment of such land and improvements.*

*Subd. 3. [METROPOLITAN COUNCIL; TRAIL CORRIDORS.] \$1,100,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of public land and improvements needed for regional trails and trail corridors situated outside of regional parks and park reserves, in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The funds shall be available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341.*

*Subd. 4. [METROPOLITAN COUNCIL; PARK TRAILS.] \$2,200,000 is appropriated from the Minnesota state building fund to the director of the state planning agency for transfer*

and reappropriation to the metropolitan council established under section 473.123. The funds shall be transferred to the metropolitan council upon receipt by the agency of a resolution of the council requesting transfer. The funds shall be used to pay the cost of betterment by the metropolitan council and local government units of public land and improvements needed for trails situated within regional parks and park reserves in accordance with the council's policy plan, as provided in sections 473.301 to 473.341, provided however that none of the funds may be used for acquisition of land, for relocation payments under section 473.315, or for tax equivalents under section 473.341.

**Subd. 5. [DEPARTMENT OF TRANSPORTATION.]** There is appropriated from the Minnesota state building fund to the commissioner of the department of transportation \$2,700,000 for betterment of public land and improvements needed for bicycle trails primarily on existing road rights of way pursuant to section 3 of this act. Of this amount, not more than 15 percent may be expended by the commissioner for costs of staff and independent professional services necessary to the betterment of such lands and improvements.

**Sec. 7. [APPROPRIATION FOR GRANT-IN-AID RECREATIONAL BETTERMENT.]** Subdivision 1. There is appropriated from the Minnesota state building fund \$7,200,000 for recreational betterment grants-in-aid programs as more specifically provided in subdivisions 2 to 7.

**Subd. 2. [DEFINITIONS.]** For purposes of this section, the following terms have the meanings set forth; except as otherwise expressly provided or indicated by the context.

(a) "Athletic courts" means special surface areas and supporting equipment or structures such as nets, hoops, and walls which can be used for active games that have definite boundaries and are played on a marked surface, including, but not limited to, basketball, volleyball, handball and tennis.

(b) "Metropolitan council" and "metropolitan area" have the meanings given them in section 473.121.

(c) "Units of government" means any county, city and home rule charter city, town, school district, public post-secondary educational institution, special park district, or any elected park and recreation board having control over parks, parkways, playgrounds, and trees in a city of the first class.

**Subd. 3. [LOCAL BICYCLE TRAIL GRANTS.]** There is appropriated from the Minnesota state building fund \$2,100,000 to the commissioner of transportation for the purposes of providing grants to units of government for the betterment of public land and improvements needed for local bicycle trails pursuant to

section 3 of this act. In making grants the department shall consider, among other factors, the number of registered bicycles in the localities. \$700,000 of these funds shall be used for grants to units of government in the metropolitan area, in accordance with the priorities established by the metropolitan council. \$1,400,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 75 per cent of the costs of the betterment of the bicycle trail. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the trail.

Subd. 4. [LOCAL PARK TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.

Subd. 5. [PARK AND TRAIL GRANTS.] The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. There is appropriated from the Minnesota state building fund \$2,500,000 to the state planning agency for the purposes of carrying out the provisions of this subdivision. \$1,750,000 of these funds shall be used for grants for acquisition of parks and trails. \$750,000 of these funds shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities. The appropriation made in this subdivision shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal funds.

*Subd. 6. [LOCAL OUTDOOR ATHLETIC COURT GRANTS.] The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. There is appropriated from the Minnesota state building fund \$1,300,000 to the director of the state planning agency for the purposes of carrying out the provisions of this subdivision. \$650,000 of these funds shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency and \$650,000 of these funds shall be used for grants to units of government outside the metropolitan area. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be eligible for a grant, a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.*

*Subd. 7. [GRANT PROGRAM ADMINISTRATION.] The director of the state planning agency shall have all powers necessary and convenient in order to establish the grant programs pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412. Of the sum appropriated by subdivision 3 of this section, not more than five percent may be expended by the commissioner for staff and independent professional services needed for the grant program. Of the sums appropriated by subdivisions 4, 5 and 6 of this section, not more than five percent may be expended by the director for staff and independent professional services needed for the grant programs.*

*Sec. 8. The amounts appropriated in sections 1, 2, 6 and 7 shall not cancel but shall be available until expended.*

*Sec. 9. Minnesota Statutes 1976, Chapter 4, is amended by adding a section to read:*

*[4.35] [TRAIL PLANNING.] The state planning agency, in cooperation with the department of natural resources, metropolitan council and department of transportation, shall review and coordinate plans for trails acquisition and development and trail development grants pursuant to this act and Minnesota Statutes 1976, Sections 85.015, 85.016, 473.147, and 473.301 to 473.341.*

*Sec. 10. [BOND SALE.] Subdivision 1. To provide the amounts appropriated in sections 1, 2, 6 and 7, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$62,500,000 in the manner and upon the terms prescribed by sections 16A.63 to 16A.66 and*



*by the Minnesota Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds are appropriated to the Minnesota state building fund except as otherwise provided in section 16A.64.*

*Subd. 2. [DEBT SERVICE.] There is annually appropriated from the general fund in the state treasury to the Minnesota state building fund bond account in the state bond fund an amount sufficient to pay principal and interest coming due on bonds authorized by subdivision 1, in the amount and manner specified in section 16A.64, subdivision 5.*

Sec. 11. Minnesota Statutes 1976, Section 473.121, Subdivision 14, is amended to read:

Subd. 14. "Regional recreation open space" means (THE) land and water areas, *or interests therein, and facilities* determined by the metropolitan council to be of regional (SIGNIFICANCE) *importance* in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks *and trails*, (AND) large recreation parks, *and conservatories, zoos, and other special use facilities.*

Sec. 12. Minnesota Statutes 1976, Section 473.302, is amended to read:

473.302 [REGIONAL RECREATION OPEN SPACE SYSTEM; PURPOSE.] The legislature finds that the pressure of urbanization and development threatens (THE MOST) valuable (REMAINING LARGE) recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 13. Minnesota Statutes 1976, Section 473.303, is amended by adding a subdivision to read:

*Subd. 6. [COMPENSATION.] Members and the chairman shall be compensated as provided for members of metropolitan commissions.*

Sec. 14. Minnesota Statutes 1976, Section 473.315, Subdivision 1, is amended to read:

473.315 [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies

may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56. (NO MORE THAN 80 PERCENT OF THE FUNDS AVAILABLE UNDER SECTIONS 473.301 TO 473.341 SHALL BE USED FOR ACQUISITION OF REGIONAL RECREATION OPEN SPACE AND NO MORE THAN 30 PERCENT SHALL BE USED FOR DEVELOPMENT OF REGIONAL RECREATION OPEN SPACE.)

Sec. 15. *This act is effective July 1, 1977.*"

Further strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wild-life lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; Chapter 4, by adding a section; and Chapter 85, by adding a section."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 10 delete "under" and insert "through a real estate agent by means of".

Page 1, line 11, delete "through a real estate agent, as it deems appropriate" and insert "other method of sale as approved by the county".

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. 552, A bill for an act relating to taxation; permitting certain appeals of assessments to the commissioner of revenue; providing for appointment of local assessors or termination of their offices; refining terms of senior citizens property tax freeze; eliminating assessors' and auditors' bonds; providing for appeal of property classification; defining certain powers of boards of equalization; clarifying redemption period for tax-forfeited lands; amending Minnesota Statutes 1976, Sections 270.11, Subdivision 7; 270.50; 273.011, Subdivision 4; 273.012, Subdivision 2; 273.04; 273.05, Subdivisions 1 and 2; 273.06; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding section.

Reported the same back with the following amendments:

Page 2, line 16, delete "section" and insert "sections".

Page 2, line 16, after "270.493" insert "and 270.50".

Page 2, line 19, delete "counties enumerated in Minnesota Statutes".

Page 2, line 20, delete "1971, Section 391.02" and insert "Ramsey county".

Page 3, line 22, strike "counties enumerated".

Page 3, line 23, strike "in" delete "Minnesota Statutes 1971," strike "Section 391.01" and insert "Ramsey county".

Page 3, line 26, after "days" insert "from the latter of the effective date of this act or the date of incorporation or organization".

Page 3, line 29, after "[BASE TAX.]" insert "(a) Except as provided in clauses (b) and (c),".

Page 4, delete lines 7 to 16 and insert:

"(b) In the case of property purchased by a person 65 years of age or older for homestead purposes with title held as provided in this section, the "base tax" shall be the tax which would have been due in the year following the year in which the property was purchased, computed as if the property had been homesteaded on January 2 of the year purchased.

(c) In the case of property constructed for homestead purposes by a person 65 years of age or older with title held as provided in this section, the "base tax" shall be the tax which is due in the year following the year in which the property was substantially completed and homesteaded as of January 2."

Page 7, after line 26, insert:

“Sec. 10. Minnesota Statutes 1976, Section 273.061, Subdivision 3, is amended to read:

Subd. 3. [OATH.] Every county assessor, before entering upon his duties, shall take and subscribe the oath required of public officials, AND SHALL GIVE BOND TO THE STATE IN THE FORM REQUIRED BY STATUTE, IN SUCH SUM AS THE BOARD OF COUNTY COMMISSIONERS MAY DETERMINE).”.

Renumber the sections accordingly.

Further, amend the title:

Line 7, delete “and auditors’ ”.

Line 7, after the semicolon insert “eliminating certification of local treasurers’ bonds;”.

Line 14, after “273.06;” insert “273.061, Subdivision 3;”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 103, A bill for an act relating to highway traffic regulations; providing that a person may lawfully stop or park his motor vehicle on highways and streets under specified conditions for the purpose of aiding distressed motorists; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

Reported the same back with the following amendments:

Page 1, line 15, delete “*in distress by reason of motor*”.

Page 1, delete line 16 and insert “*who signals for assistance by raising the hood of the vehicle or displaying a flag, flare or similar signal,*”.

Page 2, after line 6, insert:

“*This section does not apply to any person who stops or parks a vehicle next to an unattended vehicle.*”.

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

The report was adopted.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 1275, 1421, 679, 1208, 1428, 461, 644, 916, 981, 1095, 1113, 1114, 1322, 921, 651, 809, 862, 937, 938, 1129, 552 and 103 were read for the second time.

### SECOND READING OF SENATE BILLS

S. F. Nos. 919, 651 and 99 were read for the second time.

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Skoglund, Forsythe, Jaros, Clark and Brandl introduced:

H. F. No. 1476, A bill for an act relating to municipalities; hospital, nursing home and health care facilities; authorizing municipalities to include refinancing of existing indebtedness in the cost of a project; amending Minnesota Statutes 1976, Sections 447.35; 447.45, Subdivision 1; 447.47; and 474.05.

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

Kroening, Swanson and Fugina introduced:

H. F. No. 1477, A bill for an act relating to education; establishing a Minnesota occupational information system revolving fund; appropriating money.

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

Jensen and Lemke introduced:

H. F. No. 1478, A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; amending Minnesota Statutes 1976, Section 272.12.

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

Jensen and Lemke introduced:

H. F. No. 1479, A bill for an act relating to real estate; transfers of undivided interests; amending Minnesota Statutes 1976, Section 272.14.

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

Birnstihl, Mann, Jensen, Lemke and Braun introduced:

H. F. No. 1480, A bill for an act relating to employments licensed by state; exempting registered professional engineers from water well contractor licensing provisions; amending Minnesota Statutes 1976, Section 326.03, by adding a subdivision.

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

Wenzel introduced:

H. F. No. 1481, A bill for an act relating to crimes; providing that whoever causes the death of a human being when committing the felony of burglary is guilty of murder in the first degree; amending Minnesota Statutes 1976, Sections 609.185; and 609.195.

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

Fugina introduced:

H. F. No. 1482, A bill for an act relating to Independent School District 703; validating certain aid overpayments.

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

Begich, Battaglia and Fugina introduced:

H. F. No. 1483, A bill for an act relating to pesticides; prescribing certain limitations on the aerial application of pesticides; imposing requirements for pesticide application in certain areas; amending Minnesota Statutes 1976, Chapter 18A, by adding sections.

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

Suss, Voss, McCollar and Brinkman introduced:

H. F. No. 1484, A bill for an act relating to automobile insurance; clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1976, Sections 65B.44, Subdivision 3; 65B.49, Subdivisions 4 and 6; 65B.51, Subdivision 1; and 65B.53, Subdivision 1.

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

Beauchamp introduced:

H. F. No. 1485, A bill for an act relating to departments of state; concerning confidential data on individuals; regarding emergency classification of data; amending Minnesota Statutes 1976, Sections 15.162, Subdivision 2a; and 15.1642, Subdivision 3.

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

Beauchamp introduced:

H. F. No. 1486, A bill for an act relating to retirement; state aid for police pensions; amending Minnesota Statutes 1976, Sections 69.011, Subdivisions 1 and 2; 69.021, Subdivisions 5 and 7; and 69.031, Subdivision 5.

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

Biersdorf introduced:

H. F. No. 1487, A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Steele county.

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

Kroening and Kelly, R., introduced:

H. F. No. 1488, A bill for an act relating to the Minnesota housing finance agency; providing for unclassified employees; amending Minnesota Statutes 1976, Section 43.09, Subdivision 2a.

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

Jude introduced :

H. F. No. 1489, A bill for an act relating to courts; repealing the law that requires court clerks to make costs and disbursements reports to the county attorney in criminal cases; repealing Minnesota Statutes 1976, Section 485.09.

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

Jude introduced :

H. F. No. 1490, A bill for an act relating to fees; repealing the filing fee in certain juvenile court proceedings; repealing Minnesota Statutes 1976, Section 260.106, Subdivisions 1 and 2.

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

Jude introduced :

H. F. No. 1491, A bill for an act relating to courts; providing that petit jurors in probate court be selected in the same manner as petit jurors are selected in district court; amending Minnesota Statutes 1976, Section 525.013, by adding a subdivision; repealing Minnesota Statutes 1976, Section 525.013, Subdivisions 2 and 3.

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

Jude introduced :

H. F. No. 1492, A bill for an act relating to courts; jurors; ballots for selection; authorizing an alternative method of identification of jurors; amending Minnesota Statutes 1976, Section 593.07.

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

Simoneau introduced :

H. F. No. 1493, A bill for an act relating to the city of Fridley; providing for membership of a certain employee thereof in the public employees police and fire fund.

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



Cohen introduced:

H. F. No. 1494, A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to provide for initiative and referendum.

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

Adams, Clawson, Metzen, Zubay and Sieben, H., introduced:

H. F. No. 1495, A bill for an act relating to the organization and operation of state government; regulating organization and procedures of various state departments and agencies; providing for appointment and compensation of the employees suggestion board; removing the minimum teachers' license fee; permitting the board of teaching to adopt rules; regulating state arts board grants and publicity; providing the status of part time executive secretaries; permitting joint rule making proceedings; changing the name and composition of the state board of human rights; making miscellaneous inconsequential clarifications and corrections; amending Minnesota Statutes 1976, Sections 15.01; 15.059, Subdivision 6; 16.71, Subdivisions 1 and 1a; 121.02, Subdivision 1; 125.08; 125.185, by adding a subdivision; 139.10, Subdivision 1, and by adding subdivisions; 144A.19, Subdivision 2; 144A.21, Subdivision 1; 144A.251; 214.04, Subdivision 3, and by adding a subdivision; 214.06, Subdivision 1; 363.04, Subdivisions 4, 4a and 5; and Laws 1976, Chapter 222, Section 207, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144A.21, Subdivisions 3 and 4; 144A.25; and 214.05.

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

Jude introduced:

H. F. No. 1496, A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

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

Carlson, L.; Swanson; McCarron; Forsythe and Samuelson introduced:

H. F. No. 1497, A bill for an act relating to health; providing state grants to finance health related research activities; directing the state health coordinating council to establish a health research subcommittee; providing for its powers and duties; appropriating money.

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

Dahl, Birnstihl, Jensen, McEachern and Niehaus introduced:

H. F. No. 1498, A bill for an act relating to public welfare; mandating the working of certain general assistance recipients; allowing the use of general assistance funds for the work equity program; empowering the commissioner of public welfare to contract for recipient services and grant distribution; amending Minnesota Statutes 1976, Sections 256D.02, by adding subdivisions; 256D.04; 256D.06, by adding a subdivision; and 256D.11, Subdivisions 1 and 4, and by adding subdivisions.

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

Laidig, Wigley, Evans, Rose and Erickson introduced:

H. F. No. 1499, A bill for an act relating to education; post-secondary educational institutions; requiring public post-secondary institutions to accept installment payments of tuition.

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

Rice, for the Committee on General Legislation and Veterans Affairs, introduced:

H. F. No. 1500, A bill for an act relating to elections; vacancy in office of senator in congress; providing for special election to fill a vacancy; amending Minnesota Statutes 1976, Section 202A.72.

The bill was read for the first time and laid over one day.

Knickerbocker; Sieben, H.; Voss; McDonald and Novak introduced:

H. F. No. 1501, A bill for an act relating to metropolitan sewer charges; providing for regulation by the public service commission of charges to consumers; amending Minnesota Statutes 1976, Section 216A.05, Subdivision 2.

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

Tomlinson, Novak, White, Scheid and Searles introduced:

H. F. No. 1502, A bill for an act relating to taxation; property tax; changing valuation procedures for certain residential and commercial property; changing homestead base value for class 3cc property; changing minimum public aid income requirements for class 3cc property; providing for adjustments in valuation of property where variations exist within categories; providing additional grounds for appealing property tax levies; requiring registrar or county recorder to notify commissioner of revenue of age of transferred property; amending Minnesota Statutes 1976, Sections 273.11, Subdivisions 1 and 2, and by adding a subdivision; 273.122, Subdivision 1; 273.13, Subdivision 7; 278.-01; 287.241, Subdivision 4; and Chapter 273, by adding a section.

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

Brinkman, Vanasek, Pehler, Peterson and Fugina introduced:

H. F. No. 1503, A bill for an act relating to taxation; providing that reduced property tax classification for homesteads of disabled persons be continued for their surviving spouses; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

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

Pehler, Evans and Knickerbocker introduced:

H. F. No. 1504, A bill for an act relating to taxation; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1976, Section 290.21, Subdivision 3.

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

Begich, Fugina and Battaglia introduced:

H. F. No. 1505, A bill for an act relating to the city of Duluth; review of assessments by county assessor.

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

Dean introduced:

H. F. No. 1506, A bill for an act relating to taxation; providing that rent credit survives death of claimant; amending Minnesota Statutes 1976, Section 290.984.

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

Cohen introduced:

H. F. No. 1507, A bill for an act relating to highways; designating the "Churchill Highway"; amending Minnesota Statutes 1976, Section 161.14, by adding a subdivision.

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

Wieser introduced:

H. F. No. 1508, A bill for an act relating to towns; reimbursement for certain town road maintenance expenses; appropriating funds.

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

Stanton introduced:

H. F. No. 1509, A bill for an act relating to motor vehicles; registration and taxation; reducing the fee for duplicate plates in certain circumstances; amending Minnesota Statutes 1976, Section 168.29.

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

Norton, for the Committee on Appropriations, introduced:

H. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1976, Sections 120.17, Subdivision 7a; 128A.02, Subdivision 3; 128A.06, Subdivision 1; 128A.07; 136A.121, Subdivision 3; 141.24; 141.36; 179.69, Subdivisions 4 and 5; and 197.78; repealing Minnesota Statutes 1976, Section 128A.08.

The bill was read for the first time and laid over one day.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 301, A bill for an act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.

The Senate has appointed as such committee Messrs. Laufenburger, Frederick and Peterson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 226, A bill for an act relating to minimum wage; providing a higher minimum wage; amending Minnesota Statutes 1976, Section 177.24.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Milton; Keefe, S.; and Ogdahl have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Faricy moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 226. The motion prevailed.

## PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. No. 301 was reported to the House.

## CONSENT CALENDAR

H. F. No. 749 was reported to the House.

Kahn moved to amend H. F. No. 749, as follows:

Page 1, line 9, delete "whitetailed".

Page 1, line 10, delete "deer, *Odocoileus virginianus borealis*" and insert "*striped gopher, Citellus trideclinateus*".

Page 1, line 12, delete "whitetailed deer" and insert "*striped gopher*".

Page 1, line 13, after "state." delete "The".

Page 1, delete lines 14 to 16.

Upon objection of ten members H. F. No. 749 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 61, A bill for an act relating to the city of Cottage Grove; authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; authorizing reasonable charges for the services; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

|              |             |           |               |           |
|--------------|-------------|-----------|---------------|-----------|
| Abeln        | Brandl      | Eken      | Haugerud      | Kostohryz |
| Adams        | Braun       | Ellingson | Heinitz       | Kroening  |
| Albrecht     | Brinkman    | Enebo     | Hokanson      | Kvam      |
| Anderson, D. | Byrne       | Erickson  | Jacobs        | Laidig    |
| Anderson, G. | Carlson, A. | Esau      | Jaros         | Langseth  |
| Anderson, I. | Carlson, D. | Evans     | Jensen        | Lehto     |
| Anderson, R. | Carlson, L. | Ewald     | Johnson       | Lemke     |
| Arlandson    | Casserly    | Faricy    | Jude          | Mangan    |
| Battaglia    | Clark       | Fjoslien  | Kaley         | Mann      |
| Beauchamp    | Clawson     | Forsythe  | Kalis         | McCarron  |
| Begich       | Corbid      | Friedrich | Kelly, R.     | McCollar  |
| Berg         | Cummiskey   | Fudro     | Kelly, W.     | McDonald  |
| Berglin      | Dahl        | Fugina    | Kempe, A.     | McEachern |
| Berkelman    | Dean        | George    | Kempe, R.     | Metzen    |
| Biersdorf    | Den Ouden   | Gunter    | King          | Moe       |
| Birnstihl    | Eckstein    | Hanson    | Knickerbocker | Munger    |

|            |           |            |           |              |
|------------|-----------|------------|-----------|--------------|
| Murphy     | Peterson  | Scheid     | Stanton   | White        |
| Neisen     | Petrafeso | Schulz     | Stoa      | Wieser       |
| Nelsen, B. | Pleasant  | Searle     | Suss      | Wigley       |
| Nelsen, M. | Prahl     | Searles    | Swanson   | Williamson   |
| Nelson     | Reding    | Sherwood   | Tomlinson | Wynia        |
| Niehaus    | Rice      | Sieben, H. | Vanasek   | Zubay        |
| Norton     | Rose      | Sieben, M. | Voss      | Speaker Sabo |
| Novak      | St. Onge  | Simoneau   | Waldorf   |              |
| Osthoff    | Samuelson | Skoglund   | Welch     |              |
| Patton     | Sarna     | Smogard    | Wenstrom  |              |
| Pehler     | Savelkoul | Spanish    | Wenzel    |              |

The bill was passed and its title agreed to.

H. F. No. 1107, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

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

The bill was passed and its title agreed to.

## CALENDAR

H. F. No. 7, A bill for an act relating to labor relations; providing for successor clauses in collective bargaining agreements;

requiring successor employers to assume certain obligations; requiring notice of collective bargaining agreements to successor employers; requiring notice of successor transactions to exclusive representatives; allowing successor transactions in violation of a collective bargaining agreement to be enjoined; amending Minnesota Statutes 1976, Chapter 179, 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 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

|              |           |           |            |              |
|--------------|-----------|-----------|------------|--------------|
| Abeln        | Cummiskey | Kelly, R. | Nelson     | Skoglund     |
| Adams        | Dahl      | Kempe, A. | Norton     | Spanish      |
| Anderson, I. | Ellingson | Kempe, R. | Novak      | Stanton      |
| Arlandson    | Enebo     | Kostohryz | Osthoff    | Stoa         |
| Battaglia    | Farcy     | Kroening  | Pehler     | Swanson      |
| Begich       | Fudro     | Lehto     | Prahl      | Tomlinson    |
| Berg         | Fugina    | Mangan    | Reding     | Voss         |
| Berglin      | George    | McCarron  | Rice       | Waldorf      |
| Berkelman    | Hanson    | McCollar  | St. Onge   | Wenzel       |
| Brandl       | Hokanson  | McEachern | Sarna      | Williamson   |
| Byrne        | Jacobs    | Metzen    | Scheid     | Wynia        |
| Carlson, L.  | Jaros     | Munger    | Sieben, H. | Speaker Sabo |
| Casserly     | Jude      | Murphy    | Sieben, M. |              |
| Clark        | Kahn      | Neisen    | Simoneau   |              |

Those who voted in the negative were:

|              |           |               |            |          |
|--------------|-----------|---------------|------------|----------|
| Albrecht     | Dean      | Heinitz       | McDonald   | Smogard  |
| Anderson, B. | Den Ouden | Jensen        | Nelsen, B. | Suss     |
| Anderson, D. | Eckstein  | Johnson       | Niehaus    | Vanasek  |
| Anderson, G. | Eken      | Kaley         | Patton     | Welch    |
| Anderson, R. | Erickson  | Kalis         | Peterson   | Wenstrom |
| Beauchamp    | Esau      | Kelly, W.     | Petrafeso  | White    |
| Biersdorf    | Evans     | King          | Pleasant   | Wieser   |
| Birnstihl    | Ewald     | Knickerbocker | Rose       | Wigley   |
| Braun        | Fjoslien  | Kvam          | Samuelson  | Zubay    |
| Brinkman     | Forsythe  | Laidig        | Savelkoul  |          |
| Carlson, A.  | Friedrich | Langseth      | Schulz     |          |
| Carlson, D.  | Gunter    | Lemke         | Searle     |          |
| Corbid       | Haugerud  | Mann          | Searles    |          |

The bill was passed and its title agreed to.

S. F. No. 170, A bill for an act relating to political subdivisions; regulating certain interests in contracts by public officials; amending Minnesota Statutes 1976, Section 471.88, Subdivisions 2, 5, and 8.

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:

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

The bill was passed and its title agreed to.

Kelly, W., was excused at 4:50 p.m. Wigley was excused at 5:40 p.m., and Friedrich was excused at 6:50 p.m.

### GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. 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. No. 1005 which it recommended to pass.

S. F. No. 345 which it recommended progress.

H. F. No. 585 which it recommended to pass with the following amendments:

Offered by Casserly :

Page 8, line 10, strike "act of congress known as".

Page 8, line 11, strike "the revenue act of 1936" and insert "*Internal Revenue Code of 1954, as amended through December 31, 1976*".

Page 13, line 11, after the period, insert "*If any excess results from payments by the employer because of willful failure to withhold or remit as prescribed in clause (3) above, the excess attributable to the employer's payment shall be refunded to the employer.*".

H. F. No. 800 which it recommended to pass with the following amendments :

Offered by Wenstrom :

Page 4, line 18, after "*dealers,*" insert "*transfers between spouses or parent and child,*".

Offered by Searles :

Page 3, line 5, after the period insert "*When a sheriff or chief of police has performed the investigation required by this subdivision and has made any notification required by subdivision 3, no unit of government or official thereof shall be liable for damages resulting from acts or omissions of the chief or sheriff with regard to the report of transfer of the pistol.*".

Page 3, line 27, after the period insert "*This waiver may be granted orally or in writing, prior to submission of the Report of Transfer, at the discretion of the chief of police or sheriff.*".

Offered by Vanasek :

Page 2, line 25, after the semicolon insert "*and*".

Page 2, strike lines 26 and 27.

Page 2, line 28, delete "*(e)*" and insert "*(d)*".

Page 4, line 3, strike "*fact he or she is the transferee*" and insert "*transfer*".

Page 4, strike lines 7 and 8 and insert "*any record of the transfer, and the transferee shall keep the report of transfer*".

Offered by Kempe, A.:

Page 2, after line 3, insert a section to read:

"Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 2, is amended to read:

Subd. 2. 'Pistol' includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor.

'Pistol' does not include a device firing or ejecting a shot measuring (.18) .22 of an inch, or less, in diameter and commonly known as a "BB gun" or "*Pellet gun*," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys."

Renumber the remaining sections.

Further amend the title as follows:

Page 1, line 8, after "624.712," insert "Subdivision 2, and".

Offered by McDonald:

As previously amended, page 4, line 20, strike "*temporary*".

Page 4, strike lines 21 and 22 and insert in lieu thereof:

*"(a) A transfer by a person other than a federally licensed firearms dealer."*

Offered by Forsythe:

As previously amended, page 3, line 18, delete "14" and insert "*seven*".

Page 3, line 26, delete "14" and insert "*seven*".

Offered by Williamson:

As previously amended, page 3, line 11, after the period insert "*No later than two years after the notification, the chief of police or sheriff shall expunge from the files of the law enforcement agency any data developed in the investigation pur-*

*suant to this section concerning the specific disqualification of the transferee."*

Offered by Swanson:

As previously amended, page 5, line 1, strike "12" and insert "60".

Offered by Munger:

As previously amended, page 6, after line 6, insert a section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, Subdivision 9, is amended to read:

Subd. 9. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A permit to carry is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;

(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;

(c) To carry a pistol between his dwelling house and his place of business;

(d) To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting (OTHER THAN PROTECTED WILD ANIMALS) or of target shooting in a safe area; or

(e) To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gunbox, or securely tied package. If a motor vehicle, snowmobile or boat does not have an enclosed area, a pistol may be carried in the driver or passenger area as long as the pistol is unloaded and contained in a closed and fastened case, gunbox, or securely tied package. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers."

Further amend the title as follows:

Page 1, line 9, before "and" insert "624.714, Subdivision 9;"

Offered by Petrafeso:

Strike the McDonald amendment to page 4, lines 20, 21 and 22.

Offered by Laidig:

As previously amended, page 1, after line 11, insert the following:

"Section 1. Minnesota Statutes 1976, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, and 609.12 (AND 609.135). The offenses for which mandatory minimum sentences shall be served as (HEREIN) provided *pursuant to this section and section 609.135* are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, (RAPE,) *criminal sexual conduct in the first or second degree, aggravated robbery, sodomy, escape while under charge or conviction of a felony, or illegal discharge of an explosive or incendiary device.*

Sec. 2. Minnesota Statutes 1976, Section 609.11, is amended by adding a subdivision to read:

*Subd. 2a. If during the commission of any of the crimes set forth in subdivision 1, the defendant possessed a firearm or used another dangerous weapon, the prosecution shall allege such matter in the information or indictment."*

Page 1, line 18, after "and" and before "had" insert "during the commission of that crime he".

Page 6, after line 6, add:

"Sec. 5. [REPEALER.] *Minnesota Statutes 1976, Section 609.11, Subdivision 2, is repealed.*"

Renumber the sections in order.

Further amend the title as follows:

Page 1, line 7, after "Sections" and before "609.135", insert "609.11, Subdivision 1, and by adding a subdivision;"

Page 1, line 9, after "Section" and before the period, insert "; repealing Minnesota Statutes 1976, Section 609.11, Subdivision 2".

Offered by Savelkoul:

As previously amended, page 2, line 12, after "*Subdivision 1.*" insert "*Except as provided in section 4.*".

Page 3, line 12, after "[DELIVERY.]" insert "*Except as provided in section 4.*".

Page 3, after line 24, insert a new subdivision to read:

"*Subd. 6. [TRANSFEREE PERMIT.] If the chief of police or sheriff determines that the transferee is not a person prohibited by section 624.713 from possessing a pistol, he shall issue the transferee a transferee permit under the same terms and conditions as issuance under section 4 upon the request of the transferee.*"

Renumber the remaining subdivisions.

Page 5, line 20, after "[PENALTIES.]" insert "*Except as provided in section 4.*".

Page 6, after line 6, insert:

"Sec. 4. *Minnesota Statutes 1976, Chapter 624, is amended by adding a section to read:*

[624.7132] [TRANSFEREE PERMIT.] *Subdivision 1. Any person may apply for a pistol transferee permit by providing the following information in writing to the chief of police of an organized full time police department of the municipality in which he resides or to the county sheriff if there is no such local chief of police:*

(a) *his name, residence, telephone number and driver's license or other identification number;*

(b) *his sex, date of birth, height, weight, color of eyes and hair and other distinguishing characteristics, if any; and*

(c) *a statement that he is not prohibited by section 624.713 from possessing a pistol.*

*The statement shall be signed by the person applying for a permit. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.*

*Subd. 2. [INVESTIGATION.] The chief of police or sheriff shall check criminal histories, records and warrant information relating to the applicant through the Minnesota crime information system.*

*Subd. 3. [FORMS.] Chiefs of police and sheriffs shall make transferee permit application forms available throughout the community. There shall be no charge for forms, reports, investigations, notifications, waivers or any other act performed or materials provided by a government employee or agency in connection with application for or issuance of a transferee permit.*

*Subd. 4. [GROUNDS FOR DISQUALIFICATION.] A determination by the chief of police or sheriff that the applicant is prohibited by section 624.713 from possessing a pistol shall be the only basis for refusal to grant a transferee permit.*

*Subd. 5. [GRANTING OF PERMITS.] The chief of police or sheriff shall issue a transferee permit or deny the application within seven days of application for the permit. The chief of police or sheriff shall provide an applicant with written notification of a denial and the specific reason for the denial. The permits and their renewal shall be granted free of charge.*

*Subd. 6. [RENEWAL.] Transferee permits issued pursuant to this section shall expire after one year and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained. Permits issued pursuant to this section shall not be transferable.*

*Subd. 7. [PERMIT VOIDED.] The transferee permit shall be void at the time that the holder becomes prohibited from possessing a pistol under section 624.713, in which event the holder shall return the permit within five days to the application authority. Failure of the holder to return the permit within the five days is a gross misdemeanor unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.*

*Subd. 8. [HEARING UPON DENIAL.] Any person aggrieved by denial of a transferee permit may appeal the denial*

*to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo without a jury.*

*Subd. 9. [PERMIT TO CARRY.] A valid permit to carry issued pursuant to section 624.714 shall constitute a transferee permit for the purposes of this section.*

*Subd. 10. [TRANSFER.] A person who transfers a pistol to a person exhibiting a transferee permit issued pursuant to this section or a valid permit to carry issued pursuant to section 624.714 need not comply with the provisions of section 2.*

*Subd. 11. [PENALTIES.] A person who does any of the following is guilty of a gross misdemeanor:*

*(a) Transfers a pistol to person who has made a false statement in order to obtain a transferee permit if the transferor knows or has reason to know the transferee has made the false statement; or*

*(b) Gives or causes to be given any false information in applying for a transferee permit, knowing or having reason to know the information is false."*

Further, amend the title:

Page 1, line 6, after "persons;" insert "providing for transferee permits;".

Page 1, line 9, delete "a section" and insert "sections".

Offered by Waldorf:

As previously amended, page 3, line 32, delete "who".

Page 4, line 2, delete everything after "pistol".

Page 4, delete lines 3, 4, and 5.

Page 4, line 6, delete "Thereafter".

Offered by Nelsen, M.:

As previously amended, page 3, delete line 24 and insert the following: "disqualification, and prohibiting the sale of a pistol by a chief of police or sheriff for any other reason shall be governed by the provisions of Minnesota Statutes, Section 609.43".

Offered by Anderson, I.:



As previously amended, page 2, after line 3, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 4, is amended to read:

Subd. 4. "Saturday night special pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a (FRAME,) barrel, cylinder, slide or breechblock:

(a) of any material having a melting point (liquidus) of less than 1,000 degrees Fahrenheit, or

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter."

Renumber the remaining sections.

In the title, line 8, after "624.712," insert "Subdivision 4,".

Offered by Anderson, I.:

As previously amended, page 6, after line 6, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, is amended by adding a subdivision to read:

*Subd. 14. [STATEWIDE PERMIT.] Notwithstanding section 624.717, a permit to carry issued pursuant to section 624.714 shall be valid statewide including within cities of the first class with more restrictive regulation of the carrying or possessing of pistols."*

Further amend the title:

Page 1, line 6, after "penalties;" insert "providing for statewide validity of permits to carry;".

Page 1, line 8, after "subdivision;" insert "amending Minnesota Statutes 1976, Section 624.714, by adding a subdivision;".

Offered by Hokanson:

As previously amended, page 5, line 19, delete "*The matter shall be heard de novo without a jury.*".

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:

Searles moved to amend H. F. No. 585, as amended, as follows:

Page 13, after line 15 insert a new clause:

*“(7) Employers required to withhold delinquent taxes, penalties, interest and costs under this subdivision shall be reimbursed to the extent of three percentum of such taxes, penalties, interest and costs withheld by such employer. Such reimbursement provided to the employer shall be calculated by multiplying three percentum by the sum of such taxes, penalties, interest and costs, remitting the balance to the commissioner of revenue.”.*

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 71 nays as follows:

Those who voted in the affirmative were:

|              |           |               |            |         |
|--------------|-----------|---------------|------------|---------|
| Albrecht     | Erickson  | Kaley         | Nelsen, B. | Smogard |
| Anderson, D. | Esau      | Kalis         | Nichaus    | Waldorf |
| Anderson, R. | Evans     | Kempe, R.     | Peterson   | Wenzel  |
| Biersdorf    | Ewald     | Knickerbocker | Pleasant   | Wigley  |
| Braun        | Fjoslien  | Kvam          | Rose       | Zubay   |
| Carlson, A.  | Friedrich | Laidig        | Savelkoul  |         |
| Den Ouden    | Gunter    | Mann          | Schulz     |         |
| Eckstein     | Heinitz   | McDonald      | Searle     |         |
| Eken         | Jude      | Neisen        | Searles    |         |

Those who voted in the negative were:

|              |           |            |            |              |
|--------------|-----------|------------|------------|--------------|
| Abeln        | Clark     | Kahn       | Patton     | Stanton      |
| Adams        | Clawson   | Kelly, W.  | Pehler     | Stoa         |
| Anderson, B. | Corbid    | Kempe, A.  | Prahl      | Suss         |
| Anderson, G. | Cummiskey | Kostohryz  | Reding     | Swanson      |
| Anderson, I. | Dahl      | Kroening   | Rice       | Vanasek      |
| Battaglia    | Ellingson | Langseth   | St. Onge   | Voss         |
| Beauchamp    | Faricy    | Lehto      | Samuelson  | Welch        |
| Begich       | Fudro     | Lemke      | Sarna      | White        |
| Berg         | Fugina    | Mangan     | Scheid     | Williamson   |
| Berglin      | George    | McCollar   | Sherwood   | Wynia        |
| Birnstihl    | Hanson    | Metzen     | Sieben, H. | Speaker Sabo |
| Brandl       | Hokanson  | Moe        | Sieben, M. |              |
| Byrne        | Jacobs    | Nelsen, M. | Simoneau   |              |
| Carlson, L.  | Jensen    | Novak      | Skoglund   |              |
| Casserly     | Johnson   | Osthoff    | Spanish    |              |

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

Savelkoul moved to amend H. F. No. 585, as amended, as follows:

After page 2, line 32, insert:

"Sec. 3. Minnesota Statutes 1976, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1971, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts, *subject to the modification provided in subdivision 3e*:

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, \$21, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, \$42. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, \$21 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional \$21;

(b) For taxable years which begin after December 31, 1974, in the case of an unmarried individual who is blind at the close of the taxable year, an additional \$25;

(c) In the case of a married individual, living with husband or wife, an additional \$21 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$25 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does

not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(e) For taxable years, which begin after December 31, 1974, in the case of an unmarried individual who is deaf at the close of the taxable year, an additional \$25;

(f) For taxable years which begin after December 31, 1974, in the case of a married individual, an additional \$25 for each spouse who is deaf at the close of the taxable year. If the husband and wife make separate returns, these credits may be taken by either or divided between them;

(g) For taxable years which begin after December 31, 1974, in the case of an individual, an additional \$25 for each person (other than a spouse) who is deaf and dependent upon and receiving his chief support from the taxpayer;

(h) For the purposes of subparagraphs (e), (f) and (g) of paragraph (4), an individual is deaf if the average loss in the speech frequencies (500-2000 Hertz) in the better ear, unaided, is 92 decibels, American National Standards Institute, or worse;

(5) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(6) If the status of a taxpayer, insofar as it affects the credits allowed under paragraphs 1, 2 and 3 shall change during the taxable year, or if the taxpayer shall either become or cease to be a resident of the state during such taxable year, such credit shall be apportioned, in accordance with the number of months before and after such change. For the purpose of such apportionment, a fractional part of a month shall be disregarded unless more than one-half of the month, in which case it shall be considered as a month. In case of death during a taxable year, a credit shall be allowed to the decedent, in proportion to the number of months before his death, and to his estate, in proportion to the number of months after his death, and in any event a minimum credit of \$5 shall be allowed to the decedent and his estate, respectively;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3 and 4 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 4. Minnesota Statutes 1976, Section 290.06, is amended by adding a subdivision to read:

*Subd. 3c. [INFLATION ADJUSTMENT.] For taxable years beginning after December 31, 1977, the rates imposed by subdivision 2c and the credits provided by subdivision 3c shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area with 1967 as a base year. The commissioner shall determine the increase from July 1, 1977 to June 30 each year, and he shall announce the percentage figure by September 1, each year. The dollar amount in each range of the rate schedule in subdivision 2c and the amount of each credit in subdivision 3c shall be multiplied by that percentage. The product of each calculation shall be added to the dollar amount in each range of the rate schedule and to each credit to produce inflation adjusted taxable net income subject to the rates in subdivision 2c and inflation adjusted credits for each succeeding year; provided that if the product exceeds a whole dollar amount it shall be raised to the next highest whole dollar.*

Sec. 5. Minnesota Statutes 1976, Section 290.09, Subdivision 15, is amended to read:

*Subd. 15. [STANDARD DEDUCTION.] In lieu of all deductions provided for in this chapter other than those enumerated in section 290.18, subdivision 2, and in lieu of the credits enumerated in section 290.21, subdivision 3, an individual may claim or be allowed a standard deduction as follows:*

*(a) If his adjusted gross income is \$10,000 or more, the standard deduction for taxable years ending before January 1, 1978 shall be \$1,000. For taxable years beginning after December 31, 1977 the amount of standard deduction available to persons with adjusted gross incomes of \$10,000 or more shall be adjusted for inflation. The commissioner of revenue shall annually determine the percentage increase in the consumer price index for the Minneapolis-St. Paul metropolitan area with 1967 as a base year. The commissioner shall determine the increase from July 1, 1977 to June 30 each succeeding year, and he shall announce the percentage figure by September 1, each year. The \$1,000 amount of the standard deduction shall be multiplied by that percentage. The product of the calculation shall be added to the \$1,000 to produce the adjusted standard deduction for persons with adjusted gross incomes of \$10,000 or more for each succeeding year; provided that if the product exceeds a whole dollar amount it shall be raised to the next highest whole dollar.*

*(b) If his adjusted gross income is less than \$10,000, the standard deduction shall be an amount equal to ten percent thereof.*

In the case of a husband and wife living together, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction. For the purposes of this paragraph the determination of whether an individual is living with his spouse shall be made as of the last day of the taxable year unless the spouse dies during the taxable year in which case such determination shall be made as of the date of such spouse's death."

Remember the remaining sections accordingly.

Further amend the title, line 5, after the semicolon insert "providing for annual adjustments of individual income tax brackets, individual credits and maximum standard deductions according to rate of change in the cost of living index;"

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 84 nays as follows:

Those who voted in the affirmative were:

|              |           |               |            |           |
|--------------|-----------|---------------|------------|-----------|
| Albrecht     | Den Ouden | Friedrich     | Kvam       | Savelkoui |
| Anderson, D. | Eckstein  | Gunter        | Laidig     | Searle    |
| Anderson, R. | Erickson  | Heinitz       | McDonald   | Searles   |
| Biersdorf    | Esau      | Jensen        | Nelsen, B. | Wenzel    |
| Braun        | Evans     | Kaley         | Niehau     | Wieser    |
| Carlson, A.  | Ewald     | Kalis         | Peterson   | Wigley    |
| Carlson, D.  | Fjoslien  | Kempe, R.     | Pleasant   | Zubay     |
| Dean         | Forsythe  | Knickerbocker | Rose       |           |

Those who voted in the negative were:

|              |           |           |            |              |
|--------------|-----------|-----------|------------|--------------|
| Abeln        | Clark     | Kahn      | Nelsen, M. | Skoglund     |
| Adams        | Clawson   | Kelly, R. | Nelson     | Smogard      |
| Anderson, B. | Corbid    | Kelly, W. | Norton     | Spanish      |
| Anderson, G. | Cummiskey | King      | Novak      | Stanton      |
| Anderson, I. | Dahl      | Kroening  | Osthoff    | Stoa         |
| Arlandson    | Eken      | Langseth  | Patton     | Suss         |
| Battaglia    | Ellingson | Lehto     | Pehler     | Swanson      |
| Beauchamp    | Farcy     | Lemke     | Prahl      | Tomlinson    |
| Begich       | Fudro     | Mangan    | Reding     | Vanasek      |
| Berg         | Fugina    | Mann      | Rice       | Voss         |
| Berglin      | George    | McCarron  | St. Onge   | Waldorf      |
| Berkelman    | Hanson    | McCollar  | Samuelson  | Wenstrom     |
| Birnstihl    | Hokanson  | Metzen    | Scheid     | White        |
| Brandl       | Jacobs    | Moe       | Schulz     | Williamson   |
| Byrne        | Jaros     | Munger    | Sherwood   | Wynia        |
| Carlson, L.  | Johnson   | Murphy    | Sieben, H. | Speaker Sabo |
| Casserly     | Jude      | Neisen    | Sieben, M. |              |

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

Kvam moved to amend H. F. No. 1005, as amended, as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. For the purposes of meeting any increases in fees set by Minnesota Statutes 1976, Section 32.394, Subdivisions 8 and 8a, there is appropriated for the department of agriculture for the biennium 1977 to 1979 from the general fund in the state treasury the sum of \$71,000 to provide testing, inspection, licensing, registration and other related services."

Further amend the title as follows:

Page 1, line 3, strike everything after the semicolon and insert "limiting fee increases, providing an appropriation."

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 86 nays as follows:

Those who voted in the affirmative were:

|              |           |               |            |         |
|--------------|-----------|---------------|------------|---------|
| Albrecht     | Den Ouden | Friedrich     | McDonald   | Searle  |
| Anderson, D. | Erickson  | Heinitz       | Nelsen, B. | Searles |
| Anderson, R. | Esau      | Kaley         | Niehaus    | Waldorf |
| Carlson, A.  | Evans     | Kempe, R.     | Peterson   | Wigley  |
| Carlson, D.  | Ewald     | Knickerbocker | Pleasant   | Zubay   |
| Dahl         | Fjoslien  | Kvam          | Rose       |         |
| Dean         | Forsythe  | Laidig        | Savelkoul  |         |

Those who voted in the negative were:

|              |           |           |            |              |
|--------------|-----------|-----------|------------|--------------|
| Abeln        | Eckstein  | Kalis     | Norton     | Stanton      |
| Adams        | Eken      | Kelly, R. | Novak      | Stoa         |
| Anderson, B. | Ellingson | Kelly, W. | Patton     | Swanson      |
| Anderson, G. | Enebo     | King      | Pehler     | Tomlinson    |
| Anderson, I. | Faricy    | Kostohryz | Prahl      | Vanasek      |
| Arlandson    | Fudro     | Kroening  | Reding     | Voss         |
| Battaglia    | Fugina    | Langseth  | Rice       | Welch        |
| Begich       | George    | Lehto     | St. Onge   | Wenstrom     |
| Berg         | Gunter    | Lemke     | Samuelson  | Wenzel       |
| Berglin      | Hanson    | Mann      | Sarna      | White        |
| Berkelman    | Haugerud  | McCarron  | Scheid     | Wieser       |
| Braun        | Hokanson  | McCollar  | Schulz     | Williamson   |
| Byrne        | Jacobs    | McEachern | Sieben, H. | Wynia        |
| Carlson, L.  | Jaros     | Metzen    | Sieben, M. | Speaker Sabo |
| Casserly     | Jensen    | Moe       | Simoneau   |              |
| Clark        | Johnson   | Munger    | Skoglund   |              |
| Corbid       | Jude      | Murphy    | Smogard    |              |
| Cummiskey    | Kahn      | Neisen    | Spanish    |              |

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

The question was taken on the motion by Birnstihl to progress H. F. No. 800, as amended, until Wednesday, February 1, 1978, and the roll was called. There were 54 yeas and 76 nays as follows:

Those who voted in the affirmative were:

|          |              |              |              |              |
|----------|--------------|--------------|--------------|--------------|
| Albrecht | Anderson, B. | Anderson, D. | Anderson, G. | Anderson, I. |
|----------|--------------|--------------|--------------|--------------|

|              |           |          |            |          |
|--------------|-----------|----------|------------|----------|
| Anderson, R. | Den Ouden | Johnson  | Nelsen, B. | Schulz   |
| Battaglia    | Eckstein  | Jude     | Nelsen, M. | Searle   |
| Begich       | Eken      | Kaley    | Niehaus    | Sherwood |
| Biersdorf    | Erickson  | Kalis    | Peterson   | Smogard  |
| Birnstihl    | Esau      | Kvam     | Pleasant   | Spanish  |
| Braun        | Evans     | Langseth | Prahl      | Wenzel   |
| Brinkman     | Fjoslien  | Lemke    | Reding     | Wieser   |
| Carlson, D.  | Friedrich | Mann     | St. Onge   | Wigley   |
| Corbid       | Fugina    | Metzen   | Samuelson  | Zubay    |
| Dahl         | Jensen    | Neisen   | Savelkoul  |          |

Those who voted in the negative were:

|             |           |               |            |              |
|-------------|-----------|---------------|------------|--------------|
| Abeln       | Dean      | Kelly, R.     | Norton     | Stoa         |
| Adams       | Ellingson | Kempe, A.     | Novak      | Suss         |
| Arlandson   | Enebo     | Kempe, R.     | Osthoff    | Swanson      |
| Beauchamp   | Ewald     | King          | Patton     | Tomlinson    |
| Berg        | Faricy    | Knickerbocker | Pehler     | Vanasek      |
| Berglin     | Forsythe  | Kroening      | Petraleso  | Voss         |
| Berkelman   | Fudro     | Laidig        | Rice       | Welch        |
| Brandl      | George    | Lehto         | Rose       | Wenstrom     |
| Byrne       | Gunter    | Mangan        | Sarna      | White        |
| Carlson, A. | Hanson    | McCarron      | Scheid     | Williamson   |
| Carlson, L. | Haugerud  | McCollar      | Searles    | Wynia        |
| Casserly    | Heinitz   | McDonald      | Sieben, H. | Speaker Sabo |
| Clark       | Hokanson  | Moe           | Sieben, M. |              |
| Clawson     | Jacobs    | Munger        | Simoneau   |              |
| Cohen       | Jaros     | Murphy        | Skoglund   |              |
| Cummiskey   | Kahn      | Nelson        | Stanton    |              |

The motion did not prevail.

Begich moved to amend H. F. No. 800, as amended, as follows:

Page 2, after line 3, insert new sections to read:

“Sec. 2. Minnesota Statutes 1976, Section 624.712, Subdivision 1, is amended to read:

624.712 [DEFINITIONS.] Subdivision 1. As used in sections (624.711) 624.712 to (624.717) 624.716, the terms defined in this section shall have the meanings given them.

Sec. 3. [REPEALER.] *Minnesota Statutes 1976, Sections 624.711; 624.712, Subdivision 3; 624.714; 624.715; and 624.717 are repealed.*”.

Page 2, line 4 to page 6, line 6, delete sections 2 and 3, from the bill.

Further, strike the title in its entirety and insert:

“A bill for an act relating to crimes; removing certain restrictions on lawful possession of handguns; prohibiting stays of sentence in crimes involving possession of firearms or use of dangerous weapons; amending Minnesota Statutes 1976, Sections 609.135, Subdivision 1; 624.712, Subdivision 1; repealing



Minnesota Statutes 1976, Sections 624.711; 624.712, Subdivision 3; 624.714; 624.715; and 624.717.”.

The question was taken on the adoption of the amendment and the roll was called. There were 58 yeas and 71 nays as follows:

Those who voted in the affirmative were:

|              |           |           |            |           |
|--------------|-----------|-----------|------------|-----------|
| Albrecht     | Corbid    | Heinitz   | Neisen     | Savelkoul |
| Anderson, D. | Dahl      | Jensen    | Nelsen, B. | Schulz    |
| Anderson, G. | Den Ouden | Kaley     | Nelsen, M. | Searle    |
| Anderson, I. | Eckstein  | Kalis     | Niehaus    | Sherwood  |
| Anderson, R. | Eken      | Kvam      | Peterson   | Smogard   |
| Battaglia    | Erickson  | Langseth  | Pleasant   | Spanish   |
| Begich       | Esau      | Lemke     | Prahl      | Wenzel    |
| Biersdorf    | Evans     | Mangan    | Reding     | Wiesel    |
| Birnstihl    | Fjoslien  | Mann      | Rose       | Wigley    |
| Braun        | Friedrich | McCollar  | St. Onge   | Zubay     |
| Brinkman     | Fugina    | McEachern | Samuelson  |           |
| Carlson, D.  | Gunter    | Murphy    | Sarna      |           |

Those who voted in the negative were:

|             |           |               |            |              |
|-------------|-----------|---------------|------------|--------------|
| Abeln       | Cummiskey | Kahn          | Munger     | Suss         |
| Adams       | Dean      | Kelly, R.     | Nelson     | Tomlinson    |
| Arlandson   | Ellingson | Kelly, W.     | Norton     | Vanasek      |
| Beauchamp   | Enebo     | Kempe, A.     | Novak      | Voss         |
| Berg        | Ewald     | Kempe, R.     | Osthoff    | Waldorf      |
| Berglin     | Faricy    | King          | Pehler     | Welch        |
| Berkelman   | Forsythe  | Knickerbocker | Petraleso  | Wenstrom     |
| Brandl      | Fudro     | Kostohryz     | Rice       | White        |
| Byrne       | George    | Kroening      | Scheid     | Williamson   |
| Carlson, A. | Hanson    | Laidig        | Sieben, H. | Wynia        |
| Carlson, L. | Haugerud  | Lehto         | Sieben, M. | Speaker Sabo |
| Casserly    | Hokanson  | McCarron      | Simoneau   |              |
| Clark       | Jacobs    | McDonald      | Skoglund   |              |
| Clawson     | Jaros     | Metzen        | Stanton    |              |
| Cohen       | Jude      | Moe           | Stoa       |              |

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

Begich moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 14, after “transfer.” insert “*The county auditor of each county shall annually report to the commissioner of finance of the state of Minnesota the cost incurred by the county in complying with subdivisions 2, 3, and 9 of this section. Upon verification of the county auditor’s report the commissioner of finance shall reimburse the county in an amount not to exceed \$42 for each transfer application processed by the county.*”.

Biersdorf moved to amend the Begich amendment to H. F. No. 800, as follows:

Add a sentence to read: “*This reimbursement shall apply to all counties outside the seven county metropolitan area.*”.

The question was taken on the adoption of the Biersdorf amendment to the Begich amendment and the roll was called. There were 51 yeas and 74 nays as follows:

Those who voted in the affirmative were:

|              |             |           |            |         |
|--------------|-------------|-----------|------------|---------|
| Albrecht     | Braun       | Friedrich | Mann       | Smogard |
| Anderson, B. | Brinkman    | Fugina    | Nelsen, B. | Spanish |
| Anderson, D. | Carlson, D. | Gunter    | Niehaus    | Stoa    |
| Anderson, G. | Dahl        | Heinitz   | Peterson   | Wenzel  |
| Anderson, I. | Den Ouden   | Jensen    | Prahl      | Wieser  |
| Anderson, R. | Eckstein    | Johnson   | Reding     | Wigley  |
| Battaglia    | Eken        | Kaley     | Samuelson  | Zubay   |
| Beauchamp    | Erickson    | Kalis     | Savelkoul  |         |
| Begich       | Esau        | Kvam      | Schulz     |         |
| Biersdorf    | Evans       | Lemke     | Searle     |         |
| Birnstihl    | Fjoslien    | Mangan    | Sherwood   |         |

Those who voted in the negative were:

|             |           |               |            |              |
|-------------|-----------|---------------|------------|--------------|
| Abeln       | Cummiskey | Kelly, R.     | Neisen     | Simoneau     |
| Adams       | Dean      | Kempe, A.     | Nelson     | Skoglund     |
| Arlandson   | Ellingson | Kempe, R.     | Norton     | Stanton      |
| Berg        | Enebo     | King          | Novak      | Suss         |
| Berglin     | Ewald     | Knickerbocker | Osthoff    | Swanson      |
| Berkelman   | Faricy    | Kostohryz     | Pehler     | Tomlinson    |
| Brandl      | Forsythe  | Kroening      | Petrafeso  | Vanasek      |
| Byrne       | Fudro     | Laidig        | Pleasant   | Voss         |
| Carlson, A. | George    | Lehto         | Rice       | Waldorf      |
| Carlson, L. | Hanson    | McCarron      | Rose       | Wenstrom     |
| Cassery     | Hokanson  | McCollar      | Sarna      | White        |
| Clark       | Jacobs    | McDonald      | Scheid     | Williamson   |
| Clawson     | Jaros     | Metzen        | Searles    | Wynia        |
| Cohen       | Jude      | Moe           | Sieben, H. | Speaker Sabo |
| Corbid      | Kahn      | Munger        | Sieben, M. |              |

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

Albrecht moved to amend the Begich amendment to H. F. No. 800, as follows:

At the end of line 5, after "*amount*" add "*of the cost*".

The question was taken on the adoption of the Albrecht amendment to the Begich amendment and the roll was called. There were 76 yeas and 50 nays as follows:

Those who voted in the affirmative were:

|              |             |          |           |               |
|--------------|-------------|----------|-----------|---------------|
| Albrecht     | Berkelman   | Eckstein | Friedrich | Kaley         |
| Anderson, B. | Biersdorf   | Eken     | Fugina    | Kalis         |
| Anderson, D. | Birnstihl   | Erickson | Gunter    | Kempe, R.     |
| Anderson, G. | Braun       | Esau     | Heinitz   | Knickerbocker |
| Anderson, I. | Carlson, A. | Evans    | Hokanson  | Kostohryz     |
| Anderson, R. | Carlson, D. | Ewald    | Jacobs    | Kvam          |
| Battaglia    | Clawson     | Faricy   | Jensen    | Laidig        |
| Beauchamp    | Dahl        | Fjoslien | Johnson   | Langseth      |
| Begich       | Den Ouden   | Forsythe | Jude      | Lemke         |

|          |            |           |          |            |
|----------|------------|-----------|----------|------------|
| Mangan   | Nelsen, B. | Rose      | Sherwood | Wigley     |
| Mann     | Niehaus    | St. Onge  | Smogard  | Williamson |
| McCollar | Peterson   | Samuelson | Spanish  | Zubay      |
| McDonald | Petrafeso  | Savelkoul | Swanson  |            |
| Metzen   | Pleasant   | Schulz    | Welch    |            |
| Murphy   | Prahl      | Searle    | Wenzel   |            |
| Neisen   | Reding     | Searles   | Wieser   |            |

Those who voted in the negative were:

|             |           |            |            |              |
|-------------|-----------|------------|------------|--------------|
| Abeln       | Cohen     | Kelly, R.  | Novak      | Stoa         |
| Adams       | Cummiskey | King       | Osthoff    | Suss         |
| Arlandson   | Dean      | Kroening   | Patton     | Tomlinson    |
| Berg        | Ellingson | Lehto      | Pehler     | Vanasek      |
| Berglin     | Enebo     | McCarron   | Rice       | Voss         |
| Brandl      | Fudro     | Moe        | Scheid     | Waldorf      |
| Byrne       | George    | Munger     | Sieben, H. | Wenstrom     |
| Carlson, L. | Hanson    | Nelsen, M. | Sieben, M. | White        |
| Casserly    | Jaros     | Nelson     | Simoneau   | Wynia        |
| Clark       | Kahn      | Norton     | Skoglund   | Speaker Sabo |

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Begich amendment, as amended, and the roll was called. There were 61 yeas and 65 nays as follows:

Those who voted in the affirmative were:

|              |             |           |            |          |
|--------------|-------------|-----------|------------|----------|
| Abeln        | Carlson, D. | Hokanson  | Neisen     | Searle   |
| Albrecht     | Dahl        | Jacobs    | Nelsen, B. | Searles  |
| Anderson, B. | Den Ouden   | Jensen    | Nelsen, M. | Sherwood |
| Anderson, D. | Eckstein    | Jude      | Niehaus    | Spanish  |
| Anderson, G. | Eken        | Kaley     | Peterson   | Swanson  |
| Anderson, I. | Erickson    | Kalis     | Pleasant   | Wenzel   |
| Battaglia    | Evans       | Kempe, R. | Prahl      | Wieser   |
| Beauchamp    | Ewald       | Kvam      | Reding     | Wigley   |
| Begich       | Fjoslien    | Lemke     | Rose       | Zubay    |
| Biersdorf    | Friedrich   | Mangan    | St. Onge   |          |
| Birnstihl    | Fugina      | Mann      | Samuelson  |          |
| Braun        | Gunter      | McCollar  | Savelkoul  |          |
| Brinkman     | Heinitz     | Murphy    | Schulz     |          |

Those who voted in the negative were:

|             |           |               |            |              |
|-------------|-----------|---------------|------------|--------------|
| Adams       | Cummiskey | Kelly, R.     | Norton     | Stanton      |
| Arlandson   | Dean      | Kempe, A.     | Novak      | Stoa         |
| Berg        | Ellingson | King          | Osthoff    | Suss         |
| Berglin     | Enebo     | Knickerbocker | Pehler     | Tomlinson    |
| Berkelman   | Farcy     | Kostohryz     | Petrafeso  | Vanasek      |
| Brandl      | Forsythe  | Kroening      | Rice       | Voss         |
| Byrne       | Fudro     | Laidig        | Sarna      | Waldorf      |
| Carlson, A. | George    | Lehto         | Scheid     | Welch        |
| Carlson, L. | Hanson    | McCarron      | Sieben, H. | Wenstrom     |
| Casserly    | Haugerud  | McDonald      | Sieben, M. | White        |
| Clark       | Jaros     | Moe           | Simoneau   | Williamson   |
| Clawson     | Johnson   | Munger        | Skoglund   | Wynia        |
| Cohen       | Kahn      | Nelson        | Smogard    | Speaker Sabo |

The motion did not prevail and the amendment, as amended, was not adopted.

McDonald moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 20, strike "temporary".

Page 4, strike lines 21 and 22 and insert in lieu thereof:

*"(a) A transfer by a person other than a federally licensed firearms dealer."*

The question was taken on the adoption of the amendment and the roll was called. There were 61 yeas and 60 nays as follows:

Those who voted in the affirmative were:

|              |           |           |            |          |
|--------------|-----------|-----------|------------|----------|
| Albrecht     | Den Ouden | Johnson   | Neisen     | Searles  |
| Anderson, B. | Eckstein  | Jude      | Nelsen, B. | Sherwood |
| Anderson, D. | Eken      | Kaley     | Nelsen, M. | Spanish  |
| Anderson, I. | Erickson  | Kempe, R. | Niehaus    | Swanson  |
| Anderson, R. | Esau      | Kvam      | Peterson   | Wenzel   |
| Battaglia    | Evans     | Langseth  | Pleasant   | White    |
| Begich       | Fjoslien  | Lemke     | Prahl      | Wieser   |
| Biersdorf    | Friedrich | Mangan    | Reding     | Wigley   |
| Birnstihl    | Fudro     | McCollar  | Rose       | Zubay    |
| Braun        | Fugina    | McDonald  | St. Onge   |          |
| Brinkman     | Heinitz   | McEachern | Samuelson  |          |
| Carlson, D.  | Jacobs    | Metzen    | Sarna      |          |
| Dahl         | Jensen    | Murphy    | Searle     |          |

Those who voted in the negative were:

|              |           |               |            |              |
|--------------|-----------|---------------|------------|--------------|
| Abeln        | Casserly  | Gunter        | McCarron   | Skoglund     |
| Adams        | Clark     | Hanson        | Moe        | Stanton      |
| Anderson, G. | Clawson   | Hokanson      | Norton     | Stoa         |
| Arlandson    | Cohen     | Jaros         | Novak      | Suss         |
| Beauchamp    | Cummiskey | Kahn          | Osthoff    | Tomlinson    |
| Berg         | Dean      | Kelly, R.     | Pehler     | Vanasek      |
| Berglin      | Ellingson | King          | Petrafeso  | Voss         |
| Berkelman    | Enebo     | Knickerbocker | Rice       | Waldorf      |
| Brandl       | Ewald     | Kostohryz     | Scheid     | Welch        |
| Byrne        | Faricy    | Kroening      | Sieben, H. | Wenstrom     |
| Carlson, A.  | Forsythe  | Laidig        | Sieben, M. | Wynia        |
| Carlson, L.  | George    | Lehto         | Simoneau   | Speaker Sabo |

The motion prevailed and the amendment was adopted.

Petrafeso moved to amend H. F. No. 800, as amended, as follows:

Strike the McDonald amendment to page 4, lines 20, 21 and 22.

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 63 nays as follows:

Those who voted in the affirmative were:

|              |           |               |            |              |
|--------------|-----------|---------------|------------|--------------|
| Abeln        | Cohen     | Kahn          | Novak      | Tomlinson    |
| Adams        | Cummiskey | Kelly, R.     | Osthoff    | Vanasek      |
| Anderson, G. | Dean      | Kempe, A.     | Pehler     | Voss         |
| Arlandson    | Ellingson | King          | Petrafeso  | Waldorf      |
| Beauchamp    | Enebo     | Knickerbocker | Rice       | Welch        |
| Berg         | Farcy     | Kostohryz     | Scheid     | Wenstrom     |
| Berglin      | Forsythe  | Kroening      | Sieben, H. | White        |
| Berkelman    | George    | Laidig        | Sieben, M. | Williamson   |
| Brandl       | Gunter    | Lehto         | Simoneau   | Wynia        |
| Byrne        | Hanson    | McCarron      | Skoglund   | Speaker Sabo |
| Carlson, A.  | Haugerud  | Moe           | Smogard    |              |
| Carlson, L.  | Hokanson  | Munger        | Stanton    |              |
| Cassery      | Jaros     | Nelson        | Stoa       |              |
| Clark        | Jensen    | Norton        | Suss       |              |

Those who voted in the negative were:

|              |           |           |            |           |
|--------------|-----------|-----------|------------|-----------|
| Albrecht     | Dahl      | Johnson   | Metzen     | Sarna     |
| Anderson, B. | Den Ouden | Jude      | Murphy     | Savelkoul |
| Anderson, D. | Eckstein  | Kaley     | Neisen     | Schulz    |
| Anderson, I. | Eken      | Kalis     | Nelsen, B. | Searle    |
| Anderson, R. | Erickson  | Kempe, R. | Nelsen, M. | Searles   |
| Battaglia    | Esau      | Kvam      | Niehaus    | Sherwood  |
| Begich       | Evans     | Langseth  | Peterson   | Spanish   |
| Biersdorf    | Fjoslien  | Lemke     | Pleasant   | Swanson   |
| Birnstihl    | Friedrich | Mangan    | Prahl      | Wenzel    |
| Braun        | Fudro     | Mann      | Reding     | Wieser    |
| Brinkman     | Fugina    | McCollar  | Rose       | Zubay     |
| Carlson, D.  | Heinitz   | McDonald  | St. Onge   |           |
| Corbid       | Jacobs    | McEachern | Samuelson  |           |

The motion prevailed and the amendment was adopted.

Laidig moved to amend H. F. No. 800, as amended, as follows:

Page 1, after line 11, insert the following:

"Section 1. Minnesota Statutes 1976, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term of not less than one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used (A) *another* dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have

served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05, and 609.12 (AND 609.135). The offenses for which mandatory minimum sentences shall be served as (HEREIN) provided *pursuant to this section and section 609.135* are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, (RAPE,) *criminal sexual conduct in the first or second degree, aggravated robbery, sodomy, escape while under charge or conviction of a felony, or illegal discharge of an explosive or incendiary device.*

Sec. 2. Minnesota Statutes 1976, Section 609.11, is amended by adding a subdivision to read:

*Subd. 2a. If during the commission of any of the crimes set forth in subdivision 1, the defendant possessed a firearm or used another dangerous weapon, the prosecution shall allege such matter in the information or indictment."*

Page 1, line 18, after "and" and before "had" insert "*during the commission of that crime he*".

Page 6, after line 6, add:

"Sec. 5. [REPEALER.] *Minnesota Statutes 1976, Section 609.11, Subdivision 2, is repealed.*"

Renumber the sections in order.

Further amend the title as follows:

Page 1, line 7, after "Sections" and before "609.135", insert "*609.11, Subdivision 1, and by adding a subdivision;*".

Page 1, line 9, after "Section" and before the period, insert "*; repealing Minnesota Statutes 1976, Section 609.11, Subdivision 2*".

The question was taken on the adoption of the amendment and the roll was called. There were 108 yeas and 12 nays as follows:

Those who voted in the affirmative were:

|              |             |           |           |               |
|--------------|-------------|-----------|-----------|---------------|
| Abeln        | Beauchamp   | Casserly  | Evans     | Johnson       |
| Adams        | Begich      | Cohen     | Faricy    | Jude          |
| Albrecht     | Berkelman   | Corbid    | Fjoslien  | Kaley         |
| Anderson, B. | Biersdorf   | Dahl      | Forsythe  | Kalis         |
| Anderson, D. | Birnsthil   | Dean      | Friedrich | Kelly, R.     |
| Anderson, G. | Brandl      | Den Ouden | Fudro     | Kempe, A.     |
| Anderson, I. | Brinkman    | Eken      | Hanson    | Kempe, R.     |
| Anderson, R. | Carlson, A. | Enebo     | Heinitz   | King          |
| Arlandson    | Carlson, D. | Erickson  | Jacobs    | Knickerbocker |
| Battaglia    | Carlson, L. | Esau      | Jensen    | Kostohryz     |

|           |            |           |            |            |
|-----------|------------|-----------|------------|------------|
| Kroening  | Munger     | Pleasant  | Sherwood   | Voss       |
| Kvam      | Murphy     | Prahl     | Sieben, H. | Waldorf    |
| Laidig    | Neisen     | Reding    | Sieben, M. | Welch      |
| Langseth  | Nelsen, B. | Rose      | Simoneau   | Wenstrom   |
| Lehto     | Nelsen, M. | St. Onge  | Smogard    | Wenzel     |
| Lemke     | Nelson     | Samuelson | Spanish    | White      |
| Mangan    | Niehaus    | Sarna     | Stanton    | Wieser     |
| Mann      | Novak      | Savelkoul | Stoa       | Williamson |
| McCarron  | Osthoff    | Scheid    | Suss       | Wynia      |
| McDonald  | Pehler     | Schulz    | Swanson    | Zubay      |
| McEachern | Peterson   | Searle    | Tomlinson  |            |
| Metzen    | Petraieso  | Searles   | Vanasek    |            |

Those who voted in the negative were:

|           |        |        |          |              |
|-----------|--------|--------|----------|--------------|
| Berglin   | Fugina | Kahn   | Rice     | Speaker Sabo |
| Clark     | Gunter | Moe    | Skoglund |              |
| Ellingson | Jaros  | Norton |          |              |

The motion prevailed and the amendment was adopted.

Waldorf moved to amend H. F. No. 800, as amended, as follows:

Page 3, line 32, delete "*who*".

Page 4, line 2, delete everything after "*pistol*".

Page 4, delete lines 3, 4, and 5.

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

The question was taken on the adoption of the amendment and the roll was called. There were 62 yeas and 55 nays as follows:

Those who voted in the affirmative were:

|              |             |           |            |          |
|--------------|-------------|-----------|------------|----------|
| Abeln        | Brinkman    | Jacobs    | Murphy     | Schulz   |
| Albrecht     | Carlson, D. | Jensen    | Neisen     | Searle   |
| Anderson, B. | Corbid      | Johnson   | Nelsen, B. | Sherwood |
| Anderson, D. | Dahl        | Jude      | Nelsen, M. | Smogard  |
| Anderson, G. | Den Ouden   | Kaley     | Niehaus    | Spanish  |
| Anderson, I. | Eckstein    | Kalis     | Peterson   | Swanson  |
| Anderson, R. | Erickson    | Kelly, R. | Pleasant   | Waldorf  |
| Battaglia    | Esau        | Kvam      | Prahl      | Wenzel   |
| Begich       | Evans       | Langseth  | Reding     | Wieser   |
| Berkelman    | Fjoslien    | Lemke     | Rose       | Zubay    |
| Biersdorf    | Friedrich   | Mangan    | St. Onge   |          |
| Birnstihl    | Fugina      | McCollar  | Samuelson  |          |
| Braun        | Gunter      | McDonald  | Scheid     |          |

Those who voted in the negative were:

|           |             |           |          |           |
|-----------|-------------|-----------|----------|-----------|
| Adams     | Carlson, A. | Cummiskey | Forsythe | Kempe, A. |
| Arlandson | Carlson, L. | Dean      | George   | Kempe, R. |
| Berg      | Casserly    | Ellingson | Hanson   | King      |
| Berglin   | Clark       | Enebo     | Hokanson | Kroening  |
| Brandl    | Clawson     | Ewald     | Jaros    | Laidig    |
| Byrne     | Cohen       | Faricy    | Kahn     | Lehto     |

|          |           |            |           |              |
|----------|-----------|------------|-----------|--------------|
| McCarron | Novak     | Sieben, H. | Stoa      | Wenstrom     |
| Moe      | Osthoff   | Sieben, M. | Suss      | White        |
| Munger   | Pehler    | Simoneau   | Tomlinson | Williamson   |
| Nelson   | Petrafaso | Skoglund   | Vanasek   | Wynia        |
| Norton   | Rice      | Stanton    | Voss      | Speaker Sabo |

The motion prevailed and the amendment was adopted.

Anderson, I., moved to amend H. F. No. 800, as amended, as follows:

Page 6, after line 6, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 624.714, is amended by adding a subdivision to read:

*Subd. 14. [STATEWIDE PERMIT.] Notwithstanding section 624.717, a permit to carry issued pursuant to section 624.714 shall be valid statewide including within cities of the first class with more restrictive regulation of the carrying or possessing of pistols."*

Further amend the title:

Page 1, line 6, after "penalties;" insert "providing for statewide validity of permits to carry;"

Page 1, line 8, after "subdivision;" insert "amending Minnesota Statutes 1976, Section 624.714, by adding a subdivision;"

The question was taken on the adoption of the amendment and the roll was called. There were 107 yeas and 10 nays as follows:

Those who voted in the affirmative were:

|              |           |           |            |              |
|--------------|-----------|-----------|------------|--------------|
| Abeln        | Cassery   | Hanson    | Metzen     | Sieben, H.   |
| Adams        | Clark     | Heinitz   | Munger     | Sieben, M.   |
| Albrecht     | Clawson   | Hokanson  | Murphy     | Smogard      |
| Anderson, B. | Corbid    | Jacobs    | Neisen     | Spanish      |
| Anderson, D. | Dahl      | Jensen    | Nelsen, B. | Stanton      |
| Anderson, G. | Dean      | Johnson   | Nelsen, M. | Stoa         |
| Anderson, I. | Den Ouden | Jude      | Niehaus    | Suss         |
| Anderson, R. | Eckstein  | Kaley     | Novak      | Swanson      |
| Arlandson    | Eken      | Kalis     | Osthoff    | Tomlinson    |
| Battaglia    | Ellingson | Kelly, R. | Pehler     | Vanasek      |
| Beauchamp    | Enebo     | King      | Petrafaso  | Voss         |
| Begich       | Erickson  | Kroening  | Pleasant   | Waldorf      |
| Berg         | Esau      | Kvam      | Prahl      | Wenstrom     |
| Berkelman    | Evans     | Laidig    | Reding     | Wenzel       |
| Biersdorf    | Ewald     | Langseth  | Rose       | White        |
| Birnstihl    | Farcy     | Lemke     | St. Onge   | Wieser       |
| Brandl       | Fjoslien  | Mangan    | Sarna      | Wynia        |
| Braun        | Forsythe  | Mann      | Savelkoul  | Zubay        |
| Byrne        | Fudro     | McCarron  | Scheid     | Speaker Sabo |
| Carlson, A.  | Fugina    | McCollar  | Schulz     |              |
| Carlson, D.  | George    | McDonald  | Searles    |              |
| Carlson, L.  | Gunter    | McEachern | Sherwood   |              |



Those who voted in the negative were:

|         |           |           |        |            |
|---------|-----------|-----------|--------|------------|
| Berglin | Kahn      | Kempe, R. | Norton | Skoglund   |
| Jaros   | Kempe, A. | Moe       | Rice   | Williamson |

The motion prevailed and the amendment was adopted.

Fjoslien moved to amend H. F. No. 800, as amended, as follows:

Page 4, line 16, after "transfers" insert "to individuals who have not been denied the right to carry a pistol under Minnesota Statutes 1976, Section 624.713 and transfers".

The question was taken on the adoption of the amendment and the roll was called. There were 55 yeas and 65 nays as follows:

Those who voted in the affirmative were:

|              |             |          |            |           |
|--------------|-------------|----------|------------|-----------|
| Albrecht     | Carlson, D. | Gunter   | McDonald   | Samuelson |
| Anderson, D. | Clawson     | Heinitz  | Murphy     | Savelkoul |
| Anderson, G. | Dahl        | Jensen   | Nelsen, B. | Schulz    |
| Anderson, I. | Den Ouden   | Johnson  | Nelsen, M. | Searle    |
| Anderson, R. | Eckstein    | Kaley    | Niehau     | Sherwood  |
| Battaglia    | Eken        | Kalis    | Peterson   | Smogard   |
| Begich       | Erickson    | Kvam     | Pleasant   | Spanish   |
| Biersdorf    | Esau        | Lemke    | Prahl      | Wenstrom  |
| Birnstihl    | Evans       | Mangan   | Reding     | Wenzel    |
| Braun        | Fjoslien    | Mann     | Rose       | Wieser    |
| Brinkman     | Fugina      | McCollar | St. Onge   | Zubay     |

Those who voted in the negative were:

|             |           |           |            |              |
|-------------|-----------|-----------|------------|--------------|
| Abeln       | Corbid    | Jaros     | Munger     | Skoglund     |
| Adams       | Cummiskey | Jude      | Nelson     | Stanton      |
| Arlandson   | Dean      | Kahn      | Norton     | Suss         |
| Berg        | Ellingson | Kelly, R. | Novak      | Swanson      |
| Berglin     | Enebo     | Kempe, A. | Osthoff    | Tomlinson    |
| Berkelman   | Farcy     | Kempe, R. | Pehler     | Vanasek      |
| Brandl      | Forsythe  | King      | Petrafeso  | Voss         |
| Byrne       | Fudro     | Kroening  | Rice       | Waldorf      |
| Carlson, A. | George    | Laidig    | Sarna      | Welch        |
| Carlson, L. | Hanson    | Lehto     | Scheid     | White        |
| Casserly    | Hangerud  | McCarron  | Sieben, H. | Williamson   |
| Clark       | Hokanson  | Metzen    | Sieben, M. | Wynia        |
| Cohen       | Jacobs    | Moe       | Simoneau   | Speaker Sabo |

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

Hokanson moved to amend H. F. No. 800, as amended, as follows:

Page 5, line 19, delete "The matter shall be heard de novo without a jury."

The question was taken on the adoption of the amendment and the roll was called. There were 80 yeas and 27 nays as follows:

Those who voted in the affirmative were:

|              |             |           |            |          |
|--------------|-------------|-----------|------------|----------|
| Abeln        | Carlson, L. | Gunter    | Mangan     | Scheid   |
| Albrecht     | Clawson     | Hanson    | Mann       | Schulz   |
| Anderson, B. | Cohen       | Heinitz   | McCollar   | Searles  |
| Anderson, D. | Corbid      | Hokanson  | McDonald   | Sherwood |
| Anderson, G. | Cummiskey   | Jacobs    | Metzen     | Smogard  |
| Anderson, I. | Den Ouden   | Jensen    | Murphy     | Spanish  |
| Anderson, R. | Eckstein    | Johnson   | Neisen     | Stoa     |
| Battaglia    | Eken        | Jude      | Nelsen, B. | Swanson  |
| Beauchamp    | Erickson    | Kalis     | Nelsen, M. | Vanasek  |
| Begich       | Esau        | Kelly, R. | Niehaus    | Waldorf  |
| Biersdorf    | Evans       | Kempe, A. | Pehler     | Welch    |
| Birnstihl    | Faricy      | Kempe, R. | Peterson   | Wenstrom |
| Brandl       | Fjoslien    | King      | Pleasant   | Wenzel   |
| Braun        | Forsythe    | Kostohryz | Prahl      | Wieser   |
| Byrne        | Fudro       | Langseth  | Rose       | Wynia    |
| Carlson, D.  | Fugina      | Lemke     | Savelkoul  | Zubay    |

Those who voted in the negative were:

|             |           |           |            |              |
|-------------|-----------|-----------|------------|--------------|
| Arlandson   | Ellingson | McCarron  | Searle     | Voss         |
| Berglin     | Enebo     | Moe       | Sieben, H. | Williamson   |
| Berkelman   | George    | Munger    | Sieben, M. | Speaker Sabo |
| Carlson, A. | Jaros     | Nelson    | Simoneau   |              |
| Clark       | Laidig    | Novak     | Skoglund   |              |
| Dean        | Lehto     | Petraleso | Tomlinson  |              |

The motion prevailed and the amendment was adopted.

The question was taken on the motion to recommend passage of H. F. No. 800, as amended, and the roll was called. There were 64 yeas and 63 nays as follows:

Those who voted in the affirmative were:

|             |           |               |            |              |
|-------------|-----------|---------------|------------|--------------|
| Abeln       | Cohen     | Jaros         | Munger     | Stoa         |
| Adams       | Cummiskey | Jude          | Nelson     | Suss         |
| Arlandson   | Dean      | Kahn          | Norton     | Swanson      |
| Beauchamp   | Ellingson | Kelly, R.     | Novak      | Tomlinson    |
| Berg        | Enebo     | Kempe, A.     | Osthoff    | Vanasek      |
| Berglin     | Ewald     | Kempe, R.     | Petraleso  | Voss         |
| Berkelman   | Faricy    | King          | Scheid     | Waldorf      |
| Brandl      | Forsythe  | Knickerbocker | Searles    | Welch        |
| Byrne       | George    | Kostohryz     | Sieben, H. | White        |
| Carlson, A. | Hanson    | Laidig        | Sieben, M. | Williamson   |
| Carlson, L. | Haugerud  | Lehto         | Simoneau   | Wynia        |
| Cassery     | Hokanson  | McCarron      | Skoglund   | Speaker Sabo |
| Clark       | Jacobs    | Moe           | Stanton    |              |

Those who voted in the negative were:

|              |              |           |             |           |
|--------------|--------------|-----------|-------------|-----------|
| Albrecht     | Anderson, I. | Biersdorf | Carlson, D. | Den Ouden |
| Anderson, B. | Anderson, R. | Birnstihl | Clawson     | Eckstein  |
| Anderson, D. | Battaglia    | Braun     | Corbid      | Eken      |
| Anderson, G. | Begich       | Brinkman  | Dahl        | Erickson  |

|          |           |            |           |          |
|----------|-----------|------------|-----------|----------|
| Esau     | Kaley     | Murphy     | Prahl     | Sherwood |
| Evans    | Kalis     | Neisen     | Reding    | Smogard  |
| Fjoslien | Kvam      | Nelsen, B. | Rose      | Spanish  |
| Fudro    | Langseth  | Nelsen, M. | St. Onge  | Wenstrom |
| Fugina   | Lemke     | Niehaus    | Samuelson | Wenzel   |
| Gunter   | Mangan    | Patton     | Sarna     | Wieser   |
| Heinitz  | Mann      | Pehler     | Savelkoul | Zubay    |
| Jensen   | McEachern | Peterson   | Schulz    |          |
| Johnson  | Metzen    | Pleasant   | Searle    |          |

The motion prevailed.

### MOTIONS AND RESOLUTIONS

Sieben, M., moved that the name of Novak be added as an author on H. F. No. 157. The motion prevailed.

Wenzel moved that the names of Mann, Kempe, R., and Lemke be added as authors on H. F. No. 1386. The motion prevailed.

Ewald moved that his name be stricken as an author on H. F. No. 1412. The motion prevailed.

Wynia moved that the name of Ewald be added as an author on H. F. No. 1015. The motion prevailed.

Carlson, A., moved that the name of Berglin be stricken and the name of Nelson be added as an author on H. F. No. 652. The motion prevailed.

Kostohryz moved that the names of Kostohryz, Stanton and Knickerbocker be stricken and the name of Cummiskey be added as chief author on H. F. No. 395. The motion prevailed.

### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 226: Faricy, Enebo, and Zubay.

### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, April 21, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

