

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 25, 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	Neisen	Sieben, M.
Adams	Cummiskey	Johnson	Nelsen, B.	Simoneau
Albrecht	Dahl	Jude	Nelsen, M.	Skoglund
Anderson, B.	Dean	Kahn	Nelson	Smogard
Anderson, D.	Den Ouden	Kaley	Niehaus	Spanish
Anderson, I.	Eckstein	Kalis	Norton	Stanton
Anderson, R.	Eken	Kelly, R.	Novak	Stoa
Arlandson	Ellingson	Kelly, W.	Osthoff	Suss
Battaglia	Enebo	King	Patton	Swanson
Beauchamp	Erickson	Knickerbocker	Pehler	Tomlinson
Begich	Esau	Kostohryz	Peterson	Vanasek
Berg	Evans	Kroening	Petrafeso	Voss
Berglin	Ewald	Kvam	Pleasant	Waldorf
Berkelman	Faricy	Laidig	Prahl	Welch
Biersdorf	Fjoslien	Langseth	Reding	Wenstrom
Birnstihl	Forsythe	Lehto	Rice	Wenzel
Brandl	Friedrich	Lemke	Rose	White
Braun	Fudro	Mangan	St. Onge	Wieser
Brinkman	Fugina	Mann	Samuelson	Wigley
Byrne	George	McCarron	Sarna	Williamson
Carlson, A.	Gunter	McCollar	Savelkoul	Wynia
Carlson, D.	Hanson	McDonald	Scheid	Zubay
Carlson, L.	Haugerud	McEachern	Schulz	Speaker Sabo
Casserly	Heinitz	Metzen	Searle	
Clark	Hokanson	Moe	Searles	
Clawson	Jacobs	Munger	Sherwood	
Cohen	Jaros	Murphy	Sieben, H.	

A quorum was present.

Anderson, G., was excused until 3:00 p.m. Kempe, R., was excused until 3:30 p.m. Kempe, A., was excused until 4:00 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Vanasek moved that further reading of the Journals be dispensed with and that the Journals 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. 646, 1038, 1099, 1155, 1259, 1305, 1469, 1471, 1500, 1510, 217, 343, 492, 577, 697, 902, 1130, 1443, 801, 869, 1119, 1287, 79, 287, 676, 721, 882, 1015, 1101, 1102, 1161, 1386 and 1223 and S. F. Nos. 105, 381, 430, 530, 716 and 32 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 21, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

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

H. F. No. 21, An act relating to elections; providing that certificates of election to the legislature be sent to the legislature and returned to the member.

H. F. No. 283, An act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding.

H. F. No. 661, An act relating to highway traffic regulations exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

Sincerely,

RUDY PERPICH
Governor

40th Day]

MONDAY, APRIL 25, 1977

1387

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

April 22, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1977 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1977</i>	<i>Date Filed 1977</i>
	21	32	April 21	April 22
	283	33	April 21	April 22
	661	34	April 21	April 22
483		35	April 21	April 22

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

April 21, 1977

The Honorable Martin Sabo
Speaker of the House
State of Minnesota

Dear Speaker Sabo:

Pursuant to the request of the House of Representatives, I am returning herewith H. F. No. 231.

Sincerely,

RUDY PERPICH
Governor

Jude moved that the House reconsider the action whereby on April 18, 1977, it repassed H. F. No. 231, as amended by the Senate. The motion prevailed.

Jude moved that the House reconsider the action whereby on April 18, 1977, it gave H. F. No. 231 a Third Reading as amended by the Senate. The motion prevailed.

Jude moved that the House reconsider the action whereby on April 18, 1977, it concurred in the Senate amendments to H. F. No. 231. The motion prevailed.

Jude moved that the House refuse to concur in the Senate amendments to H. F. No. 231, that the Speaker appoint a Conference Committee of three members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 351, A bill for an act relating to historic sites; providing for the administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1976, Section 138.025, by adding subdivisions; repealing Minnesota Statutes 1976, Section 138.025, Subdivision 9.

Reported the same back with the following amendments:

Page 2, delete lines 23 to 28.

Further amend the title as follows:

Line 4, delete "appropriating".

Line 5, delete "money;".

Line 6, delete "; repealing".

Delete line 7.

Line 8, delete "Subdivision 9".

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. 962, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 43.12, Subdivision 11; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 261.233; 352E.05; 355.31 to 355.39.

Reported the same back with the following amendments:

Page 14, line 29, delete "39,566,071 38,674,521" and insert "50,676,626 49,402,716".

Page 15, line 9, delete "1,286,462 1,896,228" and insert "1,477,987 2,043,153".

Page 15, line 13, delete "3,397,000 3,299,000" and insert "4,896,250 4,768,250".

Page 15, line 17, fill in the blanks with "1,570,525 1,528,725".

Page 15, line 26, fill in the blanks with "2,498,750 2,448,750".

Page 16, delete lines 6 to 16.

Renumber the remaining subdivisions.

Page 17, line 10, delete "20,000 20,000" and insert "50,000 50,000".

Page 17, line 15, delete "40,000 40,000" and insert "20,000 20,000".

Page 18, after line 13, insert:

"Sec. 25. If an appropriation in this act for either year is insufficient, the appropriation for the other year is available for it."

Renumber the remaining section.

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. 963, A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail service between the Twin Cities and Duluth.

Reported the same back with the following amendments:

Page 1, delete lines 16 to 19.

Page 2, after line 2, insert a new subdivision as follows:

"Subd. 3. The sum of \$15,000 is hereby appropriated to the state planning agency to study the potential and importance of railroad right-of-ways as possible corridors for power transmissions, pipelines and/or other transportation modes. The study shall be completed in time for consideration by the 1978 legislature. The sale of abandoned railroad right-of-way property by private railroad companies shall not take place until after June 30, 1978."

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1072, A bill for an act relating to appropriations; appropriating money for the fiscal year ending June 30, 1977.

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

The report was adopted.

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

H. F. No. 515, A bill for an act relating to telephone companies; prohibiting charges for directory assistance; amending Minnesota Statutes 1976, Chapter 237, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. *The legislature finds and declares that historically telephone companies have included the cost of directory as-*

sistance in the basic service charge. The legislature also finds that it is in the best interest of the public that the cost of directory assistance be a part of the basic service charge.

Sec. 2. Minnesota Statutes 1976, Chapter 237, is amended by adding a section to read:

[237.065] [DIRECTORY ASSISTANCE CHARGES PROHIBITED.] *Directory assistance shall be a part of the fair and reasonable basic service charge. The department shall not permit a telephone company to charge an additional tariff or separate billing assessment nor a per call charge for use of directory assistance."*

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. 774, A bill for an act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of agreements; defining terms; providing for adjustment of rent.

Reported the same back with the following amendments:

Page 1, line 9, after "of" insert "the covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of".

Page 1, line 12, delete "cost" and insert "actual expense".

Page 1, line 14, after the period insert "Except in the case of an emergency the appropriate municipal authority, where a housing maintenance code exists, shall determine if the landlord has breached Minnesota Statutes, Section 504.18."

Page 1, delete lines 21 and 22.

Page 2, delete lines 1 and 2.

Page 2, line 3, delete "(d)" and insert "(c)".

Page 2, line 14, after "a" insert "written".

Page 2, lines 19 and 20, delete "physically delivered or orally communicated" and insert "delivered".

Page 2, line 20, delete "14" and insert "30".

Page 3, line 12, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 3, line 14, after the comma delete "and".

Page 3, line 15, after the comma insert "and that the breach has been remedied,".

Page 3, line 18, delete "by clear and convincing evidence" and "both".

Page 3, line 19, delete "and" and insert "or".

Page 3, line 21, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 3, line 22, after the comma insert "and that the breach has been remedied,".

Page 3, line 28, after "breach," insert "or if the landlord proves that the tenant acted unreasonably in remedying the breach,".

Page 4, line 10, after "of the" insert "covenants set forth in Minnesota Statutes, Section 504.18, or a written provision of a".

Page 4, line 22, after "section" insert ", provided that the court may require the tenant to produce receipts concerning the amount so expended as a condition to the assertion of rights under this section. The court may continue the proceeding for not more than two days in order to allow the tenant an opportunity to produce such receipts".

Page 4, line 25, delete "four" and insert "two".

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. 830, A bill for an act relating to public utilities; regulation of cooperative electric associations; amending Minnesota Statutes 1976, Sections 216B.01; 216B.02, Subdivision 4; 216B.06; 216B.36; 216B.38, Subdivision 5; 216B.45; 216B.47; repealing Minnesota Statutes 1976, Sections 216B.48, Subdivision 7; 216B.49, Subdivision 6; 216B.50, Subdivision 2; and 216B.51, Subdivision 2.

Reported the same back with the following amendments:

Page 3, after line 21, insert:

"Sec. 4. Minnesota Statutes 1976, Section 216B.17, is amended by adding a subdivision to read:

Subd. 6a. For the purposes of this section, public utility shall include cooperative electric associations with respect to service standards and practices only."

Page 6, after line 22, insert:

"Sec. 9. Minnesota Statutes 1976, Section 216B.62, is amended by adding a subdivision to read:

Subd. 5. The commission shall be authorized to charge cooperative electric associations their proportionate share of the expenses incurred in the adjudication of service area disputes and complaints over service standards and practices."

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 5, after "216B.06;" insert "216B.17, by adding a subdivision;"

Page 1, line 6, after "216B.47;" insert "216B.62, by adding a subdivision;"

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. 1283, A bill for an act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota Statutes 1976, Section 474.01, Subdivision 7.

Reported the same back with the following amendments:

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

"Sec. 2. Minnesota Statutes 1976, Section 474.01, is amended by adding a subdivision to read:

Subd. 7a. No municipality shall undertake any project herein authorized until the commissioner of securities has approved the project, on the basis of such preliminary information as he may require, as tending to further the purposes and policies of this chapter. Such approval shall not be deemed to be an approval

by the commissioner of securities or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner of securities shall so state in communicating such approval."

Further amend the title.

Line 6, before the period, insert " , and by adding a subdivision".

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. 1387, A bill for an act relating to housing; providing an exception to interest limitations for borrowing by housing and development authorities; amending Minnesota Statutes 1976, Section 462.555.

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1020, A bill for an act relating to crimes and corrections; directing the supreme court to promulgate sentencing guide lines; providing mandatory minimum sentences for felonies; amending Minnesota Statutes 1976, Sections 609.095; 609.11, Subdivision 1; 609.115, Subdivision 1; 609.12, Subdivision 1; and 609.135, by adding a subdivision; repealing Minnesota Statutes 1976, Section 609.115, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 609.095, is amended to read:

609.095 [LIMITS OF SENTENCES.] No other or different sentence or punishment shall be imposed for the commission of a crime than is authorized by this chapter or other applicable law. *All sentences shall be imposed with due consideration to sentencing guidelines established by the supreme court. The sentence imposed shall not be unjustifiably disparate.*

Sec. 2. Minnesota Statutes 1976, Chapter 609, is amended by adding a section to read:

[609.096] [MINNESOTA JUDICIAL COMMISSION ESTABLISHED.] *Subdivision 1. The Minnesota judicial commission is hereby created. It shall consist of not less than 15 nor more than 21 members of the judiciary, representing all the judicial districts, who shall be appointed by the chief justice of the supreme court.*

Subd. 2. [MEMBERSHIP.] The initial members appointed to the commission shall be designated to serve the following terms: not more than five members for one year; not more than five members for two years; not more than five members for three years; not more than six members for four years. Thereafter each member shall be appointed for four years and shall continue in office, while a member of the judiciary, or until a successor is duly appointed. Members shall be eligible for reappointment, and appointments may be made to fill an unexpired term. The members of the commission shall elect a chairman and such officers as are necessary for the efficient discharge of their duties.

Subd. 3. [COMPENSATION; EXPENSES.] Each member of the commission shall be reimbursed for all reasonable expenses actually paid or incurred by him in the performance of his official duties in the same manner as other employees of the state.

Subd. 4. [DUTIES.] The judicial commission shall, on or before October 15, 1978, promulgate sentencing guidelines for the district court. Guidelines promulgated herein shall establish for the district court a narrow range within which the imposition of a felony sentence is proper. These guidelines shall be established on the basis of a combination of offense and offender characteristics which are in consideration of current sentencing practices.

Subd. 5. [RESEARCH.] The commission, in addition to establishing sentencing guidelines, shall serve as a clearing house and information center for the collection, preparation, analysis and dissemination of information on state and local sentencing practices, and shall conduct ongoing research regarding sentencing guidelines, use of imprisonment and alternatives to imprisonment and other matters relating to the improvement of the criminal justice system. The commission shall from time to time make recommendations to the legislature regarding changes in the criminal code, criminal procedure and other aspects of sentencing.

Subd. 6. [COOPERATION WITH OTHER AGENCIES.] To accomplish the purposes of this act the commission may

utilize with their consent, the services, equipment, personnel, information and resources of other state agencies, accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions to the extent authorized by law.

Subd. 7. [GRANTS.] When any person, corporation, the United States government, or any other entity offers funds to the judicial commission by way of gift, grant or loans, for the purpose of assisting the commission to carry out its purpose and duties, the commission may accept the offer by majority vote and upon acceptance the chairman shall receive the funds subject to the terms of the offer, but no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 8. [RESEARCH DIRECTOR; EMPLOYEES.] The commission may select and employ a research director who shall perform such duties as the commission directs including the hiring of such clerical help and other employees as the commission shall approve. The research director and other staff shall be in the unclassified service of the state and their salary shall be established by the commission. They shall be reimbursed the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees.

Subd. 9. [APPROVAL BY SUPREME COURT.] The guidelines promulgated by the judicial commission and any subsequent amendments thereto shall be the sentencing guidelines for the district courts upon their adoption and approval by the supreme court.

Subd. 10. [ROLE OF GUIDELINE.] Guidelines promulgated herein shall be advisory to the district court in the imposition of felony sentences. However, the district court shall set forth particularized written reasons specifying the basis for departure from the sentencing guidelines in each case wherein the court imposes a sentence that is not within the range of the sentencing guidelines applicable to the instant case.

Subd. 11. [REVIEW.] The judicial commission shall meet at least three times each year for the purpose of modifying and improving the sentencing guidelines.

Subd. 12. [APPELLATE REVIEW OF SENTENCE.] An appeal to the supreme court may be taken by the defendant or by the state from any sentence imposed or stayed by the district court. An appeal from the district court to the supreme court under this subdivision shall be made according to the rules of criminal procedure for the district court of Minnesota. A dismis-

sal of an appeal brought under this section shall not prejudice an appeal brought under any other section or rule.

When an appeal taken under this subdivision is filed, the clerk of the district court shall certify to the supreme court the transcript of the proceedings and any files or records relating to the defendant, the offense, and the sentence imposed or stayed, that the supreme court by rule or order may require.

On an appeal pursuant to this subdivision, the supreme court may review the sentence imposed to determine whether the sentence is inconsistent with statutory requirements, unreasonable, inappropriate, excessive, or unjustifiably disparate. This review shall be in addition to all other powers of review presently existing. The supreme court may dismiss or affirm the appeal, vacate or set aside the sentence imposed and direct entry of an appropriate sentence or order further proceedings to be had as the supreme court may direct.

Subd. 13. [RELEASE PENDING APPEAL.] This section shall not be construed to confer or enlarge any right of a defendant to be released pending an appeal under this subdivision.

Sec. 3. Minnesota Statutes 1976, Section 609.10, is amended to read:

609.10 [SENTENCES AVAILABLE.] Upon conviction of a felony and compliance with the other provisions of this chapter the court, if it imposes sentence, may sentence the defendant to the extent authorized by law as follows:

(1) To life imprisonment; or

(2) To imprisonment for a maximum term of years fixed by the court; or

(3) TO AN INDETERMINATE TERM OF IMPRISONMENT WHICH SHALL BE DEEMED TO BE FOR THE MAXIMUM TERM AUTHORIZED BY LAW; OR)

((4)) (3) To both imprisonment and payment of a fine; or

((5)) (4) To payment of a fine without imprisonment or to imprisonment if the fine is not paid.

Sec. 4. Minnesota Statutes 1976, Section 609.115, Subdivision 1, is amended to read:

609.115 [PRESENTENCE INVESTIGATION.] Subdivision 1. When a defendant has been convicted of a felony (, AND

A SENTENCE OF LIFE IMPRISONMENT IS NOT REQUIRED BY LAW,) the court (MAY) *shall*, before sentence is imposed, cause a presentence investigation and written report to be made to the court concerning the defendant's individual characteristics, circumstances, needs, potentialities, criminal record and social history, the circumstances of the offense and the harm caused thereby to others and to the community. If the court so directs, the report shall include an estimate of the prospects of the defendant's rehabilitation and recommendations as to the sentence which should be imposed.

The investigation shall be made by a probation officer of the court, if there is one, otherwise by the commissioner of corrections.

Pending the presentence investigation and report, the court with the consent of the commissioner may commit the defendant to the custody of the commissioner of corrections who shall return the defendant to the court when the court so orders.

Sec. 5. Minnesota Statutes 1976, Section 609.135, Subdivision 1, is amended to read:

609.135 [STAY OF IMPOSITION OR EXECUTION OF SENTENCE.] Subdivision 1. Except when a sentence of life imprisonment is required by law, *or when a person is convicted of one of the crimes specified under section 609.11, subdivision 1, and during the commission of that crime he had in his possession a firearm or used another dangerous weapon*, any court(, INCLUDING A JUSTICE OF THE PEACE TO THE EXTENT OTHERWISE AUTHORIZED BY LAW,) may stay imposition or execution of sentence and place the defendant on probation with or without supervision and on such terms as the court may prescribe, *including restitution when practicable*. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony, by the commissioner of corrections, or in any case by some other suitable and consenting person.

Sec. 6. Minnesota Statutes 1976, Section 609.135, is amended by adding a subdivision to read:

Subd. 4. If a stay of imposition or execution of sentence for a felony is not within the sentencing guidelines, particularized reasons therefore shall be stated in the record by the court.

Sec. 7. 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 in the first degree, 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. 8. 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.

Sec. 9. [DIMINUTION OF SENTENCE.] *Any person convicted of a felony and committed to the commissioner of corrections, while incarcerated or while on parole, shall have his sentence reduced in duration by ten days for each calendar month wherein that person has violated no disciplinary rule established by the commissioner of corrections. Time accumulated in diminution of sentence herein shall vest and may not be taken away.*

Rules governing the accumulation of sentence diminution time shall be established by the commissioner of corrections.

Sec. 10. [ADVISORY COUNCIL ON MINNESOTA CORRECTIONS BOARD.] *Subdivision 1. The advisory council on the Minnesota corrections board is hereby created. It shall study and report to the legislature and the governor on the continued need and role of the Minnesota corrections board after implementation of sentencing guidelines.*

Subd. 2. The council shall consist of two members of the house of representatives appointed by the speaker of the house,

two members of the senate appointed by the senate committee on committees, two members of the judiciary appointed by the chief justice of the supreme court, and three members appointed by the governor. Members shall serve until the expiration date of this act or until the expiration of their legislative terms. Compensation of council members who are not members of the executive, judicial or legislative branch of government shall be as provided in section 15.059.

Subd. 3. The council shall study all matters relating to the continuing need and function of a releasing authority under a system of judicial sentencing guidelines and its proper role.

Subd. 4. The council shall report its findings and make its recommendations to the governor and to the legislature on or before December 15, 1978. The report shall make recommendations concerning the need for the continued existence of the Minnesota corrections board and its function in a sentencing guideline system. The council shall also make recommendations concerning the advisability and the administration of the correctional functions of parole, conditional release, furlough, mutual agreement programs, prerelease programs, educational and vocational programs and other related matters.

Subd. 5. The council may hold meetings at the times and places it designates to accomplish the purposes set forth herein. It shall select a chairman and other officers from its membership as it deems necessary.

Subd. 6. The legislative coordinating commission shall supply the council with necessary staff, office space and administrative services.

Subd. 7. [TERMINATION.] Unless further legislation shall otherwise provide, this section shall terminate on December 31, 1978.

Sec. 11. [APPROPRIATION.] There is hereby appropriated from the general fund to the legislative coordinating commission the sum of \$_____ for the period ending December 31, 1978 to pay the expenses incurred by the commission for the purposes of implementing section 10 of this act. There is hereby appropriated from the general fund to the Minnesota Supreme court to pay the expenses incurred by the judicial commission established under section 2 of this act the sum of \$150,000.

Sec. 12. [REPEALER.] Minnesota Statutes 1976, Sections 243.18 and 609.11, Subdivision 2, are repealed.

Sec. 13. [EFFECTIVE DATE.] Sections 1, 5, 6, 7, 8, 9 and 12 shall be effective on January 1, 1979. Section 2, subdivisions

12 and 13, shall be effective on January 1, 1979 and shall apply only to sentences imposed or stayed on or after January 1, 1979. All other subdivisions of section 2 and the other sections of this act shall be effective the day following enactment."

Further amend the title:

Page 1, line 5, after the semicolon, insert "appropriating money;"

Page 1, line 6, after "609.095;" insert "609.10;" and after "1" insert ", and by adding a subdivision".

Page 1, line 7, delete "609.12, Subdivision 1; and" and after "609.135," insert "Subdivision 1, and".

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

Page 1, line 9, delete "Section 609.115" and insert "Sections 243.18; and 609.11."

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

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1086, A bill for an act relating to crimes; requiring the commissioner of corrections to conduct research to assess the extent and nature of juvenile prostitution and to develop a program for the prevention and treatment of prostitution; reports to legislature; pilot projects.

Reported the same back with the following amendments:

Page 2, delete lines 8 to 27.

Page 4, line 13, delete ", including legislative appropriations to".

Page 4, delete line 14 to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

Moe from the Committee on Criminal Justice to which was referred:

H. F. No. 1350, A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs and title documents, and requiring driver license suspension, under certain circumstances; amending Minnesota Statutes 1976, Section 171.16, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 23, strike "suspend" and insert "*refuse to renew*".

Page 2, line 4, after "that" delete "*the*".

Page 2, line 5, delete "*person has appeared*" and insert "*an appearance has been made*".

Page 2, line 7, delete "1978" and insert "1979".

Further amend the title:

Page 1, line 4, delete "requiring driver license".

Page 1, line 5, delete "suspension" and insert "refusing to renew driver's licenses".

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 345, A bill for an act relating to education; establishing pilot transitional bilingual education program; granting certain powers and duties to the state board of education; establishing a state bilingual education advisory task force; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; and 126.07.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [CITATION.] *Sections 1 to 12 of this act may be cited as the bilingual education act.*

Sec. 2. [DECLARATION OF POLICY.] *Pursuant to the policy and law of the state to provide equal and meaningful educational opportunity to every individual, it is the purpose of*

sections 1 to 12 to provide for the establishment of not fewer than five pilot transitional bilingual educational programs.

Sec. 3. [APPLICABILITY.] *The requirements of sections 1 to 12 shall apply only to districts which have bilingual educational programs funded pursuant to the provisions of sections 1 to 12.*

Sec. 4. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 12 of this act, the words, phrases, and terms defined in this section shall have the meanings given to them.*

Subd. 2. "Children of limited English speaking ability" means children whose primary language is other than English or who come from home environments where the primary language is other than English and by reason thereof, have difficulty reading, writing, speaking, and understanding ordinary classroom instruction and have difficulty in performing ordinary classwork in the English language.

Subd. 3. "Primary language" is a language other than English which is the language normally used by the child or the language which is spoken in the child's home environment.

Subd. 4. "Advisory task force" means the state advisory task force on bilingual education programs.

Subd. 5. "Parent" or "parents" includes a child's legal guardian.

Sec. 5. [BILINGUAL EDUCATION PROGRAMS.] *Subdivision 1. [INSTRUCTION DESCRIBED.] Bilingual education programs are programs of instruction enrolling children of limited English speaking ability in elementary and secondary schools in which:*

(a) There is instruction given in and study of both English and the primary language of the children of limited English speaking ability, in all courses or subjects of study, to the extent necessary to allow the children to progress effectively through the educational system and to attain the basic skills so that they will be able to perform ordinary classwork successfully in English;

(b) This instruction is given with sensitivity to and appreciation for the cultural heritage of the children of limited English speaking ability;

(c) There is instruction given in the history, culture and heritage of the children of limited English speaking ability and in the history and culture of the United States;

(d) Support components are developed for staff, including inservice training and technical assistance in methods of bilingual teaching. This inservice training may include but not be limited to: (i) Development of instructional and personal skills in reading, writing and speaking; (ii) Opportunities to develop general and bilingual teaching skills; (iii) Opportunities to develop the ability to identify, create, and apply instructional techniques that will enhance the cognitive and psychomotor development of children in bilingual education programs;

(e) Orientation to the purposes and values of the bilingual program may be provided to district staff. Bilingual programs may include: research projects, including experimentation with and evaluation of methods of relating to pupils of limited English speaking ability; provision of personal and vocational counseling to pupils of limited English speaking ability; and modification of curriculum, instructional methods, and administrative procedures to meet the needs of pupils of limited English speaking ability.

Subd. 2. [ADDITIONAL PROGRAM REQUIREMENTS.] Bilingual education programs shall be subject to the following additional requirements:

(a) To the extent practicable, children with different non-English primary languages should not be combined in the same bilingual education program class;

(b) If graded classes are used, children enrolled in the program shall be placed, to the extent practicable, in classes with others of approximately the same age and level of educational attainment. If individuals of significantly varying ages or levels of educational attainment are placed in the same class, the bilingual program shall insure that each child is provided with instruction which is appropriate for his or her level of educational attainment and educational needs;

(c) Instruction given in two languages in a bilingual program shall be appropriate to the linguistic abilities of the children enrolled and the program shall be designed to provide intensive instruction to meet the objectives described in sections 1 to 12 of this act, and shall be sufficient to meet the educational needs of children of limited English speaking ability;

(d) Nothing in sections 1 to 12 shall be construed to authorize isolation of children of limited English speaking ability for a substantial portion of the school day.

Subd. 3. [NOTICE OF ENROLLMENT; CONTENT; RIGHTS OF PARENTS.] When a pilot program is established pursuant to sections 1 to 12 of this act, every school age child of limited English speaking ability whose primary language is

the non-English language which is the medium of instruction in the pilot program and who resides in a school district participating in a pilot program and not enrolled in an existing private school system shall be eligible to enroll and to participate in any program in transitional bilingual education, established under this act for the classification to which he belongs by the school district, for a period of three years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur. Consistent with the provisions of subdivision 2 nothing herein shall be construed to limit a school district's authority to enroll limited English speaking children, whose primary language is a non-English language other than the non-English language which is the medium of the instruction in the pilot program, in a program of bilingual education.

No later than ten days after the enrollment of any child in a program in transitional bilingual education, the school district in which the child resides shall notify by mail the parents of the child. Such notice shall:

(a) Be in writing and be in English and in the primary language of the child's parents;

(b) Inform the parents that their child has been enrolled in a program in transitional bilingual education;

(c) Contain a simple, nontechnical description of the purposes, method and content of the program;

(d) Inform the parents that they have the right to visit transitional bilingual education classes in which their child is enrolled;

(e) Inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and

(f) Inform the parents of their right to withdraw their child from a program in transitional bilingual education and the time and manner in which to do so.

Any parent whose child is enrolled in a program in transitional bilingual education shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from the program by providing written notice of this intent to the principal of the school in which his child is enrolled or to the superintendent of the school district in which his child resides; provided that no withdrawal shall be allowed until the parent is informed in a conference with school district officials of the nature and

purpose of the program. At that conference, parents must also be informed of the nature of the program into which the child will be placed. The conference shall be held in a manner and language understood by the parents. Nothing herein shall preclude a parent from reenrolling a child of limited English speaking ability in the bilingual educational program.

Subd. 4. [ENROLLMENT OF OTHER CHILDREN; SHARED TIME ENROLLMENT.] *To the extent it is economically feasible, a program of bilingual education may make provision for the voluntary enrollment of children whose primary language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English speaking ability for whom that particular program of bilingual education is designed. In determining eligibility to participate in a program, priority shall be given to the children whose primary language is other than English and this subdivision shall not operate or be construed to limit the obligation of school districts to enroll individuals of limited English speaking ability in a transitional bilingual program operated in accordance with subdivision 3 of this section. In no event shall the program be designed for the purpose of teaching a foreign language to English speaking children. Children of limited English speaking ability and English speaking children enrolled in an existing nonpublic system may be enrolled on a shared time basis in bilingual education programs.*

Subd. 5. [NEW STUDENTS.] *All districts providing a bilingual education program under sections 1 to 12 shall take all affirmative steps necessary to immediately identify children of limited English speaking ability whose primary language is the non-English language which is the medium of instruction in the pilot program and who enroll in the public schools after the implementation of the program and to assess and classify such children in accordance with the provisions of section 11 of this act. All such children who are identified as limited English speaking shall be eligible to be immediately enrolled in the bilingual education program, consistent with the provisions of subdivision 3 of this section.*

Subd. 6. [ASSIGNMENT OF STUDENTS.] *No school district shall in providing these programs assign students to schools in a way which will have the effect of promoting segregation of students by race, sex, color, or national origin.*

Subd. 7. [NONVERBAL COURSES AND EXTRACURRICULAR ACTIVITIES.] *In predominantly nonverbal subjects, such as art, music, and physical education, children of limited English speaking ability shall participate fully and on an equal basis with their contemporaries in the public school classes provided for these subjects. Every school district shall ensure to children enrolled in bilingual education programs an equal and meaningful opportunity to participate fully with other children*

in all extracurricular activities. This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the children of limited English speaking ability, or which are otherwise necessary to accomplish the objectives described in sections 1 to 12 of this act.

Sec. 6. [TEACHERS; LICENSES; EXEMPTIONS.] Subdivision 1. [BILINGUAL EDUCATION LICENSES.] *The board of teaching, hereinafter the board, shall grant teaching licenses in bilingual education to persons who present satisfactory evidence that they:*

(a) Possess competence and communicative skills in English and in another language;

(b) Possess a bachelor's degree or other academic degree approved by the board, or meet such requirements as to course of study and training as the board may prescribe.

Subd. 2. [PERSONS HOLDING GENERAL TEACHING LICENSES.] *A person holding a general teaching license who presents the board with satisfactory evidence of competence and communicative skills in a language other than English may be licensed under this section.*

Subd. 3. [EMPLOYMENT OF TEACHERS.] *Teachers employed in a bilingual education program established pursuant to sections 1 to 12 of this act shall not be employed to replace any presently employed teacher who otherwise would not be replaced.*

Subd. 4. [TEACHER PREPARATION PROGRAMS.] *For the purpose of licensing bilingual teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.*

Subd. 5. [PERSONS ELIGIBLE FOR EMPLOYMENT EXEMPTIONS.] *Any person licensed under this section shall be eligible for employment by a school board as a teacher in a bilingual education program in which the language for which he is licensed is taught or used as a medium of instruction. A school board may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. Any school board upon request may be exempted from the licensure requirements of this section in the hiring of one or more bilingual education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the district in the securing of the teachers. The commissioner shall notify the board of teaching of any exemptions granted pursuant to this subdivision.*

Subd. 6. [PERSONS SERVING UNDER EXEMPTIONS; LICENSURE; TENURE.] *A bilingual education teacher serv-*

ing under an exemption as provided in subdivision 5 shall be granted a license as soon as that teacher achieves the qualifications for it. Not more than one year of service by a bilingual education teacher under an exemption shall be credited to the teacher for the purposes of Minnesota Statutes, Section 125.12, and not more than two years shall be credited to the teacher for the purpose of Minnesota Statutes, Section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which a teacher becomes licensed.

Subd. 7. [AFFIRMATIVE EFFORTS IN HIRING.] In hiring for all positions in bilingual education programs school districts shall give preference to and make affirmative efforts to seek, recruit, and employ persons who are (a) native speakers of the language which is the medium of instruction in the bilingual education program, and (b) who share the culture of the limited English speaking children who are enrolled in the program. The district shall provide procedures for the involvement of the parent advisory committees in designing the procedures for the recruitment, screening and selection of applicants, provided that nothing herein shall be construed to limit the school board's authority to hire and discharge personnel.

Sec. 7. [TEACHERS AIDES; COMMUNITY COORDINATORS.] In addition to employing bilingual teachers, each district providing bilingual education programs pursuant to sections 1 to 12 of this act may employ teachers' aides. Teachers' aides shall not be employed for the purpose of supplanting bilingual teachers.

Sec. 8. [PARENT AND COMMUNITY PARTICIPATION.] Subdivision 1. School boards shall provide for the maximum involvement of parents of children enrolled in bilingual education programs pursuant to sections 1 to 12 of this act. Accordingly, before implementing a program, the school district shall establish a parent advisory committee for that program. This committee shall afford parents the necessary information and opportunity to express their views concerning all aspects of the bilingual education program and the educational needs of the children of limited English speaking ability residing within the district's attendance boundaries. The district shall ensure that the program is planned, operated, and evaluated with the effective involvement of and in consultation with parents of children enrolled or eligible to be served by the program.

Subd. 2. The committees shall be composed solely of parents of children enrolled or eligible to be enrolled in bilingual programs; secondary students enrolled or eligible to be served; bilingual education teachers, aides, counselors, and other bilingual education program personnel; and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled or eligible to be enrolled in the corresponding program, and the number of parents of

limited English speaking children and parents of children whose primary language is English shall reflect approximately the proportion of children of those groups enrolled in the program.

Subd. 3. School principals and other administrators or teachers within the district shall be encouraged to participate and co-operate with the parent advisory committee.

Subd. 4. All notices and other information sent to the parent advisory committees shall be in English and in the primary language of the parent members.

Subd. 5. Nothing in this section shall be construed as prohibiting the school board from establishing procedures whereby parents whose children are enrolled or eligible to be enrolled in the bilingual education program select, consistent with the provisions of this section, the members of the parent advisory committee. Nothing in this section shall be construed as prohibiting school boards from establishing a parent advisory committee prior to the submission of a proposal under section 11 for a bilingual education program.

Subd. 6. School districts which have already established a parent advisory committee pursuant to section 703 (a)(4)(e) of Title VII of the Elementary and Secondary Education Act of 1965 may utilize that committee for the purpose of complying with the provisions of this section.

Sec. 9. [STATE BOARD OF EDUCATION DUTIES.] *Subdivision 1. [NEEDS ASSESSMENT.] The state board of education shall conduct a statewide assessment of the need for bilingual education programs, which shall include information on:*

(a) Numbers, ages, locations by school district, and primary language, race, national origin, and level of family income of children of limited English speaking ability;

(b) Concentration of children of limited English speaking ability in attendance areas within school districts by primary language, race, national origin, and level of family income;

(c) Placement rates of children of limited English speaking ability in classes for handicapped pupils, in comparison with schoolwide and districtwide placement rates;

(d) Achievement test scores, mobility rates and dropout rates of children of limited English speaking ability in comparison with average achievement test scores, mobility rates and dropout rates;

(e) *Any other data deemed necessary to assessment of the need for bilingual education in the state. The procedures for gathering the information shall be designed to comply with provisions of state and federal law relating to privacy and student records.*

Any needs assessment previously conducted by a school district which is determined to be current and which meets the requirements of this subdivision may be used as the basis for a program proposal and funding under section 11 prior to the completion of the statewide assessment and may be used by the state board as a part of its statewide assessment.

Subd. 2. [RESOURCE EVALUATION.] The state board shall study, review, and evaluate all available resources and programs which, in whole or in part, are or could be directed toward meeting the educational needs of children of limited English speaking ability, including information on:

(a) *Numbers, location, qualifications, and primary language and national origin of teachers, aides, administrators, counselors, and potential post secondary education graduates from non-English speaking backgrounds who have an interest in working in bilingual programs;*

(b) *Programs within the state designed for the preparation of bilingual education teachers;*

(c) *The effectiveness of existing programs for children of limited English speaking ability within the state;*

(d) *Successful and innovative preservice and inservice programs for staffs of bilingual education programs; and*

(e) *Tests, criteria, identification instruments and procedures for identifying, testing, assessing and classifying children of limited English speaking ability.*

Subd. 3. [PROGRAM MODELS.] The state board shall gather information about the theory and practice of bilingual education and design program models appropriate for meeting the need for bilingual education in conjunction with the basic educational program in the state.

Subd. 4. [EVALUATION OF PROGRAMS.] The state board shall provide for comprehensive evaluation of pilot programs funded under sections 1 to 12 of this act. The state board may also provide for the comprehensive evaluation of existing educational programs offered by nonpublic, community, or alternative schools, including assessment of pupil achievement, processes and results of establishing quality programs, and attitudes of people involved in and affected by programs, provided

that the nonpublic, community, or alternative school consents to the evaluation of its existing program.

Subd. 5. [COMMUNITY INVOLVEMENT.] The state board shall provide for the maximum involvement of the state advisory task force on bilingual education, parents of children of limited English speaking ability, secondary students eligible to be served, bilingual education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of bilingual education, in the formulation of policy and procedures relating to the administration of sections 1 to 12 of this act.

Subd. 6. [CONSULTATION.] The state board may consult with and make recommendations to other public departments and agencies in connection with the administration of sections 1 to 12 of this act.

Subd. 7. [TEACHER LICENSURE.] The state board shall provide to the board of teaching a report on its research and experience in bilingual education insofar as such research may have a bearing on the establishment of teacher licensure requirements by the board of teaching. The board of teaching shall submit its proposals to the state board for approval pursuant to the procedures in Minnesota Statutes, Section 125.185, Subdivision 4.

Subd. 8. [TECHNICAL ASSISTANCE.] The state board of education shall provide technical assistance to school districts and post secondary institutions for preservice and inservice training for bilingual education teachers and teachers' aides, teaching methods, curriculum development, testing and testing mechanisms, and the development of materials for bilingual programs.

Subd. 9. [APPLICATION FOR FUNDS.] The state board may apply for grants or funds which are, or may become, available under federal programs for bilingual education, including funds for administration, demonstration projects, training, technical assistance, planning and evaluation.

Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before September 1, 1979. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, the number of children served in programs for each language group; the cost of the program per pupil for each pilot program language group, and program type; the number of children in each school district, language group and program type who, as a result of the bilingual education program, improved their English language ability to such an extent that the program is no longer necessary for those children; and recommendations for legisla-

tion including any need for expansion and accompanying plans and cost estimates in the areas of bilingual education.

Subd. 11. [RULES AND REGULATIONS.] The state board, upon the receipt of recommendations by the advisory task force, may promulgate rules providing for standards and procedures appropriate for the implementation of and within the limitations of sections 1 to 12 of this act.

Sec. 10. [ADVISORY TASK FORCE ON BILINGUAL EDUCATION PROGRAMS.] Subdivision 1. [ESTABLISHMENT.] The state board of education shall appoint an advisory task force on bilingual education programs. There shall be no more than ten members on the task force. Members shall include: representatives of community groups, parents of children eligible to be served by the programs, bilingual administrators and teachers, persons experienced in the training of teachers for bilingual education programs, persons involved in programs for children of limited English speaking ability in nonpublic, community, or alternative schools, and persons knowledgeable in the field of bilingual education. Members shall be appointed so as to be representative of significant segments of the population of persons of limited English speaking ability.

Subd. 2. [DUTIES.] The advisory task force on bilingual education programs shall be charged with the following duties:

(a) To make recommendations to the state board concerning approval, modification, or disapproval of proposals for programs and the amounts of grants to approved programs; and

(b) To advise the state board in the administration of its duties under sections 1 to 12 of this act.

Subd. 3. The advisory task force shall expire and the terms, compensation, and removal of members shall be as provided for in Minnesota Statutes, Section 15.059, Subdivision 6.

Sec. 11. [PILOT PROGRAMS.] Subdivision 1. [GRANTS, PROCEDURES.] For fiscal years 1978 and 1979, as part of the needs assessment effort, the state board of education shall make grants to no fewer than five transitional bilingual education programs. At least two pilot bilingual programs shall be in a rural area. The board of a local district or a group of boards may submit a proposal for a grant for a transitional bilingual education program. The state board shall prescribe the form and manner of application for grants and no grant shall be made for proposals not complying with the requirements of sections 1 to 12 of this act. Every program proposal shall be submitted to the state board not less than six months before the planned commencement of the program; provided, however that this six month requirement shall not apply to school districts with an

existing bilingual education program established and approved pursuant to section 701 et seq., of Title VII of the Elementary and Secondary Education Act of 1965. The state board shall submit all proposals to the state advisory task force on bilingual education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Subd. 2. [PLANS.] Each school district submitting a proposal under subdivision 1 shall develop and submit with the proposal a plan which shall:

(a) Identify the measures to be used to meet the requirements of sections 1 to 12 of this act;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 1 to 12 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 4, subdivision 6;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 1 to 12 of this act.

Subd. 3. [ADDITIONAL REQUIREMENTS.] Each school district receiving a grant under this section shall each year conduct a count of children of limited English speaking ability whose primary language is the non-English language which is the medium of instruction in the bilingual education program funded under this section in the public schools of the district; assess the English and primary language proficiencies of such children; test for achievement; identify the extent of other educational needs of the children to be enrolled in the bilingual education program; and classify the limited English speaking children by grade, level of educational attainment, age, achievement, and English and primary language proficiencies. This count may be part of the school census required pursuant to section 120.095. Nothing herein shall be construed to limit a school district's authority to so count, assess, test, identify and classify limited English speaking children, whose primary language is a non-English language other than the non-English language which is the medium of instruction in a program funded under this section.

Subd. 4. [NONDISCRIMINATION; TESTING.] In accordance with recognized professional standards, all testing and evaluation materials and procedures utilized for the identification, testing, assessment and classification of children of limited English speaking ability shall be selected and administered so as not to be racially or culturally discriminatory and shall be valid for the purpose of identifying, testing, assessing, and classifying children of limited English speaking ability.

Subd. 5. [RECORDS.] Participating school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that bilingual education programs are implemented in conformity with sections 1 to 12 of this act. Each school district shall keep an accurate, detailed, and separate account of all money received and paid out by it for bilingual education programs funded under this section.

Subd. 6. [FUNDS FROM OTHER SOURCES.] A school district providing bilingual education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when the funds are available.

Subd. 7. Nothing in sections 1 to 12 shall be construed as prohibiting a district from implementing a bilingual education program which is not in compliance with sections 1 to 12 of this act if the proposal and plan for that program is not funded pursuant to this section.

Sec. 12. [OTHER STATUTES.] Nothing in the provisions of sections 1 to 12 shall be construed to violate the provisions of Minnesota Statutes, Section 127.08 or Chapter 363. Programs and activities pursuant to sections 1 to 12 shall be deemed to be positive action programs to combat discrimination.

Sec. 13. Minnesota Statutes 1976, Section 120.095, is amended by adding a subdivision to read:

Subd. 6. The school census shall include an enumeration of children of limited English speaking ability residing within the district by primary language, race and national origin. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about students of limited English speaking ability residing in the school district. As used in this subdivision, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.

Sec. 14. Minnesota Statutes 1976, Section 120.10, Subdivision 2, is amended to read:

Subd. 2. [SCHOOL.] A school, to satisfy the requirements of compulsory attendance, must be one in which all the common

branches are taught in the English language, from textbooks written in the English language, and taught by teachers whose qualifications are essentially equivalent to the minimum standards for public school teachers of the same grades or subjects; *provided that in a program of instruction for children of limited English speaking ability, instruction and textbooks may be in the primary language of the children of limited English speaking ability enrolled therein.* (A FOREIGN LANGUAGE MAY BE TAUGHT WHEN SUCH LANGUAGE IS AN ELECTIVE OR A PRESCRIBED SUBJECT OF THE CURRICULUM, BUT NOT TO EXCEED ONE HOUR IN EACH DAY) *Any other language may be taught as provided in section 126.07. As used in this subdivision, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.*

Sec. 15. Minnesota Statutes 1976, Section 126.07, is amended to read:

126.07 [INSTRUCTION, USE OF ENGLISH LANGUAGE.] The books used and the instruction given in public schools shall be in the English language, but any other language may be used by teachers in explaining to pupils who understand such language the meaning of English words; (AND) *provided that in the case of a program for children of limited English speaking ability, instructions and books may be in the primary language of the children of limited English speaking ability. As used in this section, the terms "children of limited English speaking ability" and "primary language" shall have the meanings ascribed to them in section 4 of this act.* In secondary and elementary schools other languages may be taught, when made a part of a regular or optional course of study. (INSTRUCTION MAY BE GIVEN IN SUCH LANGUAGES IN ELEMENTARY GRADES, NOT TO EXCEED ONE HOUR IN EACH DAY, BY UNANIMOUS VOTE OF THE SCHOOL BOARD.)

Sec. 16. [APPROPRIATION.] *The sum of \$900,000 is appropriated from the general fund to the state board of education for the purposes of this act to be available until June 30, 1979. Of this amount, \$45,000 shall be available for the year ending June 30, 1978 for the employment of two professional employees and one clerical employee beyond the existing complement of the department of education; \$45,000 shall be available for the year ending June 30, 1979 for the employment of two professional employees and one clerical employee beyond the existing complement of the department; and, \$110,000 shall be available until June 30, 1979 for the payment of other necessary expenses and contracted services incurred in connection with the administration of this act. The sum of \$700,000 shall be available until June 30, 1979 to be expended for grants to pilot bilingual education programs pursuant to sections 1 to 12 of this act."*

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 784, A bill for an act relating to education; establishing pilot bilingual and native American language and culture education programs; granting certain powers and duties to the state board of education; establishing a state bilingual and native American language and culture education advisory council; appropriating money; amending Minnesota Statutes 1976, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; repealing Minnesota Statutes 1976, Section 126.07.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 to 11 of this act may be cited as the American Indian language and culture education act.

Sec. 2. [DECLARATION OF POLICY.] Pursuant to the policy of the state to ensure equal educational opportunity to every individual, it is the purpose of this act to provide for the establishment of American Indian language and culture education programs.

Sec. 3. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 11 of this act, the words, phrases, and terms defined in this section shall have the meanings given to them.

Subd. 2. "American Indian child" means any child, living on or off a reservation, who is an enrolled member of a federally recognized tribe.

Subd. 3. "Advisory task force" means the state advisory task force on American Indian language and culture education programs.

Subd. 4. "Participating school" means any nonsectarian non-public, tribal, or alternative school offering a curriculum reflective of American Indian culture which is funded by and participates in the programs in sections 1 to 11 of this act.

Sec. 4. [AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS.] Subdivision 1. [PROGRAM DESCRIBED.] American Indian language and culture education programs shall be programs in elementary and secondary schools enrolling American Indian children designed:

(1) *To make the curriculum more relevant to the needs, interests, and cultural heritage of American Indian pupils;*

(2) *To provide positive reinforcement of the self-image of American Indian pupils; and*

(3) *To develop intercultural awareness among pupils, parents, and staff. Program components may include: instruction in American Indian language, literature, history, and culture; development of support components for staff, including inservice training and technical assistance in methods of teaching American Indian pupils; research projects, including experimentation with and evaluation of methods of relating to American Indian pupils; provision of personal and vocational counseling to American Indian pupils; modification of curriculum, instructional methods, and administrative procedures to meet the needs of American Indian pupils; and establishment of cooperative liaisons with nonsectarian nonpublic, community, tribal or alternative schools offering curricula which reflect American Indian culture. Districts offering programs may make contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools. These programs may also be provided as components of early childhood and family education programs.*

Subd. 2. [VOLUNTARY ENROLLMENT.] Enrollment in American Indian language and culture education programs shall be voluntary. School districts and participating schools shall make affirmative efforts to encourage participation. They shall encourage parents to visit classes or come to school for a conference explaining the nature of the program and provide visits by school staff to parents' homes to explain the nature of the programs.

Subd. 3. [ENROLLMENT OF OTHER CHILDREN; SHARED TIME ENROLLMENT.] To the extent it is economically feasible, a school district or participating school may make provision for the voluntary enrollment of non American Indian children in the instructional components of an American Indian language and culture education program in order that they may acquire an understanding of the cultural heritage of the American Indian children for whom that particular program is designed. However, in determining eligibility to participate in a program, priority shall be given to American Indian children. American Indian children and other children enrolled in an existing nonpublic school system may be enrolled on a shared time basis in American Indian language and culture education programs.

Subd. 4. [LOCATION OF PROGRAMS.] American Indian language and culture education programs shall be located in facilities in which regular classes in a variety of subjects are offered on a daily basis.

Subd. 5. [ASSIGNMENT OF STUDENTS.] No school district or participating school shall in providing these programs assign students to schools in a way which will have the effect of promoting segregation of students by race, sex, color, or national origin.

Subd. 6. [NONVERBAL COURSES AND EXTRACURRICULAR ACTIVITIES.] In predominantly nonverbal subjects, such as art, music, and physical education, American Indian children shall participate fully and on an equal basis with their contemporaries in school classes provided for these subjects. Every school district or participating school shall ensure to children enrolled in American Indian language and culture education programs an equal and meaningful opportunity to participate fully with other children in all extracurricular activities. This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the American Indian children, or which are otherwise necessary to accomplish the objectives described in sections 1 to 11 of this act.

Sec. 5. [TEACHERS; LICENSES; EXEMPTIONS.] Subdivision 1. [AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION LICENSES.] The board of teaching shall grant teaching licenses in American Indian language and culture education to persons who present satisfactory evidence that they:

(a) Possess competence in an American Indian language or possess unique qualifications relative to or knowledge and understanding of American Indian history and culture;

(b) Possess a bachelor's degree or other academic degree approved by the board or meet such requirements as to course of study and training as the board may prescribe, or possess such relevant experience as the board may prescribe.

This evidence may be presented by affidavits, resolutions, or by such other methods as the board may prescribe. Individuals may present applications for licensure on their own behalf or these applications may be submitted by the superintendent or other authorized official of a school district or a nonsectarian nonpublic, tribal, or alternative school offering a curriculum reflective of American Indian culture.

Subd. 2. [PERSONS HOLDING GENERAL TEACHING LICENSES.] A person holding a general teaching license who presents the board with satisfactory evidence of competence in an American Indian language, or knowledge and understanding of American Indian history and culture may be licensed under this section.

Subd. 3. [TEACHER PREPARATION PROGRAMS.] *For the purpose of licensing American Indian language and culture education teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.*

Subd. 4. [PERSONS ELIGIBLE FOR EMPLOYMENT; EXEMPTIONS.] *Any person licensed under this section shall be eligible for employment by a school board or a participating school as a teacher in an American Indian language and culture education program in which the American Indian language or culture in which he is licensed is taught. A school district or participating school may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. Any school board or participating school upon request may be exempted from the licensure requirements of this section in the hiring of one or more American Indian language and culture education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the securing of the teachers.*

Subd. 5. [PERSONS SERVING UNDER EXEMPTIONS; LICENSURE; TENURE.] *An American Indian language and culture education teacher serving under an exemption as provided in subdivision 5 shall be granted a license as soon as that teacher achieves the qualifications for it. Not more than one year of service by an American Indian language and culture education teacher under an exemption shall be credited to the teacher for the purposes of Minnesota Statutes, Section 125.12 and not more than two years shall be credited for the purposes of section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which a teacher becomes licensed.*

Subd. 6. [AFFIRMATIVE EFFORTS IN HIRING.] *In hiring for all positions in these programs, school districts and participating schools shall give preference to and make affirmative efforts to seek, recruit, and employ persons who share the culture of the American Indian children who are enrolled in the program. The district or participating school shall provide procedures for the involvement of the parent advisory committees in designing the procedures for the recruitment, screening and selection of applicants, provided that nothing herein shall be construed to limit the school board's authority to hire and discharge personnel.*

Sec. 6. [TEACHERS AIDES; COMMUNITY COORDINATORS.] *In addition to employing American Indian language and culture education teachers, each district or participating school providing programs pursuant to sections 1 to 11 of this act may employ teachers' aides. Teachers' aides shall not be employed for the purpose of supplanting American Indian language and culture education teachers.*

Sec. 7. [PARENT AND COMMUNITY PARTICIPATION.]

Subdivision 1. School boards and participating schools shall provide for the maximum involvement of parents of children enrolled in American Indian language and culture education programs pursuant to sections 1 to 11 of this act. Accordingly, before implementing a program, each school district and participating school shall establish a parent advisory committee for that program. This committee shall afford parents the necessary information and the opportunity effectively to express their views concerning all aspects of the American Indian language and culture education program and the educational needs of the American Indian children residing within the district's or school's attendance boundaries. The district or participating school shall ensure that the program is planned, operated, and evaluated with the involvement of and in consultation with parents of children eligible to be served by the program.

Subd. 2. The committees shall be composed solely of parents of children eligible to be enrolled in American Indian language and culture programs; secondary students eligible to be served; American Indian language and culture education teachers and aides; counselors; and representatives from community groups; provided, however, that a majority of each committee shall be parents of children enrolled or eligible to be enrolled in the corresponding program, and that the number of parents of American Indian and non American Indian children shall reflect approximately the proportion of children of those groups enrolled in the program.

Subd. 3. School principals and other administrators or teachers within the district or participating school shall be encouraged to participate and cooperate with the parent advisory committee.

Subd. 4. If the organizational membership or the board of directors of a participating school consists solely of parents of children attending the school whose children are eligible to be enrolled in American Indian language and culture education programs, that membership or board may serve also as the parent advisory committee.

Sec. 8. [STATE BOARD OF EDUCATION DUTIES.]

Subdivision 1. [NEEDS ASSESSMENT.] The state board of education shall conduct a statewide assessment of the need for American Indian language and culture education programs, which shall include information on:

(a) Numbers, ages, locations by school district, and tribal affiliation of American Indian children;

(b) Concentration of American Indian children in attendance areas within school districts by tribal affiliation;

(c) *Placement rates of American Indian children in classes for handicapped pupils, in comparison with schoolwide and districtwide placement rates;*

(d) *Achievement test scores, mobility rates and dropout rates of American Indian children in comparison with average achievement test scores, mobility rates and dropout rates;*

(e) *Any other data deemed necessary to assessment of the need for American Indian language and culture education in the state. The procedures for gathering the information shall be designed to comply with provisions of state and federal law relating to privacy and student records.*

Subd. 2. [RESOURCE EVALUATION.] *The state board shall study, review, and evaluate all available resources and programs which, in whole or in part, are or could be directed toward meeting the educational needs of American Indian children, including information on:*

(a) *Numbers, location, and qualifications of teachers, aides, administrators, counselors, and potential post secondary education graduates from American Indian backgrounds who have an interest in working in American Indian language and culture education programs;*

(b) *Programs within the state designed for the preparation of American Indian language and culture education teachers;*

(c) *The effectiveness of existing programs for American Indian children within the state;*

(d) *Successful and innovative preservice and inservice programs for staffs of American Indian language and culture education programs; and*

(e) *Tests, criteria, identification instruments and procedures for identifying, testing, assessing and classifying American Indian children.*

Subd. 3. [PROGRAM MODELS.] *The state board shall gather information about the theory and practice of American Indian language and culture education and design program models appropriate for meeting the need for American Indian language and culture education in conjunction with the basic educational program in the state.*

Subd. 4. [EVALUATION OF PILOT PROGRAMS.] *The state board shall provide for comprehensive evaluation of pilot programs funded under sections 1 to 11 of this act. The state board may also provide for the comprehensive evaluation of existing educational programs offered by nonsectarian nonpub-*

lic, community, tribal, or alternative schools, provided that that school consents to the evaluation of its existing program. The evaluation shall include assessment of pupil achievement, processes and results of establishing quality programs, and attitudes of people involved in and affected by programs.

Subd. 5. [COMMUNITY INVOLVEMENT.] The state board shall provide for the maximum involvement of the state advisory task force on American Indian language and culture education, parents of American Indian children, secondary students eligible to be served, American Indian language and culture education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of American Indian language and culture education, in the formulation of policy and procedures relating to the administration of sections 1 to 11 of this act. The needs assessments and resource evaluations provided for in subdivisions 1 and 2 of this section shall be undertaken on Indian reservations only in connection with, or with the permission of, the respective tribal governments.

Subd. 6. [CONSULTATION.] The state board shall consult with and make recommendations to other public departments and agencies in connection with the administration of sections 1 to 11 of this act.

Subd. 7. [TEACHER LICENSURE.] The state board shall provide to the board of teaching a report on its research and experience in American Indian language and culture education insofar as such research may have a bearing on the establishment of teacher licensure requirements by the board of teaching. The board of teaching shall submit its proposals to the state board for approval pursuant to the procedures in section 125.185, subdivision 4.

Subd. 8. [TECHNICAL ASSISTANCE.] The state board shall provide technical assistance to school districts, participating schools and post secondary institutions for preservice and inservice training for American Indian language and culture education teachers and teacher's aides, teaching methods, curriculum development, testing and testing mechanisms, and the development of materials for American Indian language and culture education programs.

Subd. 9. [APPLICATION FOR FUNDS.] The state board shall apply for grants or funds which are, or may become, available under federal programs for American Indian language and culture education, including funds for administration, demonstration projects, training, technical assistance, planning and evaluation.

Subd. 10. [REPORT.] The state board shall make a report to the legislature, the governor and the public on or before Sep-

tember 1, 1979. This report shall include the results of the needs assessment, including an evaluation of the pilot programs, and recommendations for legislation in the area of American Indian language and culture education.

Subd. 11. [RULES AND REGULATIONS.] *The state board, upon the receipt of recommendations by the advisory task force, may promulgate rules providing for standards and procedures appropriate for the implementation of and within the limitations of sections 1 to 11 of this act.*

Sec. 9. [ADVISORY TASK FORCE ON AMERICAN INDIAN LANGUAGE AND CULTURE EDUCATION PROGRAMS.] **Subdivision 1. [ESTABLISHMENT.]** *The state board of education shall appoint an advisory task force on American Indian language and culture education programs. There shall be no more than ten members on the task force. Members shall include: representatives of community groups, parents of children eligible to be served by the programs, American Indian administrators and teachers, persons experienced in the training of teachers for American Indian language and culture education programs, persons involved in programs for American Indian children in nonsectarian nonpublic, community, tribal, or alternative schools, and persons knowledgeable in the field of American Indian language and culture education. Members shall be appointed so as to be representative of significant segments of the population of American Indians.*

Subd. 2. [DUTIES.] *The advisory task force on American Indian language and culture education programs shall be charged with the following duties:*

(a) *To make recommendations to the state board concerning approval, modification, or disapproval of proposals for pilot programs and the amounts of grants to approved programs; and*

(b) *To advise the state board in the administration of its duties under sections 1 to 11 of this act.*

Subd. 3. *The advisory task force shall expire and the terms, compensation, and removal of members shall be as provided for in Minnesota Statutes, Section 15.059, Subdivision 6.*

Sec. 10. [PILOT PROGRAMS.] **Subdivision 1. [GRANTS; PROCEDURES.]** *For fiscal years 1978 and 1979, as part of the needs assessment effort, the state board of education shall make grants to no fewer than six school year pilot American Indian language and culture education programs. At least three pilot programs shall be in urban areas and at least three shall be on or near reservations. The board of a local district, a participating school or a group of boards may develop a proposal for grants in support of pilot American Indian language and culture education programs. Proposals may provide for contracts*

for the provision of program components by nonsectarian non-public, community, tribal or alternative schools. The state board shall prescribe the form and manner of application for grants and no grant shall be made for a proposal not complying with the requirements of sections 1 to 11 of this act. Every program proposal shall be submitted to the state board not less than six months before the planned commencement of the program. The state board shall submit all proposals to the state advisory task force on American Indian language and culture education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Subd. 2. [PLANS.] Each school district or participating school submitting a proposal under subdivision 1 shall develop and submit with the proposal a plan which shall:

(a) Identify the measures to be used to meet the requirements of sections 1 to 11 of this act;

(b) Identify the activities, methods and programs to meet the identified educational needs of the children to be enrolled in the program;

(c) Describe how district goals and objectives as well as the objectives of sections 1 to 11 are to be achieved;

(d) Demonstrate that required and elective courses as structured do not have a discriminatory effect within the meaning of section 4, subdivision 5;

(e) Describe how each school program will be organized, staffed, coordinated, and monitored; and

(f) Project expenditures for programs under sections 1 to 11 of this act.

Subd. 3. [ADDITIONAL REQUIREMENTS.] Each school district receiving a grant under this section shall each year conduct a count of American Indian children in the schools of the district; test for achievement; identify the extent of other educational needs of the children to be enrolled in the American Indian language and culture education program; and classify the American Indian children by grade, level of educational attainment, age and achievement. This count may be part of the school census required pursuant to section 120.095. Participating schools shall maintain records concerning the needs and achievements of American Indian children served.

Subd. 4. [NONDISCRIMINATION; TESTING.] In accordance with recognized professional standards, all testing and

evaluation materials and procedures utilized for the identification, testing, assessment and classification of American Indian children shall be selected and administered so as not to be racially or culturally discriminatory and shall be valid for the purpose of identifying, testing, assessing, and classifying American Indian children.

Subd. 5. [RECORDS.] Participating schools and school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that American Indian language and culture education programs are implemented in conformity with sections 1 to 11 of this act. Each school district or participating school shall keep an accurate, detailed, and separate account of all money received and paid out by it for pilot American Indian language and culture education programs funded under this section.

Subd. 6. [FUNDS FROM OTHER SOURCES.] A school district or participating school providing American Indian language and culture education programs shall be eligible to receive funds for these programs from other government agencies and from private sources when the funds are available.

Subd. 7. Nothing in sections 1 to 11 shall be construed as prohibiting a district or school from implementing an American Indian language and culture education program which is not in compliance with sections 1 to 11 of this act if the proposal and plan for that program is not funded pursuant to this section.

Sec. 11. [OTHER STATUTES.] Nothing in the provisions of sections 1 to 11 of this act shall be construed to violate the provisions of Minnesota Statutes, Section 127.08 or Chapter 363. Programs and activities pursuant to sections 1 to 11 of this act shall be deemed to be positive action programs to combat discrimination.

Sec. 12. Minnesota Statutes 1976, Section 120.095, is amended by adding a subdivision to read:

Subd. 7. The school census shall include an enumeration of American Indian children resident within the district. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about American Indian children residing in the school district.

Sec. 13. [APPROPRIATION.] There is appropriated to the state board of education from the general fund for the purposes of this act the sum of \$800,000 for the biennium ending June 30, 1979. Of this amount, \$45,000 shall be available for the year ending June 30, 1978 for the employment of two professional employees and one clerical employee beyond the existing complement of the department of education; \$45,000 shall be available

for the year ending June 30, 1979 for the employment of two professional employees and one clerical employee beyond the existing complement of the department; and, \$110,000 shall be available until June 30, 1979 for the payment of other necessary expenses and contracted services incurred in connection with the administration of this act. The sum of \$600,000 shall be expended for grants to pilot American Indian language and culture education programs pursuant to sections 1 to 11 of this act."

Amend the title.

Line 9, delete "Sections" and insert "Section" and delete the semicolon.

Delete line 10.

Delete line 11 to the period.

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

The report was adopted.

Johnson from the Committee on Education to which was referred:

H. F. No. 1248, A bill for an act relating to the city of Springfield; providing for city buildings and equipment and their use; providing for a bond issue.

Reported the same back with the following amendments:

Page 2, line 17, delete "shall become".

Page 2, delete line 18 to the period and insert "is effective upon approval by a majority of the city council of the city of Springfield, and upon compliance with Minnesota Statutes, Section 645.021".

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. 1518, A bill for an act relating to Independent School District No. 272 (Eden Prairie) and Independent School District No. 271 (Bloomington); providing for the transfer of territory

from Independent School District No. 272 to Independent School District No. 271.

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

The report was adopted.

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

H. F. No. 13, A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.

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. 139, A bill for an act relating to natural resources; revising certain provisions relating to St. Croix Wild River state park.

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

The report was adopted.

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

H. F. No. 250, A bill for an act relating to natural resources; establishing a season for taking deer and bear with muzzle loading firearms; amending Minnesota Statutes 1976, Section 100.27, Subdivisions 2 and 9.

Reported the same back with the following amendments:

Page 1, line 14, after "Deer" strike the remainder of the line.

Page 1, strike lines 15 to 18 and insert "*and bear by bow and arrow; legal muzzle loading firearms as defined in section 100.29, subdivision 3, clause (2), or both, between September 1 and December 31 and in any areas of the state designated by the commissioner. Legal muzzle loading firearms shall be permitted by the commissioner on public lands only*".

Page 1, line 21, after the semicolon insert "*and*".

Page 2, line 6, strike the semicolon.

Page 2, lines 7 to 16, strike the old language and delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 447, A bill for an act relating to natural resources; directing the commissioner of natural resources to provide an alternative road access to General C. C. Andrews State Forest; appropriating money therefor.

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

The report was adopted.

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

H. F. No. 525, A bill for an act relating to natural resources; drainage; providing for transfer by county boards of certain surplus ditch funds to another governing body taking over the drainage system; amending Minnesota Statutes 1976, Section 106.471, Subdivision 6.

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

The report was adopted.

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

H. F. No. 666, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for the disposition of proceeds; appropriating funds; amending Minnesota Statutes 1976, Chapter 97, by adding sections; Sections 98.46, Subdivision 2a; and 98.50, Subdivision 5.

Reported the same back with the following amendments:

Page 3, line 24, strike "may" and insert "shall".

Page 3, line 25, after "sportsman licenses" insert "by January 1, 1978".

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

The report was adopted.

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

H. F. No. 1028, A bill for an act relating to the establishment of a power plant site and transmission line route selection authority in the environmental quality board; appropriating money; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivision 3, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1; 116C.61, Subdivisions 2 and 3; 116C.64; 116C.69; and Chapter 116C, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

Reported the same back with the following amendments:

Page 2, line 2, delete "*two kilometers*" and insert "*1.25 miles*".

Page 4, line 12, after the stricken language insert "*All hearings conducted under this subdivision shall be conducted pursuant to the rulemaking provisions of chapter 15.*".

Page 4, following line 32, insert the following:

"Sec. 8. Minnesota Statutes 1976, Section 116C.55, is amended by adding a subdivision to read:

Subd. 4. Based upon the information provided pursuant to section 116C.54 and the general routing criteria established by regulation, the board shall plan, on a long range basis, general areas suitable for the inclusion of projected high voltage transmission lines and the relationship of such lines to other possible high voltage transmission lines."

Page 6, line 16, delete "*, if any,*".

Page 6, line 19, delete "*The board shall specify the reasons for designating*".

Page 6, delete line 20.

Page 6, line 21, delete "*changes in size or type of facility.*".

Page 6, line 21, delete "*If*" and insert "*When*".

Page 7, line 13, delete "*, if any,*".

Page 7, line 16, delete "*The board shall specify the reasons for*".

Page 7, delete line 17.

Page 7, line 18, delete "*necessary changes*".

Page 7, line 18, delete "*If*" and insert "*When*".

Page 7, line 30, before the period insert "*. The board may order the construction of high voltage transmission line facilities which are capable of expansion in capacity through multiple circuiting or modification of the conductor*".

Page 9, following line 28, insert new clauses to read:

"(7) Evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(8) Evaluation of the future needs for additional high voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in capacity through multiple circuiting or modification of the conductor;"

Renumber subsequent clauses accordingly.

Page 10, line 29, after "*proposed*" insert "*and shall mail a notice and description of the exemption application to all persons over whose property the line may run, together with an understandable description of the procedures the person must follow should the person desire to object*".

Page 10, line 30, after "*route*" insert "*, or any person owning property adjacent to property crossed by the proposed route, or any affected political subdivision*".

Page 10, line 32, delete "*either*".

Page 11, line 1, delete "*or conduct a public hearing*".

Page 11, line 25, after "*Notice*" insert "*and agenda*".

Page 11, line 25, after "*hearings*" insert "*and public meetings of the board held in each county*".

Page 11, line 27, after "*hearings*" insert "*or meetings*".

Page 11, line 29, after "*hearing*" insert "*or public meeting*".

Page 11, line 30, after "by" insert "*certified*".

Page 11, line 31, strike "councils" and insert "*development commissions*".

Page 11, line 31, after "counties" insert "*, organized towns*".

Page 12, line 1, after the period insert "*All hearings held for designating a site or route or for exempting a route shall be conducted by a hearing examiner from the office of hearing examiners pursuant to the contested case procedures of chapter 15. Provided, however, that any person may appear at the hearings and present testimony and exhibits and may question witnesses without the necessity of intervening as a formal party to the proceedings.*".

Page 12, line 15, delete "councils" and insert "*development commissions*".

Page 12, line 15, strike "and" and insert a comma.

Page 12, line 16, after "corporations" insert "*and one town board member from each county*".

Page 13, following line 16, insert a new section to read:

"Sec. 14. Minnesota Statutes 1976, Section 116C.63, is amended to read:

116C.63 [EMINENT DOMAIN POWERS; RIGHT OF CONDEMNATION.] Nothing herein shall abrogate or invalidate the right of eminent domain vested in utilities by statute or common law existing as of May 24, 1973. Such right of eminent domain shall continue to exist for utilities and may be used according to law to accomplish any of the purposes and objectives of sections 116C.51 to 116C.69, *including acquisition of the right to utilize existing high voltage transmission facilities which are capable of expansion or modification to accommodate both existing and proposed conductors. Notwithstanding any law to the contrary, all easement agreements shall be valid only while the route is used for high voltage transmission line purposes.*"

Page 14, following line 14, insert a new section to read:

"Sec. 17. Minnesota Statutes 1976, Section 116C.66, is amended to read:

116C.66 [RULES.] The board, in order to give effect to the purposes of sections 116C.51 to 116C.69, shall adopt rules (AND REGULATIONS) consistent with sections 116C.51 to 116C.69, including promulgation of plant siting and transmission line

routing criteria, the description of the information to be furnished by the utilities, establishment of minimum guidelines for public participation in the development, revision, and enforcement of any (REGULATION) rule, plan or program established by the board, *procedures for the revocation or suspension of a construction permit or a certificate of site compatibility, the procedure and timeliness for proposing alternative routes and sites, and route exemption criteria and procedures. The office of hearing examiners shall, prior to January 1, 1978, adopt rules concerning the conduct of public hearings relating to the site and route designation process and to the route exemption process which attempt to maximize citizen participation in these processes. No rule adopted by the board shall grant priority to state-owned areas managed for wildlife purposes over agricultural lands in the designation of high voltage transmission line avoidance areas. Chapter 15, shall apply to the appeal of rules (AND REGULATIONS) adopted by the board to the same extent as it applies to review of rules (AND REGULATIONS) adopted by any other agency of state government."*

Page 16, line 4, delete "or refuse to designate".

Page 17, delete lines 9 to 13 and insert a new section to read:

"Sec. 19. [EMERGENCY RULES.] *The board is authorized and directed to promulgate emergency rules pursuant to section 15.0412, subdivision 5, within 90 days of the effective date of this act, concerning the procedures for the revocation or suspension of a construction permit or a certificate of site compatibility and the procedure for designating of a route, including the manner and timeliness of proposing alternative routes, route designation considerations and route exemption criteria and procedures.*

The office of hearing examiners is authorized and directed to promulgate emergency rules pursuant to section 15.0412, subdivision 5, within 30 days of the effective date of this act, concerning the conduct of public hearings relating to the designation and exemption of routes. The rules shall attempt to maximize citizen participation in the route designation and exemption processes.

Any emergency rules authorized in this section shall be effective until either January 1, 1978, or until the board and the office of hearing examiners adopt permanent rules pursuant to chapter 15, whichever occurs first."

Renumber sections accordingly.

Further amend the title as follows:

Page 1, line 8, after "and 3" insert "and by adding a subdivision".

Page 1, line 5, delete "appropriating money;"

Page 1, line 10, after "3;" insert "116C.63;"

Page 1, line 10, after "116C.64;" insert "116C.66;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 257, A bill for an act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.

Reported the same back with the following amendments:

Page 2, line 2, delete "*and regulations*".

Page 7, line 4, reinstate the stricken language.

Page 7, line 5, reinstate the stricken "cash" and after "cash" insert "*or authorized securities*" and reinstate the stricken comma.

Page 7, lines 17 to 27, reinstate the stricken language.

Page 7, line 28, reinstate "meeting" and after "meeting" insert "*, and a copy of the report shall be sent to the commissioner of banks*" and reinstate the stricken period.

Page 7, line 28, delete "*The board of directors or trustees of every*".

Page 7, delete lines 29 to 32.

Page 8, delete lines 1 to 28.

Page 9, line 6, before "\$500,000" insert "*not less than*".

Page 15, line 11, after "election" insert "*, a majority of whom shall always be residents of this state*".

Page 15, line 31, reinstate the stricken language.

Page 15, line 32, delete the new language.

Page 16, line 1, after "members" insert "*Any board of directors of a financial institution referred to in section 47.12 which has less than five members may be increased to not more than five members by order of the commissioner of banks*".

Page 16, line 7, strike "the county of its location" and insert "*this state*".

Page 16, lines 14 to 16, delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 297, A bill for an act relating to group health care plans; requiring published or written notice to employees before certain employee health care plans may be terminated; amending Minnesota Statutes 1976, Sections 62C.02, Subdivision 1; and 62D.02, Subdivision 1; and Chapters 62A, 62C and 62D, by adding sections.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1976, Section 62E.16, is amended to read:

62E.16 [CONVERSION PRIVILEGES.] Every program of self insurance, policy of group accident and health insurance or contract of coverage by a health maintenance organization written or renewed in this state, shall include, in addition to the provisions required by section 62A.17, the right to convert to an individual coverage qualified plan without the addition of underwriting restrictions regardless of the reason for leaving the group or for cancellation or termination of the coverage for the group except where uninterrupted and continuous group coverage is otherwise provided to the group. The person leaving the group may exercise his right to conversion within 30 days of leaving the group or within 30 days following his receipt of due

notice of cancellation or termination of coverage of the group. Due notice of cancellation or termination of coverage for a group shall be provided to each person having coverage in the group by the insurer, self insurer or health maintenance organization cancelling or terminating the coverage except where reasonable evidence indicates that uninterrupted and continuous group coverage is otherwise provided to the group. Plans of health coverage shall also include a provision which, upon the death of the individual in whose name the contract was issued, permits every other individual then covered under the contract to elect, within the period specified in the contract, to continue his coverage under the same or a different contract without the addition of underwriting restrictions until he would have ceased to have been entitled to coverage had the individual in whose name the contract was issued lived. An individual conversion contract issued by a health maintenance organization shall not be deemed to be an individual enrollment contract for the purposes of section 62D.10."

Further amend the title as follows:

Page 1, line 3, delete "published or".

Page 1, delete lines 6 and 7.

Page 8, delete everything to the period and insert "Section 62E.16".

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

The report was adopted.

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

H. F. No. 356, A bill for an act relating to insurance; examination fees; abstract or summary of the annual statement; amending Minnesota Statutes 1976, Sections 60A.03, Subdivision 5; 60A.13, Subdivision 3; and 60A.14, Subdivision 1.

Reported the same back with the following amendments:

Page 4, line 5, reinstate the stricken language.

Page 4, line 6, reinstate the stricken language and delete the new language.

Page 4, delete line 7.

Page 4, line 8, delete "publication,".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 451, A bill for an act relating to banks; authorizing a bank to establish two detached banking facilities; detached banking facility notice and approval procedures; amending Minnesota Statutes 1976, Sections 47.51; 47.52; 47.53; 47.55; and Chapter 47, by adding a section; repealing Minnesota Statutes 1976, Section 47.54.

Reported the same back with the following amendments:

Page 1, line 14, strike “*Attached facility*” and insert “*Extension of the main banking house*”.

Page 1, line 14, after “means” strike “a” and insert “any” and after “structure” insert “*or stationary mechanical device*”.

Page 1, line 15, strike “consisting of one or”.

Page 1, line 16, strike “more teller windows,”.

Page 1, line 16, strike “affixed to and is an integral”.

Page 1, line 17, strike “part” and insert “*located within 150 feet*”.

Page 1, line 17, strike “and not severable therefrom”.

Page 1, line 18, strike “without structural damage or changes” and insert “*the distance to be measured in a straight line from the closest structure involved*”.

Page 1, line 20, delete “stationary” and insert “permanent”.

Page 2, line 3, after “commercial” insert “or business”.

Page 2, line 7, delete “*attached facility*” and insert “*extension of the main banking house*”.

Page 2, line 23, delete the new language.

Page 2, line 24, delete the new language.

Page 3, line 3, delete “, as”.

Page 3, line 4, delete “herein” and insert “*such municipality is located within 25 miles of the applicant bank*”.

Page 3, line 21, delete “and nature”.

Page 3, line 22, delete “bills of exchange” and insert “drafts”.

Pages 3, 4 and 5, delete all of section 4 and insert:

"Sec. 4. Minnesota Statutes 1976, Section 47.54, is amended to read:

47.54 [NOTICE AND APPROVAL PROCEDURES.] Subdivision 1. Any bank desiring to establish a detached facility shall execute and acknowledge an application, in writing, in the form prescribed by the commissioner, and shall file the (SAME) *application* in his office, together with a (FILING) fee of (\$50) \$500, and (IN THE CASE) *if* an application is contested, an additional fee of (\$450) \$1,000, payable to the state treasurer and credited by the treasurer to the general fund. Thereupon the applicant shall publish a notice of the filing of the application in a newspaper published in the municipality in which the proposed detached facility is to be located, and if there (BE) *is* no such newspaper, then at the county seat of the county in which the facility is proposed to be located. The notice shall be in the form prescribed by the commissioner and, in addition to (SUCH) *the* publication, the applicant shall mail a copy of (SAID) *the* notice by certified mail to every bank located within three miles of the (MAIN BANKING HOUSE OF THE APPLICANT) *proposed location of the detached facility*, measured in the manner as provided above.

Subd. 2. If no objection is received by the commissioner within 30 days after the publication and mailing of (SAID) *the* notices, the commissioner (, AFTER INVESTIGATION MAY) *shall* issue his order approving (OR DENYING) the application (,) without a hearing *if he finds that (a) the applicant bank meets current industry standards of capital adequacy, management quality, and asset condition, (b) the establishment of the proposed detached facility will improve the quality or increase the availability of banking services in the community to be served, and (c) the establishment of the proposed detached facility will not have an undue adverse effect upon the solvency of existing financial institutions in the community to be served. Otherwise, the commissioner shall deny the application.*

Subd. 3. If any bank within (SAID) three miles of the (MAIN BANKING HOUSE OF THE APPLICANT) *proposed location of the detached facility* objects in writing within (SAID) 30 days, the commissioner shall fix a time, within 60 days after filing of the objection, for a hearing at his office (AT THE STATE CAPITOL), and the record for (SUCH) *the* hearing shall be considered by the commissioner in deciding whether or not the application shall be granted. A notice of the hearing shall be published in the form prescribed by the commissioner in a newspaper as described in subdivision 1, at the expense of the applicant, not less than 30 days prior to the date of the hearing. At the hearing the commissioner shall consider the application and hear the applicant and (SUCH) *any* witnesses (AS) *who may appear in favor of or against the granting of the application.*

Subd. 4. If (,) upon the hearing, it (SHALL APPEAR) *appears* to the commissioner that the (APPLICATION SHOULD BE GRANTED) *requirements for approval contained in subdivision 2 of this section have been met*, he shall, not later than 90 days after the hearing, and after the applicant has otherwise complied with the provisions of law applicable to the establishment of a facility, (INCLUDING THE PROVISIONS HEREIN CONTAINED,) issue the certificate of authorization. If a facility is not activated within 12 months from the date of issue of the certificate, the certificate shall automatically expire. If the commissioner shall decide that the application should not be granted, he shall issue his order to that effect and forthwith give notice by certified mail to the applicant.”.

Page 5, line 17, strike “that”.

Page 5, delete lines 19 and 20.

Amend the title as follows:

Page 1, line 3, after the semicolon delete the remainder of the line.

Page 1, line 4, delete “facility” and insert “providing for”.

Page 1, line 6, after “47.53;” insert “47.54; and”.

Page 1, line 6, delete “; and Chapter 47, by adding a section;”.

Page 1, line 7, delete everything to the period.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 787, A bill for an act relating to savings banks; allowing savings banks to establish negotiable order of withdrawal accounts; amending Minnesota Statutes 1976, Chapter 50, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, delete “such accounts shall be” and insert “the accounts are”.

Page 1, line 18, delete “such” and insert “the”.

Page 1, line 21, after the period insert:

"A savings bank shall always keep a reserve of at least seven percent of its noninterest or nondividend bearing negotiable order of withdrawal accounts, which shall be in cash, cash items in process of collection, balances due on demand from solvent banks in the United States, and not more than 30 percent in direct obligations of the United States Treasury which mature within one year from the date the obligations are first considered as a part of the bank's reserve. If on any one day a savings bank shall fail to meet the reserve requirements of this section then that bank shall pay a fine of \$50 per day to the commissioner of banks on his making a request for payment. Whenever the commissioner of banks shall determine that the maintenance of sound banking practices or the prevention of injurious credit expansion or contraction makes action advisable, he may by directive change the requirements as to reserves against non-interest or nondividend bearing negotiable order of withdrawal accounts in savings banks. The reserve requirements established in any such directive shall not be less than seven percent, nor more than those required of member banks of the Federal Reserve System on the date that the directive is issued by the commissioner unless these reserve requirements are less than seven percent."

Amend the title as follows:

Page 1, line 4, before the semicolon insert "; imposing reserve requirements".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 788, A bill for an act relating to fire insurance; requiring a premium reduction or credit against premium for installation of certain smoke or fire detection devices.

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

The report was adopted.

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

H. F. No. 1030, A bill for an act relating to health care plans; requiring minimum anticipated loss ratios for certain insurance plans; eliminating certain open enrollment requirements for non-profit health service plans; revising the Minnesota comprehen-

sive health insurance act of 1976; making necessary improvements and corrections; further prescribing the powers and duties of the commissioner of insurance; amending Minnesota Statutes 1976, Sections 62A.02, Subdivision 3; 62D.10, Subdivision 1; 62E.02, Subdivisions 2, 8, 11 and 21; 62E.03, Subdivision 2; 62E.04, Subdivision 4; 62E.06; 62E.09; 62E.10, Subdivisions 1 and 3; 62E.11, Subdivision 5; 62E.13, Subdivisions 2 and 4; and 62E.14, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 10, delete "All".

Page 2, delete line 11.

Page 2, line 12, delete "of the policy" and insert "*The anticipated loss ratio for a policy shall be conspicuously stated and explained in all advertising pertaining to the policy, in any applications for individual policies, in any explanatory material accompanying the policy when transmitted to the policyholder, and on the cover of any policy or certificate of policy issued after the effective date of this section*".

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

"Sec. 2. Minnesota Statutes 1976, Section 62A.17, Subdivision 6, is amended to read:

Subd. 6. [CONVERSION TO INDIVIDUAL POLICY.] A group insurance policy that provides post termination coverage as required by this section shall also include a provision allowing a covered employee or surviving spouse or dependent at the expiration of the post termination coverage provided by subdivision 2 to obtain from the insurer offering the group policy or group subscriber contract, at the employee's, spouse's or dependent's option and expense, without further evidence of insurability and without interruption of coverage, an individual policy of insurance or an individual subscriber contract providing (COVERAGE WHICH IS SIMILAR TO OR GREATER THAN THE HOSPITAL OR MEDICAL EXPENSE PROTECTION AFFORDED TO THE EMPLOYEE, THE SPOUSE AND HIS DEPENDENTS BY THE GROUP POLICY OR CONTRACT) *at least the minimum benefits of a qualified plan as prescribed by section 62E.06 and the option of a number three qualified plan, a number two qualified plan, and a number one qualified plan as provided by section 62E.06, subdivisions 1 to 3.* A policy providing reduced benefits at a reduced premium rate may be accepted by the employee, the spouse or a dependent in lieu of the optional coverage otherwise required by this subdivision.

The individual policy shall be (GUARANTEED) renewable *at the option of the individual as long as the individual is not covered under another qualified plan as defined in section*

62E.02, subdivision 4, up to age 65 or to the day before the date of eligibility for coverage under Title XVIII of the Social Security Act, as amended. Any revisions in the table of rate for the individual policy shall apply to the covered person's original age at entry, and shall apply equally to all similar policies issued by the insurer."

Page 4, line 10, after "(4)" strike "sold by fraternal and provides" and insert "*designed solely to provide*".

Page 4, line 11, strike "daily" and insert "*fixed*".

Page 4, line 14, after "*care,*" delete "*or*".

Page 4, line 15, after "62A.11" insert "*, or (8) accident only coverage issued by licensed and tested insurance agents or solicitors which provides reasonable benefits in relation to the cost of covered services*".

Page 4, line 15, delete "*The*".

Page 4, line 16, delete the new language and insert "*The provisions of clause (4) shall not apply to hospital indemnity coverage which is not sold to an applicant who is then currently covered by a qualified plan*".

Page 5, line 16, after the stricken "include" insert "*affirmatively*".

Page 5, line 17, delete "*or renewal*" and insert "*unqualified policy at the time of application and annually to every holder of an*".

Page 5, after line 25, insert a new section to read:

"Sec. 10. Minnesota Statutes 1976, Section 62E.04, is amended by adding a subdivision to read:

Subd. 8. No policy of accident and health insurance issued or renewed after August 1, 1977, shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving benefits pursuant to chapters 256B and 256D, or sections 62E.51 to 62E.55."

Page 6, after line 11, insert "*The \$3,000 limitation on total annual out-of-pocket expenses and the \$250,000 maximum lifetime benefit shall not be subject to change or substitution by use of an actuarially equivalent benefit.*"

Page 8, line 30, after "(4)" insert "*Effective July 1, 1979*".

Page 9, after line 20 insert a new section to read:

"Sec. 12. Minnesota Statutes 1976, Section 62E.08, is amended to read:

62E.08 [STATE PLAN PREMIUM.] Subdivision 1. For the first (YEAR) *two years* of operation of the comprehensive health insurance plan the association shall establish the following premiums to be charged for membership in the comprehensive health insurance plan:

(a) The premium for the number one qualified plan shall be the average of rates charged by the five insurers with the largest number of individuals in a number one individual qualified plan of insurance in force in Minnesota;

(b) The premium for the number two qualified plan shall be the average of rates charged by the five insurers with the largest number of individuals in a number two individual qualified plan of insurance in force in Minnesota;

(c) The premium for a qualified medicare supplement plan shall be the average of rates charged by the five insurers with the largest number of individuals enrolled in a qualified medicare supplement plan; and

(d) The charge for health maintenance organization coverage shall be based on generally accepted actuarial principles.

Subd. 2. For the (SECOND) *third* and subsequent years the schedule of premiums for membership in the comprehensive health insurance plan shall be designed to be self-supporting and based on generally accepted actuarial principles."

Page 10, line 21, delete "*exercise emergency*" and insert "*adopt emergency rules*".

Page 10, lines 22 to 28, delete the new language.

Page 10, line 32, delete "PROPERTY".

Page 11, line 13, after "*accident and health insurance*" insert "*, self-insurance, or health maintenance organization*".

Page 11, after line 15, insert a new section to read:

"Sec. 15. Minnesota Statutes 1976, Section 62E.10, Subdivision 7, is amended to read:

Subd. 7. [GENERAL POWERS.] The association may:

(a) Exercise the powers granted to insurers under the laws of this state;

(b) Sue or be sued;

(c) Enter into contracts with insurers, similar associations in other states or with other persons for the performance of administrative functions including the functions provided for in clauses (e) and (f);

(d) Establish administrative and accounting procedures for the operation of the association;

(e) Provide for the reinsuring of risks incurred as a result of issuing the coverages required by sections 62E.04 and 62E.16 by members of the association. Each member which elects to reinsure its required risks shall determine the categories of coverage it elects to reinsure in the association. The categories of coverage are:

(1) Individual qualified plans, excluding group conversions;

(2) Group conversions;

(3) Group qualified plans with fewer than 50 employees or members; and

(4) Major medical coverage.

A separate election may be made for each category of coverage. If a member elects to reinsure the risks of a category of coverage, it must reinsure the risk of the coverage of every life covered under every policy issued in that category. *A member electing to reinsure risks of a category of coverage shall enter into a contract with the association establishing a reinsurance plan for the risks. This contract may include provision for the pooling of members' risks reinsured through the association and it may provide for assessment of each member reinsuring risks for losses and operating and administrative expenses incurred, or estimated to be incurred in the operation of the reinsurance plan. This reinsurance plan shall be approved by the commissioner before it is effective.* Members electing to administer the risks which are reinsured in the association shall comply with the benefit determination guidelines and accounting procedures established by the association. The fee charged by the association for the reinsurance of risks shall not be less than 110 percent of the total anticipated expenses incurred by the association for the reinsurance; and

(f) Provide for the administration by the association of policies which are reinsured pursuant to clause (e). Each member electing to reinsure one or more categories of coverage in the

association may elect to have the association administer the categories of coverage on the member's behalf. If a member elects to have the association administer the categories of coverage, it must do so for every life covered under every policy issued in that category. The fee for the administration shall not be less than 110 percent of the total anticipated expenses incurred by the association for the administration."

Page 13, line 1, strike "shall" and insert "may".

Page 14, after line 9, insert new sections to read:

"Sec. 20. Minnesota Statutes 1976, Section 62E.53, is amended to read:

62E.53 [APPLICATION FOR ASSISTANCE.] Subdivision 1. Any person who believes that (THEY ARE) *he is* or will become an eligible person may submit an application for state assistance to the commissioner. The application shall include a listing of expenses incurred prior to the date of the application and shall designate the date on which the 12 month period for computing expenses began.

Subd. 2. If the commissioner determines that an applicant is an eligible person, he shall pay 90 percent of all qualified expenses of the eligible person and his dependents in excess of:

(a) 40 percent of his household income under \$15,000, plus 50 percent of his household income between \$15,000 and \$25,000, plus 60 percent of his household income in excess of \$25,000; or

(b) \$2,500; whichever is greater for the 12 month period in which the applicant becomes an eligible person.

Subd. 3. *The commissioner shall by rule establish procedures for determining whether and to what extent qualified expenses are reasonable charges. Unless otherwise provided for by rule charges shall be reviewed for reasonableness by the same procedures used to review and limit reimbursement under the provisions of chapter 256B.* If the commissioner determines that the charge for a health service is excessive, he may limit his payment to the (USUAL AND CUSTOMARY) *reasonable* charge for that service. If the commissioner determines that a health service provided to an eligible person was not medically necessary, he may refuse to pay for the service. (TO THE EXTENT FEASIBLE,) The commissioner (SHALL) *may* contract with a review organization as defined in section 145.61, in making any determinations as to whether or not a charge is excessive (. TO THE EXTENT FEASIBLE, THE COMMISSIONER SHALL CONTRACT WITH A REVIEW ORGANIZATION AS DEFINED

IN SECTION 145.61,) and in making any determination as to whether or not a service was medically necessary. If the commissioner in accordance with this section refuses to pay all or a part of the charge for a health service, the unpaid portion of the charge shall be deemed to be an unconscionable fee, against the public policy of this state, and unenforceable in any action brought for the recovery of moneys owed.

Sec. 21. Minnesota Statutes 1976, Chapter 62E, is amended by adding a section to read:

[62E.531] [THIRD PARTY LIABILITY.] *Subdivision 1. When the commissioner pays for or becomes liable for payments for health services under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall have a lien for payments and liabilities for the services upon any and all causes of action which accrue to the person to whom the services were furnished, or to his legal representatives, as a result of injuries which directly or indirectly led to the incurring of qualified expenses.*

The department may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70, and 514.71, except that it shall have one year from the date when the last item of health service was furnished in which to file its verified lien statement. The statement shall be filed with the appropriate clerk of court in the county in which the recipient of the services resides or in the county in which the action was filed.

Subd. 2. Where a third party may be liable in whole or in part for payment for health services, the commissioner may consider the charges for the health services to be qualified expenses if the eligible person assigns any rights accruing by virtue of any third party liability to the commissioner to the extent necessary to reimburse the state for any payments made under the provisions of this section.

Subd. 3. Upon furnishing assistance under the provisions of sections 62E.51 to 62E.55, the department of public welfare shall be subrogated, to the extent of its payments for health services, to any rights the eligible person or his dependent may have under the terms of any plan of health coverage as defined in section 62E.02, subdivision 9. The right of subrogation shall not attach prior to written notice of the exercise of subrogation rights to the issuer of the plan of health coverage.

The attorney general, or the appropriate county attorney, acting upon direction from the attorney general, may institute or join a civil action against the issuer of the plan of health coverage to recover under this subdivision.

Sec. 22. Minnesota Statutes 1976, Section 62E.54, Subdivision 1, is amended to read:

62E.54 [DUTIES OF COMMISSIONER.] Subdivision 1. The commissioner shall:

(a) Promulgate reasonable rules, *including emergency rules*, to implement sections 62E.51 to 62E.55.

(b) Establish application forms and procedures for the use of persons seeking to be declared an eligible person; and

(c) Investigate applications to determine whether or not the applicant is a qualified person and investigate claims from providers of health services to determine whether or not to pay them.

Sec. 23. **[REPEALER.]** *Minnesota Statutes 1976, Section 62E.16, is hereby repealed."*

Page 14, line 11, after "*enactment*" insert "*except for section 1 which is effective on January 1, 1978*".

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 7, after "1976;" insert "revising the Minnesota catastrophic health expense protection act of 1976;"

Page 1, line 10, after "insurance;" insert "further prescribing the powers and duties of the commissioner of public welfare;"

Page 1, line 10, after "1976," insert "Chapter 62E, by adding a section; and".

Page 1, line 11, after "3;" insert "62A.17, Subdivision 6;"

Page 1, line 13, after "Subdivision 4" insert ", and by adding a subdivision".

Page 1, line 14, after "62E.06;" insert "62E.08;"

Page 1, line 14, delete "and 3" and insert ", 3, and 7".

Page 1, line 16, delete "and".

Page 1, line 16, before the period, insert "; 62E.53; and 62E.54, Subdivision 1; repealing Minnesota Statutes 1976, Section 62E.16".

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

The report was adopted.

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

H. F. No. 1179, A bill for an act relating to nonprofit health service plan corporations; modifying retained surplus requirements; amending Minnesota Statutes 1976, Section 62C.09, Subdivision 3.

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

The report was adopted.

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

H. F. No. 1201, A bill for an act relating to insurance; requiring insurers to supply cover sheets for insurance policies; requiring insurers to issue readable insurance policies; establishing testing procedures for readability.

Reported the same back with the following amendments:

Page 2, line 12, after the period insert "This act shall not apply to a policy owner's unilateral renewal of insurance policies or contracts issued prior to the effective date of this act under which there is no unilateral right of the insurer to cancel, renew, amend or change in any way."

Page 3, line 8, delete "roman".

Page 3, line 9, delete "two points" and insert "one point".

Page 6, line 25, delete "and the pages on which they are found".

Page 7, delete lines 26 to 32.

Page 8, delete lines 1 to 23 and insert in lieu thereof:

"(1) For contracts containing 10,000 words or less of text, the entire contract shall be analyzed. For contracts containing more than 10,000 words the readability of two 200 word samples per page may be analyzed in lieu of the entire contract. The samples shall be separated by at least 20 printed lines. For pur-

poses of this clause a word shall be counted as 5 printed characters or spaces between characters.

(2) (a)(i) The number of words and sentences in the text shall be counted and the total number of words divided by the total number of sentences. The figure obtained shall be multiplied by a factor of 1.015.

(ii) The total number of syllables shall be counted and divided by the total number of words. The figure obtained shall be multiplied by a factor of 84.6.

(iii) The sum of the figures computed under clauses (1) and (2) subtracted from 206.835 equals the Flesch scale analysis readability score for the policy or contract.

(b) For purposes of clause (a) the following procedures shall be used:

(i) A contraction, hyphenated word, or numbers and letters, when separated by spaces, shall be counted as one word;

(ii) A unit of words ending with a period or colon, but excluding headings, captions, and lists, shall be counted as a sentence; and

(iii) A syllable means a unit of spoken language consisting of one or more letters of a word as divided by an accepted dictionary. Where the dictionary shows two or more equally acceptable pronunciations of a word, the pronunciation containing fewer syllables may be used."

Page 8, line 26, delete " , which is within the".

Page 8, line 27, delete "scope of this act, after July 1, 1979," and insert "after the dates specified in section 12 for the applicable type of policy".

Page 8, line 28, delete "9" and insert "10".

Page 9, line 4, delete " , which".

Page 9, line 5, delete "shall be certified as accurate by the insurer,".

Page 9, after line 22, insert a new section as follows:

"Sec. 12. [APPLICATION TO POLICIES, DATES; DUTIES OF THE COMMISSIONER.] Subdivision 1. The filing requirements of section 11 shall apply as follows:

(a) To all policies of automobile insurance, as described in chapter 65B, and to all policies of homeowner's insurance as defined in the general custom and usage of the business or by a ruling of the commissioner or a court, which are made, issued, amended or renewed after July 1, 1979;

(b) To all policies of life insurance as defined in section 60A.06, subdivision 1, clause (4), to all certificates of a fraternal beneficiary association, as defined in section 64A.31, to all policies of accident and health insurance, as defined in section 60A.06, subdivision 1, clause (5), paragraph (a), to all subscriber contracts of nonprofit health service corporations as defined in section 62.02, and to all health maintenance contracts as defined in section 62D.02, which are made, issued, amended or renewed after July 1, 1980; and

(c) To all policies of any additional line or type of insurance within the scope of this act, as provided by any rule promulgated by the commissioner not later than July 1, 1981.

Subd. 2. The commissioner shall make the following reports to the legislature:

(a) On or before February 1, 1979 a report detailing and evaluating the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (a), particularly examining the feasibility and practicality of requiring accident and health and life insurance policies to comply with this act and in the time prescribed;

(b) On or before February 1, 1980 a report detailing and evaluating (1) the operation of and the extent of compliance with this act, (2) the efforts made by the commissioner and insurers to implement the provisions of subdivision 1, clause (b), and (3) the commissioner's intent regarding the extension of the application of this act to other lines and types of insurance under subdivision 1, clause (c), and his reasons therefor."

Renumber the remaining sections.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 197, A bill for an act relating to taxation; providing a tax credit for political contributions for a candidate for any public office; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

Reported the same back with the following amendments:

Page 1, line 21, restore the stricken language.

Page 1, line 22, restore the stricken "subdivision, "candidate" means".

Page 2, line 1, before "The" insert *"every person for whom it is contemplated or desired that votes be cast at any election or primary, as defined in section 200.02, and who either tacitly or expressly consents to be so considered, except candidates for the president and vice president of the United States."*

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

The report was adopted.

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

H. F. No. 966, A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Notwithstanding Minnesota Statutes, Section 123.32, or any other law to the contrary the high school attendance districts within St. Louis county Independent School District No. 710, Albrook, Cherry, Cook, Cotton, Meadowlands and Orr, shall each constitute a separate election district.

The school board of St. Louis county Independent School District No. 710 shall consist of six elected directors, one representing each election district. A director shall reside in the election district he represents.

Two directors shall be elected each year commencing in 1978. Directors representing the Orr and Albrook attendance districts shall be elected in 1978 and every three years thereafter; directors representing the Corron and Meadowlands attendance districts, in 1979 and every three years thereafter; and directors representing the Cook and Cherry attendance districts, in 1980 and every three years thereafter. There shall be at least one polling place in each election district.

Except as provided in this section, the directors of the board of Independent School District No. 710 shall be elected and vacancies in those offices shall be filled in the manner provided by law for independent school districts."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1032, A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

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

The report was adopted.

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

S. F. No. 51, A bill for an act relating to elections; election officers; procedures for counting ballots; recounts in legislative races on request; prohibiting certain public meetings and school events on election days; duties of the secretary of state; and preparation and reception of absentee ballots; amending Minnesota Statutes 1976, Sections 204A.17, Subdivision 5; 204A.39, Subdivision 2; 204A.41; 204A.51, Subdivisions 2 and 3; 204A.53, Subdivisions 2 and 3; 204A.54, Subdivision 1; 206.026, Subdivision 5; 206.03; 206.075; 206.19, Subdivision 1; 206.23; 207.11; 207.19, Subdivision 1; and Chapter 204A, by adding a section.

Reported the same back with the following amendments:

Page 2, line 13, delete "*without permission from the state*".

Page 2, delete line 14.

Page 2, line 15, delete "*as appropriate*".

Page 2, line 18, before "*may*" insert "*located in the political subdivision in which an election is held,*".

Page 2, line 20, delete "*in any political subdivision in which the school is*".

Page 2, line 21, delete "*located*".

Pages 4 to 10, delete sections 5 to 9.

ReNUMBER the sections accordingly.

Further amend the title as follows:

Page 1, line 10, delete "204A.51, Subdivisions 2 and 3; 204A.53,".

Page 1, line 11, delete "Subdivisions 2 and 3; 204A.54, Subdivision 1;".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 213, A bill for an act relating to the city of Minneapolis; relating to elections; allowing regulation of campaign financing solely by local ordinance which contains at least the requirements of Minnesota Statutes, Chapter 10A; providing for referral of violations to the county attorney; providing penalties.

Reported the same back with the following amendments:

Page 2, after line 16, insert a new section:

"Sec. 3. This act shall be superseded by any law imposing local campaign finance regulation statewide after the effective date of this act."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 335, A bill for an act relating to elections; providing for judges of election to serve under certain conditions; amending Minnesota Statutes 1976, Sections 207.02; and 204A.17, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 12, before "Except" insert "*At least 65 days before any election for a partisan political office, the county or legislative district chairman, whichever is designated by the state party, of each political party as defined in section 200.02, subdivision 7, shall furnish a list of qualified voters in each election precinct in the county or legislative district, whichever applies,*

to act as election judges, to the auditor of the county in which the precinct is located. At least 55 days before the date of the election, the county auditor shall furnish to each of the several appointing authorities of judges for the various election precincts, a list of the appropriate names for each election precinct. Separate lists shall be so submitted by the county auditor for each political party. If any county or legislative district chairman of a political party shall fail to submit a list to the county auditor as hereinbefore provided, the appointing authorities shall select and appoint qualified electors as herein or otherwise provided by law."

Page 2, line 22, after "reside" insert "if an insufficient number of names of qualified voters in that precinct are on file in the office of the appointing authority".

Page 2, strike the old and delete the new language in lines 26 to 32.

Page 3, strike the old and delete the new language in lines 1 to 11.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 106, A bill for an act relating to the city of St. Cloud firemen's widows benefits; amending Laws 1974, Chapter 382, Section 5, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 4, delete "25" and insert "24".

Page 2, line 13, strike "six" and insert "four".

Page 2, after line 19, insert:

"Sec. 2. This act shall apply to any person receiving a benefit under Laws 1974, Chapter 382, Section 5, Subdivision 2, as of or after the effective date of this act. Any increase in benefits granted under this act which are in effect as of the effective date of this act shall be payable commencing with the first pension payment made after the effective date of this act."

Renumber the remaining section.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 161, A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

Reported the same back with the following amendments:

Page 1, line 12, delete "Albertville" and insert "Centerville".

Page 1, line 20, delete "Albertville" and insert "Centerville".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 163, A bill for an act relating to the firemen's relief association of the city of Albertville, computation of years of service for volunteer firemen.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 264, A bill for an act relating to the city of Litchfield; firemens service pensions.

Reported the same back with the following amendments:

Page 1, delete lines 6 to 13 and insert the following:

"Section 1. All payments of service pensions from the special fund of the Litchfield volunteer firemen's relief association made prior to January 1, 1977 to former members of the association who were not age 50 at the time of the receipt of the service pension but which were not made prior to the age specified by the bylaws of the association are hereby deemed authorized."

Renumber subsequent section appropriately.

Further, amend the title as follows:

Page 1, line 3, before the period, insert “; validation of certain prior payments”.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 314, A bill for an act relating to trials; authorizing electronic transcription of trial proceedings; providing for costs and payment.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [OLMSTED COUNTY; ELECTRONIC TRANSCRIPTION OF TRIAL PROCEEDINGS.] Subdivision 1. [AUTHORIZATION.] Notwithstanding any contrary provision of the law, any district court judge in Olmsted county may order, upon motion of any party or on his own motion, that any court proceedings in Olmsted county be recorded by suitable electronic means in lieu of stenographic recording. In such cases the electronic recording shall constitute the official record.

Subd. 2. [RECORDING METHODS.] The supreme court shall promulgate rules to establish minimum acceptable electronic equipment specifications for court reporting in Olmsted county and the length of time which records of court proceedings must be retained.

Subd. 3. [COSTS AND PAYMENT.] The trial court shall have authority to appoint a person or persons, other than the official court reporter, to operate such electronic recording devices and to type up transcripts of the official record when necessary. Such person or persons may be paid on a salary basis, on a contract basis, or any other basis as the court may deem appropriate. If transcriptions of electronic recordings are made by a salaried person, the charges for transcripts shall be paid into the general fund of Olmsted county. In other cases the charges for transcriptions or for copies of the electronic recordings shall be paid to the clerk of court.

Sec. 2. This act is effective upon approval by the Olmsted county board.”.

Delete the title in its entirety and insert:

"A bill for an act relating to Olmsted county; authorizing electronic recording of trial proceedings; providing for costs and payment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 410, A bill for an act relating to the Fridley police pension association; membership in the public employees police and fire fund; benefits and contributions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Notwithstanding any law to the contrary, all persons first employed by the city of Fridley as police officers or as public safety director after January 1, 1977, shall be members of the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68 and shall not be members of any local police pension or relief association. The membership of the incumbent public safety director of the city of Fridley in the public employees police and fire fund retroactive to the commencement of contributions to the public employees police and fire fund in 1972, and his exclusion from the local police pension fund, are confirmed and validated.

Sec. 2. The minimum obligation of the city of Fridley with respect to the Fridley police pension fund shall be determined and governed in accordance with Minnesota Statutes, Sections 69.71 to 69.77, except that the normal cost shall be computed as a percentage of the compensation paid to members of the Fridley police pension fund.

Sec. 3. Contributions of members of the Fridley police pension fund shall be eight percent of the monthly salary of a first grade patrolman. Contributions of the public safety director and all police officers first employed by the city of Fridley after January 1, 1977, shall be governed by Minnesota Statutes, Section 353.65.

Sec. 4. Commencing in the year 1980, in addition to the minimum obligation required by section 2, the city of Fridley shall provide additional financing to the Fridley police pension fund sufficient to amortize by the year 2010 the unfunded liability of the fund as determined in accordance with Minnesota Statutes, Section 69.73. Notwithstanding Minnesota Statutes, Sec-

tion 275.50, Subdivision 5, Clause (e), all municipal payments for the Fridley police pension fund shall be considered a special levy.

Sec. 5. When every member of the Fridley police pension fund retires or terminates from active duty, the funds of the Fridley police pension fund shall become a trust fund managed for the benefit recipients of the police pension fund by a corporate trustee or a board of trustees composed of three members selected by the benefit recipients and two members selected by the Fridley city council. The moneys in the fund shall not revert to the city of Fridley until all obligations of the police pension fund are paid.

Sec. 6. Subdivision 1. Benefits paid from the Fridley police pension fund shall continue to be governed by Minnesota Statutes, Sections 423.801 to 423.815 and by the bylaws of the Fridley police pension association, except as provided in this section.

Subd. 2. Retirement benefits shall be payable to members of the Fridley police pension fund who complete at least ten years of service but fewer than 20 years of service as police officers in the police department of the city of Fridley and who do not qualify for monthly disability or retirement benefits from the Fridley police pension fund pursuant to Minnesota Statutes, Section 423.809. The retirement benefit shall be 15 units plus an additional two units for each full year of service in excess of ten years of service and shall be payable monthly, during the member's lifetime upon written application after reaching the age of 50 years.

Subd. 3. Notwithstanding Minnesota Statutes, Section 423.810, monthly survivor benefits payable to the surviving beneficiaries of a deceased service pensioner who was receiving a retirement benefit in accordance with subdivision 2 or of a deceased deferred pensioner whose prospective retirement benefit would have been determined in accordance with subdivision 2 shall not exceed in total the number of units of the deceased service pensioner or deferred pensioner's retirement benefit or prospective retirement benefit.

Subd. 4. With respect to members of the Fridley police pension fund who qualify for monthly disability or retirement benefits from the Fridley pension fund pursuant to Minnesota Statutes, Section 423.809, and with respect to their surviving beneficiaries, the salary on which benefit units are based shall continue to be the salary of a first grade patrolman in the police department of the city of Fridley for the second month of the fiscal year preceding each year's benefit payments, regardless of whether or not any member of the Fridley police pension fund holds the position of first grade patrolman.

Subd. 5. With respect to members of the Fridley police pension fund who complete at least ten years of service but fewer

than 20 years of service as police officers in the police department of the city of Fridley and who do not qualify for monthly disability or retirement benefits from the Fridley police pension fund pursuant to Minnesota Statutes, Section 423.809, and with respect to their surviving beneficiaries, the salary on which benefit units are based shall be described in subdivision 4 except that whenever actual salary increases of a first grade patrolman have exceeded three percent per year compounded annually from the date of a member's termination of service, the excess shall not be used in computing the member's retirement benefit or the benefits of the member's surviving beneficiaries.

Sec. 7. The bylaws of the Fridley police pension association shall be amended to conform to the requirements of this act. The city of Fridley as employer, the employees of the Fridley police department, the board of trustees of the Fridley police pension association, and the board of trustees of the public employees retirement association shall do all things necessary to carry out the purposes of this act.

Sec. 8. This act is effective upon approval by the governing body of the city of Fridley and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Amend the title as follows.

Line 2, delete "Fridley police pension".

Delete line 3.

Delete line 4 to the period and insert "city of Fridley; membership of new police officers in the public employees retirement association; benefits and contributions for remaining members of the Fridley police pension association".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 411, A bill for an act relating to the city of Columbia Heights police department relief association; membership therein; benefits and contributions; membership of certain police personnel in the public employees' police and fire fund.

Reported the same back with the following amendments:

Page 2, line 30, delete "retirement association" and insert "police and fire fund".

Page 4, line 5, after "purposes" insert "actually".

Page 4, line 5, delete "a" and insert "each individual".

Page 5, line 12, delete "eligible to be".

Page 5, line 13, delete the first "to" and insert "shall".

Page 5, line 18, after the period insert "A disabled member of the Columbia Heights police relief association may continue to be a member of the association."

Page 5, line 21, after "retired" insert "or terminated".

Page 5, line 23, delete "be eligible to".

Page 5, line 30, after the period insert "In the event any policeman first hired prior to June 15, 1972, voluntarily and of his own volition terminates service with the Columbia Heights police department, he shall not be eligible to be a member of the Columbia Heights police relief association if he is rehired by the city of Columbia Heights."

Page 9, line 7, delete "means" and insert "shall mean".

Page 9, line 13, delete "term" and insert "terms".

Page 9, line 13, before "shall" insert "and "top patrolman's salary" ".

Page 11, line 21, after "as" delete the balance of the line.

Page 11, delete lines 22 to 32.

Page 12, delete lines 1 to 8.

Page 12, delete line 9 to the period and insert "being the aggregate salaries of all active duty policemen employed by the Columbia Heights police department who are members of the Columbia Heights police relief association, assuming for the purposes of this subdivision that all policemen first hired prior to June 15, 1972, are paid the salary of a top patrolman as defined in subdivision 1".

Page 12, line 24, delete "by" and insert "in accordance with".

Page 12, line 25, delete "the".

Page 12, delete lines 26 to 31.

Page 12, line 32, delete "shall be as follows" and insert "that actuarial surveys of the Columbia Heights police relief association prepared in accordance with Minnesota Statutes, Chapter 69, shall be based on the following assumptions with respect to future salary increases".

Page 13, line 18, delete "1982" and insert "1980".

Page 13, line 19, delete "on January 1,".

Page 13, line 20, delete "1977".

Page 13, line 23, delete "created by" and insert "set out in".

Page 13, line 24, delete "2017" and insert "2010".

Page 13, line 25, delete "deficit" and insert "liability (deficit)".

Page 16, line 6, after "fund" insert "for which he qualifies independently by reason of age and service".

Page 16, line 8, delete "such" and insert "each".

Page 17, line 8, after "sources" insert "and the interest thereon".

Page 17, line 15, delete "hereinafter".

Page 17, line 15, after "authorized" insert "in this act".

Page 18, line 18, after "patrolman" insert "as defined in section 8, subdivision 1".

Page 21, line 23, delete "deductions" and insert "time exclusions".

Page 22, line 1, delete "deduction" and insert "time exclusions".

Page 23, line 15, delete "retired" and insert "terminated service".

Page 30, line 21, delete "a".

Page 30, delete line 22.

Page 30, line 23, delete "have the power to transact any and all".

Page 30, line 24, after "meeting" insert "may be transacted by majority vote of all members appearing at the meeting in person or through proxy. The appointment of a proxy shall be in writing filed with the secretary of the relief association at or before the meeting. The authority of a proxy may be terminated at will. Unless otherwise provided in the appointment, the proxy's authority shall cease 11 months after the appointment. A termination of the proxy's authority by act of the maker shall be ineffective until written notice of the termination has been given to the secretary. Unless otherwise provided therein, the appointment filed with the secretary shall have the effect of revoking all appointments of prior date. A proxy's authority shall be revoked by the death of the maker".

Page 30, line 24, delete "Members of the association".

Page 30, delete line 25.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 414, A bill for an act relating to the city of Fairmont; membership of new police in the public employees retirement association.

Reported the same back with the following amendments:

Page 2, line 5, delete "governed by Minnesota Statutes, Section".

Page 2, line 6, delete "69.71 to 69.77" and insert "eight percent of covered payroll".

Page 2, after line 9, insert:

"Sec. 4. Notwithstanding Minnesota Statutes, Section 69.031, Subdivision 5, Clause (2), the total police state aid shall be transmitted to the treasurer of the relief association to be deposited in the special fund of the relief association. In the event that the total police state aid exceeds the total municipal obligation with respect to the association as calculated pursuant to Minnesota Statutes, Section 69.77, and section 5 of this act, the amount of the police state aid in excess of the total municipal obligation

shall be applied toward the employer contribution to the public employees police and fire fund.”.

Renumber the remaining sections in sequence.

Page 2, line 30, delete “then”.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 460, A bill for an act relating to retirement; adjustment in annuities through the adjustable fixed benefit fund; amending Minnesota Statutes 1976, Section 11.25, Subdivisions 12 and 13.

Reported the same back with the following amendments:

Page 1, after line 7, add a section to read:

“Section 1. Minnesota Statutes 1976, Section 11.25, Subdivision 3, is amended to read:

Subd. 3. [PARTICIPATION IN FUND.] Any public retirement organization authorized to participate in the Minnesota adjustable fixed benefit fund may own an undivided participation in all the assets of the fund. The extent of annual participation shall be determined by the ratio of each organization's contribution to the total contributions of all participating organizations. Such ratio shall be determined monthly. Contributions and withdrawals may be certified at any time, but notification of contributions must reach the state board of investment by the twenty-fifth day of any month in order for such contributions to be included in calculations determining the monthly ratio. At the end of each fiscal year, the 12 ratios for such year, beginning with that of the previous (JUNE 30) *July 31*, shall be averaged. The average ratio shall determine the distribution of the difference between the admitted value and the balances of contributions of the respective organizations at year end to determine the respective amounts of participation. The interpretation and administration of all calculations affecting the fund shall be made in a manner to achieve the most uniform and equitable treatment possible for all participating organizations.”.

Page 1, line 21, strike “Using” and insert “*Based upon*”.

Page 8, delete lines 7 to 25 and insert:

"(1) As of June 30, 1977, and each anniversary thereafter, a potential benefit adjustment factor shall be determined by multiplying the benefit adjustment factor calculated pursuant to clause (a) (2) by the ratio of the potential adjustment factor for the anniversary immediately preceding the current anniversary to the actual benefit adjustment factor for that same prior anniversary, which ratio for June 30, 1976, shall be equal to one.

(2) If the potential benefit adjustment factor for the current anniversary obtained pursuant to clause (f) (1) is greater than 98 percent but less than 102 percent, no adjustment of annuities shall be made.

(3) If the potential benefit adjustment factor for the current anniversary obtained pursuant to clause (f) (1) is less than or equal to 98 percent or greater than or equal to 102 percent, the actual benefit adjustment factor shall be obtained from the potential benefit adjustment factor by rounding to the next lower one-half of one percent.

(4) If no adjustment of annuities is to be made, then the actual benefit adjustment factor is one."

Page 9, line 14, after "any" insert "surplus or".

Page 11, line 19, after "increases" insert "after January 1, 1978,".

Page 11, after line 21 insert:

"Sec. 4. [TEMPORARY PROVISION.] Each participating pension fund shall recalculate the amount of its mortality gain or loss for each of the fiscal years ending June 30 or December 31, 1975 and 1976, in accordance with this act.

If the total amount of such recalculated mortality gain or loss differs from the total amount of mortality gain or loss previously reported, the pension fund shall be credited with the difference if it has previously paid an excess amount to the Minnesota adjustable fixed benefit fund or the pension fund shall pay the difference to the Minnesota adjustable fixed benefit fund if it has previously paid a deficient amount. In either case the fund's participation in the Minnesota adjustable fixed benefit fund shall be adjusted on December 30, 1977 to reflect the credit or payment."

Page 11, line 22, delete "July 1, 1977" and insert "the day following final enactment".

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 5, after "subdivisions" insert "3,".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 491, A bill for an act relating to retirement; police pensions in cities of the fourth class; amending Minnesota Statutes 1976, Sections 423.55 and 423.56.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [CROOKSTON POLICE RELIEF ASSOCIATION; COMPLETION OF PERIOD OF SERVICE; AGE; RETIREMENT; SERVICE PENSION.] Subdivision 1. Notwithstanding Minnesota Statutes, Section 423.55, a member of the Crookston police relief association who has completed a period, or periods of service, as a policeman in the police department of the city of Crookston, equal to 15 years or more, shall, after he has arrived at the age of 50 years or more, and has retired from the payroll of the police department of the city, be entitled to a service pension equal to 37-1/2 percent of the monthly base pay of the policeman at the time of his retirement from the police department, plus an additional 2-1/2 percent for each full year of service in excess of 15 years, to a maximum of 75 percent. In no event shall the pension be less than \$75 per month, which pension shall be payable monthly during the term of his natural life in conformity with the bylaws of the association.

Subd. 2. "Monthly base pay" means the highest monthly salary earned by the member, exclusive of any overtime pay or special allowances.

Subd. 3. All leaves of absence of more than 90 days, except those which are granted to a member because of his disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in the police department not subject to the provisions of Minnesota Statutes, Sections 423.41 to 423.62. No member shall be entitled to draw both a disability and a service pension.

Sec. 2. [MEMBER RETIRING AFTER SERVING 15 YEARS BUT HAS NOT REACHED RETIREMENT AGE.] A member of the association who has completed a period, or periods of service, as a policeman in the police department of the city equal to 15 years or more, but has not reached the age of 50 years, shall have the right to retire from the department without forfeiting his right to a service pension. He shall, upon application, be placed on the deferred pension roll of the association, and, after he has reached the age of 50 years, the association shall upon application therefor, pay his pension from the date the application is approved by the association.

Sec. 3. [EMPLOYEE CONTRIBUTION.] The employee contribution shall be eight percent of salary of the member.

Sec. 4. This act is effective upon approval by the governing body of the city of Crookston and upon compliance with Minnesota Statutes, Section 645.021.”

Further, amend the title as follows:

Page 1, line 2, delete “cities”.

Page 1, delete line 3.

Page 1, delete line 4 to the period and insert “the city of Crookston”.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 536, A bill for an act relating to civil service; providing that promotion and place of service are separate considerations; amending Minnesota Statutes 1976, Section 43.19, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete all of lines 14 to 16.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 612, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall be appointed by and shall serve at the pleasure of the appointing authority; providing for the succession of commissioners; defining position and duties of deputy department heads; standardizing the format and procedures relating to executive orders and reorganization orders; prescribing uses for executive orders; limiting the scope of reorganization orders; eliminating obsolete language; amending Minnesota Statutes 1976, Sections 15.051, Subdivisions 1 and 3; 15.06; 16.01; 16.125; 16A.01, Subdivisions 2 and 3; 17.01; 43.001, Subdivisions 2 and 3; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 116H.03, Subdivisions 2 and 3; 121.09; 121.16, Subdivision 1; 144.02; 174.02, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06, Subdivision 1; 241.01, Subdivisions 1 and 2; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivisions 1 and 2; 362.09, Subdivision 1; 363.04, Subdivision 1; 462A.04, Subdivision 8; and Chapter 144, by adding a section; repealing Minnesota Statutes 1976, Sections 16.13; 121.07; 121.08; 121.10; 121.16, Subdivision 2; 144.03; 144.04; 175.001, Subdivision 4; and 216A.06, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 20, delete "*The commissioner shall take office when the senate*".

Page 2, delete all of lines 21 to 23.

Page 2, line 24, delete "*as "acting commissioner", and upon this designation*" and insert: "*Upon designation by the governor,*".

Page 2, line 27, after "*as*" insert "*commissioner or*".

Page 2, delete all of line 30.

Page 2, line 31, delete "*of personnel*" and insert "*when the governor who appointed the commissioner leaves office.*".

Page 10, line 21, after "*energy*" insert "*agency*" and after "*finance*" insert "*agency*".

Page 12, line 5, strike "*about*".

Page 12, line 7, strike "*The governor may remove the commissioner*".

Page 12, strike all of line 8.

Page 16, lines 7 and 8, reinstate the stricken language.

Page 16, line 14, reinstate the stricken language.

Page 30, delete lines 3 to 19 and insert:

"[144.011] [DEPARTMENT OF HEALTH.] *Subdivision 1. [COMMISSIONER.] The department of health shall be under the control and supervision of the commissioner of health who shall be appointed by the governor under the provisions of section 1. The state board of health is abolished and all powers and duties of the board are transferred to the commissioner of health.*

Subd. 2. [STATE HEALTH ADVISORY COUNCIL.] The state health advisory council is hereby created to consist of 15 members appointed by the governor. Nine members of the council shall be broadly representative of the licensed health professions and six members shall be public members as defined by section 214.02. Additionally, members of the council shall be representative of the various geographic areas of the state. The council and its members shall be governed by the provisions of section 15.059. The governor shall designate a chairman of the council and such other officers as he deems necessary. The council shall advise the commissioner of health on any matter relating to the functions of the department."

Page 30, line 23, delete "and rules promulgated".

Page 30, line 24, delete "by the board".

Pages 30 and 31, delete all of section 37 and insert:

"Sec. 37. Minnesota Statutes 1976, Chapter 121, is amended by adding a section to read:

[121.021] [DEPARTMENT OF EDUCATION.] *Subdivision 1. [COMMISSIONER.] The department of education shall be under the control and supervision of the commissioner of education who shall be appointed by the governor under the provisions of section 1. The state board of education is abolished and all powers and duties of the board are transferred to the commissioner of education.*

Subd. 2. [STATE ADVISORY COUNCIL ON EDUCATION.] The state advisory council on education is hereby created to consist of nine members appointed by the governor. Members of the council shall be representative of the various geographic areas of the state. The governor shall designate a chairman of the council and such other officers as he deems necessary. The council and its members shall be governed by the provisions of section 15.059. The council shall advise the commissioner of education on any matter relating to the functions of the department."

Page 32, line 16, delete "1980" and insert "1979".

Page 32, line 19, delete "1980. Notwithstanding the".

Page 32, delete lines 20 and 21 and insert "1979".

Page 33, at the end of the line 9, insert *"The revisor of statutes shall also eliminate from the statutes any reference to the "board of health" and shall insert in lieu thereof as appropriate the "commissioner of health" or "commissioner" and shall eliminate from the statutes any reference to the "board of education" and shall insert in lieu thereof as appropriate "commissioner of education" or "commissioner." "*

Page 33, line 11, delete "121.07" and insert "121.02; 121.03".

Page 33, at the end of line 11, insert "144.01; 144.02;".

Further amend the title as follows:

Page 1, line 12, after "orders;" insert "abolishing the state board of health and state board of education and transferring their powers and duties;".

Page 1, lines 18 and 19, delete "121.16, Subdivision 1;".

Page 1, line 26, delete "and Chapter" and insert "Chapters 121, by adding a section; and".

Page 1, line 27, delete "121.07" and insert "121.02; 121.03".

Page 1, line 28, after "Subdivision 2;" insert "144.01; 144.02;".

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 685, A bill for an act relating to the city of Hibbing; authorizing an increase in the service pensions of certain retired firemen; amending Laws 1935, Chapter 192, Section 1, as amended, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Sec. 2. *From and after the effective date of this act, neither the city of Hibbing nor the firemen's relief association in the*

city of Hibbing shall qualify for state fire aid pursuant to Minnesota Statutes, Chapter 69, nor shall the commissioner of insurance certify such association to the county auditor as provided in Minnesota Statutes, Section 69.021, unless the provisions of Laws 1971, Chapter 614, Section 2, are complied with. Such compliance shall be determined by the commissioner of insurance, and the association shall include the information needed for such determination with its annual financial report required by Minnesota Statutes, Section 69.051."

Renumber the remaining section.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 686, A bill for an act relating to retirement; judges' survivors' benefits; option to continue.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 791, A bill for an act relating to state lands; authorizing the conveyance of certain state lands in Rice county to the city of Faribault for the purpose of establishing a nature interpretive center with emphasis on natural history.

Reported the same back with the following amendments:

Page 1, line 12, delete "transfer and convey" and insert "lease".

Page 1, line 16, delete "conveyance" and insert "lease".

Page 4, line 28, delete "quitclaim deed" and insert "lease".

Page 4, line 28, after "state." insert "Notwithstanding any other law to the contrary, the lease shall be for a 20 year period and shall be renewed as long as the conditions specified in subdivision 1 are fulfilled."

Page 4, line 29, delete "quitclaim deed" and insert "lease".

Page 4, line 31, before "land" insert "leased" and after "land" delete "conveyed".

Page 5, line 1, delete "of conveyance" and insert "on which the lease is issued".

Page 5, line 1, delete "conveyed" and insert "lease shall terminate and the leased".

Amend the title as follows:

Page 1, line 3, delete "conveyance" and insert "lease".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 848, A bill for an act relating to retirement; Minnesota municipal employees retirement fund; new employees into the public employees retirement association; amending Minnesota Statutes 1976, Section 353.01, Subdivision 2a; and Chapter 422A, by adding a section.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.302] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 8 of this act, the terms defined in this section shall have the meanings ascribed to them.*

Subd. 2. "Enabling act" means sections 355.01 to 355.07.

Subd. 3. The terms "social security act", "state agency", "employment", "wages", "contribution fund", "Federal Insurance Contributions Act", and "political subdivision" mean as defined in the enabling act.

Subd. 4. "Municipal employee" means all officers and employees of political subdivisions who hold positions covered by the Minneapolis municipal employees retirement fund established under the provisions of chapter 422A.

Sec. 2. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.303] [REFERENDUM.] *Pursuant to the provisions of the enabling act the governor shall designate an agency or an individual to supervise a referendum to be held after May 1, 1979, in accordance with the provisions of section 218 (d)(6)(C) of the social security act, for municipal employees.*

Sec. 3. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.304] [NOTICE OF REFERENDUM.] *The notice of referendum required by section 218 (d) of the social security act which is to be given to the municipal employees shall contain a statement in such form as the agency or individual designated to supervise the referendum shall deem necessary and sufficient to inform the municipal employees of the rights which accrue to them under the social security act. The statement shall also inform the municipal employees of the effect that coverage under the social security act will have on their public retirement program.*

Sec. 4. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.305] [DIVISION OF THE MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND.] *In accordance with sections 218 (d)(6)(C) of the social security act, the state agency shall divide into two divisions or parts the Minneapolis municipal employees retirement fund established under the provisions of Minnesota Statutes, Chapter 422A. One division or part of the retirement fund shall be composed of positions of municipal employees who desire coverage under an agreement under section 218 (d) of the social security act. The other division or part of the retirement fund shall be composed of positions of municipal employees who do not desire coverage under such an agreement. Each division or part shall be deemed to be a separate retirement system for the purposes of section 218 (d) of the social security act. There shall be included in the division or part composed of members desiring such coverage the positions of municipal employees who become members of the Minneapolis municipal employees retirement fund after such coverage is extended; provided, a municipal employee whose service in a position covered by the retirement fund commences after the date on which such social security coverage is extended shall be deemed to become a member of the retirement fund upon the commencement of such service for purposes of this section, notwithstanding the date of any employment contract.*

Sec. 5. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.306] [TRANSFER OF MEMBERS.] *In accordance with section 218 (d)(6)(F) of the social security act, and when*

the Minneapolis municipal employees retirement fund is divided into two divisions or parts, the position of any member of the division or part composed of positions of municipal employees who do not desire coverage under an agreement under section 218 (d) of the social security act may be transferred to the separate retirement system composed of municipal employees who desire such coverage; and a modification of agreement between the state and the secretary of health, education, and welfare may so provide, but only if prior to such modification the individual occupying such position files with the state agency a written request for such transfer.

Sec. 6. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.307] [CERTIFICATION BY GOVERNOR.] *If the governor receives satisfactory evidence that the conditions specified in section 218 (d) (7) of the social security act have been met with respect to the Minneapolis municipal employees retirement fund, he shall so certify to the secretary of health, education, and welfare.*

Sec. 7. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.308] [AGREEMENTS WITH FEDERAL AGENCY.] *Upon the governor's certification pursuant to section 6 of this act, the state agency, with the approval of the governor, shall be authorized after June 30, 1979, to enter into an agreement with the secretary of health, education, and welfare, or modify any such agreement previously made with respect to municipal employees. The agreement or modification shall contain such terms and provisions authorized by the social security act and the enabling act as the state agency finds proper.*

Sec. 8. Minnesota Statutes 1976, Chapter 355, is amended by adding a section to read:

[355.309] [CONTRIBUTIONS.] Subdivision 1. [EMPLOYER CONTRIBUTIONS.] *Contributions required under the agreement or modification entered into pursuant to section 7 of this act to be made by political subdivisions employing municipal employees, and payments required by Minnesota Statutes, Section 355.49, which shall apply to political subdivisions employing municipal employees, shall be paid by the applicable political subdivision.*

Subd. 2. [EMPLOYEE CONTRIBUTIONS; DEDUCTION FROM WAGES.] *After the date the agreement or modification is entered into pursuant to section 7 of this act, there shall be paid as a deduction from wages an employee contribution in an amount equal to the tax that would be imposed by the Federal*

Insurance Contribution Act if such service constituted employment within the meaning of that act. Contributions so made shall be paid into the contribution fund in partial discharge of the liability of the state and each political subdivision in respect thereto. Failure to deduct such contribution shall not relieve the employee or the state or the political subdivision of liability therefor.

Sec. 9. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 14. "Service" for purposes of sections 20 to 27 of this act shall mean all service credited by the retirement board, irrespective of whether the employee was covered by the basic program or the coordinated program.

Sec. 10. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 15. "Coordinated service" for purposes of sections 20 to 27 of this act shall mean service credited by the retirement board for which the employee was covered by the coordinated program.

Sec. 11. Minnesota Statutes 1976, Section 422A.01, is amended by adding a subdivision to read:

Subd. 16. "Coordinated employee" for purposes of sections 20 to 27 of this act shall mean any employee of the contributing class who is covered by any agreement or modification made between the state and the secretary of the federal department of health, education and welfare, making the provisions of the federal old age, survivors and disability insurance act applicable to such employees.

Sec. 12. Minnesota Statutes 1976, Section 422A.06, Subdivision 6, is amended to read:

Subd. 6. [SURVIVOR'S BENEFIT FUND.] The survivor's benefit fund shall consist of the amount held for survivor benefits, increased by contributions for survivor benefits made by and for employees, including contributions made by the employer, by any municipal activity supported in whole or in part by revenue other than taxes or by any public corporation(, AND BY INCOME ON INVESTMENTS OF SUCH FUND AT THE GREATEST MULTIPLE OF ONE-TENTH OF ONE PERCENT UP TO AND INCLUDING A MAXIMUM OF THE INTEREST ASSUMPTION RATE PROVIDED FOR IN SUBDIVISION 5). *A proportionate share of income from investments shall be allocated to this fund. There shall be paid from such fund the survivor benefits specified in section 422A.23 except that*

the refund of net accumulated deductions from the salary of a contributing member shall upon his death in service be paid from the deposit accumulation fund.

Sec. 13. Minnesota Statutes 1976, Section 422A.08, Subdivision 2, is amended to read:

Subd. 2. Prior to August 31 of each year the retirement board shall prepare an itemized statement of its financial requirements from tax revenue for the succeeding fiscal year. A copy of the statement shall be submitted to the board of estimate and taxation and to the city council prior to September 15 of each year. This statement shall include:

(1) An estimate of the administrative expense of the board less:

(a) Such amount as the board may charge against the interest income account of the fund as cost of handling the investment securities of the fund.

(b) The cost of handling the retirement benefits of any city-owned public utility, improvement project, or other municipal activities supported in whole or in part by revenues other than taxes.

(c) The cost of handling the retirement benefits of any public corporation and its employees who have availed themselves of the provisions of sections 422A.01 to 422A.25.

(2) An estimated amount not to exceed 7 1/4 percent of the salaries and wages of all employees covered by the retirement fund less any amounts contributed for current cost of future retirement benefits by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(3) The estimated amount to meet the requirements of section 422A.06, subdivision 3, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(4) The cost of all monthly survivor's benefits provided in section 422A.23 as an obligation of the city and any of its boards, departments, commission or public corporations as therein provided, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(5) Such other levies and financing as are required by law.

(6) The total of items 1, 2, and 3 above shall be increased or decreased as the case may be by any deficiency or excess of the amount of tax revenue actually collected within the preceding fiscal year under or over the amount actually determined to meet the financial requirements of the fund for such year. In no event shall the amount requested for levy exceed the total of entry age normal cost, less the amounts contributed by the employees, plus administrative expense, interest on the actuarial deficit at the rate of five percent per annum, an amount necessary to reduce the principal amount of the actuarial deficit in equal installments by the year (1997) 2017, plus interest upon any deficiency from the previous year's levy at the rate of four percent per annum. This limit does not apply to the requirements for survivors benefits provided in section 422A.23 nor to any levy which is administered by the retirement board pursuant to special act.

Sec. 14. Minnesota Statutes 1976, Section 422A.08, Subdivision 5, is amended to read:

Subd. 5. Any contributor or retired employee who prior to entering the service of the city was an employee of a public corporation, shall be allowed credit in the retirement fund for employment by such public corporation in the same manner as though the service had been rendered to the city. Before receiving credit for service rendered to a public corporation as herein set forth, the contributing or retired employee shall make application therefor in writing to the retirement board, and shall contribute to the retirement fund the amount which would have been contributed had the employee been a contributing member of the fund during the time such service was rendered to the public corporation, plus (FOUR) *six* percent compound interest to date of payment or date of retirement, such amount to be determined by the retirement board.

Sec. 15. Minnesota Statutes 1976, Section 422A.09, Subdivision 3, is amended to read:

Subd. 3. The exempt class shall consist of:

(1) Employees who are members of any other organization or association of the city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position. Provided that any elective officer holding an elective city office, excepting judges of a municipal court, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ten or more years of service.

All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee, or member of an executive board or commission or any combination thereof. Persons who have served in elective positions which qualified them for membership in the fund prior to July 1, 1967, and who immediately thereafter hold elective office, first being appointed to that elective office in Hennepin county in which they served as an elected official, may retain or resume membership in the fund as an elective officer of the county. The county shall collect and pay to the retirement fund the employee contribution. The employer cost of allowances and benefits credited to an elected officer as set forth above shall be paid from the county revenue fund by the proper county officials upon certification of such costs by the retirement board in the same manner as prescribed in section 422A.08 for the payment of costs by public corporations. A tax shall be levied by Hennepin county to defray the cost of such retirement allowances which may be in addition to all other taxes levied by the county. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service under this section shall contribute to the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first became eligible for membership in the fund, in accordance with the method of contribution herein provided for, plus four per cent compound interest.

(3) Persons serving without pay.

(4) Persons employed on a temporary basis, as (LABORERS,) doorkeepers, ticket takers, and attendants at the municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31, inclusive, provided that employees who are contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

(5) A person who is exempted from the contributing class by Minnesota Statutes 1974, Section 422A.09, Subdivision 3, Clauses (4) and (5), but who is employed by and paid, in whole or in part, by the city or any of its boards, departments, or commissions, operated as a department of the city government or independently, if financed in whole or in part by city funds, including any person employed by a public corporation as herein defined, and including any person employed by the Minneapolis school district, each of whom are not a member of any other retirement system, who later becomes a contributing member of the fund may elect to qualify such time for credit by paying into the fund an amount equal to the amount of contributions to the

fund which such person would have made had he been a contributor to the fund since the date he first qualified as an exempt member of the contributing class, in accordance with the method of contribution herein provided, plus four percent compound interest.

(6) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation, as herein outlined, and is excluded from participation in the fund by paragraph (4) shall be separated from the service upon reaching the age of 65 regardless of the provisions of the veterans preference act.

Sec. 16. Minnesota Statutes 1976, Section 422A.16, is amended by adding a subdivision to read:

Subd. 3a. If a contributing member who has become permanently separated from the service of the city after 20 or more years of service as a contributing member, has at the time of separation allowed his or her contributions to the fund to remain on deposit, and has filed a written request with the board on prescribed forms, dies prior to the effective date of retirement as determined by the board, the board shall pay a monthly allowance for life to the surviving spouse of the employee, in lieu of the city credit referred to in section 422A.23. The monthly allowance herein provided for shall be the actuarial equivalent of a single life service allowance specified in section 422A.15, which would have been payable to the employee on the date of death, notwithstanding the age requirement stated therein. For purposes of this subdivision, the amount of excess contributions by the member shall not be included in determining the monthly allowance.

Sec. 17. Minnesota Statutes 1976, Section 422A.18, Subdivision 2, is amended to read:

Subd. 2. The amount of disability allowance under this section shall be the amount of service allowance to which the employee would be entitled under section 422A.15, notwithstanding the age requirements expressed therein; or the lesser of the following amounts; 50 percent of the final average compensation, or an amount equal to two percent of final average compensation for each year of allowable service for the first ten years, and thereafter 2.5 percent of final average compensation per year of allowable service, including in the latter assumed service between the date the disability occurred and the 60th birthday of the employee.

(IF, AT THE END OF ANY FISCAL YEAR, INTEREST IS ALLOCATED TO THE DISABILITY BENEFIT FUND, AT A RATE GREATER THAN THE RATE SPECIFIED IN SECTION 422A.06, SUBDIVISION 5, CLAUSE (A), THE AMOUNT OF ANY BENEFITS PAYABLE FROM SUCH FUND THAT WERE IN EFFECT AT THE END OF THE

PREVIOUS FISCAL YEAR, SHALL BE INCREASED BY THE DIFFERENCE BETWEEN THE TWO RATES OF INTEREST). *If the amount of annuity payable from the Minnesota adjustable fixed benefit fund to any class of annuitants is adjusted pursuant to section 11.25, subdivision 12, the amount of benefits payable from the disability benefit fund for that class of annuitants shall also be adjusted at the same time and rate.*

Sec. 18. Minnesota Statutes 1976, Section 422A.23, Subdivision 7, is amended to read:

Subd. 7. If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance for life to the designated beneficiary of such employee(, PROVIDING SUCH EMPLOYEE PRIOR TO THE DATE OF HIS DEATH FILED A WRITTEN REQUEST THEREFOR WITH THE BOARD ON FORMS PROVIDED BY SUCH BOARD). The monthly allowance herein provided for shall be the actuarial equivalent of a single life service allowance specified in section 422A.15, which would have been payable to the employee on the date of his death, notwithstanding the age requirement stated therein. For purposes of this section, the amount of excess contributions by the member shall not be included in the calculations in determining the monthly allowance. (PERSONS RECEIVING SURVIVOR BENEFITS PURSUANT TO THE PROVISIONS OF THIS SUBDIVISION ON THE EFFECTIVE DATE OF THIS ACT, SHALL RECEIVE AN INCREASE OF 35 PERCENT OF THE MONTHLY BENEFITS THEY ARE THEN RECEIVING.)

Sec. 19. Minnesota Statutes 1976, Section 422A.23, is amended by adding a subdivision to read:

Subd. 10. *If the amount of annuity payable from the Minnesota adjustable fixed benefit fund to any class of annuitants is adjusted pursuant to section 11.25, subdivision 12, the amount of benefits payable from the survivor's benefit fund pursuant to subdivisions 7 or 8 for that class of annuitants shall also be adjusted at the same time and rate.*

Sec. 20. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.30] [MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND COORDINATED PROGRAM.] *There shall be established effective July 1, 1979, a coordinated retirement program within the Minneapolis municipal employees retirement fund for employees of the contributing class who are covered by any agreement or modification made between the state and the secretary of health, education and welfare, making*

the provisions of the federal old age, survivors and disability insurance act applicable to such employees.

Sec. 21. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.31] [COORDINATED PROGRAM CONTRIBUTIONS.] *Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] The employee contribution for a coordinated employee shall be an amount equal to four percent of total salary. These contributions shall be made by deduction from salary in the manner provided in section 422A.12, subdivision 1. Where any portion of a member's salary is paid from other than public funds, such member's employee contributions shall be based on the total salary received from all sources.*

Subd. 2. [EMPLOYER CONTRIBUTION.] The employer contribution shall be an amount equal to the employee contribution under subdivision 1. The contribution shall be made from funds available to the employer from the collection of taxes or other revenue.

Subd. 3. [EMPLOYER ADDITIONAL CONTRIBUTION.] An additional employer contribution shall be made in an amount equal to one and one-half percent of the total salary of each coordinated employer. The contribution shall be made from funds available to the employer from the collection of taxes or other revenue.

Subd. 4. [EMPLOYER FINANCING.] The estimated amount of the employer contributions required under subdivisions 2 and 3 shall be added to the itemized statement of the financial requirements of the retirement fund prepared pursuant to section 422A.08, subdivision 2.

Sec. 22. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422.32] [COORDINATED RETIREMENT ANNUITY.] *Subdivision 1. [UNREDUCED RETIREMENT ANNUITY.] Upon separation from service, any coordinated employee who has attained the age of at least 65 years and who has received credit for not less than ten years of service is entitled upon application to a retirement annuity, which shall be known as the normal coordinated retirement annuity. Upon separation from service, any coordinated employee who has attained the age of at least 62 years and who has received credit for not less than 30 years of service is entitled upon application to a retirement annuity equal to the normal coordinated retirement annuity without any reduction in annuity by reason of early retirement.*

Subd. 2. [REDUCED RETIREMENT ANNUITY.] Upon separation from service, any coordinated employee who has attained the age of at least 55 years and who has received credit for not less than ten years of service, or who has received credit for not less than 30 years of service regardless of age, is entitled upon application to a retirement annuity in an amount equal to the normal coordinated retirement annuity reduced by one-half of one percent for each month that a coordinated employee is under age 65 to and including age 60 and reduced by one-fourth of one percent for each month under age 60 at the time of retirement; provided however that for any coordinated employee who has received credit for 30 or more years of service who applies for a retirement annuity, such reduction shall be applied for each month that the coordinated employee is under age 62 at the time of retirement.

Subd. 3. [AVERAGE SALARY.] Average salary for purposes of calculating the normal coordinated retirement annuity pursuant to subdivision 4 shall mean the arithmetic average annual salary, wages or compensation upon which contributions have been made for any five calendar years out of the last ten calendar years of service, which may include the year in which the coordinated employee retires, as selected by the coordinated employee.

Subd. 4. [COORDINATED RETIREMENT ANNUITY FORMULA.] The average salary multiplied by one percent for each year of coordinated service for the first ten years and thereafter by 1.5 percent per year of coordinated service and completed months less than a full year shall determine the amount of the normal coordinated retirement annuity.

Subd. 5. [RETIREMENT BEFORE ELIGIBILITY FOR SOCIAL SECURITY BENEFITS.] Any coordinated employee who retires before becoming eligible for social security benefits may elect to receive a retirement annuity from the fund in an amount greater than the annuity computed on the basis of age at retirement provided in subdivision 4. This option shall be exercised by making application to the board of trustees. This greater amount shall be the actuarial equivalent of the normal coordinated retirement annuity computed on the basis of age at retirement. This greater amount shall be paid until the annuitant reaches the age of 62, at which time the payment from the association shall be reduced. The method of computing an annuity under this subdivision shall be determined by an approved actuary.

Sec. 23. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.33]. [REFUNDS AFTER DEATH OF ACTIVE OR FORMER EMPLOYEE.] Subdivision 1. [SURVIVOR BENE-

FITS.] *Except as provided in subdivisions 2, 3, 4 and 5, and section 25, subdivision 3, of this act, there shall be no survivor benefits payable to the surviving spouse or dependent child or children of any deceased coordinated employee from the fund.*

Subd. 2. [DEATH BEFORE RETIREMENT: REFUND.]
If a coordinated employee or former coordinated employee dies prior to retirement or prior to receipt of any retirement annuity or other payment which is or may be payable, a refund shall be paid to his designated beneficiary, or if there is none, to his surviving spouse, or, if none, to the legal representative of his estate. The refund shall be in an amount equal to the coordinated employees' accumulated contributions plus interest as provided in section 422A.12, less the sum of any benefits that may have been paid by the fund.

Subd. 3. [SURVIVOR SPOUSE OPTIONAL ANNUITY.]
If a coordinated employee who has attained the age of at least 55 years and has credit for not less than 20 years of service dies before service has terminated, or if a coordinated employee who has filed a valid application for an annuity or disability benefit prior to termination of public service dies before the annuity or benefit has become payable, notwithstanding any designation of beneficiary to the contrary, the surviving spouse may elect to receive, in lieu of a refund with interest provided in subdivision 2, an annuity equal to an option III annuity pursuant to section 422A.17 which the member could have qualified for on the date of death computed pursuant to section 22 of this act. The annuity shall cease with the last payment received by the surviving spouse in his or her lifetime. An amount equal to the excess, if any, of the accumulated contributions which were credited to the account of the deceased coordinated employee over and above the total of the annuities paid or payable to the surviving spouse shall be paid to the deceased coordinated employee's last designated beneficiary or, if none, to the legal representative of the estate of the deceased employee. Any coordinated employee may request in writing that this subdivision not apply and that payment be made only to the designated beneficiary as otherwise provided in this chapter.

Subd. 4. [DEATH AFTER RETIREMENT: REFUND.]
If a former coordinated employee dies after retirement and no payment of any kind is or may become payable to any person, including any deferred benefit or annuity, there shall be paid to the same succession of payees set forth in subdivision 2, a refund of his accumulated deductions, less the total payments of all kinds made by the fund to the former coordinated employee during his lifetime or to any authorized person after his death, without interest.

Subd. 5. [OPTIONAL SURVIVOR ANNUITY CASES; DESIGNATED BENEFICIARY.] *If a former coordinated employee selected an optional annuity by the terms of which an op-*

tional survivor's annuity was paid to a survivor after his death, upon the death of the survivor there shall be paid to the former coordinated employee's designated beneficiary a refund of his accumulated deductions less the total payments of all kinds made by the fund to the former coordinated employee during his lifetime or to any authorized person after his death. If said beneficiary should die before making application for such refund, the same shall be paid to the legal representative of the estate of the former coordinated employee.

Sec. 24. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.34] [TOTAL AND PERMANENT DISABILITY BENEFITS.] *Subdivision 1. [AGE, SERVICE AND SALARY REQUIREMENTS.] Any coordinated employee who becomes totally and permanently disabled with ten years of service before age 50 or with five years of service after age 50, but before age 65, shall be entitled to a disability benefit in an amount provided in subdivision 3. If such disabled coordinated employee's service has terminated at any time, at least five years of service are required to have been rendered since last becoming an employee of the contributing class. A coordinated employee whose average salary is less than \$75 per month shall not be entitled to a disability benefit.*

Subd. 2. [APPLICATIONS AND DETERMINATION OF DISABILITY.] The application for disability benefits by a coordinated employee under this section shall be made in accordance with the provisions of section 422A.14. The determination of disability shall be made pursuant to section 422A.18.

Subd. 3. [COMPUTATION OF BENEFITS.] A coordinated employee's total and permanent disability benefit shall be an amount equal to the normal retirement annuity payable to the coordinated employee pursuant to section 22 of this act based on service credited to the date of disability notwithstanding the age and service requirements specified in that section.

Sec. 25. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422.35] [COMPUTATION OF BENEFITS WITH PARTIAL SERVICE AS COORDINATED EMPLOYEE.] *Subdivision 1. [RETIREMENT BENEFITS.] Any coordinated employee who has credited service prior to July 1, 1979 shall be entitled to receive a retirement allowance when otherwise qualified, the calculation of which shall utilize the formula specified in section 422A.15 for that portion of credited service which was served prior to July 1, 1979 and the formula specified in section 22 of this act for the remainder of credited service, both applied to the average salary as specified in section 22, subdivision 3,*

of this act. The formula percentages to be used in calculating the coordinated portion of a retirement allowance on coordinated service under this section shall recognize the coordinated service as a continuation of any service prior to July 1, 1979.

Subd. 2. [DISABILITY BENEFITS.] Any coordinated employee who has service prior to July 1, 1979 and who has or would otherwise have sufficient credited service prior to January 1, 1984, to meet the minimum service requirements for a disability benefit under section 422A.18 shall retain eligibility to apply when otherwise qualified for that disability benefit in lieu of the disability benefit provided by section 24 of this act until July 1, 1983, notwithstanding coverage by the coordinated program.

Subd. 3. [SURVIVOR BENEFITS.] The surviving spouse, or if there is no surviving spouse, the guardian of any surviving children of any coordinated employee who had credited service prior to July 1, 1979 and who has or would otherwise have sufficient credited service prior to December 31, 1980, to meet the minimum service requirements for survivor benefits under section 422A.23 shall retain eligibility to apply when otherwise qualified for those survivor benefits in lieu of the survivor benefits provided by section 23 of this act until January 1, 1981, notwithstanding coverage by the coordinated program.

Sec. 26. Minnesota Statutes 1976, Chapter 422A, is amended by adding a section to read:

[422A.39] [ADMINISTRATION OF COORDINATED PROGRAM.] Subdivision 1. [ADMINISTRATIVE PROVISIONS.] The provisions of sections 422A.01 to 422A.25 relating to the administration of the fund shall govern the administration of the coordinated program in all instances where not inconsistent with the provisions of sections 20 to 27 of this act, including but not limited to, provisions relating to deferred annuities and refunds of employee contributions to members upon termination of active service. The employee contributions, employer contributions and other amounts authorized by law attributable to the coordinated program including all employee and employer contributions of members transferred to the coordinated program shall be deposited in the deposit accumulation fund, and no portion shall be deposited in the survivor benefit fund or disability benefit fund.

Subd. 2. [ACTUARIAL VALUATIONS.] Whenever the Minneapolis municipal employees retirement fund shall make an actuarial valuation after July 1, 1979 as required by section 356.215, it shall include a finding of the condition of the fund showing separately the basic and coordinated programs and indicating the level normal cost, accrued liability, assets, unfunded accrued liability, contribution required to meet the interest at

the assumed rate on the unfunded accrued liability, and the contribution required to amortize the unfunded accrued liability by the date specified in section 356.215, subdivision 4, clause (7), and by the year 2017 for each program.

Sec. 27. [EFFECTIVE DATE.] *This act is effective July 1, 1977."*

Further, amend the title as follows:

Page 1, line 2, delete "Minnesota" and insert "Minneapolis".

Page 1, line 3, delete "new employees into the".

Page 1, delete lines 4 to 7 and insert "miscellaneous amendments; establishment of a coordinated program; amending Minnesota Statutes 1976, Sections 422A.01, by adding subdivisions; 422A.06, Subdivision 6; 422A.08, Subdivisions 2 and 5; 422A.09, Subdivision 3; 422A.16, by adding a subdivision; 422A.18, Subdivision 2; 422A.23, Subdivision 7, and by adding a subdivision; and Chapters 355, by adding sections; and 422A, by adding sections."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 906, A bill for an act relating to unemployment compensation; providing for the assignment of veterans employment representatives; amending Minnesota Statutes 1976, Section 268.14, by adding a subdivision.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 908, A bill for an act relating to the city of White Bear Lake; firemen's service pensions and disability benefits; amending Laws 1971, Chapter 214, Section 1.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

Reported the same back with the following amendments:

Page 2, after line 30, insert a new section as follows:

"Sec. 2. All actions of the St. Louis county domestic relations referee appointed pursuant to an order of the judges of the 6th judicial district dated December 24, 1974 are hereby ratified and confirmed."

Renumber the remaining section.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1004, A bill for an act relating to worker's compensation; including legislators in coverage; requiring owners to elect non-coverage; increasing benefit levels; vesting certain benefits; excluding certain employment; regulating attorney's fees; providing for depending surviving spouses; providing for supplemental benefits; altering notice requirements; providing for adjustments to benefit payments; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012; 176.021, Subdivision 3; 176.041, Subdivision 1; 176.051; 176.081, Subdivisions 1 and 2; 176.101; 176.111, Subdivisions 11 and 21; 176.132, Subdivision 1; 176.141; 176.215, by adding a subdivision; 176.221, Subdivision 1; 176.511, Subdivision 3; 176.645; and Chapter 176, by adding a section; repealing Minnesota Statutes 1976, Sections 79.30 and 176.185, Subdivision 8.

Reported the same back with the following amendments:

Page 2, line 15, after "corporation" insert *"except an officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c)"*.

Page 3, line 32, strike "worker's compensation court of".

Page 4, line 1, strike "appeals" and insert *"trier of fact"*.

Page 4, after line 2, insert:

"(12) A voluntary uncompensated worker, accepted by the director of the Minnesota historical society, rendering services as a volunteer, pursuant to chapter 138, shall be an employee. The daily wage of the worker, for the purposes of calculating compensation payable under chapter 176, shall be the usual going wage paid at the time of injury or death for similar services where such services are performed by paid employees."

Page 4, line 4, strike "worker's compensation".

Page 4, line 5, strike "court of appeals" and insert "*trier of fact*".

Page 4, line 14, strike "members of the employer's immediate family" and insert "*any spouse, parent or child, regardless of age, of a farmer employed by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 1, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation,*".

Page 4, delete lines 19 to 22.

Page 4, line 28, strike "including" and insert "*executive officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c), and the spouse, parent, and child, regardless of age, of the farm owner or farm owners or executive officer and working therefor, or*".

Page 4, line 31, strike "or".

Page 4, line 31, after "partners" insert "*or corporation*".

Page 4, line 32, strike "come" and insert "*bring themselves, an executive officer, or a spouse, parent, or child*".

Page 5, line 4, strike "or" and insert a comma.

Page 5, line 4, after "partners" insert "*or corporations*".

Page 6, line 18, after "compensation." insert "*In the event that an employee's death is not compensable under this chapter,*".

Page 6, line 20, after "dependents" insert "*under this chapter*" and after "or" insert "*, if none, in his*" and delete "of".

Page 6, line 21, delete "injury" and insert "*such disability can be ascertained*".

Page 7, line 4, strike the comma and insert “; *partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners,*”.

Page 7, line 5, delete “*an active operator of a family farm corporation*”.

Page 7, delete the new language in lines 6 to 10, and insert: “*any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 1, employed by that family farm corporation;*”.

Page 8, line 5, strike “*a family farm*” and insert “*any farm operation*” and delete the new language.

Page 8, lines 14 to 17, reinstate the stricken language.

Page 8, line 18, strike “*a family farm*” and insert “*any farm operation*” and delete the new language.

Page 8, line 19, delete “*corporation*”.

Page 8, line 22, after the period insert “*For purposes of this section, farm worker shall not include any spouse, parent or child, regardless of age, of any farmer or of any partner in a farm operation or of any officer of a family farm corporation as defined in section 500.24, subdivision 1, nor shall it include other farmers in the same community or members of their family exchanging work with the farmer employer or family farm corporation operation.*”.

Page 8, line 32, delete the new language.

Page 9, line 13, after “and” insert “*up to*”.

Page 9, line 26, delete the new language and strike “*in charge of worker’s compensation*”.

Page 10, after line 2, insert new sections:

“Sec. 9. Minnesota Statutes 1976, Section 176.081, Subdivision 3, is amended to read:

Subd. 3. An employee who is dissatisfied with his attorney fees, may file an application for review by the (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER’S COMPENSATION). Such application shall state the basis for the need of review and whether or not a hearing is requested. A copy of such application shall be served upon the attorney for the employee by the deputy and if a hearing is requested by either party, the matter shall be set for hearing.

The notice of hearing shall be served upon known interested parties. The attorney for the employee shall be served with a notice of the hearing. The (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) shall have the authority to raise the question of the issue of the attorney fees at any time upon his own motion and shall have continuing jurisdiction over attorney fees.

Sec. 10. Minnesota Statutes 1976, Section 176.081, Subdivision 4, is amended to read:

Subd. 4. The review of a determination by the (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) shall be only by supreme court by certiorari upon the ground that it is arbitrary and unwarranted by the evidence. There shall be no review under sections 176.421 and 176.442.

Sec. 11. Minnesota Statutes 1976, Section 176.081, Subdivision 6, is amended to read:

Subd. 6. The (DEPUTY) commissioner of the department of labor and industry (IN CHARGE OF WORKER'S COMPENSATION) may prescribe reasonable and proper rules and regulations to effect his and the division's obligations under this section without regard to the joint prescription required under section 175.17, subdivision 3."

Page 10, line 13, delete "*January 1, 1978*" and insert "*October 1, 1977*".

Page 10, line 14, delete "*not*".

Page 10, line 15, delete "*less than*".

Page 10, line 16, delete "*June 30, 1977*" and insert "*December 31, 1976*".

Page 10, line 18, delete "*not*".

Page 10, line 19, delete "*less than*".

Page 10, line 20, delete "*June 30, 1978*" and insert "*December 31, 1977*".

Page 10, line 22, delete "*not*".

Page 10, line 23, delete "*less than*".

Page 10, line 24, delete "*June 30, 1979*" and insert "*December 31, 1978*".

Page 10, line 27, delete "not less than".

Page 10, line 28, delete "for the period ending June 30" and insert "as calculated on or before July 1".

Page 15, delete lines 21 to 32.

Page 16, delete lines 1 to 14 and insert:

"(40) For permanent partial disability resulting from injury to any internal organ, including the heart, 66 2/3 percent of the daily wage at time of injury for that proportion of 500 weeks which is *the proportionate amount of permanent partial disability caused to the entire body by the injury and (REPRESENTED BY THE PERCENTAGE OF SUCH PERMANENT PARTIAL DISABILITY AS)* is determined from competent testimony adduced at a hearing before a compensation judge, a commissioner, or the worker's compensation court of appeals;"

Page 21, after line 27, insert new sections:

"Sec. 13. Minnesota Statutes 1976, Section 176.111, Subdivision 1, is amended to read:

176.111 [DEPENDENTS, ALLOWANCES.] Subdivision 1. [PERSONS WHOLLY DEPENDENT, PRESUMPTION.] For the purposes of this chapter the following persons are conclusively presumed to be wholly dependent:

((A) WIFE, UNLESS IT BE SHOWN THAT SHE WAS VOLUNTARILY LIVING APART FROM HER HUSBAND AT THE TIME OF HIS INJURY OR DEATH;)

((B)) children under 18 years of age, or a child under the age of 21 who is regularly attending as a full time student at a high school, college, or university, or regularly attending as a full time student in a course of vocational or technical training.

Sec. 14. Minnesota Statutes 1976, Section 176.111, Subdivision 6, is amended to read:

Subd. 6. [(WIDOW) SPOUSE, NO DEPENDENT CHILD.] If the deceased employee leave a (WIDOW) *dependent surviving spouse* and no dependent child, there shall be paid to the (WIDOW) *dependent surviving spouse* 50 percent of the daily wage at the time of the injury of the deceased."

Page 23, line 11, delete "who are not".

Page 23, line 12, delete "being supported by" and insert "if the support of such children is not the responsibility of".

Page 23, delete Section 12.

Page 24, after line 12, insert new sections to read:

"Sec. 18. Minnesota Statutes 1976, Section 176.132, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT.] (a) The supplementary benefit payable under this section shall be the difference between the amount the employee receives on or after January 1, 1976, under section 176.101, subdivision 1 or subdivision 4, and (50) 60 percent of the statewide average weekly wage as computed annually.

(b) In the event an eligible recipient is currently receiving no compensation or is receiving a reduced level of compensation because of a credit being applied as the result of a third party liability or damages, the employer or insurer shall compute the offset credit as if the individual were entitled to the actual benefit or (50) 60 percent of the statewide average weekly wage as computed annually, whichever is greater. If this results in the use of a higher credit than otherwise would have been applied and the employer or insurer becomes liable for compensation benefits which would otherwise not have been paid, the additional benefits resulting shall be handled according to this section.

(c) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of a valid agreement in settlement of a claim, no supplementary benefit shall be payable under this section.

(d) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of prior limitations in the maximum amount payable for permanent total disability or because of reductions resulting from the simultaneous receipt of old age or disability benefits, the supplementary benefit shall be payable for the difference between the actual amount of compensation currently being paid and (50) 60 percent of the statewide average weekly wage as computed annually.

(e) In the event that an eligible recipient is receiving simultaneous benefits from any government disability program, the amount of supplementary benefits payable under this section shall be reduced by five percent.

Sec. 19. Minnesota Statutes 1976, Section 176.132, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT.] The payment of supplementary benefits shall be the responsibility of the employer or insurer

currently paying total disability benefits, or any other payer of such benefits. When the eligible individual is not currently receiving benefits because the total paid has reached the maximum prescribed by law (PRIOR TO MARCH 1, 1974, THEN SUPPLEMENTARY BENEFITS WILL BE PAID DIRECTLY TO THE INDIVIDUAL BY THE ADMINISTRATORS OF THE SPECIAL COMPENSATION FUND) *the employer and insurer shall, nevertheless, pay the supplementary benefits that are prescribed by law.* The employer or insurer paying the supplementary benefit shall have the right of full reimbursement from the special compensation fund for the amount of such benefits paid.”.

Page 24, line 27, reinstate the stricken “within” and after the stricken “90” insert “180” and reinstate the stricken “days” and delete the new language.

Page 24, line 28, delete the new language.

Page 25, line 4, reinstate the stricken language.

Page 25, line 5, reinstate the stricken “knowledge is obtained or written notice given within” and after the stricken “90” insert “180” and reinstate the stricken “days”.

Page 25, lines 6 and 7, reinstate the stricken language.

Page 25, after line 7, insert:

“Sec. 21. Minnesota Statutes 1976, Section 176.155, Subdivision 1, is amended to read:

176.155 [EXAMINATIONS.] Subdivision 1. [EMPLOYER'S PHYSICIAN.] The injured employee must submit himself to examination by the employer's physician, if requested by the employer, and at reasonable times thereafter upon the employer's request. The employee is entitled upon request to have his own physician present at any such examination. Each party shall defray the cost of his own physician. *Any report or written statement made by the employer's physician as a result of an examination of the employee, regardless of whether the examination preceded the injury or was made subsequent to the injury, shall be made available, upon request and without charge, to the injured employee or his representative.”.*

Page 25, lines 19 to 32, delete Section 16 and insert a new section:

“Sec. 23. Minnesota Statutes 1976, Section 176.221, is amended by adding a subdivision to read:

Subd. 7. Any payment of compensation not made when due shall bear interest at the rate of eight percent per annum from the due date to the date the payment is made.”.

Page 26, line 23, reinstate the old language and delete the new.

Page 26, line 24, delete "and 6".

Page 27, after line 7, insert a new section to read:

"Sec. 26. Minnesota Statutes 1976, Section 79.30, is amended to read:

79.30 [SUBROGATION UPON INSOLVENCY.] The rating bureau shall be subrogated to the rights of the employee, or his dependents, as against the (EMPLOYER AND HIS) *employer's worker's compensation insurance* carrier, to the extent of payments made by the rating bureau under the provisions of sections 79.28 to 79.32 and shall take such legal proceedings as it shall deem necessary or advisable to recover thereon, and all sums so recovered shall constitute an additional fund for payment of these awards until the same are paid in full. *The rating bureau shall not be subrogated to the rights of the employee, or his dependents, if any, as against the employer. In such a proceeding against an insolvent carrier, the rating bureau shall have first priority in payment from the assets of the insolvent insurer."*

Page 27, line 8, delete "79.30" and insert "176.111, Subdivision 13".

Renumber the sections in sequence.

Further amend the title:

Line 9, after "requirements;" insert "providing for the distribution of physician's reports;"

Line 11, after "Sections" insert "79.30;"

Line 13, after "Subdivisions 1" delete "and" and insert a comma and after "2" insert ", 3, 4, and 6".

Line 14, after "Subdivisions" insert "1, 6,"

Line 15, delete "Subdivision" and insert "Subdivisions" and after "1" insert ", 2, and 3".

Line 15, after "176.141;" insert "176.155, Subdivision 1;"

Line 16, after "176.221," delete "Subdivision 1" and insert "by adding a subdivision".

Line 17, delete "and Chapter 176, by adding".

Line 18, delete "a section;"

Line 19, delete "79.30" and insert "176.111, Subdivision 13;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1040, A bill for an act relating to finance; deleting obsolete provisions; changing and clarifying cross-references; codifying certain provisions formerly in session laws; appropriating money; amending Minnesota Statutes 1976, Sections 12.24, Subdivision 2; 15.50, Subdivision 5; 16.172; 16.80, Subdivision 1; 16A.17, Subdivision 9; 18.69; 43.43, Subdivision 2; 121.48, Subdivision 2; 124.212, Subdivision 19; 136.11, Subdivision 5; 136.144; 136.37; 136.55, Subdivision 2; and Chapter 243, by adding a section; repealing Minnesota Statutes 1976, Sections 16.026, Subdivision 5; and 16A.05; and Laws 1945, Chapter 575, Sections 19 and 21.

Reported the same back with the following amendments:

Page 6, after line 10, insert:

"Sec. 5. Minnesota Statutes 1976, Section 16A.126, is amended to read:

16A.126 [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.] The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund. *In order to reduce revolving fund reserves maintained for unforeseen needs and thereby reduce the rates which using agencies must pay, the commissioner may transfer moneys not otherwise appropriated in the general fund to a revolving fund if, in the commissioner's judgment, a bona fide, immediate expenditure is necessary and if there are insufficient moneys in the revolving fund to meet the expenditure. Any moneys so transferred, shall be repaid to the general fund within two calendar years from the revolving fund charges paid by benefited state departments and agencies.*"

Page 6, after line 22, insert:

"Sec. 7. Minnesota Statutes 1976, Chapter 16A, is amended by adding a section to read:

[16A.73] [STATE AIR TRAVEL ACCOUNT.] *The commissioner of finance may contract with any airline company*

regularly engaged in carrying passengers on scheduled flights in interstate commerce for the establishment of an air travel account for the state, subject to terms and conditions as may be necessary and proper to facilitate air travel by officers and employees of the state, and may deposit in the account not more than \$500.

Sec. 8. [BALANCE TRANSFERRED.] *The balance in the state air travel account now maintained by the commissioner of administration and repealed by this act is transferred to the commissioner of finance for the air travel account created by this act."*

Page 11, line 9, after "Sections" insert "16.02, Subdivision 21;".

Renumber the sections in sequence.

Further, amend the title.

Line 3, after the semicolon insert "authorizing commissioner of finance to transfer money to revolving funds in certain cases; transferring air travel account from commissioner of administration to commissioner of finance;"

Line 8, after "1;" insert "16A.126;"

Line 11, delete "Chapter" and insert "Chapters 16A, by adding a section, and".

Line 13, after "Sections" insert "16.02, Subdivision 21;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1098, A bill for an act relating to workers' compensation; authorizing coverage for owners of a business; including family farms and family farm corporations; amending Minnesota Statutes 1976, Sections 176.011, Subdivisions 9 and 11a; 176.012 and 176.051.

Reported the same back with the following amendments:

Page 2, line 10, delete "a farm corporation or".

Page 4, lines 10 to 14, delete all the new language and insert "spouse, parent or child, regardless of age, of a farmer employed

by the farmer, or any executive officer of a family farm corporation as defined in section 500.24, subdivision 1, or any spouse, parent or child, regardless of age, of such an officer employed by that family farm corporation".

Page 4, line 26, after "owner" insert "or farm owners".

Page 5, after line 9 insert:

"Sec. 4. Minnesota Statutes 1976, Section 176.041, Subdivision 1, is amended to read:

176.041 [EXCLUDED EMPLOYMENTS; APPLICATION, EXCEPTIONS.] Subdivision 1. [EMPLOYMENTS EXCLUDED.] This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, which persons are covered by the Federal Employers' Liability Act (45 U.S.C. 51-60) or other comparable Federal law; persons employed by family farms *as defined by section 176.011, subdivision 11a*, spouses, parents and children, regardless of their age, of a farmer employer working for him (OR ON A FAMILY FARM CORPORATION AS DEFINED IN SECTION 500.24, SUBDIVISION 1, CLAUSE (C) OR OTHERWISE,); *partners engaged in any farm operation and the spouses, parents, and children, regardless of age, of any of the partners; any spouse, parent, or child, regardless of age, or an executive officer of a family farm corporation as defined in section 500.24, subdivision 1, employed by that family farm corporation; or other farmers or members of their families exchanging work with the farmer employer or family farm corporation operator in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Professional athletes under contract for hire are not subject to this chapter if a written consent not to be bound thereby, signed by the professional athlete and the employer is filed with the board. Neither shall the chapter apply to any person employed as a household worker in, for, or about, a private home or household who earns less than \$500 in cash in any three month period from a single private home or household provided that any household or casual worker who has earned \$500 or more from his present employer in any three month period within the previous year shall be covered by Laws 1975, Chapter 359 regardless of whether or not he has in the present quarter earned \$500."*

Renumber the remaining section.

Page 5, line 27, delete "*domestic servants*" and insert "*household workers*".

Page 5, line 32, delete "*domestic servants*" and insert "*household workers*".

Page 6, line 6, delete "*domestic servant*" and insert "*household worker*".

Page 6, delete lines 10 to 14.

Page 6, line 15, delete "*the employer*" and insert "*not include any spouse, parent or child, regardless of age, of any farmer or of any partner in a farm operation or of any officer of a family farm corporation as defined in section 500.24, subdivision 1, nor shall it include other farmers in the same community or members of their family exchanging work with the farmer employer or family farm corporation operator*".

Amend the title:

Line 4, after the semicolon insert "excluding certain persons;"

Line 6, after "176.012" insert " ; 176.041, Subdivision 1 ;".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1105, A bill for an act relating to the city of Eveleth; firemen's pensions; amending Laws 1935, Chapter 208, Section 11, as added and amended.

Reported the same back with the following amendments:

Page 1, line 21, after "200," insert "*or Laws 1976, Chapter 78,*".

Page 1, line 21, after "act." insert "*The amount of any increase payable under section 1 of this act shall be paid retroactive to January 1, 1977. The retroactive increase payments shall be included with the first monthly payment after the effective date of this act.*".

Page 1, after line 21, insert new sections:

Sec. 2. [COVERAGE BY THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.] *Notwithstanding any provisions of law to the contrary, as of the effective date of this act, all active employees of the police department and the fire department of the city of Eveleth shall cease to be members of the Eveleth police relief association or the Eveleth firemen's relief association respectively, and shall cease to have any accrual of service credits, rights, or benefits from the respective relief associations. From and after the effective date of this act, all active members of the police and fire departments of the city of Eveleth shall be members of the public employees police and fire fund established pursuant to Minnesota Statutes, Sections 353.63 to 353.68.*

Sec. 3. [PURCHASE OF PRIOR SERVICE IN THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.] *Any active employee who has pension coverage transferred from the local relief association to the public employees police and fire fund pursuant to section 2 of this act shall be entitled to receive credit in the public employees police and fire fund for any or all periods of service as either a police officer employed by the Eveleth police department or a firefighter employed by the Eveleth fire department. Service credit in the public employees police and fire fund for each active employee who elects to purchase prior service credit shall be granted upon receipt of an amount equal to that percentage of the required reserves which the assets of the public employees police and fire fund bear to the accrued liability of the fund as determined by the most recent actuarial valuation submitted to the legislative commission on pensions and retirement pursuant to Minnesota Statutes, Chapter 356, for the period or periods of service which the employee elects to purchase as calculated by the actuary of the public employees police and fire fund and certified by the board of trustees of the public employees retirement association. The amount required to make the purchase of prior service credit under this section shall be made by the active employee and the city of Eveleth in a lump sum prior to July 1, 1979, and shall be apportioned between the active employee and the city of Eveleth as the active employee and the city shall agree.*

Sec. 4. [REFUND OF EMPLOYEE CONTRIBUTIONS.] *Any active employee who has pension coverage transferred from a local relief association to the public employees police and fire fund pursuant to section 2 of this act shall be entitled upon making written application prior to November 1, 1978 to a refund of the employee's accumulated contributions. Acceptance of the refund by the active employee shall terminate all rights which the active employee has to any benefits from the respective local association.*

Sec. 5. [TRUST FUND FOR RELIEF ASSOCIATION BENEFICIARIES.] *Notwithstanding any law to the contrary, effective January 1, 1978, the special funds of the Eveleth police relief association and the Eveleth firemen's relief association*

shall be transferred to the city of Eveleth. The city of Eveleth, on the same date, shall transfer an amount equal to \$123,600 to a special account established by the city which shall be maintained separately as a trust fund for the exclusive benefit of the retired members of the Eveleth police relief association and the Eveleth firemen's relief association who were receiving benefits on the effective date of this act and their surviving spouses if otherwise entitled to benefits under the laws governing the respective former relief associations. The trust fund shall be managed by a board of trustees composed of three members, with one member selected by the retired members of the former firemen's relief association, one member selected by the retired members of the former police relief association, and one member selected by the city council. The term of the board shall be indefinite and shall continue until a vacancy shall occur in one of the positions on the board. The city of Eveleth shall perform whatever services are necessary to administer the trust fund. The balance of the trust fund shall not revert to the city of Eveleth until all obligations of the trust fund are paid. The benefit provisions of the Eveleth police relief association and the Eveleth firemen's relief association which were in effect as of the effective date of this act shall continue in force to govern the respective benefits paid out of the trust fund.

Sec. 6. [FINANCIAL REQUIREMENTS OF THE TRUST FUND.] Commencing January 1, 1978, the city of Eveleth shall provide by annual levy an amount sufficient when added to the investment income of the trust fund to pay the benefits provided under the trust fund for the succeeding year as certified by the board of trustees of the trust fund. The annual levy under this section shall not be included in any limitation as to rate or amount set by charter and shall be a special levy for purposes of Minnesota Statutes, Section 275.50, Subdivision 5. All revenues generated by the levy required under this section shall be transferred to the trust fund.

Sec. 7. [FINANCIAL REQUIREMENTS FOR ACTIVE MEMBERS.] The city of Eveleth shall make the employer contribution to the public employees police and fire fund as specified in Minnesota Statutes, Sections 353.63 to 353.68. Notwithstanding any contrary provisions of Minnesota Statutes, Chapter 69, any fire state aid or police state aid received by Eveleth may be allocated by the city council between the financial requirements set forth in section 6 of this act and this section. Amounts allocated for use in meeting the financial requirements under section 6 of this act shall reduce the levy required pursuant to that section.

Sec. 8. [AUTHORITY TO BOND TO ACCOMPLISH THE PURPOSES OF THIS ACT.] The city of Eveleth is hereby authorized to sell bonds in such amount as will provide the necessary funds to pay the employer's share of the purchase of prior service in the public employees police and fire fund pursuant to

section 3 of this act. The maturity of such bonds shall not be more than 15 years from the date of sale. The bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for purposes of any charter or statutory debt limitation. Taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation on the rate or the amount.

Sec. 9. [TWO HARBORS FIREMEN'S PENSIONS; VALIDATION OF PREVIOUS PAYMENTS.] *All retroactive payments of service pension increases granted to retired members from the special fund of the Two Harbors volunteer firemen's relief association made prior to April 1, 1977 in accordance with the bylaws of the association are hereby deemed authorized."*

Renumber remaining section in sequence.

Page 1, line 22, after "effective" insert "*with respect to the city of Eveleth*".

Page 2, line 1, after "council" insert "*and with respect to the city of Two Harbors upon approval by the governing body of the city of Two Harbors*".

Further amend the title:

Line 2, delete "the city of Eveleth" and insert "retirement".

Line 3, after "pensions" insert "*in the city of Eveleth and Two Harbors*".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1184, A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's service pensions; amending Laws 1975, Chapter 125, Section 1.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1187, A bill for an act relating to retirement; membership of Hennepin county soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

Reported the same back with the following amendments:

Page 1, line 13, delete "county".

Page 1, line 16, after "and" insert ", notwithstanding section 353.01, subdivision 6,".

Amend the title:

Line 3, delete "county".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1307, A bill for an act relating to public safety; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes 1976, Section 16.753, Subdivision 2.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1364, A bill for an act relating to the attorney general; changing appointments; removing restrictions on assignment of deputy and assistant attorneys general; amending Minnesota Statutes 1976, Sections 8.02 and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Sections 8.023; 8.024; 8.026, and 84.025, Subdivision 6.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1474, A bill for an act relating to employment services; authorizing the release of information to certain state agencies; amending Minnesota Statutes 1976, Section 268.12, Subdivision 12.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

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.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

S. F. No. 709, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

Reported the same back with the following amendments:

Page 1, line 21, before the period add "*. Any fees collected by Hennepin county pursuant to this subdivision shall be used to reduce the special levy authorized by section 275.50, subdivision 5, clause (d)*".

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

The report was adopted.

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

H. F. No. 59, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school

expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 144, is amended by adding a section to read:

[144.808] [REIMBURSEMENT TO NONPROFIT AMBULANCE SERVICES.] *Subdivision 1. Any political subdivision, or nonprofit hospital or nonprofit corporation operating a licensed ambulance service shall be reimbursed by the state board of health for the necessary expense of the initial training of a volunteer ambulance attendant upon successful completion by the attendant of an emergency care course which has been approved by the state board of health, pursuant to section 144.804. Reimbursable expense may include tuition, transportation, food, lodging, hourly payment for time spent in the training course, and other necessary expenditures, except that in no instance shall a volunteer ambulance attendant be reimbursed more than \$210.*

Subd. 2. For purposes of this section, "volunteer ambulance attendant" means a person who provides emergency medical services for a licensed ambulance service without the expectation of remuneration and who does not depend in any way upon the provision of these services for the person's livelihood. An individual may be considered a volunteer ambulance attendant even though that individual receives an hourly stipend for each hour of actual service provision, except for hours on standby alert, even though this hourly stipend is regarded as taxable income for purposes of state or federal law, provided that this hourly stipend does not exceed \$500 in the year in which the individual received his training.

Subd. 3. Reimbursements authorized by subdivision 1 shall only be paid for volunteer ambulance attendants commencing and completing training after July 1, 1977.

Sec. 2. [APPROPRIATION.] *For purposes of this act there is appropriated from the general fund to the state board of health \$..... for the biennium ending June 30, 1979."*

Further amend the title as follows:

Page 1, line 2, after "reimbursing" insert "certain operators of licensed ambulance services for expenses of training".

Page 1, line 3, delete "for training school".

Page 1, line 4, delete "expenses" and insert "; defining "volunteer ambulance attendants" ".

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. 980, A bill for an act relating to public health; regulations for the preservation of public health; authorizing the state board of health to regulate the establishment, operation and maintenance of certain non-hospital clinical laboratories; amending Minnesota Statutes 1976, Section 144.12, Subdivision 1.

Reported the same back with the following amendments:

Page 4, line 15, delete *"non-hospital clinical laboratories, except a laboratory"*.

Page 4, delete the new language in lines 16 to 24 and insert *"clinical laboratories not owned, or functioning as a component of a licensed hospital. These laboratories shall not include laboratories owned or operated by five or less licensed practitioners of the healing arts, unless otherwise provided by federal law or regulation, and in which these practitioners perform tests or procedures solely in connection with the treatment of their patients. Rules promulgated under the authority of this clause, which shall not take effect until federal legislation relating to the regulation and improvement of clinical laboratories has been enacted, may relate at least to minimum requirements for external and internal quality control, equipment, facility environment, personnel, administration and records. These rules may include the establishment of a fee schedule for clinical laboratory inspections"*.

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. 1051, A bill for an act relating to public welfare; aid to families with dependent children, medical assistance, and supplemental aid; altering eligibility criteria; amending Minnesota Statutes 1976, Sections 256.73, Subdivision 2; 256B.06, Subdivision 1; and 256D.37, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 8, strike "and".

Page 4, line 25, strike "both excess".

Page 4, line 25, after "income" and before "and" insert "*in excess of 133 percent of the payments made to a family of the same size without any income or resources pursuant to sections 256.72 to 256.87*".

Page 4, line 27, before the semicolon insert "*. The commissioner of public welfare shall establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by the spouse of a nursing home resident*".

Page 5, after line 29, insert a new section to read:

"Sec. 4. Minnesota Statutes 1976, Section 256B.14, is amended to read:

256B.14 [RELATIVE'S RESPONSIBILITY.] *Subject to the provisions of section 256B.06, the financial responsibility of a relative for an applicant or recipient of medical assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant who is under 18 years of age.*"

Further amend the title:

Line 6, before "and" insert "256B.14;".

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. 1054, A bill for an act relating to welfare; aid to families with dependent children; changing certain eligibility qualifications; amending Minnesota Statutes 1976, Sections 256.-73, Subdivisions 1, 2, 4, and by adding subdivisions; and 256.79.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 4, line 16, delete "*work*" and insert "*program*".

Page 4, line 17, after "*such*" insert "*community project*".

Page 4, line 21, delete "*country*" and insert "*county*".

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. 323, A bill for an act relating to Dakota county; providing that the office of administrative assistant and any specialized position agreed to by the board and the sheriff shall be unclassified.

Reported the same back with the following amendments:

Page 1, line 10, before "office" insert "Dakota county board may create the".

Page 1, line 11, after "county" insert ", which".

Page 1, line 11, delete "Any specialized position in".

Page 1, delete lines 12 and 13 and insert the following:

"Sec. 2. Notwithstanding Minnesota Statutes, Section 387.33, Subdivision 2, or any other law to the contrary, in Dakota county, a sheriff's civil service commissioner may, while serving as a commissioner, hold other office or employment under said county, any city, the United States, the state of Minnesota, or any public corporation or political subdivision thereof, if said office or employment does not conflict with or compromise the impartiality of the commissioner in carrying out the duties, obligations and responsibilities imposed on him by law as a commissioner.

Sec. 3. Notwithstanding Minnesota Statutes, Section 387.34, or any other law to the contrary, in Dakota county a sheriff's civil service commissioner may be paid a per diem, to be set by

the board of county commissioners, and actual and necessary travel expenses for travel incurred in attending meetings of the commission.”.

Renumber the remaining section accordingly.

Further, amend the title as follows:

Page 1, line 3, delete “and any”.

Page 1, delete line 4, and insert “to”.

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. 325, A bill for an act relating to county planning and zoning; providing for enforcement of certain subdivision regulations by providing for approval of conveyancing instruments by a county planning and zoning officer prior to recording; amending Minnesota Statutes 1976, Section 394.37, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, after “that” insert “some or”.

Page 1, line 20, after “estate” insert “, and all plats,”.

Page 1, line 20, delete “county planning and”.

Page 1, delete line 21.

Page 1, line 22, delete “board,” and insert “designated administrative officer as provided in section 394.29”.

Page 2, line 4, after “conveyance” insert “or plat”.

Page 2, line 4, after “recorder” insert “or county registrar of titles”.

Page 2, line 5, delete “county planning and zoning” and insert “designated administrative”.

Amend the title as follows:

Page 1, line 5, delete "a county planning and zoning" and insert "an administrative".

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. 578, A bill for an act relating to the city of Saint Paul; authorizing the city council to adopt rules permitting payroll deductions for nonprofit entities.

Reported the same back with the following amendments:

Page 1, delete line 13.

Page 1, delete line 14 to the period and insert "The city council shall not preclude a nonprofit entity from payroll deduction contributions when 50 or more city employees have petitioned for an entity to be eligible for payroll deduction contributions from them".

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. 931, A bill for an act relating to Ramsey county; inserting the county ditch law into the Ramsey county code; amending Laws 1974, Chapter 435, by adding a section; repealing Laws 1974, Chapter 180.

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. 989, A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458.195, Subdivision 3.

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. 1194, A bill for an act relating to the city of Marshall; authorizing the issuance of general obligation airport bonds.

Reported the same back with the following amendments:

Page 1, line 15, after "States" insert "and the state of Minnesota".

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. 1376, A bill for an act relating to cities; establishing a city shared administrator program of grants to be administered by the state planning agency; appropriating money.

Reported the same back with the following amendments:

Page 1, line 11, before "cities" insert "home rule charter and statutory".

Page 1, line 20, delete "75" and insert "50".

Page 1, line 21, after the period insert "No group of cities under this program shall receive grants for more than three years."

Page 2, line 11, delete everything after the period.

Page 2, delete lines 12 to 16 and insert "The state planning agency may promulgate emergency rules pursuant to section 15.0412, subdivision 5, until formal rules are adopted.

Sec. 2. [REPORT TO THE GOVERNOR AND THE LEGISLATURE.] The state planning agency shall evaluate the effectiveness of the shared city administrator grants program and no later than January 15 of each of the years 1979 and 1980

shall report to the governor and the legislature with an evaluation of the program.”.

Renumber the remaining section accordingly.

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

The report was adopted.

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

S. F. No. 827, A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 351, 962, 963, 515, 774, 830, 1283, 1387, 1086, 1248, 1518, 13, 139, 250, 525, 1028, 257, 297, 356, 451, 787, 788, 1030, 1179, 1201, 966, 1032, 106, 161, 163, 264, 314, 410, 411, 414, 460, 491, 536, 612, 685, 686, 791, 848, 906, 908, 952, 1004, 1040, 1098, 1105, 1184, 1187, 1307, 1364, 1474, 1487, 980, 1054, 1498, 323, 325, 578, 931, 989 and 1194 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1072, 51, 213, 335 and 827 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lemke, Birnstihl, Braun, Kalis and Mann introduced:

H. F. No. 1530, A bill for an act relating to agriculture; requiring annual inspection of grain moisture measuring devices; providing for the certification of operators of grain moisture measuring devices; authorizing collection of fees; amending Minnesota Statutes 1976, Chapter 17B, by adding a section.

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

Brinkman and Patton introduced:

H. F. No. 1531, A bill for an act appropriating money for the repair of the Sauk river dam at the city of Cold Spring in Stearns county.

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

Clark, Rice, Brandl, Enebo and Dean introduced:

H. F. No. 1532, A bill for an act relating to Hennepin county; city of Minneapolis; transferring ownership of certain land and correctional facilities; granting authority to the county to operate and maintain a correctional facility; appropriating funds to the county for the remodeling and rehabilitation of the Hennepin county adult correctional facility.

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

Heinitz introduced:

H. F. No. 1533, A bill for an act relating to cosmetology; creating and regulating facial experts; amending Minnesota Statutes 1976, Sections 155.02, by adding a subdivision; 155.09, Subdivision 1; and 155.11, by adding a subdivision.

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

Lemke and Schulz introduced:

H. F. No. 1534, A bill for an act relating to natural resources; restricting acquisition of agricultural land for inclusion in the Richard J. Dorer Memorial Hardwood Forest.

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

Clawson, Sherwood, Forsythe, Kahn and Fjoslien introduced:

H. F. No. 1535, A bill for an act relating to McCarthy Beach state park; adding certain lands to the park; amending Laws 1945, Chapter 484, Section 1, as amended.

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

Searles and Knickerbocker introduced:

H. F. No. 1536, A bill for an act relating to bodies of water; allowing counties to exercise certain functions with approval of district; amending Minnesota Statutes 1976, Section 378.32, Subdivision 1.

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

Evans introduced:

H. F. No. 1537, A bill for an act relating to state lands; providing for the purchase of certain lands by the department of natural resources; providing an appropriation.

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

Brinkman; Kempe, A.; Friedrich; George and Fudro introduced:

H. F. No. 1538, A bill for an act relating to insurance; requiring certain insurance companies to establish policyholder security accounts; prescribing terms and conditions for their maintenance; providing improved security for claimants and policyholders; amending Minnesota Statutes 1976, Chapter 60C, by adding sections.

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

Pehler, Eken, Brinkman, Knickerbocker and Jaros introduced:

H. F. No. 1539, A bill for an act relating to bingo; exempting certain organizations from provisions of law relating to bingo; authorizing the certification of bingo auditors; amending Minnesota Statutes 1976, Sections 349.17, Subdivision 5; 349.19; 349.21, by adding a subdivision; and Chapter 349, by adding a section.

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

Esau, Sherwood, Kroening, McDonald and Carlson, A., introduced:

H. F. No. 1540, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 6; limiting the consecutive terms of senators and representatives.

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

Simoneau and Fudro introduced:

H. F. No. 1541, A bill for an act relating to the city of Columbia Heights fire department relief association; establishment of paid and volunteer divisions and administration of each division; benefits and contributions; membership of certain fire personnel in the public employees' police and fire fund; amending Laws 1975, Chapter 424, Section 9; repealing Laws 1965, Chapter 605, Section 6; and Laws 1975, Chapter 424, Section 3.

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

Kahn, Norton, Arlandson, Hanson and Anderson, D., introduced:

H. F. No. 1542, A bill for an act relating to public buildings; authorizing expenditures for works of art; requiring part of appropriation for building construction be designated for acquisition of works of art; amending Minnesota Statutes 1976, Chapters 16 and 139 by adding sections.

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

Patton; Anderson, I.; Sieben, H., and Tomlinson introduced:

H. F. No. 1543, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of a building thereon; authorizing a lease with the state and specifying minimum rents; appropriating money.

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

Eken introduced:

H. F. No. 1544, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Polk county.

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

Esau; Sherwood; Carlson, A.; McEachern and Nelsen, B., introduced:

H. F. No. 1545, A bill for an act relating to education; parents' rights; requiring school boards to furnish parents of pupils access to instructional materials, pupil records and tests; protecting privacy of pupil records.

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

Corbid and Wieser introduced:

H. F. No. 1546, A bill for an act relating to public welfare; providing for payment of boarding home care for children having cerebral palsy; authorizing increased state reimbursement for boarding home care for handicapped children; amending Minnesota Statutes 1976, Section 252.27, Subdivision 1.

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

Samuelson and Swanson introduced:

H. F. No. 1547, A bill for an act relating to public welfare; providing for payment of the costs of certain care and treatment for mentally retarded, epileptic and emotionally handicapped children; requiring the parents and child to provide reimbursement for certain care and treatment; amending Minnesota Statutes 1976, Section 252.27, Subdivisions 1 and 2.

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

McEachern introduced:

H. F. No. 1548, A bill for an act relating to local government; establishing a loaned executive action program to aid in increasing local political subdivision efficiency; appropriating funds.

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

Metzen introduced:

H. F. No. 1549, A bill for an act relating to housing and redevelopment authorities; authority to make rehabilitation loans and grants broadened; amending Minnesota Statutes 1976, Section 462.445, Subdivision 9.

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

Anderson, B., introduced:

H. F. No. 1550, A bill for an act relating to Pipestone county; authorizing transfer of county nursing home equipment to certain private nursing homes in the county.

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

Pehler, Johnson, Norton, Stoa and Jaros introduced:

H. F. No. 1551, A bill for an act relating to local government aids; providing a reimbursement to cities and towns for state-owned buildings; amending Minnesota Statutes 1976, Sections 273.18; 275.51, by adding a subdivision; 477A.01, Subdivisions 1, 4a, and 4b; and Chapter 477A, by adding a section.

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

Wenzel and Anderson, I., introduced:

H. F. No. 1552, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; exempting military vehicles of the United States from wheel flap requirements; amending Minnesota Statutes 1976, Section 169.733.

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. 1553, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes, including appropriations for the departments of public welfare, vocational rehabilitation, corrections, corrections ombudsman, health, health related boards, and public assistance programs; repealing Minnesota Statutes 1976, Section 261.233.

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

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Prahl and Fugina introduced:

H. A. No. 27, A proposal for public nursing homes to identify and consider hidden costs in setting fees.

The advisory was referred to the Committee on Health and Welfare.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 489, A bill for an act relating to legal newspapers; simplifying procedures for receiving reimbursement for publication of proposed constitutional amendments; amending Minnesota Statutes 1976, Section 3.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 557, A bill for an act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes

1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 681 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 681, A bill for an act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, which which amendment the concurrence of the House is respectfully requested:

H. F. No. 148, A bill for an act relating to the city of Minneapolis; selection of supervisor of license inspection for the Minneapolis police department; establishing minimum qualifications; amending Laws 1961, Chapter 108, Section 2, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brandl moved that the House concur in the Senate amendments to H. F. No. 148 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 148, A bill for an act relating to the city of Minneapolis; providing for the selection of supervisor of license inspection for the Minneapolis police department; amending Laws 1961, Chapter 108, Section 2, as amended.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

Those who voted in the affirmative were:

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

White
WieserWigley
Williamson

Wynia

Zubay

Speaker Sabo

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 339, A bill for an act relating to transportation construction contracts; providing for small business contracts; amending Minnesota Statutes 1976, Chapter 161, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Cassery moved that the House refuse to concur in the Senate amendments to H. F. No. 339, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 437, A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions and allowing certain tax free distributions; extending time for certain sales or exchanges of residential property; making certain changes in treatment of small business corporations; amending Minnesota Statutes 1976, Sections 290.01, Subdivision 20; 290.09, Subdivisions 2 and 29; 290.13, Subdivision 9; 290.23, by adding a subdivision; 290.26, by adding a subdivision; 290.971, Subdivisions 1 and 3, and by adding subdivisions; 290.972, Subdivision 5; and 290A.03, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W., moved that the House refuse to concur in the Senate amendments to H. F. No. 437, that the Speaker appoint a Conference Committee of 3 members of the House, and that the

House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 586, A bill for an act relating to taxation; information contained in tax returns; amending Minnesota Statutes 1976, Sections 290.081; 290.61; and 290A.17.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W., moved that the House refuse to concur in the Senate amendments to H. F. No. 586, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

S. F. No. 816.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 125, 265, 466, 569, 667 and 769.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 388, 417, 562 and 620.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker

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

S. F. Nos. 348, 586, 640, 737 and 774.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 389, 649, 831 and 916.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 274, 477, 499, 506 and 845.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 682, 766, 804 and 972.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1103, 1286 and 1387.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 498, 582, 600 and 617.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 96, 102, 191 and 362.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 111, 880, 1331 and 1385.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1039, 1298 and 1415.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 816, A bill for an act relating to taxation; exempting the department of revenue from certain administrative procedure act requirements in certain inheritance, iron ore, and occupation tax proceedings; authorizing the commissioner of revenue to enter into administrative agreements with the secretary of the treasury and the governing bodies of certain Indian reservations; changing requirements for orders of the commissioner; allowing commissioner to dismiss certain confiscation procedures; providing penalties for cigarette tax violations; appropriating money; amending Minnesota Statutes 1976, Sections 270.06; 270.10, Subdivision 1; 273.1104; 291.09, Subdivisions 1 and 2; 297.08, Subdivision 4; 297.12, Subdivision 1, and by adding a subdivision; 298.09, Subdivision 2; and Chapter 270, by adding a section.

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

S. F. No. 125, A bill for an act relating to commerce; prohibiting discriminatory trade practices; providing a penalty; amending Minnesota Statutes 1976, Section 325.8018, Subdivision 2; and Chapter 325, by adding a section.

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

S. F. No. 265, A bill for an act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in construction or maintenance.

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

S. F. No. 466, A bill for an act relating to post conviction remedy; authorizing the court to determine whether a petitioner must be present at a post conviction hearing; amending Minnesota Statutes 1976, Section 590.04, Subdivision 3.

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

S. F. No. 569, A bill for an act relating to Norman county; validating certain funds transfers.

The bill was read for the first time.

Eken moved that S. F. No. 569 and H. F. No. 651, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 667, A bill for an act relating to the city of Minneapolis; authorizing a rehabilitation loan program for small and medium sized commercial buildings; and providing for the issuance and security of limited general obligation and revenue bonds to finance the program.

The bill was read for the first time.

Casserly moved that S. F. No. 667 and H. F. No. 697, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 769, A bill for an act relating to the town of White and the city of Aurora; providing for their separation.

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

S. F. No. 388, A bill for an act relating to insurance; subrogation of claims; requiring subrogated insurers to pay a proportionate share of certain attorney fees and costs; amending Minnesota Statutes 1976, Section 65B.53, Subdivision 5, and by adding a subdivision.

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

S. F. No. 417, A bill for an act relating to highway traffic regulations; accidents; requiring certain information to be given; raising the amount of property damage required before an accident must be reported to the commissioner of public safety; providing penalties; amending Minnesota Statutes 1976, Section 169.09, Subdivisions 3, 7, and 14.

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

S. F. No. 562, A bill for an act relating to the practice of chiropractic; prescribing academic requirements for licensure, grounds for disciplinary action, and penalties; amending Minnesota Statutes 1976, Sections 148.06, Subdivision 1; and 148.10, Subdivision 1, and by adding a subdivision.

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

S. F. No. 620, A bill for an act relating to sheriffs; salaries, fees and budgets; providing that the salary and budget of the sheriff shall be set by the county board in each county of the state; authorizing costs and reasonable attorney fees on appeal; amending Minnesota Statutes 1976, Section 387.20, Subdivisions 1, 2 and 7; repealing Minnesota Statutes 1976, Section 387.20, Subdivision 8.

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

S. F. No. 348, A bill for an act relating to municipalities; planning and regulating development in orderly annexation areas adjacent to cities; amending Minnesota Statutes 1976, Section 414.068.

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

S. F. No. 586, A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1976, Section 60A.08, Subdivision 10.

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

S. F. No. 640, A bill for an act relating to the county of Hennepin; permitting longer duration contracts for goods and services entered into by the county of Hennepin; amending Laws 1969, Chapter 476, Section 1.

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

S. F. No. 737, A bill for an act relating to local government; providing leaves of absence for certain governmental officers and employees elected to city or county office; amending Minnesota Statutes 1976, Section 3.088, Subdivisions 1, 2, 3 and 5.

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

S. F. No. 774, A bill for an act relating to intoxicating liquor; permitting entertainment and coin-operated amusement devices in privately-owned and municipal liquor stores; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

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

S. F. No. 389, 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; extending the 3cc classification to property of persons receiving disability benefits from political subdivisions; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

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

S. F. No. 649, 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' bonds; eliminating certification of local treasurers' 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; 273.061, Subdivision 3; 274.01, Subdivision 1; 274.13, Subdivision 1; 276.12; and 281.17; and Chapter 270, by adding a section.

The bill was read for the first time.

Kelly, W., moved that S. F. No. 649 and H. F. No. 552, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 831, A bill for an act relating to port authorities; increasing the compensation of commissioners for attending regular and special meetings; eliminating the annual limitation on such compensation; amending Minnesota Statutes 1976, Section 458.195, Subdivision 3.

The bill was read for the first time.

Jaros moved that S. F. No. 831 and H. F. No. 989, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 916, A bill for an act relating to elections; precinct boundaries; including annexed area in adjacent precinct; amending Minnesota Statutes 1976, Section 204A.06, Subdivision 1; repealing Minnesota Statutes 1976, Section 204A.06, Subdivision 2.

The bill was read for the first time.

Osthoff moved that S. F. No. 916 and H. F. No. 1032, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 274, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks; authorizing land acquisition in relation thereto; amending Laws 1945, Chapter 484, Section 1, as amended.

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

S. F. No. 477, A bill for an act relating to taxation; allowing certain income adjusted homestead credit claims on behalf of decedents; amending Minnesota Statutes 1976, Section 290A.18.

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

S. F. No. 499, A bill for an act relating to the operation of state government; providing for a study on improving public access to state services and facilities; requiring a report.

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

S. F. No. 506, A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryover of the credit from one year to another; amending Minnesota Statutes 1976, Section 290.06, Subdivision 9a.

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

S. F. No. 845, A bill for an act relating to St. Louis county Independent School District No. 710; providing for separate election districts.

The bill was read for the first time.

Fugina moved that S. F. No. 845 and H. F. No. 966, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 682, A bill for an act relating to Anoka county; creating a housing and redevelopment authority; applying the provisions of the municipal housing and redevelopment act to Anoka county; providing for local approval of projects.

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

S. F. No. 766, A bill for an act relating to crimes; public safety and health; dangerous weapons; short-barreled shotguns; providing penalties; amending Minnesota Statutes 1976, Chapter 609, by adding a section.

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

S. F. No. 804, A bill for an act relating to highway traffic regulations; driving under the influence of alcohol or controlled substances; chemical tests and consent therefor; providing for immediate notice of revocation of a driver license or permit, retention of the license or permit by a court or peace officer and the substitution of temporary licenses under certain circumstances; providing for county court jurisdiction over prosecution for certain offenses; prescribing penalties; amending Minnesota Statutes 1976, Sections 169.121; 169.123; 169.127; and Chapter 169, by adding sections; repealing Minnesota Statutes 1976, Section 171.245.

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

S. F. No. 972, A bill for an act relating to probate; personal representatives; protecting certain good faith purchasers dealing

with personal representatives; amending Minnesota Statutes 1976, Section 524.3-714.

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

S. F. No. 1103, A bill for an act relating to counties; providing for county appropriations for patrol of county highways and roads; eliminating the restriction on the Hennepin county board of commissioners in relation thereto; amending Minnesota Statutes 1976, Section 375.46, Subdivision 1.

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

S. F. No. 1286, A bill for an act relating to Chisago county; authorizing the issuance of general obligation bonds to finance the cost of facilities for the county nursing home; providing for the administration and rental of such facilities.

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

S. F. No. 1387, 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.

Biersdorf moved that S. F. No. 1387 and H. F. No. 1487, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 498, A bill for an act relating to public drainage systems; transferring the administration of judicial ditches to county boards; raising the interest rate limitation on ditch lien statements; increasing the interest rate limitation on certain penalties; increasing the authorized interest rates on bonds; limiting assessment levies for repairs and maintenance; providing for a redetermination of benefits and benefited areas; amending Minnesota Statutes 1976, Sections 106.015, Subdivision 5; 106.371, Subdivisions 2 and 4; 106.411, Subdivisions 3, 4 and 7; 106.471, Subdivision 2; 106.673; and Chapter 106, by adding a section.

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

S. F. No. 582, A bill for an act relating to motor vehicle common carriers; reinstating operating authority of certain irregular route common carriers.

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

S. F. No. 600, A bill for an act relating to education; trade schools; exempting certain courses in the arts from regulation by the commissioner of education; amending Minnesota Statutes 1976, Section 141.35.

The bill was read for the first time.

Johnson moved that S. F. No. 600 and H. F. No. 889, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 617, A bill for an act relating to the university of Minnesota; conferring university of Minnesota peace officers with limited powers of arrest; governing the operation and parking of vehicles upon property owned, leased or occupied by the regents of the university of Minnesota; amending Minnesota Statutes 1976, Section 137.12; 169.123, Subdivision 1; 169.965, Subdivision 1; 626.05, Subdivision 2; 626A.01, Subdivision 7; and Chapter 626, by adding a section.

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

S. F. No. 96, A bill for an act relating to insurance; providing that individual persons may cancel certain policies of insurance within ten days after receipt; setting out notice requirements.

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

S. F. No. 102, A bill for an act relating to taxation; removing levy limitations on certain towns having population of less than 3,500; allowing electors of exempt towns to determine mill rates; amending Minnesota Statutes 1976, Sections 275.09, Subdivision 3; 275.10, Subdivision 1; 275.31; and 275.59.

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

S. F. No. 191, A bill for an act relating to adoption; authorizing release of birth information to adopted persons; requiring waiting period for objections from parents; amending Minnesota Statutes 1976, Sections 144.151, by adding subdivisions; 144.175, Subdivision 2; 260.241, by adding a subdivision; and Chapter 144, by adding a section.

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

S. F. No. 362, A bill for an act relating to retirement; miscellaneous amendments to the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 2; 354.06, Subdivision 2, and by adding a subdivision; 354.07, by adding a subdivision; 354.10; 354.41, Subdivision 6; 354.43, Subdivision 4; 354.49, Subdivision 5; 354.50, Subdivision 2; 354.53, Subdivision 1; and 354.58.

The bill was read for the first time.

Beauchamp moved that S. F. No. 362 and H. F. No. 365, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 111, A bill for an act relating to the firemen's relief association of the city of Centerville, computation of years of service for volunteer firemen.

The bill was read for the first time.

Neisen moved that S. F. No. 111 and H. F. No. 161, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 880, A bill for an act relating to towns; granting certain towns the powers of statutory cities.

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

S. F. No. 1331, A bill for an act relating to the city of Litchfield; firemens service pensions; validation of certain prior payments.

The bill was read for the first time.

Kvam moved that S. F. No. 1331 and H. F. No. 264, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1385, A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.

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

S. F. No. 1039, A bill for an act relating to retirement; firemen's pensions in the cities of Eveleth and Two Harbors; consolidation of the police and firemen's relief associations in the city of Eveleth into the public employees police and fire fund; amending Laws 1935, Chapter 208, Section 11, as added and amended.

The bill was read for the first time.

Begich moved that S. F. No. 1039 and H. F. No. 1105, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1298, 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 156A.03, by adding a subdivision.

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

S. F. No. 1415, A bill for an act relating to Independent School District 625; providing for the severance pay of employees.

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

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 38

A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

April 20, 1977

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Edward Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 38 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 38 be amended as follows:

Page 1, line 11, delete "*this act*" and insert "*sections 1 to 7*".

Page 2, line 20, after "*sale*" and before the period, insert: "*, including the construction of dwellings on land owned by vendees*".

Page 2, lines 22 to 23, delete "*of this act*".

Page 3, line 12, delete "*of this act*".

Page 3, lines 15 and 16, delete "*this act*" and insert "*sections 1 to 7*".

Page 4, line 23, delete "*subdivision*" and insert "*subdivisions*".

Page 4, line 23, after "*2*" insert "*and 3*".

Page 4, lines 24 and 26, delete "*this act*" and insert "*sections 1 to 7*".

Page 4, line 27, delete "*subdivision*" and insert "*subdivisions*".

Page 4, line 27, after "*2*" insert "*and 3*".

Page 4, line 30, delete "*this*" and insert "*section 2*".

Page 4, line 31, delete "*act*".

Page 5, lines 7, 11, and 24, delete "*of this act*".

Page 5, after line 11, insert:

"Subd. 3. If a major construction defect is discovered prior to the sale of a dwelling, the statutory warranty set forth in section 2, subdivision 1, clause (c) may be waived for the defect identified in the waiver instrument, after full oral disclosure of the specific defect, by an instrument which sets forth in detail: the specific defect; the difference between the value of the dwelling without the defect and the value of the dwelling with the defect, as determined and attested to by an independent appraiser, contractor, insurance adjuster, engineer or any other similarly knowledgeable person selected by the vendee; the price reduction; the date the construction was completed; the legal description of the dwelling; the consent of the vendee to the waiver; and the signatures of the vendee, the vendor, and two witnesses.

A single waiver agreed to pursuant to this subdivision may not apply to more than one major construction defect in a dwelling.

The waiver shall not be effective unless filed for recording with the county recorder or registrar of titles who shall file the waiver for record."

Page 5, lines 13 and 22, delete "*this act*" and insert "*section 2*".

Page 5, line 26, delete the second "*of*".

Page 5, line 27, delete "*this act*".

Page 6, lines 2 and 7, delete "*of this act*".

We request adoption of this report and repassage of the bill.

House Conferees: MIKE SIEBEN, RAY PLEASANT and RAY FARICY.

Senate Conferees: HARMON T. OGDahl, GERRY SIKORSKI and JACK DAVIES.

Sieben, M., moved that the report of the Conference Committee on H. F. No. 38 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 38, A bill for an act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1976, Section 541.051, by adding a subdivision.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 103 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jude	Nelsen, M.	Skoglund
Adams	Corbid	Kahn	Nelson	Smogard
Anderson, I.	Cummiskey	Kaley	Norton	Spanish
Anderson, R.	Dahl	Kelly, R.	Novak	Stanton
Arlandson	Dean	Kelly, W.	Osthoff	Stoa
Battaglia	Ellingson	King	Patton	Suss
Beauchamp	Enebo	Knickerbocker	Pehler	Swanson
Begich	Ewald	Kostohryz	Petrafeso	Tomlinson
Berg	Faricy	Kroening	Pleasant	Vanasek
Berglin	Forsythe	Laidig	Prahl	Voss
Berkelman	Friedrich	Lehto	Reding	Waldorf
Birnstihl	Fudro	Mangan	Rice	Welch
Brandl	Fugina	Mann	Rose	Wenstrom
Braun	George	McCollar	St. Onge	Wenzel
Brinkman	Gunter	McDonald	Sarna	White
Byrne	Hanson	McEachern	Savelkoul	Williamson
Carlson, A.	Haugerud	Metzen	Scheid	Wynia
Carlson, L.	Hokanson	Moe	Sherwood	Zubay
Casserly	Jacobs	Munger	Sieben, H.	Speaker Sabo
Clark	Jaros	Murphy	Sieben, M.	
Clawson	Jensen	Neisen	Simoneau	

Those who voted in the negative were:

Albrecht	Biersdorf	Den Ouden	Eken	Esau
Anderson, D.	Carlson, D.	Eckstein	Erickson	Evans

Fjoslien
Heinitz
Johnson

Kalis
Kvam
Langseth

Lemke
Nelsen, B.
Niehaus

Peterson
Samuelson
Searle

Searles
Wieser
Wigley

The bill was repassed, as amended by Conference, and its title agreed to.

CONSENT CALENDAR

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.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Beauchamp	Brinkman	Corbid	Erickson
Adams	Begich	Byrne	Cummiskey	Esau
Albrecht	Berg	Carlson, A.	Dahl	Evans
Anderson, B.	Berglin	Carlson, D.	Dean	Ewald
Anderson, D.	Berkelman	Carlson, L.	Den Ouden	Faricy
Anderson, I.	Biersdorf	Casserly	Eckstein	Fjoslien
Anderson, R.	Birnsthil	Clark	Eken	Forsythe
Arlandson	Brandl	Clawson	Ellingson	Friedrich
Battaglia	Braun	Cohen	Enebo	Fudro

Fugina	Knickerbocker	Murphy	Rose	Stoa
George	Kostohryz	Neisen	St. Onge	Suss
Gunter	Kroening	Nelsen, B.	Samuelson	Swanson
Hanson	Kvam	Nelsen, M.	Sarna	Vanasek
Haugerud	Laidig	Nelson	Savelkoul	Voss
Heinitz	Langseth	Niehaus	Scheid	Waldorf
Hokanson	Lehto	Norton	Schulz	Welch
Jacobs	Lemke	Novak	Searle	Wenstrom
Jaros	Mangan	Osthoff	Searles	Wenzel
Jensen	Mann	Patton	Sherwood	White
Johnson	McCarron	Pehler	Sieben, H.	Wieser
Jude	McCollar	Peterson	Sieben, M.	Wigley
Kahn	McDonald	Petrafeso	Simoneau	Williamson
Kaley	McEachern	Pleasant	Skoglund	Wynia
Kalis	Metzen	Prahl	Smogard	Zubay
Kelly, W.	Moe	Reding	Spanish	Speaker Sabo
King	Munger	Rice	Stanton	

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Arlandson

The bill was passed and its title agreed to.

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.

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

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

Abeln	Begich	Carlson, D.	Eckstein	Friedrich
Adams	Berg	Carlson, L.	Eken	Fudro
Albrecht	Berglin	Casserly	Ellingson	Fugina
Anderson, B.	Berkelman	Clark	Enebo	George
Anderson, D.	Biersdorf	Clawson	Erickson	Gunter
Anderson, G.	Birnstihl	Cohen	Esau	Hanson
Anderson, I.	Brandl	Corbid	Evans	Heinitz
Anderson, R.	Braun	Cummiskey	Ewald	Hokanson
Arlandson	Brinkman	Dahl	Faricy	Jacobs
Battaglia	Byrne	Dean	Fjoslien	Jaros
Beauchamp	Carlson, A.	Den Ouden	Forsythe	Jensen

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

The bill was passed and its title agreed to.

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.

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:

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

The bill was passed and its title agreed to.

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.

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 84 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kahn	Murphy	Simoneau
Anderson, B.	Dean	Kaley	Neisen	Skoglund
Arlandson	Ellingson	Kalis	Nelson	Smogard
Berg	Enebo	Kelly, R.	Norton	Stanton
Berkelman	Evans	Kelly, W.	Novak	Stoa
Brandl	Ewald	King	Pehler	Suss
Braun	Faricy	Kostohryz	Petrafeso	Swanson
Brinkman	Forsythe	Kroening	Prahl	Tomlinson
Byrne	Fudro	Laidig	Reding	Vanasek
Carlson, A.	Fugina	Langseth	Rice	Voss
Carlson, D.	George	Lehto	St. Onge	Welch
Carlson, L.	Hanson	Mangan	Sarna	Wenstrom
Casserly	Haugerud	McCarron	Scheid	Wenzel
Clark	Hokanson	McCollar	Schulz	White
Clawson	Jacobs	McEachern	Sherwood	Williamson
Cohen	Jaros	Metzen	Sieben, H.	Wynia
Cummiskey	Jude	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Corbid	Heinitz	Nelsen, B.	Searles
Anderson, D.	Den Ouden	Jensen	Nelsen, M.	Spanish
Anderson, G.	Eckstein	Johnson	Niehaus	Waldorf
Anderson, I.	Eken	Knickerbocker	Peterson	Wieser
Battaglia	Erickson	Kvam	Rose	Wigley
Beauchamp	Esau	Lemke	Samuelson	Zubay
Begich	Fjoslien	Mann	Savelkoul	
Birnstihl	Gunter	McDonald	Searle	

The bill was passed and its title agreed to.

H. F. No. 492, A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 902, A bill for an act relating to state finance; authorizing payments pursuant to grievance resolutions; amending Minnesota Statutes 1976, Section 16A.17, Subdivision 7.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Spanish	Swanson	Waldorf	White	Wynia
Stanton	Tomlinson	Welch	Wieser	Zubay
Stoa	Vanasek	Wenstrom	Wigley	Speaker Sabo
Suss	Voss	Wenzel	Williamson	

The bill was passed and its title agreed to.

H. F. No. 1038, A bill for an act relating to state lands; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Houston county.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1099, A bill for an act relating to the city of Excelsior; proportionate service pensions and financing requirements of the firemen's relief association.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1155, A bill for an act relating to the revisor of statutes; providing for engrossing and enrolling duties; clarifying disclosure of bill drafting records; amending Minnesota Statutes 1976, Sections 482.09; and 482.12, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1259 was reported to the House.

Faricy moved to amend H. F. No. 1259, as follows:

Page 1, line 7, delete "firemens" and insert "firefighter's".

Further amend the title:

Page 1, line 2, delete "firemen's" and insert "firefighter's".

The motion prevailed and the amendment was adopted.

H. F. No. 1259, A bill for an act relating to the city of Savage; firefighter's service pensions.

The bill was read for the third time, as amended, 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	Carlson, D.	Friedrich	Kostohryz	Novak
Adams	Carlson, L.	Fudro	Kroening	Osthoff
Albrecht	Casserly	Fugina	Kvam	Patton
Anderson, B.	Clark	George	Laidig	Pehler
Anderson, D.	Clawson	Gunter	Langseth	Peterson
Anderson, G.	Cohen	Hanson	Lehto	Petrafeso
Anderson, I.	Corbid	Haugerud	Lemke	Pleasant
Anderson, R.	Cummiskey	Heinitz	Mangan	Prahl
Arlandson	Dahl	Hokanson	Mann	Reding
Battaglia	Dean	Jacobs	McCarron	Rice
Beauchamp	Den Ouden	Jaros	McCollar	Rose
Begich	Eckstein	Jensen	McDonald	St. Onge
Berg	Eken	Johnson	McEachern	Samuelson
Berglin	Ellingson	Jude	Metzen	Sarna
Berkelman	Enebo	Kahn	Moe	Savelkoul
Biersdorf	Erickson	Kaley	Munger	Scheid
Birnstihl	Esau	Kalis	Murphy	Schulz
Brandl	Evans	Kelly, R.	Neisen	Searle
Braun	Ewald	Kelly, W.	Nelsen, B.	Sherwood
Brinkman	Faricy	Kempe, R.	Nelson	Sieben, H.
Byrne	Fjoslien	King	Niehaus	Sieben, M.
Carlson, A.	Forsythe	Knickerbocker	Norton	Simoneau

Skoglund	Suss	Waldorf	Wieser	Speaker Sabo
Smogard	Swanson	Welch	Wigley	
Spanish	Tomlinson	Wenstrom	Williamson	
Stanton	Vanasek	Wenzel	Wynia	
Stoa	Voss	White	Zubay	

The bill was passed, as amended, and its title agreed to.

H. F. No. 1305, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted and obsolete references and text; reenacting a law; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1976, Chapter 15, by adding a section; Sections 3.973; 4.12, Subdivision 2; 10.13; 15.55; 16A.129; 33.13; 38.02, Subdivision 2; 38.13; 41.57, Subdivision 1; 43.051, Subdivisions 1 and 2; 55.095; 83.26, Subdivision 3; 116.36, Subdivision 1; 116A.20, Subdivision 6; 121.02, Subdivision 1; 121.11, Subdivision 5; 125.05, Subdivision 3; 144.01, Subdivision 1; 144A.19, by adding a subdivision; 161.14, Subdivision 19; 168.013, Subdivision 17; 168.12, Subdivision 1; 168.27, Subdivision 22; 176.101, Subdivision 3; 179.65, Subdivision 2; 192.551; 193.149; 202A.25, Subdivision 1; 207.19, Subdivision 1; 222.50, Subdivision 5; 246.02, Subdivision 2; 252.24, Subdivision 1; 256B.04, Subdivisions 10 and 11; 260.171, Subdivision 6; 270.50; 273.13, Subdivisions 6 and 7; 297.13, Subdivision 1; 336.9-104; 336.9-105; 336.9-404; 336.9-501; 340.039; 353.01, Subdivisions 2a and 6; 355.30; 375.18, Subdivision 8; 458.19; 462.364; 462A.04, Subdivision 1; 462A.22, Subdivision 10; 465.58; 485.01; 549.06; 609.556, Subdivision 1; and 645.44, Subdivision 5a; reenacting Laws 1976, Chapter 127; repealing Minnesota Statutes 1976, Sections 15.055; 17B.22, Subdivision 3; 43.37; 136A.02, Subdivision 2; 144.952; 169.132; Laws 1971, Chapter 427, Section 17; Laws 1974, Chapters 22, Section 5; and 256.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1161, A bill for an act relating to education; correcting and eliminating certain erroneous and obsolete references and text relating to state universities and community colleges; amending Minnesota Statutes 1976, Sections 136.60, Subdivision 1, and by adding a subdivision; 136.603; 136.62, Subdivisions 1, 2, 4 and 5; 136.621, Subdivision 1; repealing Minnesota Statutes 1976, Sections 136.016; 136.60, Subdivision 2; 136.601; 136.602; 136.62, Subdivision 3; 136.621, Subdivisions 2 and 3; and 136.66.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 577 was reported to the House.

Norton moved to amend H. F. No. 577 as follows:

Page 1, line 20, before the period add "Except that operation pursuant to said license shall only be permitted on the regular meeting nights of the St. Paul Trades and Labor Assembly prior to 10:00 o'clock P.M."

Upon objection of ten members H. F. No. 577 was stricken from the Consent Calendar and returned to General Orders.

H. F. No. 1469, A bill for an act relating to transportation; extending the time for submission by the commissioner of certain proposals relating to certain modes of transportation; amending Minnesota Statutes 1976, Section 174.06, Subdivision 7.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.

The bill was passed and its title agreed to.

H. F. No. 1471, A bill for an act relating to aeronautics; requiring boards of adjustment to grant or deny applications for zoning variances within six months; authorizing the commissioner of transportation to develop an air transportation system; amending Minnesota Statutes 1976, Section 360.015, Subdivision 14; 360.017, Subdivision 1; and 360.067, Subdivision 2.

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

The bill was passed and its title agreed to.

S. F. No. 72, A bill for an act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

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

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

Those who voted in the affirmative were:

Abeln	Cohen	Jensen	Munger	Sherwood
Adams	Corbid	Johnson	Murphy	Sieben, H.
Albrecht	Dahl	Jude	Neisen	Sieben, M.
Anderson, B.	Dean	Kahn	Nelsen, B.	Simoneau
Anderson, D.	Den Ouden	Kaley	Nelson	Skoglund
Anderson, G.	Eckstein	Kalis	Niehaus	Smogard
Anderson, I.	Eken	Kelly, R.	Norton	Spanish
Anderson, R.	Ellingson	Kelly, W.	Novak	Stanton
Arlandson	Enebo	Kempe, R.	Osthoff	Stoa
Battaglia	Erickson	King	Patton	Suss
Beauchamp	Esau	Knickerbocker	Pehler	Swanson
Begich	Evans	Kostohryz	Peterson	Tomlinson
Berg	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	Zubay
Carlson, L.	Heinitz	McDonald	Scheid	Speaker Sabo
Casserly	Hokanson	McEachern	Schulz	
Clark	Jacobs	Metzen	Searle	
Clawson	Jaros	Moe	Searles	

The bill was passed and its title agreed to.

S. F. No. 108 was reported to the House.

There being no objection, S. F. No. 108 was continued on the Consent Calendar for one day.

CALENDAR

S. F. No. 345, A bill for an act relating to the Minnesota municipal board; providing for per diem compensation and reimbursement of expenses for board members; amending Minnesota Statutes 1976, Section 414.01, Subdivision 6a.

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 82 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Adams	Berglin	Carlson, L.	Dahl	George
Anderson, B.	Berkelman	Casserly	Dean	Gunter
Anderson, I.	Birnstihl	Clark	Eken	Haugerud
Arlandson	Braun	Clawson	Ellingson	Hokanson
Battaglia	Brinkman	Cohen	Enebo	Jacobs
Begich	Byrne	Corbid	Fudro	Jaros
Berg	Carlson, A.	Cummiskey	Fugina	Jensen

Johnson	Mangan	Nelson	Schulz	Voss
Jude	Mann	Novak	Sieben, H.	Wenstrom
Kahn	McCarron	Osthoff	Sieben, M.	White
Kalis	McCollar	Petrafeso	Simoneau	Williamson
Kelly, W.	McEachern	Prahl	Skoglund	Wynia
King	Metzen	Reding	Smogard	Zubay
Knickerbocker	Moe	Rice	Spanish	Speaker Sabo
Langseth	Munger	St. Onge	Stanton	
Lehto	Murphy	Samuelson	Swanson	
Lemke	Neisen	Sarna	Tomlinson	

Those who voted in the negative were:

Abeln	Esau	Kaley	Niehaus	Searles
Albrecht	Evans	Kelly, R.	Norton	Sherwood
Anderson, D.	Ewald	Kempe, R.	Pehler	Stoa
Anderson, G.	Faricy	Kostohryz	Peterson	Suss
Anderson, R.	Fjoslien	Kroening	Pleasant	Waldorf
Biersdorf	Forsythe	Kvam	Rose	Welch
Carlson, D.	Friedrich	Laidig	Savelkoul	Wenzel
Den Ouden	Hanson	McDonald	Scheid	Wieser
Erickson	Heinitz	Nelsen, B.	Searle	Wigley

The bill was passed and its title agreed to.

H. F. No. 676, A bill for an act relating to intoxicating liquor; civil liability for illegal sale, barter or gift thereof; amending Minnesota Statutes 1976, Sections 340.95 and 340.951.

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 100 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Hanson	Mann	Schulz
Adams	Cohen	Haugerud	McCarron	Searle
Albrecht	Corbid	Heinitz	McEachern	Searles
Anderson, B.	Cummiskey	Jacobs	Metzen	Simoneau
Anderson, G.	Dahl	Jaros	Munger	Smogard
Anderson, I.	Dean	Jensen	Murphy	Spanish
Battaglia	Den Ouden	Johnson	Neisen	Stanton
Beauchamp	Eckstein	Jude	Nelsen, B.	Stoa
Begich	Eken	Kahn	Niehaus	Tomlinson
Berkelman	Ellingson	Kaley	Novak	Vanasek
Biersdorf	Enebo	Kalis	Osthoff	Voss
Birnstihl	Esau	Kelly, R.	Pehler	Welch
Brandl	Evans	Kelly, W.	Peterson	Wenstrom
Braun	Fjoslien	King	Pleasant	Wenzel
Brinkman	Forsythe	Knickerbocker	Prahl	White
Carlson, A.	Friedrich	Kvam	Reding	Wieser
Carlson, D.	Fudro	Langseth	Rose	Wigley
Carlson, L.	Fugina	Lehto	Samuelson	Williamson
Casserly	George	Lemke	Sarna	Zubay
Clark	Gunter	Mangan	Savelkoul	Speaker Sabo

Those who voted in the negative were:

Anderson, D.	Ewald	McCollar	St. Onge	Swanson
Anderson, R.	Faricy	McDonald	Scheid	Waldorf
Arlandson	Hokanson	Moe	Sherwood	Wynia
Berg	Kempe, R.	Nelson	Sieben, H.	
Berglin	Kostohryz	Norton	Sieben, M.	
Byrne	Kroening	Petrafeso	Skoglund	
Erickson	Laidig	Rice	Suss	

The bill was passed and its title agreed to.

H. F. No. 707, A bill for an act relating to taxation; changing certain procedures for objecting to real or personal property taxes; providing for city and town attorneys to handle prosecutions; amending Minnesota Statutes 1976, Sections 277.011, Subdivisions 1 and 5; 278.01 and 278.05.

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

The bill was passed and its title agreed to.

H. F. No. 993, A bill for an act relating to taxation; providing an alternative tax on liquor in metric containers; authorizing commissioner of revenue to order metric conversion; increasing

bonding requirements; defining certain responsibilities of commissioners of public safety and revenue; amending Minnesota Statutes 1976, Sections 299A.02, Subdivision 1; 340.44; 340.47, by adding subdivisions; 340.485, Subdivisions 1 and 2; 340.51; 340.54, Subdivision 1; and 340.55.

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

The bill was passed and its title agreed to.

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Heinitz Skoglund

The bill was passed and its title agreed to.

H. F. No. 882, A bill for an act relating to commerce; providing for disclosure of mileage traveled by motor vehicles; amending Minnesota Statutes 1976, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; and 168A.11, Subdivisions 1 and 3.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 482, A bill for an act relating to education; teachers; interpreters for the deaf; including interpreters for the deaf in licensing requirements for teachers and interns under the jurisdiction of the board of teaching; amending Minnesota Statutes 1976, Section 125.185, Subdivision 4.

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 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Nelson Tomlinson

The bill was passed and its title agreed to.

H. F. No. 541, A bill for an act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

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 125 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Erickson	Niehaus	Pleasant	Searle
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The bill was passed and its title agreed to.

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

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

The bill was passed and its title agreed to.

Suss was excused for the remainder of today's session.

H. F. No. 805 was reported to the House and given its third reading.

There being no objection, H. F. No. 805 was continued on the Calendar for one day.

H. F. No. 920, A bill for an act relating to labor; providing for union notification of a member's injury or death; amending Minnesota Statutes 1976, Chapter 181, 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 117 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeln	Battaglia	Birnstihl	Casserly	Eckstein
Adams	Beauchamp	Brandl	Clark	Eken
Anderson, D.	Begich	Braun	Clawson	Ellingson
Anderson, G.	Berg	Byrne	Cohen	Enebo
Anderson, I.	Berglin	Carlson, A.	Corbid	Erickson
Anderson, R.	Berkelman	Carlson, D.	Dahl	Faricy
Arlandson	Biersdorf	Carlson, L.	Dean	Fjoslien

Friedrich	Kelly, W.	Metzen	Reding	Spanish
Fudro	Kempe, A.	Moe	Rice	Stanton
Fugina	Kempe, R.	Munger	Rose	Stoa
George	King	Murphy	St. Onge	Swanson
Gunter	Knickerbocker	Neisen	Samuelson	Tomlinson
Hanson	Kostohryz	Nelsen, B.	Sarna	Vanasak
Haugerud	Kroening	Nelsen, M.	Savelkoul	Waldorf
Heinitz	Laidig	Nelson	Scheid	Wenstrom
Hokanson	Langseth	Norton	Schulz	Wenzel
Jacobs	Lehto	Novak	Searle	White
Jaros	Lemke	Osthoff	Searles	Wieser
Jensen	Mangan	Patton	Sherwood	Williamson
Johnson	Mann	Pehler	Sieben, H.	Wynia
Jude	McCarron	Peterson	Sieben, M.	Zubay
Kaley	McCollar	Petrafeso	Simoneau	
Kalis	McDonald	Pleasant	Skoglund	
Kelly, R.	McEachern	Prahl	Smogard	

Those who voted in the negative were:

Albrecht	Evans	Kvam	Niehaus	Wigley
Den Ouden	Forsythe			

The bill was passed and its title agreed to.

S. F. No. 919, A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1976, Section 169.80, Subdivision 2.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Wenstrom
WenzelWhite
WieserWigley
WilliamsonWynia
Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1079, A bill for an act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

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 107 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Kahn	Neisen	Sieben, M.
Adams	Cummiskey	Kalis	Nelsen, M.	Simoneau
Anderson, B.	Dahl	Kelly, R.	Nelson	Skoglund
Anderson, I.	Dean	Kelly, W.	Norton	Smogard
Anderson, R.	Eckstein	Kempe, A.	Novak	Spanish
Arlandson	Eken	King	Osthoff	Stanton
Battaglia	Ellingson	Knickerbocker	Patton	Stoa
Beauchamp	Enebo	Kostohryz	Pehler	Swanson
Begich	Evans	Kroening	Peterson	Tomlinson
Berg	Faricy	Laidig	Petraleso	Vanasek
Berglin	Forsythe	Langseth	Prahl	Voss
Berkelman	Fudro	Lehto	Reding	Waldorf
Birnstihl	Fugina	Lemke	Rice	Wenstrom
Brandl	George	Mangan	Rose	Wenzel
Braun	Hanson	Mann	St. Onge	White
Brinkman	Haugerud	McCarron	Samuelson	Williamson
Byrne	Hokanson	McCollar	Sarna	Wynia
Carlson, A.	Jacobs	McEachern	Scheid	Zubay
Carlson, L.	Jaros	Metzen	Schulz	Speaker Sabo
Casserly	Jensen	Moe	Searles	
Clark	Johnson	Munger	Sherwood	
Clawson	Jude	Murphy	Sieben, H.	

Those who voted in the negative were:

Albrecht	Erickson	Gunter	Kvam	Savelkoul
Anderson, D.	Esau	Heinitz	McDonald	Wieser
Biersdorf	Ewald	Kaley	Nelsen, B.	Wigley
Den Ouden	Friedrich	Kempe, R.	Niehaus	

The bill was passed and its title agreed to.

Neisen was excused at 5:05 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 con-

sideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 967, 130 and 823 which it recommended progress.

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:

The question was taken on the motion by St. Onge to re-refer H. F. No. 823 to the Committee on Health and Welfare and the roll was called. There were 3 yeas and 113 nays as follows:

Those who voted in the affirmative were:

Faricy	Lehto	St. Onge
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Those who voted in the negative were:

Abeln	Cassery	Haugerud	McDonald	Sieben, H.
Adams	Clark	Hejnitz	Metzen	Sieben, M.
Albrecht	Clawson	Hokanson	Murphy	Simoneau
Anderson, B.	Cohen	Jacobs	Nelsen, B.	Skoglund
Anderson, D.	Corbid	Jaros	Nelsen, M.	Smogard
Anderson, G.	Cummiskey	Jensen	Nelson	Spanish
Anderson, R.	Dean	Johnson	Niehaus	Stanton
Arlandson	Den Ouden	Jude	Norton	Stoa
Battaglia	Eckstein	Kaley	Novak	Tomlinson
Beauchamp	Eken	Kalis	Pehler	Vanasek
Begich	Ellingson	Kelly, R.	Peterson	Voss
Berg	Erickson	Kelly, W.	Pleasant	Waldorf
Berglin	Esau	Kempe, A.	Prahl	Wenstrom
Berkelman	Evans	Kempe, R.	Reding	Wenzel
Biersdorf	Ewald	Knickerbocker	Rice	White
Birnstihl	Fjoslien	Kroening	Rose	Wieser
Brandl	Forsythe	Kvam	Samuelson	Wigley
Braun	Friedrich	Laidig	Sarna	Williamson
Brinkman	Fudro	Langseth	Savelkoul	Wynia
Byrne	Fugina	Lemke	Scheid	Zubay
Carlson, A.	George	Mangan	Schulz	Speaker Sabo
Carlson, D.	Gunter	Mann	Searle	
Carlson, L.	Hanson	McCollar	Searles	

The motion did not prevail.

MOTIONS AND RESOLUTIONS

Berglin moved that the name of Pehler be added as an author on H. F. No. 512. The motion prevailed.

Patton moved that the name of Biersdorf be added as an author on H. F. No. 1543. The motion prevailed.

George moved that his name be stricken as an author on H. F. No. 860. The motion prevailed.

Swanson moved that H. F. No. 1498, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 339: Casserly, Hanson and Ewald.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 437: Kelly, W.; Jacobs and Pleasant.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 586: Kelly, W.; Skoglund and Savelkoul.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, April 26, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

