

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FORTY-NINTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 6, 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	Jaros	Moe	Searles
Adams	Cummiskey	Jensen	Munger	Sherwood
Albrecht	Dahl	Jude	Murphy	Sieben, H.
Anderson, B.	Dean	Kahn	Neisen	Sieben, M.
Anderson, G.	Den Ouden	Kaley	Nelsen, B.	Simoneau
Anderson, I.	Eckstein	Kalis	Nelson	Skoglund
Anderson, R.	Eken	Kelly, R.	Niehaus	Smogard
Arlandson	Ellingson	Kelly, W.	Norton	Spanish
Battaglia	Enebo	Kempe, A.	Novak	Stanton
Beauchamp	Erickson	Kempe, R.	Osthoff	Stoa
Begich	Esau	King	Patton	Suss
Berg	Evans	Knickerbocker	Pehler	Swanson
Berglin	Ewald	Kostohryz	Peterson	Tomlinson
Berkelman	Farcy	Kroening	Petrafeso	Vanasek
Birnstihl	Fjoslien	Kvam	Pleasant	Voss
Brandl	Forsythe	Laidig	Prahl	Waldorf
Braun	Friedrich	Langseth	Reding	Welch
Brinkman	Fudro	Lehto	Rice	Wenstrom
Byrne	Fugina	Lemke	Rose	Wenzel
Carlson, A.	George	Mangan	St. Onge	White
Carlson, D.	Gunter	Mann	Samuelson	Wieser
Carlson, L.	Hanson	McCarron	Sarna	Williamson
Casserly	Haugerud	McCollar	Savelkoul	Wynia
Clark	Heinitz	McDonald	Scheid	Zubay
Clawson	Hokanson	McEachern	Schulz	Speaker Sabo
Cohen	Jacobs	Metzen	Searle	

A quorum was present.

Anderson, D., and Nelsen, M., were excused. Biersdorf was excused until 2:50 p.m. Johnson and Wigley were excused until 3:15 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 848, 528, 1060, 1484, 8, 613, 733, 1193, 1498, 1582, 501, 772 and 1405 and S. F. Nos. 157, 158, 1070, 1086, 1106, 1369, 1017, 1140, 742, 1418 and 1077 have been placed in the members' files.

S. F. No. 1070 and H. F. No. 1132, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Arlandson moved that S. F. No. 1070 be substituted for H. F. No. 1132 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1338 and H. F. No. 1484, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Suss moved that S. F. No. 1338 be substituted for H. F. No. 1484 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 581 and H. F. No. 528, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 581 be substituted for H. F. No. 528 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

May 5, 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 File:

H. F. No. 38, An act relating to housing; providing statutory warranties on the sale of new housing; establishing a cause of action for breach of warranty.

Sincerely,

RUDY PERPICH
Governor

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

May 5, 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>
	61	38	May 4	May 5
	148	39	May 4	May 5
	301	40	May 4	May 5
	380	41	May 4	May 5
	489	42	May 4	May 5
	557	43	May 4	May 5
	681	44	May 4	May 5
	705	45	May 4	May 5
	720	46	May 4	May 5
	763	47	May 4	May 5
	809	48	May 4	May 5

<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>
	1208	49	May 4	May 5
10		50	May 4	May 5
70		51	May 4	May 5
72		52	May 4	May 5
108		53	May 4	May 5
111		54	May 4	May 5
170		55	May 4	May 5
305		56	May 4	May 5
345		57	May 4	May 5
569		58	May 4	May 5
600		59	May 4	May 5
855		60	May 4	May 5
1039		61	May 4	May 5
1331		62	May 4	May 5
1381		63	May 4	May 5
1387		64	May 4	May 5

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 522, A bill for an act relating to energy; extending the application of the state building code to all cities and counties; clarifying state agency rulemaking regarding the building code subject matter; extending and clarifying the expiration of

the Minnesota energy agency; requiring promulgation of certain energy conservation standards; revising certain requirements; requiring certain efficiencies for air conditioners; prohibiting certain open flame pilot lights; appropriating money; amending Minnesota Statutes 1976, Sections 16.84; 16.851; 16.86, Subdivision 4; 16.861, Subdivision 4; 116H.02, Subdivision 5; 116H.07, Subdivision 1, and by adding a subdivision; 116H.12, Subdivisions 5 and 10, and by adding subdivisions; 116H.121; 116H.124; 116H.126; 116H.13, Subdivision 4; 126.111; and Chapter 116H, by adding sections; repealing Laws 1974, Chapter 307, Section 19.

Reported the same back with the following amendments:

Page 14, delete lines 29 to 32.

Page 15, delete lines 1 to 8 and insert:

"By February 15, 1978, the director shall make recommendations to the legislature on methods to obtain compliance with the standards set forth in this subdivision."

Page 15, line 9, delete "3" and insert "2".

Page 16, line 32, delete *"The following sums are"* and insert *"\$200,000 shall be"*.

Page 17, line 1, after *"fund"* insert *"to the Minnesota energy agency which shall be designated as the lead agency"*.

Page 17, line 1, delete *"during the fiscal"*.

Page 17, line 2, delete *"year"* and insert *"for the biennium"*.

Page 17, line 2, delete the colon.

Page 17, delete lines 3 to 12 and insert the following: *"The state planning agency, the pollution control agency, the department of natural resources, and the department of transportation shall be participating agencies."*

Subd. 3. The sum of \$18,000 is appropriated from the general fund to the director of the energy agency for the purpose of studying and reporting to the legislature by November 15, 1977, on state impacts of increased insulation activity including the need for insulation product and application standards, the need for state assistance in insuring adequate insulation supplies, and such other issues as the study may identify."

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. 1126, A bill for an act relating to the environment; establishing a program of state assistance for the removal of dilapidated buildings; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. [168B.21] [DILAPIDATED BUILDINGS; FINDINGS.] *The legislature finds that the public health, safety and well-being require that dilapidated buildings be either restored to productive use or removed. The legislature further determines that state assistance is necessary and required by the public interest to eliminate the dangers posed to the citizens of this state by dilapidated buildings.*

Sec. 2. [168B.22] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 7, the terms defined in this section have the meanings given them.*

Subd. 2. “Agency” means the Minnesota pollution control agency.

Subd. 3. “Building” means any structure or part of a structure, and includes the contents thereof, if any.

Subd. 4. “Dilapidated building” means any building which in accordance with section 5 has been voluntarily surrendered by its owner for removal and which:

(a) Is blighted or deteriorated, as determined by the unit of government having jurisdiction thereof; or

(b) Because of inadequate maintenance, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health, as certified by the appropriate local or state official.

“Dilapidated building” also means any hazardous building whose removal is ordered or authorized pursuant to Minnesota Statutes, Sections 463.15 to 463.261.

“Dilapidated building” does not include:

(1) Any building whose expense of removal, not including legal fees, equals or exceeds the estimated expense of bringing

the building into compliance with applicable building code requirements for new construction of similar buildings;

(2) Any building listed in the national register of historic places;

(3) Any building listed in the state registry of historic sites and the state inventory of historic sites maintained by the Minnesota historical society;

(4) Any building included in an historic district;

(5) Any building included in a redevelopment project established pursuant to law; or

(6) Any building recommended for preservation by a municipal heritage preservation commission.

Subd. 5. "Expense of removal" means the reasonable expense directly attributable to the inventory or removal of a dilapidated building, including legal fees incurred by a unit of government to remove a dilapidated building, and any other reasonable expense directly attributable to an activity required by the agency as a condition to reimbursement of expenses of removal. The agency may by rule further define expense of removal.

Subd. 6. "Director" means the director of the Minnesota pollution control agency.

Subd. 7. "Unit of government" means any county, home rule charter or statutory city, town, Indian tribe or authorized tribal organization or any combination thereof acting jointly.

Subd. 8. "Owner" means the owner, owner of record or lien holder of record, as those terms are defined in Minnesota Statutes, Section 463.15, Subdivision 4. "Owner" does not include any housing and redevelopment authority.

Subd. 9. "Removal" means demolition of a dilapidated building, disposal of debris from the demolition, and landscaping to remove safety hazards or to restore the premises to a natural condition, as required by the rules of agency or any applicable statute or ordinance.

Subd. 10. "Services" mean labor, equipment or materials to be used in the removal of a dilapidated building.

Sec. 3. [168B.23] [REMOVAL AUTHORITY.] *A unit of government may contract with others or may utilize its own services for the inventory and removal of dilapidated buildings.*

Sec. 4. [168B.24] [REIMBURSEMENT FOR REMOVAL.]
Subdivision 1. The agency shall provide state assistance to units of government to aid in the removal of dilapidated buildings.

Subd. 2. Upon completion of the removal of a dilapidated building, the unit of government initiating the removal may apply to the agency for reimbursement of the expenses of removal. The application shall be on forms provided by the agency. If the removal of the dilapidated building conforms to the requirements of sections 1 to 7 and the rules promulgated thereunder, the agency shall reimburse the unit of government in accordance with the priorities and formula established pursuant to section 6.

Subd. 3. The agency may adopt, amend, suspend or repeal rules as necessary or desirable to accomplish the purposes of sections 1 to 7. The agency may for the purpose of implementing sections 1 to 7 exercise emergency power and adopt emergency rules under the provisions of Minnesota Statutes, Section 15.0412, Subdivision 5. No emergency rules may be adopted by the agency pursuant to this subdivision after January 1, 1978.

Sec. 5. [168B.25] [SURRENDER OF BUILDINGS FOR REMOVAL.]
Subdivision 1. The owners of any building meeting the requirements of section 2, subdivision 4, clause (a) or (b) may surrender the building to the unit of government having jurisdiction thereof for the purpose of having it removed. Only buildings voluntarily surrendered or otherwise qualifying as dilapidated buildings under section 2, subdivision 4, may be removed pursuant to sections 1 to 7. The agency shall supply surrender forms approved as to legal form by the attorney general to any person requesting them. The forms shall provide for the owner's surrender of any right in or title to the building to be removed, subject to the retention of any interest extending to the real property on which the building is situated.

Subd. 2. Upon removal of a dilapidated building, the unit of government causing the removal shall have a lien on the property for the full amount of the expenses of removal. The lien shall attach at the time the first visible signs of removal occur and shall be preferred over every subsequent encumbrance except a lien for taxes or a mortgage securing an advance of funds used to improve the property. The unit of government shall within 60 days of completion of the removal file with the county recorder a lien notice identifying the owner, the affected property, and the amount of the claim. Failure to file the notice within 60 days shall invalidate the lien. No fee shall be required for the filing. The lien shall be enforceable if the property is sold or transferred by gift to a private party within ten years of completion of the dilapidated building's removal. If the sale or transfer occurs within five years of the building's removal, the full amount of the expenses of removal shall be recovered. In each succeeding year the amount which may be recovered shall be reduced by 20

percent of the original sum. If the owner constructs a new building on the property within five years of completion of removal, the lien shall thereupon expire. The lien may be enforced by the unit of government against any subsequent purchaser or grantee in the manner provided by Minnesota Statutes, Sections 514.10 to 514.15. Any funds recovered pursuant to this section in excess of non-reimbursed expenses of removal and expenses incurred to enforce the lien shall be remitted by the unit of government to the agency for deposit to the credit of the general fund.

Subd. 3. The surrender of a dilapidated building shall become effective upon its acceptance by the unit of government. Acceptance by the unit of government shall constitute an assumption of liability for any damages arising from the removal of the dilapidated building, which damages are caused by the negligent acts of the unit of government or its agents.

Subd. 4. Persons surrendering buildings pursuant to this section shall not be eligible for relocation assistance provided pursuant to Minnesota Statutes, Sections 117.50 to 117.56.

Subd. 5. The owner of each dilapidated building shall in a space provided on the surrender form list all wells known to exist on the property and all wells whose abandonment is contemplated as part of the removal. The agency shall notify the state board of health if any well is abandoned as a result of a removal.

Sec. 6. [168B.26] [REIMBURSEMENT PRIORITIES AND FORMULAS.] *Subdivision 1. The agency shall by rule establish priorities for the reimbursement of expenses of removal not reimbursable from funds available in a unit of government's dilapidated building removal account. The priorities shall provide:*

(a) That reimbursement go first to units of government seeking to remove dilapidated buildings which are voluntarily surrendered for removal; and

(b) That reimbursement go first to units of government which have not previously received reimbursement from the agency.

Subject to the priorities contained in clauses (a) and (b) the agency shall reimburse units of government in the order in which applications for reimbursement are received.

Subd. 2. The agency may by rule require a unit of government to provide not more than 50 percent of the funds required for removal of a dilapidated building or an equal value of services, or any combination thereof. The exact level of required match shall be determined by the agency each year and fixed for the next fiscal year.

Subd. 3. The agency may by rule establish different rates of reimbursement based on the population of the unit of government. The rates may provide for reimbursement of a greater proportion of the expenses of removal in units of government with smaller populations and fewer building permits.

Sec. 7. [168B.27] [DILAPIDATED BUILDING REMOVAL ACCOUNTS; UNITS OF GOVERNMENT TO MAINTAIN.] *Each unit of government collecting a surcharge authorized by Minnesota Statutes, Section 16.866, shall establish a dilapidated building removal account wherein the sums specified by Minnesota Statutes, Section 16.866, shall be deposited. The sums deposited to the account shall accumulate and be available to the unit of government for payment of expenses of removal incurred by the unit of government and for matching funds required by section 6. Each unit of government maintaining an account pursuant to this section shall at the close of its fiscal year ending in calendar year 1978 and every second year thereafter, remit to the commissioner of administration any sums remaining unexpended or unencumbered in the account as of that date, for deposit by the commissioner to the credit of the general fund.*

This section expires January 1, 1983, and any funds remaining unencumbered and unexpended as of that date in any account maintained pursuant to this section shall be remitted to the commissioner for deposit to the credit of the general fund.

Sec. 8. Minnesota Statutes 1976, Section 16.866, is amended to read:

16.866 [SURCHARGE.] Subdivision 1. [COMPUTATION.] (FOR THE PURPOSE OF DEFRAYING THE COSTS OF ADMINISTERING THE PROVISIONS OF LAWS 1971, CHAPTER 561) There is hereby imposed a surcharge on all permits issued by municipalities in connection with the construction of or addition or alteration to, buildings and equipment or appurtenances (, ON AND AFTER JULY 1, 1971,).

Subd. 1a. During the period commencing July 1, 1977 and ending June 30, 1982, the surcharge shall be computed as follows:

((A) WHERE) *If the fee for the permit (ISSUED) is fixed in amount the surcharge shall be equivalent to (1/2) one mill ((.0005)) (.001) of (SUCH) the fee or 50 cents, whichever amount is greater. For all other permits, the surcharge shall be equivalent to (1/2) one mill ((.0005)) (.001) of the valuation of the structure, addition or alteration. Provided however, that (WHERE) if the valuation of the structure, addition, or alteration is equal to or greater than \$1,000,000 but less than \$10,000,000, the surcharge shall be (\$1,000, WHERE SAID) \$1,500; if the valuation is equal to or greater than \$10,000,000 but less than*

\$20,000,000 the surcharge shall be (\$1,500) \$3,000; and (WHERE SAID) if the valuation is equal to or greater than \$20,000,000 the surcharge shall be (\$2,000) \$4,000.

Subd. 2. [COLLECTION AND REPORTS.] All permit surcharges shall be collected by each municipality and a portion thereof remitted to the state. Each municipality having a population greater than 20,000 people shall, on a monthly basis, prepare and submit to the commissioner a report of fees and surcharges thereon collected during the previous month, but shall retain two percent of the surcharges collected to apply against the administrative expenses each such municipality incurs in collecting said surcharges. All other municipalities shall submit said report and surcharges thereon on a quarterly basis, but shall retain four percent of the surcharges collected to apply against the administrative expenses such municipalities incur in collecting said surcharges. *During the period commencing July 1, 1977, and ending June 30, 1982, 25 percent of the amount remaining after deduction of the administrative expense allowance shall be retained by the municipality for deposit to its dilapidated building removal account established pursuant to section 7 of this act.* The (REPORT) reports required by this section, which shall be in a form prescribed by the commissioner, shall be submitted together with a remittance covering the surcharges collected by no later than the 15th day following the month or quarter in which said surcharges are collected. All surcharges and other fees prescribed by (LAWS 1971, CHAPTER 561, AS AMENDED) sections 16.851 to 16.867, which are payable to the state, shall be paid to the commissioner who shall deposit same in the state treasury for credit to the general fund.

Subd. 3. *Commencing July 1, 1982, the surcharge shall be computed as follows:*

Where the fee for the permit issued is fixed in amount the surcharge shall be equivalent to 1/2 mill (.0005) of such fee or 50 cents, whichever amount is greater. For all other permits, the surcharge shall be equivalent to 1/2 mill (.0005) of the valuation of the structure, addition or alteration. Provided, however, that where the valuation of the structure, addition, or alteration is equal to or greater than \$1,000,000 but less than \$10,000,000, the surcharge shall be \$1,000, where said valuation is equal to or greater than \$10,000,000 but less than \$20,000,000 the surcharge shall be \$1,500 and where said valuation is equal to or greater than \$20,000,000 the surcharge shall be \$2,000.

Sec. 9. [APPROPRIATION.] *There is appropriated from the general fund to the Minnesota pollution control agency the sum of \$600,000 to be used for the purposes of this act during the biennium ending June 30, 1979. Of this amount, not more than \$ per year may be used for the administrative expenses of the agency.*

Sec. 10. [EFFECTIVE DATE.] *Section 7 is effective July 1, 1977. The remaining provisions of this act are effective the day following final enactment.*"

Further, strike the title and insert:

"A bill for an act relating to the environment; establishing a program of state assistance for the removal of dilapidated buildings; increasing surcharges on certain building permits; requiring certain units of government to establish dilapidated building removal accounts; appropriating money; amending Minnesota Statutes 1976, Section 16.866."

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

The report was adopted.

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

S. F. No. 147, A bill for an act relating to commerce; limiting deficiency judgments in consumer transactions; restricting waiver of garnishment exemptions; amending Minnesota Statutes 1976, Section 550.37, Subdivision 4.

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:

S. F. No. 166, A bill for an act relating to real estate; landlord and tenant; venue of actions brought to recover rent deposits; amending Minnesota Statutes 1976, Sections 487.30, by adding a subdivision; 488.04, by adding a subdivision; 488A.01, by adding a subdivision; 488A.12, Subdivision 3; 488A.18, Subdivision 4; 488A.29, Subdivision 3; and 504.20, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 18, delete "rent".

Page 2, line 3, delete "rent".

Page 2, line 13, delete "rent".

Page 2, line 29, delete "rent".

Page 3, line 22, delete "rent".

Page 4, line 6, delete "rent".

Page 4, line 12, delete "rent" and after "deposit" insert "on rental property".

With the recommendation that when so amended 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:

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.

Reported the same back with the following amendments:

Page 1, line 12, delete "WITHDRAWAL" and insert "ADDITION".

Page 6, after line 10, insert a new subdivision as follows:

"Subd. 6. [CROSS RIVER STATE PARK; DELETION.] The following area is deleted from Cross River State Park: The Southeast Quarter of the Southeast Quarter of Section 36 in Township 59 North, Range 5 West."

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. 530, A bill for an act relating to insurance; regulating the use of credit life and credit health and accident insurance; amending Minnesota Statutes 1976, Sections 61A.12, by adding subdivisions; 62B.01; 62B.04, Subdivision 1; 62B.05; 62B.06, by adding subdivisions; 62B.07, Subdivision 2, and by adding a subdivision; 62B.08, Subdivision 2, and by adding subdivisions; and 62B.11.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1976, Section 53.051, is amended to read:

53.051 [INSURANCE IN CONNECTION WITH LOANS.] Any policy or certificate of insurance procured by a licensee in connection with any loan or transaction subject to this chapter, for which the premium has been paid by the obligor *or obligors* out of the proceeds of the loan or transaction, shall contain the amount and description of the coverage, all of the terms and conditions, the period of time for which it is written, the premium therefor, and shall be delivered to the obligor *or obligors* within a reasonable time. (NO) *Any* policy or certificate providing *credit* life insurance or *credit* accident and health benefits shall be written (FOR A TERM EXTENDING MORE THAN 15 DAYS BEYOND THE MATURITY OF THE RELATED OBLIGATION AND SHALL NOT PROVIDE BENEFITS GREATER THAN THE INITIAL AMOUNT OF SUCH OBLIGATION.)

(IF THE COVERAGE PROVIDES CREDIT ACCIDENT AND HEALTH INSURANCE, THE POLICY OR CERTIFICATE SHALL CONTAIN A PROVISION THAT IF THE INSURED OBLIGOR IS DISABLED, AS DEFINED IN THE POLICY, FOR A PERIOD OF MORE THAN 14 DAYS, BENEFITS SHALL COMMENCE AS OF THE FIRST DAY OF DISABILITY) *in a manner consistent with chapter 62B and rules promulgated thereunder.*

A policy or certificate for credit accident and health insurance shall disclose whether or not the benefits shall commence as of the first day of disability and shall further disclose the number of days that an insured obligor must be disabled, as defined in the policy, before benefits, whether retroactive or nonretroactive, shall commence.

In case there are multiple obligors under a transaction subject to (SUCH) *this* chapter, no policy or certificate of insurance providing (LIFE INSURANCE OR) *credit* accident and health benefits shall be procured by or through a licensee upon more than one of such obligors. *In case there are multiple obligors under a transaction subject to this chapter no policy or certificate of insurance providing credit life insurance shall be procured by or through a licensee upon more than two of the obligors in which case they shall be insured jointly.*

(IF AN OBLIGATION IS PREPAID IN FULL BY CASH, A NEW LOAN, REFINANCING, OR OTHERWISE, ANY POLICY OR CERTIFICATE OF INSURANCE PROVIDING LIFE INSURANCE OR ACCIDENT AND HEALTH BENEFITS PROCURED BY OR THROUGH A LICENSEE AND FOR WHICH THE PREMIUM HAS BEEN PAID BY THE OBLIGOR OUT OF THE PROCEEDS OF THE OBLIGATION

SHALL BE CANCELLED UPON SURRENDER OF THE POLICY, CERTIFICATE OR OTHER EVIDENCE AND THE UNEARNED PREMIUM REFUNDED UNLESS THE OBLIGOR SHALL REQUEST IN WRITING THAT SUCH INSURANCE BE CONTINUED IN FORCE, AND A COPY OF SUCH WRITTEN REQUEST SHALL BE DELIVERED TO THE INSURED AT TIME OF SIGNATURE.)

No licensee shall decline to accept a policy of insurance furnished by the borrower from another source.

Sec. 2. Minnesota Statutes 1976, Section 56.15, Subdivision 2, is amended to read:

Subd. 2. No licensee shall, directly or indirectly, sell or offer for sale any insurance in connection with any loan made under this chapter except as and to the extent authorized by this section. Life, accident and health insurance, or any of them, may be written upon or in connection with any loan (FOR A TERM NOT EXTENDING BEYOND THE FINAL MATURITY DATE OF THE LOAN CONTRACT BUT ONLY UPON ONE OBLIGOR ON ANY ONE LOAN CONTRACT. THE AMOUNT OF LIFE INSURANCE SHALL AT NO TIME EXCEED THE UNPAID BALANCE OF PRINCIPAL AND CHARGES COMBINED WHICH ARE SCHEDULED TO BE OUTSTANDING UNDER THE TERMS OF THE LOAN CONTRACT OR THE ACTUAL AMOUNT UNPAID ON THE LOAN CONTRACT, WHICHEVER IS GREATER. ACCIDENT AND HEALTH INSURANCE SHALL PROVIDE BENEFITS NOT IN EXCESS OF THE UNPAID BALANCE SCHEDULED TO BE OUTSTANDING UNDER THE TERMS OF THE LOAN CONTRACT AND THE AMOUNT OF EACH PERIODIC BENEFIT PAYMENT SHALL NOT EXCEED THE TOTAL AMOUNT PAYABLE DIVIDED BY THE NUMBER OF INSTALLMENTS AND SHALL PROVIDE THAT IF THE INSURED OBLIGOR IS DISABLED, AS DEFINED IN THE POLICY, FOR A PERIOD OF MORE THAN 14 DAYS, BENEFITS SHALL COMMENCE AS OF THE FIRST DAY OF DISABILITY) *in a manner consistent with chapter 62B and rules promulgated thereunder. The licensee shall disclose whether or not the benefits shall commence as of the first day of disability and shall further disclose the number of days that an insured obligor must be disabled, as defined in the policy, before benefits, whether retroactive or nonretroactive, shall commence. In case there are multiple obligors under a transaction subject to this chapter no policy or certificate of insurance providing credit accident and health benefits shall be procured by or through a licensee upon more than one of the obligors. In case there are multiple obligors under a transaction subject to this chapter no policy or certificate of insurance providing credit life insurance shall be procured by or through a licensee upon more than two of the obligors in which case they shall be insured jointly. The*

premium or identifiable charge for such insurance shall not exceed that filed by the insurer with the insurance division of the department of commerce. Such charge, computed at the time the loan is made for the full term of the loan contract on the total amount required to pay principal and charges, may be deducted from the proceeds or may be included as part of the principal of any loan. If a borrower procures insurance by or through a licensee, the statement required by section 56.14 of this chapter shall disclose the cost to the borrower and the type of insurance, and the licensee shall cause to be delivered to the borrower a copy of the policy, certificate, or other evidence thereof, within a reasonable time. No licensee shall decline new or existing insurance which meets the standards set out herein nor prevent any obligor from obtaining such insurance coverage from other sources. (IF THE LOAN CONTRACT IS PREPAID IN FULL BY CASH, A NEW LOAN, RENEWAL, REFINANCING, OR OTHERWISE (EXCEPT BY THE INSURANCE) ANY LIFE, ACCIDENT AND HEALTH INSURANCE PROCURED BY OR THROUGH A LICENSEE SHALL BE CANCELED AND A REFUND OF THE UNEARNED PREMIUM OR IDENTIFIABLE CHARGE SHALL BE REBATED.) Notwithstanding any other provision of this chapter, any gain or advantage to the licensee or to any employee, affiliate, or associate of the licensee from such insurance or the sale or provision thereof shall not be deemed to be additional or further charges in connection with such loan; nor shall any of the provisions pertaining to insurance contained in this section be deemed prohibited by any other provision of this chapter.

Sec. 3. Minnesota Statutes 1976, Section 62B.04, Subdivision 1, is amended to read:

62B.04 [AMOUNT OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.] Subdivision 1. [CREDIT LIFE INSURANCE.] (1) The initial amount of credit life insurance shall not exceed the total amount repayable under the contract of indebtedness. Thereafter, if the indebtedness is repayable in substantially equal installments, the amount of insurance shall not exceed the scheduled or actual amount of indebtedness, whichever is greater, UNLESS THE DEBTOR IS APPRISED OF HIS RIGHT TO HAVE INSURANCE COVERING ONLY THE SCHEDULED OR ACTUAL AMOUNT OF INDEBTEDNESS, AT A LESSER COST THAN LEVEL TERM INSURANCE, AND THE DEBTOR NONE-THELESS ELECTS IN WRITING TO CARRY LEVEL TERM INSURANCE). *A transaction under section 53.04 wherein the certificate of indebtedness provides for payment in substantially equal installments shall constitute an indebtedness repayable in substantially equal installments under this subdivision.*

(2) Notwithstanding (THE PROVISIONS OF SUBDIVISION 1, PARAGRAPH) *clause* (1) (OF THIS OR ANY OTHER SECTION), insurance on educational, agricultural and

horticultural credit transaction commitments may be written on a *nondecreasing or level term plan* for the amount of the (PORTION OF SUCH) *loan commitment* (THAT HAS NOT BEEN ADVANCED BY THE CREDITOR).

Sec. 4. Minnesota Statutes 1976, Section 62B.05, is amended to read:

62B.05 [TERM OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE.] The term of any credit life insurance or credit accident and health insurance shall, subject to acceptance by the insurer, commence on the date when the debtor becomes obligated to the creditor, except that, where a group policy provides coverage with respect to existing obligations, the insurance on a debtor with respect to the indebtedness shall commence on the effective date of the policy. Where evidence of insurability is required and the evidence is furnished more than 30 days after the date when the debtor becomes obligated to the creditor, the term of the insurance may commence on the date on which the insurance company determines the evidence to be satisfactory, and in that event there shall be an appropriate refund or adjustment of any charge to the debtor for insurance. The term of the insurance shall not extend more than 15 days beyond the scheduled maturity date of the indebtedness except when extended without additional cost to the debtor. (IF THE INDEBTEDNESS IS DISCHARGED DUE TO RENEWAL OR REFINANCING PRIOR TO THE SCHEDULED MATURITY DATE, THE INSURANCE IN FORCE SHALL BE TERMINATED BEFORE ANY NEW INSURANCE MAY BE ISSUED IN CONNECTION WITH THE RENEWED OR REFINANCED INDEBTEDNESS, UNLESS THE DEBTOR REQUESTS IN WRITING THAT IT BE CONTINUED. IN ALL CASES OF TERMINATION PRIOR TO SCHEDULED MATURITY, A REFUND SHALL BE PAID OR CREDITED AS PROVIDED IN SECTION 62B.08)

If an indebtedness is prepaid in full before its scheduled maturity, except by a new loan from or by refinancing by the same creditor and except by performance of the insurer's obligation under the policy, any policy or certificate of insurance providing credit life or credit accident and health benefits procured by or through a creditor and for which the premium has been paid by the debtor or debtors out of the proceeds of the indebtedness shall be canceled upon surrender of the policy, certificate or other evidence, and a refund shall be paid or credited as provided in section 62B.08. If the policy or certificate by its own terms terminates upon prepayment in full before its scheduled maturity date, it need not be surrendered but a refund shall be paid or credited as provided in section 62B.08.

If an indebtedness is prepaid in full before its scheduled maturity date by a new loan from or by refinancing by the same creditor through which the debtor or debtors procured a policy or cer-

tificate of credit life or credit accident and health insurance issued after the effective date of this act, the insurance shall be deemed cancelled if any new policy or certificate for the same type of insurance is issued in connection with the new loan or refinancing, and a refund shall be paid or credited as provided in section 62B.08. For the purposes of this subdivision, an assignee creditor and an assignor creditor shall not be construed to be the same creditor.

Sec. 5. Minnesota Statutes 1976, Section 61A.12, is amended by adding a subdivision to read:

Subd. 5. [SUBSTITUTION.] When a creditor requires credit life insurance, credit accident and health insurance, or both, as additional security for an indebtedness, the debtor shall be given the option of furnishing the required amount of insurance through existing policies of insurance owned or controlled by him or procuring and furnishing the required coverage through any insurer authorized to transact insurance business in this state. If this subsection is applicable, the debtor shall be informed by the creditor of his right to provide alternative coverage before the transaction is completed.

Sec. 6. *This act is effective January 1, 1978."*

Further amend the title by deleting it entirely and inserting:

"A bill for an act relating to commerce; regulating the use of credit life and credit health and accident insurance; eliminating level term credit life insurance; eliminating "pyramiding" of credit life insurance; permitting joint life credit insurance policies; permitting certain classes of credit accident and health insurance; amending Minnesota Statutes 1976, Sections 53.051; 56.15, Subdivision 2; 61A.12, by adding a subdivision; 62B.04, Subdivision 1; and 62B.05."

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. 1299, A bill for an act relating to health care; catastrophic health expense protection; providing protection against certain nursing home expenses incurred for long term care; excluding certain dependent income from the definition of household income; amending Minnesota Statutes 1976, Section 62E.52, Subdivisions 3 and 5.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1976, Section 62E.52, Subdivision 2, is amended to read:

Subd. 2. "Eligible person" means any person who is a resident of Minnesota and who, while a resident of Minnesota, has been found by the commissioner to have incurred an obligation to pay:

(1) qualified expenses for himself and any dependents in any 12 consecutive months exceeding:

(a) 40 percent of his household income up to \$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; or

(2) *qualified nursing home expenses for himself and any dependents in any 12 consecutive months exceeding 20 percent of his household income.*

Sec. 2. Minnesota Statutes 1976, Section 62E.52, is amended by adding a subdivision to read:

Subd. 3a. "Qualified nursing home expense" includes any charge incurred for nursing home services after 36 months of continuous care provided to a person 64 years of age or younger in long term care facilities.

Sec. 3. Minnesota Statutes 1976, Section 62E.52, Subdivision 5, is amended to read:

Subd. 5. "Household income" means the gross income of an eligible person and all his dependents *23 years of age or older* for the calendar year preceding the year in which an application is filed pursuant to section 62E.53.

Sec. 4. Minnesota Statutes 1976, Section 62E.53, Subdivision 2, is amended to read:

Subd. 2. If the commissioner determines that an applicant is an eligible person, he shall pay (1) 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; and

(2) *all qualified nursing home expenses of the eligible person and his dependents in excess of 20 percent of his household income.* If the commissioner determines that the charge for a health service is excessive, he may limit his payment to the usual and customary 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 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, 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.”.

Further, amend the title as follows:

Page 1, line 7, delete “Section” and insert “Sections”.

Page 1, line 8, delete “3” and insert “2”.

Page 1, line 8, after “5” insert “, and by adding a subdivision; and 62E.53, Subdivision 2”.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 2, line 3, delete “deposit”.

Page 2, line 4, delete “in a mailbox” and insert “being post-marked”.

Page 2, line 30, delete "deposit in a mailbox" and insert "being postmarked,".

Page 3, after line 13, insert a new section to read:

"Sec. 3. Sections 1 and 2 shall not apply to insurance sold pursuant to section 60A.18.".

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:

S. F. No. 767, A bill for an act relating to mortgages; authorizing appointment of a receiver upon foreclosure and upon a showing that a mortgagor has breached certain covenants in the mortgage; amending Minnesota Statutes 1976, Sections 559.17; and 576.01.

Reported the same back with the following amendments:

Page 2, line 17, after "*original*" insert "*principal*".

Page 2, line 20, delete "*apply to*" and insert "*bring an action in*".

Page 2, line 22, after "*receiver*" insert "*; provided, however, if the foreclosure is by action under chapter 581, a separate action need not be filed*".

Page 2, line 22, delete "*An*".

Page 2, delete lines 23 to 27 and insert "*Pending trial of the action on the merits, the court may make a temporary appointment of a receiver following the procedures applicable to temporary injunctions under the rules of civil procedure. If the motion for temporary appointment of a receiver is denied, the trial of the action on the merits shall be held as early as practicable, but not to exceed 30 days after the motion for temporary appointment of a receiver is heard. The court shall*".

Page 5, line 14, after "*Subd. 2.*" delete the remainder of the line.

Page 5, delete lines 15 to 21.

Page 5, line 22, delete "*profits from the mortgaged real*" and insert "*A mortgagor may assign, as additional security for the*".

debt secured by the mortgage, the rents and profits from the mortgaged real property, if the mortgage:

(1) Was executed, modified or amended subsequent to August 1, 1977;

(2) Secured an original principal amount of \$500,000 or more; and

(3) Is not a lien upon property which was entirely homesteaded as agricultural”.

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. 194, A bill for an act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 609.605.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Criminal Justice.

The report was adopted.

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

S. F. No. 977, A bill for an act relating to marriage; requiring certain information to be included on an application for a marriage license; amending Minnesota Statutes 1976, Sections 517.08, Subdivision 1; and 517.10.

Reported the same back with the following amendments:

Page 1, before line 8, insert the following:

“Section 1. Minnesota Statutes 1976, Section 517.02, is amended to read:

517.02 [PERSONS CAPABLE OF CONTRACTING.] Every person who has attained the full age of 18 years is capable in law of contracting marriage, if otherwise competent. (A FEMALE PERSON OF THE FULL AGE OF 16 YEARS MAY, WITH THE CONSENT OF HER PARENTS, GUARDIAN, OR THE COURT, AS PROVIDED IN SECTION 517.08, RECEIVE A LICENSE TO MARRY, WHEN, AFTER A CAREFUL INQUIRY INTO THE FACTS AND THE SURROUNDING CIR-

CUMSTANCES, HER APPLICATION FOR A LICENSE IS APPROVED BY THE JUDGE OF THE JUVENILE COURT OF THE COUNTY IN WHICH SHE RESIDES. IF THE JUDGE OF JUVENILE COURT OF THE COUNTY IN WHICH SHE RESIDES IS ABSENT FROM THE COUNTY AND HAS NOT BY ORDER ASSIGNED ANOTHER PROBATE JUDGE OR A RETIRED PROBATE JUDGE TO ACT IN HIS STEAD, THEN THE COURT COMMISSIONER OR ANY JUDGE OF DISTRICT COURT OF THE COUNTY MAY APPROVE HER APPLICATION FOR A LICENSE.)”.

Page 2, line 10, strike “\$10” and insert “\$11”.

Page 2, after line 20, insert a new section:

“Sec. 3. Minnesota Statutes 1976, Section 517.08, Subdivision 3, is amended to read:

Subd. 3. The personal information necessary to complete the report of marriage shall be furnished by the applicant prior to the issuance of the license. The report shall contain only the following information:

(a) Personal information on bride and groom.

1. Name.
2. Residence.
3. Date and place of birth.
4. Race.
5. If previously married, how terminated.
6. Name after marriage.
7. Signature of applicant and date signed.

(b) Information concerning the marriage.

1. Date of marriage.
2. Place of marriage.
3. Civil or religious ceremony.

(c) Signature of clerk of court and date signed.

(d) *Address of the bride and groom after the marriage to which the clerk shall send a certified copy of the marriage certificate.*

Sec. 4. Minnesota Statutes 1976, Chapter 517, is amended by adding a section to read:

[517.101] [CERTIFIED COPIES OF MARRIAGE CERTIFICATE.] *Within ten days of receipt of the certificate and after recording the certificate the clerk shall prepare two certified copies of the certificate of which he shall mail one to the married parties and the other to the person solemnizing the marriage. The person solemnizing the marriage may indicate at the time he files the certificate with the clerk that he does not wish to receive a certified copy.*

Renumber the sections accordingly.

Amend the title as follows:

Page 1, line 2, after the semicolon insert "persons capable of contracting;"

Page 1, line 4, after the semicolon insert "requiring the clerk of court to furnish certified copies of marriage license;"

Page 1, line 5, after "Sections" insert "517.02;" and delete "Subdivision" and insert "Subdivisions" and after "1" insert "and 3" and delete "and" and before the period insert "and Chapter 517, by adding a 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. 1365, A bill for an act relating to administrative procedures of governmental agencies; adding metropolitan and capitol area agencies under the coverage of the administrative procedure act; limiting rule-making authority and obligations; permitting incorporation by reference; requiring completion of hearing examiner reports within a specified period; permitting an agency to appeal adverse district court decisions; providing copies of the state register for public libraries; providing for hearing examiners, subpoenas and reporters; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15.0412; 15.0413, Subdivision 3; 15.0417; 15.0426; 15.048; 15.051, Subdivision 4; 15.052, Subdivisions 4 and 5; and 15.42.

Reported the same back with the following amendments:

Pages 1 and 2, delete all of section 1.

Renumber the remaining sections in sequence.

Page 8, line 31, delete "of".

Page 8, line 32, delete "supervisors".

Page 9, line 5, strike "15.01" and insert "15.0411".

Page 9, line 25, delete "its or".

Page 9, line 27, delete "office of hearing examiners or the" and insert "chief".

Page 9, line 28, delete "before whom a hearing is held".

Further amend title:

Line 3, delete "adding metropolitan and".

Line 4, delete entire line.

Line 5, delete "administrative procedure act;"

Line 12, delete "hearing examiners,"

Line 14, delete "15.0411, Subdivision 2;"

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:

S. F. No. 411, A bill for an act relating to peace officers; providing for training and licensing of all peace officers in the state; renaming the peace officer training board; giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 214.01, Subdivision 3; 626.841; 626.842; 626.843, Subdivision 1; 626.845; 626.846, Subdivision 1 and by adding subdivisions; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; 626.854; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Sections 626.843, Subdivision 4; 626.844; 626.846, Subdivision 2; 626.847; and 626.853.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 626, is amended by adding a section to read:

[626.84] [DEFINITIONS.] *For the purposes of section 1 and sections 626.841 to 626.854, the following terms shall have the meanings given them:*

(a) "Board" means the Minnesota board of peace officer standards and training;

(b) "Director" means the executive director of the board;

(c) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota highway patrol and state conservation officers.

Sec. 2. Minnesota Statutes 1976, Section 626.841, is amended to read:

626.841 [ESTABLISHMENT OF BOARD; MEMBERS.] (THERE IS HEREBY CREATED IN THE OFFICE OF THE ATTORNEY GENERAL THE MINNESOTA PEACE OFFICER TRAINING BOARD, HEREINAFTER REFERRED TO AS THE "BOARD.") The board of *peace officer standards and training* shall be composed of the following:

(a) Two members to be appointed by the governor from among the county sheriffs in Minnesota;

(b) (TWO) *Four* members to be appointed by the governor from among (THE CHIEFS OF POLICE OF MINNESOTA MUNICIPALITIES) *peace officers in Minnesota municipalities, at least two of whom shall be chiefs of police;*

((C) TWO MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG PEACE OFFICERS IN MINNESOTA MUNICIPALITIES OTHER THAN CHIEFS OF POLICE OR COUNTY SHERIFFS;)

((D) TWO MEMBERS TO BE APPOINTED BY THE GOVERNOR FROM AMONG THE COUNTY ATTORNEYS OR THEIR ASSISTANTS IN MINNESOTA, ONE OF WHOM SHALL BE FROM A COUNTY CONTAINING A CITY OF THE FIRST CLASS;)

((E) THE CHIEFS OF POLICE OF EACH CITY OF THE FIRST CLASS;)

((F)) (c) The superintendent of the Minnesota bureau of criminal apprehension or his designee;

(d) *Two members appointed by the governor experienced in law enforcement at a local, state or federal level who are not currently employed as peace officers;*

((G) THE CHIEF OF THE MINNESOTA HIGHWAY PATROL OR HIS DESIGNEE;)

((H) THE SPECIAL AGENT IN CHARGE OF A FIELD OFFICE OF THE FEDERAL BUREAU OF INVESTIGATION IN THIS STATE OR HIS DESIGNEE;)

((I) THE ATTORNEY GENERAL OR HIS DESIGNEE, AND)

((J)) (e) *Two members to be appointed by the governor from among the general public; and*

(f) *A chairman, to be appointed by the governor from among the members.*

Sec. 3. Minnesota Statutes 1976, Section 626.842, is amended to read:

626.842 [TERMS; MEETINGS; COMPENSATION; REMOVAL; VACANCIES.] Subdivision 1. (IF ANY INCUMBENT SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY SO APPOINTED CEASES TO BE A SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY PRIOR TO THE EXPIRATION OF HIS TERM AS A MEMBER OF THE BOARD, THE GOVERNOR SHALL BE NOTIFIED BY THE EXECUTIVE DIRECTOR OF THE BOARD THAT A VACANCY EXISTS OR IS ABOUT TO EXIST, AND THE GOVERNOR SHALL FORTHWITH APPOINT SOME OTHER INCUMBENT SHERIFF, CHIEF OF POLICE, PEACE OFFICER OR COUNTY ATTORNEY TO COMPLETE HIS TERM. SIMILAR NOTIFICATION SHALL BE MADE BY THE EXECUTIVE DIRECTOR OF A VACANCY EXISTING OR ABOUT TO EXIST AS TO A MEMBER APPOINTED PURSUANT TO CLAUSE (J) AND THE GOVERNOR SHALL MAKE A SIMILAR APPOINTMENT.)

Meetings shall be called at the request of the (EXECUTIVE DIRECTOR, THE ATTORNEY GENERAL,) *chairman* or upon the written request of a majority of the members of the board. (ALL RECOMMENDATIONS BY THE BOARD TO THE ATTORNEY GENERAL SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE BOARD.)

Membership on the board shall not constitute the holding of a public office, and members of the board shall not be required

to take and file oaths of office or submit a public official's bond before serving on the board.

No member of the board shall be disqualified from holding any public office or employment, by reason of his appointment to the board, nor shall he forfeit any such office or employment notwithstanding any general, special, or local restriction, or ordinance, or city charter to the contrary.

Subd. 2. The membership terms, compensation, removal of members and the filling of vacancies for members appointed pursuant to section 626.841, clauses (a), (b), ((C),) (d) and ((J)) (e) on the board (SHALL BE AS PROVIDED IN SECTION 15.0575); *the provision of staff, administrative services and office space; the review and processing of complaints; the renewal of licenses; the setting of fees; and other matters relating to board operations shall be as provided in chapter 214.*

Sec. 4. Minnesota Statutes 1976, Section 626.843, Subdivision 1, is amended to read:

626.843 [RULES AND REGULATIONS, RECOMMENDATIONS; EXECUTIVE DIRECTOR.] Subdivision 1. The (MINNESOTA PEACE OFFICER TRAINING) board (MAY RECOMMEND TO THE ATTORNEY GENERAL) *shall adopt rules (AND REGULATIONS) with respect to:*

(a) The (APPROVAL OR DISAPPROVAL THEREOF,) *certification* of peace officer training schools, *programs*, or courses including training schools for the Minnesota highway patrol. Such schools, *programs and courses* shall include (SCHOOLS) *those* administered by the state, county, school district, municipality, or joint or contractual combinations thereof, (AND SUCH COURSES SHALL INCLUDE POLICE TRAINING COURSES TAUGHT AT VOCATIONAL SCHOOLS AND TRADE SCHOOLS) *and shall include preparatory instruction in law enforcement and minimum basic training courses;*

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at each (APPROVED) *certified* peace officers training school located within the state;

(c) Minimum qualifications for instructors at (APPROVED) *certified* peace officer training schools located within this state;

(d) Minimum standards of physical, mental and educational fitness which shall govern the recruitment *and licensing* of (NONELECTIVE) peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota highway patrol;

(e) Minimum standards of conduct which would affect the performance of the individual in his duties as a peace officer;

These standards shall be established and published on or before January 1, 1979.

(f) Minimum basic training which peace officers appointed to temporary or probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following any such appointment to a temporary or probationary term;

(g) Minimum basic training which peace officers not appointed for temporary or probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent employment, and the time within which such basic training must be completed following such appointment on a nonpermanent basis;

(h) (CATEGORIES OR CLASSIFICATIONS OF ADVANCED IN SERVICE TRAINING PROGRAMS AND MINIMUM COURSES OF STUDY AND ATTENDANCE REQUIREMENTS WITH RESPECT TO SUCH CATEGORIES AND CLASSIFICATIONS) *Content of minimum basic training courses required of graduates of certified law enforcement training schools or programs. Such courses shall not duplicate the content of certified academic or general background courses completed by a student but shall concentrate on practical skills deemed essential for a peace officer. Successful completion of such a course shall be deemed satisfaction of the minimum basic training requirement provided the student obtains employment as a peace officer within one year of completion;*

(i) Grading, reporting, attendance and other records, and certificates of attendance or accomplishment; (AND)

(j) (SUCH OTHER MATTERS AS MAY BE NECESSARY) *Minimum continuing education courses and other requirements for the renewal of licenses of peace officers; and*

(k) *Such other matters as may be necessary consistent with sections 626.841 to 626.854, and section 1. Rules promulgated by the attorney general with respect to these matters may be continued in force by resolution of the board if the board finds the rules to be consistent with sections 626.841 to 626.854, and section 1.*

Sec. 5. Minnesota Statutes 1976, Section 626.843, Subdivision 2, is amended to read:

Subd. 2. An executive director shall be appointed by and serve in the unclassified service at the pleasure of the (GOV-

ERNOR) board. (HE SHALL BE IN THE UNCLASSIFIED SERVICE AND RECEIVE COMPENSATION, AS FIXED BY THE COMMISSIONER OF PERSONNEL, AND REIMBURSEMENT FOR THE EXPENSES WITHIN THE ACCOUNTS AVAILABLE BY APPROPRIATION) *The executive director shall perform such duties, on behalf of the board, as the board shall prescribe.* The board (MAY) shall appoint such employees, agents and consultants as (THEY MAY DEEM) deemed necessary, prescribe their duties, and provide for reimbursement of their expenses. Such employees shall be in the classified service (AND SUBJECT TO SECTIONS 43.09 TO 43.17).

Sec. 6. Minnesota Statutes 1976, Section 626.843, Subdivision 3, is amended to read:

Subd. 3. The board may, in addition:

(a) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of sections 626.841 to 626.854;

(b) Visit and inspect any peace officer training school approved by the executive director or for which application for such approval has been made;

(c) Make recommendations, from time to time, to the executive director, attorney general, governor, and the legislature regarding the carrying out of the objectives and purposes of sections 626.841 to 626.854 (.) ;

(d) Perform such other acts as may be necessary or appropriate to carry out the powers and duties of the board as set forth in sections 626.841 to 626.849;

(e) *Cooperate with and receive financial assistance from and join in projects or enter into contracts with the federal government or its agencies for the furtherance of the purposes of this act.*

Sec. 7. Minnesota Statutes 1976, Section 626.845, is amended to read:

626.845 [POWERS AND DUTIES.] The (EXECUTIVE DIRECTOR, ON BEHALF OF THE) board (,) shall have the following powers and duties (, TO BE EXERCISED WITH THE APPROVAL OF THE BOARD AND TO BE EXECUTED ONLY IN FULL ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE ATTORNEY GENERAL PURSUANT TO SECTION 626.844;):

(a) To (APPROVE) *certify* peace officers' training schools or programs administered by state, county and municipalities

located within this state *in whole or in part no later than 90 days after receipt of an application for certification. The reasons for noncertification of any school or program or part thereof shall be transmitted to the school within 90 days and shall contain a detailed explanation of the reasons for which the school or program was disapproved and an explanation of what supporting material or other requirements are necessary for the board to reconsider. Disapproval of a school or program shall not preclude the reapplication for certification of the school or program;*

(b) To issue certificates (OF APPROVAL) to (SUCH APPROVED) schools, and to revoke such certification (OF APPROVAL) when necessary to maintain the objectives and purposes of sections 626.841 to 626.854;

(c) To certify, as qualified, instructors at (APPROVED) peace officer training schools, and to issue appropriate certificates to such instructors;

(d) To (CERTIFY) *issue licenses and renewals of licenses to peace officers who have satisfactorily completed certified basic training programs, (AND TO ISSUE APPROPRIATE CERTIFICATES TO SUCH PEACE OFFICERS) and passed examinations as required by the board;*

(e) To cause studies and surveys to be made relating to the establishment, operation, and approval of state, county, and municipal peace officer training schools;

(f) To consult and cooperate with state, county, and municipal peace officer training schools for the development of (ADVANCED) in-service training programs for peace officers;

(g) To consult and cooperate with universities and colleges for the development of specialized courses of instruction and study in the state for peace officers in police science and police administration;

(h) To consult and cooperate with other departments and agencies of the state and federal government concerned with peace officer *standards and training;*

(i) To perform such other acts as may be necessary and appropriate to carry out (HIS) *the powers and duties as set forth in the provisions of sections 626.841 to 626.854;*

(j) (TO REPORT TO THE BOARD, FROM TIME TO TIME, AT THE REGULAR MEETINGS OF THE BOARD AND AT SUCH OTHER TIMES AS MAY BE REQUIRED BY THE BOARD) *To coordinate the provision, on a regional basis, of skills oriented basic training courses to graduates of certified law enforcement training schools or programs.*

Sec. 8. Minnesota Statutes 1976, Section 626.846, is amended to read:

626.846 [ATTENDANCE, FORFEITURE OF POSITION.]
Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any peace officer employed or elected on or after (JULY 1, 1967) *January 1, 1978*, by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota (WITH A POPULATION OF MORE THAN 1,000 ACCORDING TO THE LAST FEDERAL CENSUS) shall (ATTEND A PEACE OFFICERS TRAINING COURSE WITHIN 12 MONTHS OF HIS APPOINTMENT, EXCEPT AS PROVIDED IN SECTION 626.853) *not be eligible for permanent appointment without being licensed by the board pursuant to rules promulgated under section 626.843.*

Subd. 2. Every peace officer who shall be appointed by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota (WITH A POPULATION OF MORE THAN 1,000 ACCORDING TO THE LAST FEDERAL CENSUS,) on a temporary basis or for a probationary term, shall forfeit his position unless he has (SATISFACTORILY COMPLETED, WITHIN THE TIME PRESCRIBED BY THE RULES AND REGULATIONS PROMULGATED) *been licensed by the board pursuant to sections 626.841 to 626.854 (, AN APPROVED PEACE OFFICER TRAINING PROGRAM, EXCEPT AS PROVIDED IN SECTION 626.853).* Any other peace officer employed or elected by any state, county, municipality or joint or contractual combination thereof, may attend peace officer training courses *and be licensed by the board subject to the rules (AND REGULATIONS) promulgated pursuant to (SECTIONS 626.841 TO 626.854) section 626.843.*

Subd.3. *No peace officer required to be licensed under this section shall be eligible for continued employment without having his license renewed biennially pursuant to rules promulgated pursuant to section 626.843.*

Subd. 4. *A peace officer who has received a permanent appointment prior to January 1, 1978, shall be licensed by the board if the officer has met the requirements of sections 626.841 to 626.854 in effect on June 30, 1977 and if the officer has requested licensing by the board. Peace officers receiving a license under this subdivision shall have their license renewed biennially in the same manner as required of other licensed peace officers. An elected or appointed town constable who takes office on or after July 1, 1978, if his duties are substantially similar to those of a peace officer as determined by the board, shall be licensed by the board in respect to his term of office as if he has met the preservice and licensing requirements of the board, but he must satisfy renewal requirements of the board during his term of elected office.*

Sec. 9. Minnesota Statutes 1976, Section 626.847, is amended to read:

626.847 [COMPULSORY PROGRAM; EXEMPTIONS.] Nothing contained in sections 626.841 to 626.854 (, EXCEPT THE POPULATION LIMITS IN SECTIONS 626.846 AND 626.853,) shall be construed to exempt any peace officer (CHARGED WITH THE ENFORCEMENT OF THE GENERAL CRIMINAL LAWS OF THE STATE) from the provisions of sections 626.841 to 626.854, or to exempt a peace officer having received his last permanent appointment as a peace officer prior to July 1, 1967. (THE PEACE OFFICERS TRAINING BOARD MAY RECOMMEND BY A TWO-THIRDS VOTE RULES AND REGULATIONS FOR MINIMUM BASIC TRAINING FOR ALL PEACE OFFICERS WHO RECEIVED AN APPOINTMENT PRIOR TO JULY 1, 1967. UPON THE ADOPTION OF SUCH RULES AND REGULATIONS BY THE ATTORNEY GENERAL ALL SUCH PEACE OFFICERS SHALL COMPLY WITH SUCH RULES AND REGULATIONS.)

Sec. 10. Minnesota Statutes 1976, Section 626.848, is amended to read:

626.848 [TRAINING COURSES, LOCATIONS.] *Subject to board rules*, the superintendent of the bureau of criminal apprehension shall provide courses at convenient locations in the state, for training peace officers in their powers and duties, and in the use of approved equipment and the latest technique for detection, identification and apprehension of criminals. For this purpose, the superintendent may use the services and employees of the bureau.

Sec. 11. Minnesota Statutes 1976, Section 626.85, Subdivision 1, is amended to read:

626.85 [INSTRUCTORS; DONATIONS, CONTRIBUTIONS.] Subdivision 1. In addition to the bureau employees assigned to police training, full time or part time, the superintendent is authorized to engage such part time instructors as he deems proper and necessary to furnish the best possible instruction in police sciences, *subject to board rules and to the limitation of funds as appropriated and available for expenditure.* Sections 43.09 to 43.17 shall not apply to such part time employees.

Sec. 12. Minnesota Statutes 1976, Section 626.851, Subdivision 2, is amended to read:

Subd. 2. Any student successfully completing (1000 HOURS) *a program* of law enforcement instruction in a post secondary educational (LAW ENFORCEMENT PROGRAM WHICH IS *institution, which program has been certified by the board, and which institution has been approved by the Minnesota state de-*

partment of education or an accredited institution of higher learning shall be eligible, (UPON COMPLIANCE WITH THE REQUIREMENTS PRESCRIBED BY RULES OF THE ATTORNEY GENERAL FOR THE MINNESOTA PEACE OFFICER TRAINING BOARD,) to (RECEIVE THE MINIMUM BASIC POLICE TRAINING AS ESTABLISHED UNDER SECTION 626.843 CONDUCTED BY THE MINNESOTA BUREAU OF CRIMINAL APPREHENSION IN FACILITIES PROVIDED BY THE INSTITUTE. UPON SATISFACTORY COMPLETION OF THE TRAINING COURSE CONDUCTED BY THE BUREAU THE CERTIFICATE SHALL BE AWARDED TO THE INDIVIDUAL) *attend a skills oriented basic training course as established under section 626.843. Nothing contained in section 1 and sections 626.841 to 626.854 shall be construed to preclude the provision of skills oriented basic training courses by certified law enforcement schools providing such course has been certified by the board.*

Sec. 13. *Minnesota Statutes 1976, Sections 626.844 and 626.854 are repealed.*

Sec. 14. *The effective date of this act is July 1, 1977.*

Sec. 15. [TRANSITION PROVISIONS.] *The Minnesota board of peace officer standards and training, created pursuant to section 1, supersedes and replaces the Minnesota peace officer training board. The Minnesota peace officer training board shall cease to exist on and after June 30, 1977."*

Further delete the title in its entirety and insert:

"A bill for an act relating to peace officers; providing for training and licensing; renaming the peace officer training board and giving the board additional responsibilities; amending Minnesota Statutes 1976, Sections 626.841; 626.842; 626.843, Subdivisions 1, 2 and 3; 626.845; 626.846; 626.847; 626.848; 626.85, Subdivision 1; 626.851, Subdivision 2; Chapter 626, by adding a section; repealing Minnesota Statutes 1976, Sections 626.844 and 626.854."

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

The report was adopted.

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

S. F. No. 541, A bill for an act relating to the operation of state government; authorizing value analysis of certain department of transportation construction projects; establishing procedures for implementing value analysis change proposals.

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:

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.

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. 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.

Reported the same back with the following amendments:

Page 14, delete all of section 9.

Renumber sections accordingly.

Further amend the title as follows:

Page 1, line 16, delete “, and by”.

Page 1, line 17, delete “adding a subdivision”.

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:

S. F. No. 967, A bill for an act relating to probate; guardianships and conservatorships; providing for resignations and removals of guardians; providing for joinder of sureties in final account hearings; amending Minnesota Statutes 1976, Section 525.582.

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. 968, A bill for an act relating to probate; decrees of descent; changing the requirements for the notice of hearing on a petition for a decree of descent; amending Minnesota Statutes 1976, Section 525.312.

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. 969, A bill for an act relating to probate; authorizing the court to issue interim orders; surety bonds; authorizing court to order accounting by and judgment against surety in proceedings to settle estate; amending Minnesota Statutes 1976, Sections 524.3-105; and 524.3-606.

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. 970, A bill for an act relating to probate; personal representatives; providing for appointment of successor representatives; amending Minnesota Statutes 1976, Section 524.3-613.

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. 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.

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. 973, A bill for an act relating to probate; rules of procedure; providing for probate proceedings to be governed by rules of civil procedure; amending Minnesota Statutes 1976, Chapter 524, by adding a section.

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. 1014, A bill for an act relating to courts; authorizing the supreme court to prescribe uniform conciliation court forms; directing the clerks of conciliation courts to accept uniform complaints and counterclaims from other jurisdictions; amending Minnesota Statutes 1976, Sections 487.23, by adding a subdivision; 487.30, by adding a subdivision; 488A.14, by adding a subdivision; and 488A.31, by adding a subdivision.

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. 1064, A bill for an act relating to the state board of investment; creating an advisory council; requiring annual reports; replacing existing agencies; amending Minnesota Statutes 1976, Chapter 11, by adding sections.

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:

S. F. No. 1138, A bill for an act relating to probate; changing requirements for collection of personalty by affidavit; amending Minnesota Statutes 1976, Section 524.3-1201.

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

The report was adopted.

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

H. F. No. 914, A bill for an act relating to human services; providing certain services to juveniles; clarifying the authority of the juvenile court; amending Minnesota Statutes 1976, Sections 260.311, Subdivisions 1, 3 and 5; and 402.02, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 14, delete "*regional commission*" and insert "*board*".

Page 1, line 17, delete "*regional commission*" and insert "*board*".

Page 1, line 19, delete "*If a county has organized pursuant to*".

Page 1, delete lines 20 to 23.

Page 2, line 1, delete "*chapter 401*".

Page 2, line 2, delete "*chapters*".

Page 2, line 3, delete "*401 or*" and insert "*chapter*".

Page 5, line 13, delete "*adult and juvenile correctional*" and insert "*corrections*".

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. 1497, A bill for an act relating to health; providing state grants to finance health related research activities; directing the state health coordinating council to establish a health research subcommittee; providing for its powers and duties; appropriating money.

Reported the same back with the following amendments:

Page 1, line 15, after "1524," insert "42".

Page 2, line 7, after the period insert "The state planning agency may adopt rules as necessary for purposes of implementing and administering section 2."

Page 2, line 10, after "shall" insert "provide".

Page 2, line 11, delete "provide".

Page 2, line 15, delete "with annual cost of living increases".

Page 2, line 31, delete "his" and insert "the results of".

Page 2, delete line 32.

Page 3, delete lines 1 to 19.

Renumber the subdivisions in sequence.

Page 3, delete lines 21 to 32.

Page 4, delete lines 1 to 4 and insert "health research subcommittee shall establish within the state planning agency or another institution selected by the subcommittee a nonmedical health policy research program. This program shall provide information, analysis and technical support to health planners, state agencies, and the legislature, on matters relating to health costs, productivity, health care regulation, and organization of the delivery of health care. The program may also investigate and evaluate the public health value of various preventive health care techniques. The program may receive grants and funds from other governmental or private bodies, but shall expend state moneys only in efforts to support activities and studies that are consistent with state health priorities as established by the state health coordinating council. The program may contract with other agencies or organizations for purposes of health related research."

Page 4, after line 13, insert a new subdivision to read:

"Subd. 6. [REPORTS ON RESEARCH.] Complete reports concerning periodic progress and complete results of any re-

search conducted pursuant to this section shall be submitted by grant recipients and other researchers conducting that research at least annually to the health research subcommittee, the governor, and the legislature.”.

Page 4, line 16, after “subcommittee” insert “during the biennium ending June 30, 1979”.

Page 4, line 19, delete “\$3,200,000” and insert “\$1,600,000”.

Page 4, delete lines 20 to 22.

Page 4, line 23, delete “(c)” and insert “(b)”.

Page 4, line 24, delete “3” and insert “2”.

Page 4, line 25, delete “\$2,000,000” and insert “\$1,000,000”.

Page 4, line 26, delete “(d)” and insert “(c)”.

Page 4, line 27, delete “4” and insert “3”.

Page 4, line 28, delete “\$400,000” and insert “\$200,000”.

Page 4, line 30, delete “(d)” and insert “(c)”.

Page 5, delete lines 1 to 3.

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. 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.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 246.51, is amended to read:

246.51 [PAYMENT FOR CARE AND TREATMENT; DETERMINATION.] The commissioner shall make (SUCH) investigation as (HE DEEMS) necessary (AND) to determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If (THE COMMISSIONER FINDS THAT) the patient is unable to pay the full cost of care (HE) *the commissioner* shall make a determination as to the ability of the relatives to pay (PROVIDED,). However, (THAT) in no case shall the relatives, unless they reside outside the state, be ordered to pay more (FOR EACH PATIENT) than ten percent of the cost of care *for each patient* (BUT) not to exceed (\$60) \$125 per month (BUT). Voluntary payments in excess (THEREOF) of \$125 per month may be accepted by the commissioner. (IN THE CASE OF NONRESIDENT PARENTS OF CHILDREN RECEIVING CARE IN STATE HOSPITALS IN MINNESOTA,) The commissioner may require payment of the full per capita cost of (CARING) *care in state hospitals* for (SUCH PATIENTS) *children whose parents or guardians do not reside in Minnesota*. No parent shall be liable for the cost of care given a patient at a state hospital after (SUCH) *the patient* has reached the age of 18 years. (SUCH) *The commissioner's* determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as (HEREINAFTER) provided *in section 246.55*. All money received shall be paid to the state treasurer and placed in the general fund of the state and a separate account kept (THEREOF) of it. Responsibility under this section shall not apply to those relatives (EARNING) *having gross earnings of less than (\$4,000) \$11,000 per year*.

Sec. 2. Minnesota Statutes 1976, Section 252.27, Subdivision 1, is amended to read:

252.27 [COST OF BOARDING CARE OUTSIDE OF HOME OR INSTITUTION.] Subdivision 1. Whenever any child who is mentally retarded, epileptic, (OR) emotionally handicapped *or who has cerebral palsy* is (CARED FOR) *in 24 hour care* outside the home and outside the (SEVERAL) state institutions, in a facility (APPROVED) *licensed* by the commissioner of public welfare, the cost of (SUCH) care shall be paid by the county (IN WHICH SUCH CHILD HAS SETTLEMENT FOR POOR RELIEF PURPOSES,) *of financial responsibility determined pursuant to section 256D.18*. If the (CHILD DOES) *child's parents or guardians* do not (HAVE A SETTLEMENT) *reside* in this state, (SUCH) *the cost* shall be paid by the county in which (HE) *the child* is found. The county paying the costs of (SUCH) care and treatment shall, subject to (UNIFORM REGULATIONS ESTABLISHED) *rules promulgated* by the commissioner of public welfare, receive reimbursement not exceeding 70 percent of (SUCH) *the costs* from funds made available for this purpose by the legislature(, PROVIDED, HOWEVER, THAT SUCH). Reimbursement shall cease (UPON) *when the mentally retarded, epileptic or emotionally handicapped*

child (REACHING) reaches age 18. If the state appropriation for this purpose is insufficient, reimbursement shall be prorated. For the purposes of this section an "emotionally handicapped child" means any child having a psychiatric (OR OTHER) disorder which substantially impairs his mental health and who (IS IN NEED OF) requires 24 hour treatment or supervision.

Sec. 3. Minnesota Statutes 1976, Section 252.27, Subdivision 2, is amended to read:

Subd. 2. *The commissioner of public welfare shall promulgate rules to determine the responsibility of the parents and the child to contribute to the cost of care and treatment based upon ability to pay. Responsibility of the parents and of the child for the cost of care shall be up to a maximum of \$125. Reimbursement by the parents and child (PARENTS) shall be (RESPONSIBLE) made to (REIMBURSE) the county making (SUCH) any payments(, ON THE SAME BASIS AS IF THE CHILD WERE IN A STATE INSTITUTION FOR THE MENTALLY RETARDED, EPILEPTIC OR EMOTIONALLY HANDICAPPED, AS PROVIDED IN SECTIONS 246.51 TO 246.53 EXCEPT THAT THIS PROVISION IS NOT APPLICABLE TO MENTALLY RETARDED, EPILEPTIC, OR EMOTIONALLY HANDICAPPED CHILDREN 18 YEARS OF AGE AND OLDER) for care and treatment. The commissioner may require payment of the full cost of caring for children whose parents or guardians do not reside in this state. The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care. Any appeals from the commissioner's determination shall be made pursuant to section 246.55.*

Sec. 4. *The commissioner is authorized to promulgate an emergency rule to implement sections 1 to 3.*

Sec. 5. *This act is effective July 1, 1977."*

Further amend the title as follows:

Page 1, line 8, delete "Section" and insert "Sections 246.51; and".

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:

S. F. No. 321, A bill for an act relating to health; permitting certain nursing homes to require and accept certain payments

from residents; amending Minnesota Statutes 1976, Section 256B.48, Subdivision 1.

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

The report was adopted.

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

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.

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

The report was adopted.

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

S. F. No. 796, A bill for an act relating to health; prohibiting the operation of professional nursing business without a license; amending Minnesota Statutes 1976, Sections 148.271; 148.281, by adding a subdivision; and 319A.02, Subdivision 2.

Reported the same back with the following amendments:

Page 3, line 15, after "*registered*" insert "*pursuant to rules adopted*".

Further amend the title as follows:

Page 1, line 2, after "health;" insert "relating to unlicensed nursing practices;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 93, A bill for an act relating to taxation; establishing filing requirements for a condominium association; amending Minnesota Statutes 1976, Section 290.37, Subdivision 1.

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

The report was adopted.

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

H. F. No. 992, A bill for an act relating to taxation; altering requirements for income adjusted homestead credit; eliminating local debt exclusion from homestead credit calculation; increasing acreage available for agricultural homesteads and the minimum acreage for agricultural homestead; increasing the agricultural mill rate credit; increasing the distribution of local government aid; appropriating money; amending Minnesota Statutes 1976, Sections 273.13, Subdivisions 6 and 7; 273.132; 290A.03, Subdivisions 6, 8 and 13; 477A.01, Subdivisions 1, 2, 4, 4a and 4b, and by adding a subdivision; and 477A.03; and Laws 1976, Chapter 334, Section 21; repealing Minnesota Statutes 1976, Section 477A.01, Subdivision 3.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 290A.03, Subdivision 6, is amended to read:

Subd. 6. [HOMESTEAD.] “Homestead” means the dwelling occupied by a claimant as a place of residence and so much of the land surrounding it, not exceeding (ONE ACRE) *ten acres*, as is reasonably necessary for use of the dwelling as a home, except that this restriction shall not be applicable to agricultural land assessed as part of a homestead pursuant to section 273.13, subdivision 6. The homestead may be owned or rented and may be a part of a multi-dwelling or multi-purpose building and the land on which it is built. A mobile home, as defined in section 168.011, subdivision 8, assessed as personal property may be a dwelling for purposes of this subdivision.

Sec. 2. Minnesota Statutes 1976, Section 290A.03, Subdivision 7, is amended to read:

Subd. 7. [DEPENDENT.] “Dependent” means any person who is under 18 years of age at the end of the calendar year who receives more than 50 percent of his support from the claimant, or who is between 18 and 21 years of age and is a full time student who receives more than 50 percent of his support from the claimant. *“Dependent” includes a parent of the claimant or spouse who lives in the claimant’s homestead. “Dependent” includes a person over 18 years of age who lives in the claimant’s homestead and who receives more than 50 percent of his support from the claimant.*

Sec. 3. Minnesota Statutes 1976, Section 290A.03, Subdivision 8, is amended to read:

Subd. 8. [CLAIMANT.] "Claimant" means a person, *other than a dependent*, who filed a claim authorized by sections 290A.01 to 290A.21 and who was domiciled in this state during the calendar year for which the claim for relief was filed. In the case of a claim relating to rent constituting property taxes, the claimant shall have resided in a rented or leased unit on which ad valorem taxes or *payments paid in lieu of ad valorem taxes* are payable (FOR NOT LESS THAN SIX MONTHS OF) *at some time during* the calendar year covered by the claim, except that a claimant who is disabled or who has attained the age of 65 on the date specified in section 290A.04, subdivision 1, may file a claim based on residence in a unit on which ad valorem taxes were not payable. In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. (MAXIMUM CREDIT ALLOWED UNDER THIS COMPUTATION WOULD BE AT A RATE OF ONE-TWELFTH OF THE MAXIMUM CREDIT ALLOWED PURSUANT TO SECTION 290A.04 PER MONTH OF RESIDENCY COMPUTED TO THE NEAREST FULL MONTH.) When two individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final.

If a homestead is occupied by two or more (UNRELATED) renters, *who are not husband and wife*, the rent shall be deemed to be paid equally by each, and separate claims shall be filed by each. The income of each shall be his household income for purposes of computing the amount of credit to be allowed.

Sec. 4. Minnesota Statutes 1976, Section 290A.03, Subdivision 11, is amended to read:

Subd. 11. [RENT CONSTITUTING PROPERTY TAXES.] "Rent constituting property taxes" means 20 percent of the gross rent actually paid in cash, or its equivalent, *or that portion of gross rent which is paid in lieu of property taxes*, in 1975 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 290A.01 to 290A.21 by the claimant.

Sec. 5. Minnesota Statutes 1976, Section 290A.03, Subdivision 12, is amended to read:

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, or furnishings (OR PERSONAL PROPERTY APPLIANCES) furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 290A.01 to 290A.21.

If the landlord does not supply the charges for any utilities, furniture, or furnishings (OR PERSONAL PROPERTY APPLIANCES) furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

Any amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall be excluded from gross rent for purposes of this chapter. However, property taxes imputed to the homestead of the claimant pursuant to section 273.133 shall be included within the term "property taxes payable" as defined in subdivision 13, notwithstanding the fact that ownership is not in the name of the claimant.

Sec. 6. Minnesota Statutes 1976, Section 290A.03, Subdivision 13, is amended to read:

Subd. 13. [PROPERTY TAXES PAYABLE.] "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to section 273.13, subdivisions 6 and 7, but after deductions made pursuant to sections 273.132 and 273.135, in 1976 or any calendar year thereafter. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, "property taxes payable" shall also include 20 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common, ("PROPERTY TAXES PAYABLE" IS THAT PART OF) *such tenants shall determine between them which tenant may claim the property taxes payable on the homestead (AS REFLECTS THE PERCENTAGE OF OWNERSHIP OF THE CLAIMANT AND SPOUSE). If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final.* Property taxes are considered payable in the year prescribed by law for payment of the taxes.

In the case of a claim relating to "property taxes payable", the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable.

Sec. 7. Minnesota Statutes 1976, Section 290A.05, is amended to read:

290A.05 [COMBINED HOUSEHOLD INCOME.] If a person occupies a homestead with another person or persons not related to the person as husband and wife, excluding (DEPENDENT CHILDREN) *dependents*, roomers or boarders on contract, and has property tax payable with respect to the homestead, the household income of the claimant or claimants for the purpose of computing the credit allowed by section 290A.04 shall include the total income received by the other persons residing in the homestead. If a person occupies a homestead with another person or persons not related as husband and wife or as (DEPENDENT CHILDREN) *dependents*, the property tax payable or rent constituting property tax shall be reduced as follows:

If the other person or persons are residing at the homestead under rental or lease agreement, the amount of property tax payable or rent constituting property tax shall be that portion not covered by the rental agreement.

Sec. 8. Minnesota Statutes 1976, Section 290A.08, is amended to read:

290A.08 [ONE CLAIMANT PER HOUSEHOLD.] Only one claimant per household per year is entitled to relief under sections 290A.01 to 290A.21. *Payment of the claim for relief may be made payable to the husband and wife as one claimant. The commissioner, on request, may issue separate checks, to the husband and wife for one-half of the relief provided the original check has not been issued or has been returned.*

Sec. 9. Minnesota Statutes 1976, Section 290A.10, is amended to read:

290A.10 [PROOF OF TAXES PAID.] Every claimant who files a claim for relief for property taxes payable shall include with his claim a property tax statement indicating that there are no delinquent property taxes on the homestead. Indication on the property tax statement from the county treasurer that there are no delinquent taxes on the homestead shall be sufficient proof. *Taxes included in a confession of judgment under section 279.37 shall not constitute delinquent taxes as long as the claimant is current on the payments required to be made under section 279.37.*

Sec. 10. Minnesota Statutes 1976, Section 290A.14, is amended to read:

290A.14 [PROPERTY TAX STATEMENT.] The county treasurer shall prepare and send a sufficient number of copies of the property tax statement to the owner, and to his escrow agent if the taxes are paid via an escrow account, to enable him to comply with the filing requirements of (LAWS 1975, CHAPTER 437, ARTICLE 1) *this chapter* and to retain one copy for his records. The property tax statement, in a form prescribed by the commissioner, shall indicate the manner in which the claimant may claim relief from the state and the amount of the tax for which the applicant may claim relief. The statement shall also indicate if there are delinquent property taxes on the property in the preceding year. *Taxes included in a confession of judgment under section 279.37 shall not constitute delinquent taxes as long as the claimant is current on the payments required to be made under section 279.37.*

Sec. 11. Minnesota Statutes 1976, Section 290A.18, is amended to read:

290A.18 [RIGHT TO FILE CLAIM.] If a (CLAIMANT) person entitled to relief under sections 290A.01 to 290A.21 dies prior to *filing a claim* or receiving relief, the surviving spouse or dependent (CHILD) of the (CLAIMANT) person shall be entitled to *file the claim and receive (IT) relief*. If there is no surviving spouse or dependent (CHILD), the right to the credit shall lapse.

Sec. 12. Minnesota Statutes 1976, Section 290A.19, is amended to read:

290A.19 [LANDLORD TO FURNISH RENT CERTIFICATE; PENALTY.] The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each *person who is a renter on December 31*, in the form prescribed by the commissioner. *If the renter moves prior to December 31, the obligation of the owner or managing agent shall be limited to either providing the certificate to the renter at the time he moves or mailing the certificate to the forwarding address provided by the renter.* The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. *Upon request of any other person who rented property of the owner during the previous year, the owner or managing agent shall furnish a certificate of rent paid to that person.* Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.

Sec. 13. Minnesota Statutes 1976, Section 290.066, Subdivision 1, is amended to read:

290.066 [SPECIAL PROPERTY TAX CREDIT.] Subdivision 1. A person entitled to an amount equal to the qualified property tax credit allowed by section 273.012 shall file a claim with the department of revenue on or before the date provided in chapter 290A for filing a claim for property tax relief. The department of revenue shall make available suitable forms with instructions for the claimant, including a form which may be included with or as a part of the individual income tax blank. The claim shall be in such form as the commissioner may prescribe. *Such claim shall be subject to the provisions of chapter 290A, where applicable.*

Sec. 14. Laws 1976, Chapter 334, Section 21, is amended to read:

Sec. 21. [EFFECTIVE DATE.] Sections 5, 6, 8, 10, 11, 13, 17 and 19 are effective the day following final enactment. (SECTIONS) *Section 12 (AND 15 ARE) is effective for taxable years beginning after December 31, 1975. Section 15 is effective for taxable years beginning after December 31, 1974.* Sections 7, 9 and 20 are effective for taxes payable in 1977 and subsequent years. Section 16 shall be effective for claims filed in 1977 and subsequent years. Section 14 is a declaration of law existing prior to enactment of Laws 1975, Chapter 349, Section 17, and is not a change in such preexisting law. Sections 1 and 18 are effective for taxable years beginning after December 31, 1974. Sections 2, 3 and 4 are effective for taxable years beginning after December 31, 1976.

Sec. 15. [REPEALER.] *Minnesota Statutes 1976, Sections 290.0601; 290.0602; 290.0603; 290.0604; 290.0605; 290.0606; 290.0608; 290.0609; 290.061; 290.0611; 290.0612; 290.0614; 290.0615; 290.0616; 290.0618; 290.066, Subdivisions 2 and 3; 290.981; 290.982; 290.983; 290.984; 290.985; 290.986; 290.987; 290.988; 290.989; 290.99; 290.991; 290.992; and 290A.21 are repealed.*

Sec. 16. [EFFECTIVE DATE.] *Sections 1, 3, 4, 5, 6, and 12 are effective for claims filed in 1978 and subsequent years. Sections 2, 7, 8, 9, 10, and 13 are effective for claims filed in 1977 and subsequent years. Section 11 is effective for claims based on rent paid in 1975 and subsequent years and property taxes payable in 1976 and subsequent years. Persons who file claims pursuant to section 11 prior to December 31, 1977, for previous years, shall not be subject to the penalties provided in Minnesota Statutes, Section 290A.06. Section 14 is effective on the day after enactment, and claims allowable as a result of the changes made in that section shall not be subject to the penalties provided in Minnesota Statutes, Section 290A.06."*

Further, amend the title:

Line 3, delete "eliminating".

Delete lines 4 to 9.

Line 10, delete "appropriating money;"

Line 11, delete "273.13, Subdivisions 6 and 7" and insert "290.066, Subdivision 1".

Line 12, delete "273.132;"

Line 12, after "6," insert "7,"

Line 12, after "8" insert ", 11, 12".

Delete lines 13 to 16 and insert "290A.05; 290A.08; 290A.10; 290A.14; 290A.18; 290A.19; and Laws 1976, Chapter 334, Section 21; repealing Minnesota Statutes 1976, Sections 290.0601; 290.0602; 290.0603; 290.0604; 290.0605; 290.0606; 290.0608; 290.0609; 290.061; 290.0611; 290.0612; 290.0614; 290.0615; 290.0616; 290.0618; 290.066, Subdivisions 2 and 3; 290.981; 290.982; 290.983; 290.984; 290.985; 290.986; 290.987; 290.988; 290.989; 290.99; 290.991; 290.992; and 290A.21."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1337, A bill for an act relating to taxation; removing membership dues, fees and assessments received by certain homeowners associations from definition of gross income for corporate income tax purposes; amending Minnesota Statutes 1976, Section 290.01, Subdivision 20.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 522, 530, 1365, 914, 93, 992 and 1337 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1070, 1338, 581, 147, 166, 274, 96, 767, 977, 541, 737, 816, 967, 968, 969, 970, 972, 973, 1014, 1064, 1138, 321, 562 and 796 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fugina introduced:

H. F. No. 1615, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 4 and 12; providing for the sessions, size and terms of the legislature.

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

Swanson; Carlson, L.; Dean; Samuelson and Petrafeso introduced:

H. F. No. 1616, A bill for an act relating to public health; requiring uniform accounting and reporting standards for hospitals; authorizing the establishment of a comprehensive hospital rate setting and control system; requiring certain information from certain professional standards review organizations; amending Minnesota Statutes 1976, Sections 144.697, by adding subdivisions; 144.698, Subdivision 1, and by adding a subdivision; and 144.701, Subdivisions 2, 5 and 6; repealing Minnesota Statutes 1976, Section 144.702.

The bill was read for the first time and 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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1003, A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lemke moved that the House concur in the Senate amendments to H. F. No. 1003 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1003, A bill for an act relating to motor vehicles; licensing and taxation; providing for biennial payment of the tax assessed on certain trailers; dimensional specifications for trailer number plates; amending Minnesota Statutes 1976, Sections 168.013, Subdivision 1d; and 168.12.

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 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 550, A bill for an act relating to the operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; providing additional aids and levies

for school districts with declining enrollment; eliminating foundation aid for summer programs for non-handicapped children; changing the method of distributing the agricultural tax credit; eliminating state aid for community education; establishing formulas for current funding of adult and secondary vocational education; creating a legislative school finance study commission; providing special retirement privileges for experienced teachers who teach part time or take an extended leave of absence; appropriating money; amending Minnesota Statutes 1976, Sections 120.10, Subdivision 1; 120.17, Subdivisions 1a and 5a; 121.11, Subdivision 5; 121.902; 121.914, Subdivisions 1, 2, 3 and 4; 121.917, Subdivisions 1 and 2; 123.335, Subdivision 2; 123.39, Subdivision 5; 123.351, Subdivision 5; 123.581, Subdivisions 1, 2, 3 and 6; 123.71, Subdivisions 1 and 2; 123.742, Subdivision 1; 124.11; 124.14, Subdivision 1; 124.17, Subdivisions 1, 2, and by adding a subdivision; 124.19, Subdivision 1; 124.20; 124.212, Subdivisions 1, 3a, 6b, 7b and 8a, and by adding a subdivision; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 3, 6, and by adding a subdivision; 124.223; 124.26, Subdivisions 1 and 4; 124.271, Subdivisions 2 and 5; 124.30, Subdivision 5; 124.32; 124.38, Subdivision 7; 124.562, Subdivision 1; 124.565, Subdivisions 1 and 3; 124.57; 124.572; 124.573; 128A.02, Subdivisions 2 and 3; 128A.-06; 273.132; 273.138, Subdivision 3; 275.125, Subdivisions 2a, 8, 9, 9a, and 13; and 475.61, Subdivision 4; amending Minnesota Statutes 1976, Chapter 136A, by adding a section; Chapter 354, by adding sections and Chapter 354A, by adding sections; amending Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7, as amended; and Laws 1976, Chapter 271, Section 94; repealing Minnesota Statutes 1976, Sections 124.215, Subdivision 2a; 124.222, Subdivisions 4 and 5; 124.25; 124.271, Subdivisions 1, 2, 3, 4 and 5; 124.30; 124.562, Subdivision 6; 124.563, Subdivision 4; 124.565, Subdivision 2; 124.57, Subdivisions 1 and 3, as added; 473.633; and 473.635.

The Senate has appointed as such committee Messrs. Merriam, Anderson, Sillers, Hughes and Dieterich.

House File No. 550 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 919 for further consideration:

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.

Senate File No. 919 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Lemke moved that the vote whereby S. F. No. 919 was passed by the House on Monday, April 25, 1977, be now reconsidered. The motion prevailed.

Lemke moved that the action whereby S. F. No. 919 was given a third reading by the House on Monday, April 25, 1977, be now reconsidered. The motion prevailed.

S. F. No. 919 was reported to the House.

Lemke moved to amend S. F. No. 919, as follows:

Page 2, line 6, after "width" and before the period insert "*except that any such low bed trailer or equipment dolly with a total outside width, including the load thereon, in excess of eight feet shall not be operated on any interstate highway without first having obtained a permit for such operation pursuant to section 169.86*".

The motion prevailed and the amendment was adopted.

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, as amended, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Fjoslien	Kempe, A.	Moe
Adams	Byrne	Forsythe	Kempe, R.	Munger
Albrecht	Carlson, A.	Friedrich	King	Murphy
Anderson, B.	Carlson, D.	Fudro	Knickerbocker	Neisen
Anderson, G.	Carlson, L.	Fugina	Kostohryz	Nelsen, B.
Anderson, I.	Clark	George	Kroening	Nelson
Anderson, R.	Cohen	Gunter	Kvam	Niehaus
Arlandson	Cummiskey	Hanson	Laidig	Norton
Battaglia	Dahl	Haugerud	Langseth	Novak
Beauchamp	Dean	Jacobs	Lehto	Osthoff
Begich	Den Ouden	Jaros	Lemke	Patton
Berg	Eckstein	Jensen	Mangan	Pehler
Berglin	Eken	Jude	Mann	Peterson
Berkelman	Erickson	Kaley	McCollar	Petrafeso
Birnstihl	Esau	Kalis	McDonald	Pleasant
Brandl	Evans	Kelly, R.	McEachern	Prahl
Braun	Ewald	Kelly, W.	Metzen	Reding

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

The bill was repassed, as amended, and its title agreed to.

Mr. Speaker:

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

S. F. Nos. 341 and 896.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 341, A bill for an act relating to taxation; providing for a credit against income tax for the cost of care for certain dependents; appropriating money; amending Minnesota Statutes 1976, Chapter 290, by adding a section; repealing Minnesota Statutes 1976, Section 290.09, Subdivision 26.

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

S. F. No. 896, 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; eliminating the corridor designation process; clarifying certain procedures; authorizing certain options concerning the amount of land to be condemned and annual payments for owners of land condemned for routes or sites; requiring the board and the office of hearing examiners to adopt emergency and permanent rules; authorizing the board to revoke or suspend permits; specifying amounts for route application fees; providing for a property tax credit for land crossed by high voltage transmission lines; providing penalties; amending Minnesota Statutes 1976, Sections 116C.52, Subdivisions 3 and 7, and by adding subdivisions; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.58; 116C.59, Subdivision 1, and by adding subdivisions; 116C.61, Subdivisions 2 and 3; 116C.62; 116C.63; 116C.64; 116C.65; 116C.66; 116C.67; 116C.68; 116C.69; 273.42; 276.04; and Chapters 116C, by adding a section; and 273, by adding a section; repealing Minnesota Statutes 1976, Sections 116C.55, Subdivision 1; and 116C.56.

The bill was read for the first time.

Sieben, H. moved that S. F. No. 896 and H. F. No. 1028, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 1423, 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 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 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeln	Cummiskey	Jude	Murphy	Simoneau
Adams	Dahl	Kaley	Neisen	Skoglund
Albrecht	Dean	Kalis	Nelsen, B.	Smogard
Anderson, B.	Den Ouden	Kelly, R.	Nelson	Spanish
Anderson, G.	Eckstein	Kelly, W.	Niehaus	Stanton
Anderson, I.	Eken	Kempe, A.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, R.	Novak	Suss
Arlandson	Erickson	King	Osthoff	Swanson
Battaglia	Esau	Knickerbocker	Patton	Tomlinson
Beauchamp	Evans	Kostohryz	Peterson	Vanasek
Begich	Ewald	Kroening	Petrafeso	Voss
Berg	Faricy	Kvam	Pleasant	Waldorf
Berglin	Fjoslien	Laidig	Reding	Welch
Berkelman	Forsythe	Langseth	Rice	Wenstrom
Birnstihl	Friedrich	Lehto	Rose	Wenzel
Brandl	Fudro	Lemke	St. Onge	White
Braun	Fugina	Mangan	Samuelson	Wieser
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.	Hokanson	McEachern	Searles	
Clark	Jacobs	Metzen	Sherwood	
Cohen	Jaros	Moe	Sieben, H.	
Corbid	Jensen	Munger	Sieben, M.	

Those who voted in the negative were:

Heinitz

The bill was passed and its title agreed to.

S. F. No. 69 was reported to the House.

There being no objection, S. F. No. 69 was continued on the Consent Calendar for one day.

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 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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1457 was reported to the House.

There being no objection, H. F. No. 1457 was continued on the Consent Calendar for one day.

S. F. No. 13, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043; and Chapter 1, 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, R.	Berglin	Byrne	Clawson
Adams	Arlandson	Berkelman	Carlson, A.	Cohen
Albrecht	Battaglia	Birnstihl	Carlson, D.	Cummiskey
Anderson, B.	Beauchamp	Brandl	Carlson, L.	Dahl
Anderson, G.	Begich	Braun	Casserly	Dean
Anderson, I.	Berg	Brinkman	Clark	Den Ouden

Eckstein	Jacobs	Mangan	Peterson	Smogard
Eken	Jaros	Mann	Petrafaso	Spanish
Ellingson	Jensen	McCarron	Pleasant	Stanton
Enebo	Jude	McCollar	Prahl	Stoa
Erickson	Kaley	McDonald	Reding	Suss
Esau	Kalis	McEachern	Rice	Swanson
Evans	Kelly, R.	Metzen	Rose	Tomlinson
Ewald	Kelly, W.	Moe	St. Onge	Vanasek
Faricy	Kempe, A.	Munger	Samuelson	Voss
Fjoslien	Kempe, R.	Murphy	Sarna	Waldorf
Forsythe	King	Neisen	Savelkoul	Welch
Friedrich	Knickerbocker	Neisen, B.	Scheid	Wenstrom
Fudro	Kostohryz	Nelson	Schulz	Wenzel
Fugina	Kroening	Niehaus	Searles	White
Gunter	Kvam	Norton	Sherwood	Wieser
Hanson	Laidig	Novak	Sieben, H.	Williamson
Haugerud	Langseth	Osthoff	Sieben, M.	Wynia
Heinitz	Lehto	Patton	Simoneau	Zubay
Hokanson	Lemke	Pehler	Skoglund	Speaker Sabo

The bill was passed and its title agreed to.

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

The bill was passed and its title agreed to.

S. F. No. 721, A bill for an act relating to veterinarians; license filing fee; amending Minnesota Statutes 1976, Section 156.09.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 1060.

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

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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Pursuant to rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 1475.

H. F. No. 1475 was reported to the House.

Fugina moved to amend H. F. No. 1475 as follows:

Page 68, line 14, delete "24" and insert "26".

Page 69, line 2, delete "27" and insert "29".

Page 73, line 17, delete "22" and insert "24".

Page 73, delete lines 29 to 32.

Page 74, delete lines 1 to 28.

Page 74, line 29, delete "*resources and rehabilitation board from*".

Page 75, line 6, delete "*industrial parks*".

Page 75, delete lines 10 to 26 and insert:

"Sec. 17. [TACONITE AREA ENVIRONMENTAL PROTECTION COUNCIL.] *Subdivision 1. A taconite area en-*

vironmental protection and economic development council is created.

Subd. 2. The membership of the council shall consist of the director of the state planning agency, the commissioner of economic development, the commissioner of natural resources, the director of the pollution control agency, and five members appointed by the governor. Four of the members appointed by the governor shall reside in a tax relief area as defined in Minnesota Statutes, Section 273.134. The fifth member shall reside in a county which is within region 3, as defined in governor's executive order number 60 issued on June 12, 1970, but shall not reside in a tax relief area as defined in Minnesota Statutes, Section 273.134.

Subd. 3. The chairman of the council shall be elected by the members of the council. The council shall appoint an executive director.

Subd. 4. Subject to the approval of the council, the executive director may employ employees or consultants as authorized by law for the execution of the directives of the council. Employees of the council shall be in the classified service of the state, except that the executive director shall be in the unclassified service. Annual administrative expenses approved by the council, including salaries, shall not exceed five percent of the funds appropriated to the council in that year.

Subd. 5. Of the five members originally appointed by the governor, one shall serve for a one year term, one shall serve for a two year term, one shall serve for a three year term, and two shall serve for four year terms. All appointments to terms subsequent to the original term shall be for terms of four years, except that an appointment to fill a vacancy shall be made only for the unexpired term of the member who is being replaced. The executive director shall serve at the pleasure of the council.

Subd. 6. The governor may remove a council member appointed by him at any time for cause after notice and hearing.

Subd. 7. Members of the council shall receive \$35 for each day spent in the performance of their duties, unless they are state employees. Council members shall be reimbursed for necessary and ordinary expenses in the same manner and amount as state employees.

Subd. 8. The council shall make a report to the governor and the legislature on or before November 15 of each even numbered year.

Sec. 18. [COUNCIL AUTHORITY AND DUTIES.] *Sub-division 1. The powers and duties of the council shall be as pro-*

vided in sections 15 to 24 and in other law. Actions of the council shall be taken only at an open meeting by a majority vote of the members. The council may approve a project only if six members approve of the project.

Subd. 2. The council shall initiate investigations into matters it determines are in need of study, and shall determine which environmental and economic problems require remedial action.

Subd. 3. The council shall have the following powers:

(a) to accept appropriations, gifts, grants, bequests and devises, and utilize or dispose of them to carry out its purposes;

(b) to enter into agreements or other transactions with any federal, state, county, or municipal agency, any person, partnership, corporation, association or organization; and

(c) to make and execute contracts and other instruments necessary and convenient for the exercise of its authority.

Sec. 19. [HEARINGS; FUNDING PROJECTS.] *Subdivision 1. The council shall hold public hearings on matters it determines to be of major environmental and economic importance in northeast Minnesota and it shall prescribe the rules in conformity with Minnesota Statutes, Chapter 15.*

Subd. 2. At the conclusion of its hearings, the council shall allocate available funds to finance the projects that it approves. There is hereby appropriated to the council the funds available under section 20. The council shall expend money from the fund only on those projects which are to be performed within the group of counties contained within region 3 as defined in governor's executive order number 60 issued on June 12, 1970."

Page 75, line 27, delete "19" and insert "20".

Page 75, line 28, delete "22" and insert "24".

Page 75, after line 31 insert:

"Sec. 21. [DISBURSEMENTS.] *The council shall pay for audits, payments required under section 23, and repayment of loans from the general fund. It is the declared intent of the legislature that the fund established in section 16 shall not be depleted for the purpose of any projects authorized by the council by an annual amount exceeding 50 percent of the total amount in the fund after those payments required by the preceding sentence have been made."*

Re-number the sections accordingly.

Page 76, line 5, delete "22" and insert "24".

Page 76, line 15, after "fund" insert "to the taconite area environmental protection and economic development council".

Page 76, line 24, after "fund" insert "to the taconite area environmental protection and economic development council".

Page 76, line 29, delete "21" and insert "23".

Page 77, line 5, delete "23 to 26" and insert "25 to 28".

Page 78, line 7, delete "24" and insert "26".

Page 80, line 18, delete "29" and insert "31".

Page 80, line 21, delete "28" and insert "30".

Page 80, line 23, delete "27" and insert "29".

Further, amend the title:

Line 11, after "fund" insert "and council".

Line 28, delete "and 2, and by adding a subdivision".

The motion prevailed and the amendment was adopted.

Kvam moved to amend H. F. No. 1475, as follows:

Pages 9 and 10, strike Section 3 in its entirety.

Renumber the remaining sections accordingly.

Pages 19 and 20, strike Sections 10 and 11.

Renumber the remaining sections accordingly.

Pages 26 and 27, strike Section 10 "[ASSESSMENT DISPERSION PENALTY]" in its entirety.

Renumber the remaining section accordingly.

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

CALL OF THE HOUSE

On the motion of Savelkoul and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Savelkoul moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 47, after line 30 insert a new section as follows:

"Sec. 2. [INCOME SPLITTING.] The commissioner of revenue shall construct tax tables which permit income splitting similar to and in direct proportion with the Internal Revenue Code of 1954, as amended through December 31, 1976."

Page 47, line 31, strike "Section 1" and insert "Sections 1 and 2".

Renumber the remaining sections accordingly.

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Evans	Heinitz	Laidig
Anderson, R.	Den Ouden	Ewald	Kaley	McDonald
Biersdorf	Eckstein	Fjoslien	Kempe, R.	Nelsen, B.
Carlson, A.	Erickson	Forsythe	Knickerbocker	Niehaus
Carlson, D.	Esau	Friedrich	Kvam	Peterson

Pleasant	Savelkoul	Searles	Wigley	Zubay
Rose	Searle	Spanish		

Those who voted in the negative were:

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

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 84, after line 22, insert:

“ARTICLE

Section 1. Minnesota Statutes 1976, Section 290.06, Subdivision 3c, is amended to read:

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

(1) In the case of an unmarried individual, and, except as provided in paragraph 6, in the case of the estate of a decedent, (\$21) \$35, and in the case of a trust, \$5;

(2) In the case of a married individual, living with husband or wife, and in the case of a head of a household, (\$42) \$56. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them;

(3) In the case of an individual, (\$21) \$35 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be al-

lowed this credit with respect to any given dependent. In the case of the head of a household, a credit for one dependent shall be disallowed. A payment to a divorced or separated wife, other than a payment of the kind referred to in section 290.072, subdivision 3, shall not be considered a payment by the husband for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional (\$21) \$35;

(b) For taxable years which begin after December 31, 1974, in the case of an unmarried individual who is blind at the close of the taxable year, an additional (\$25) \$39;

(c) In the case of a married individual, living with husband or wife, an additional (\$21) \$35 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional (\$25) \$39 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate returns, these credits may be taken by either or divided between them;

(d) For the purposes of sub-paragraphs (b) and (c) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees;

(e) For taxable years which begin after December 31, 1974, in the case of an unmarried individual who is deaf at the close of the taxable year, an additional (\$25) \$39;

(f) For taxable years which begin after December 31, 1974, in the case of a married individual, an additional (\$25) \$39 for each spouse who is deaf at the close of the taxable year. If the husband and wife make separate returns, these credits may be taken by either or divided between them;

(g) For taxable years which begin after December 31, 1974, in the case of an individual, an additional (\$25) \$39 for each person (other than a spouse) who is deaf and dependent upon and receiving his chief support from the taxpayer;

(h) For the purposes of subparagraphs (e), (f) and (g) of paragraph (4), an individual is deaf if the average loss in the speech frequencies (500-200 Hertz) in the better ear, unaided, is 92 decibels, American National Standards Institute, or worse.

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

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

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

Sec. 2. Minnesota Statutes 1976, Section 290.06, is amended by adding a subdivision to read:

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

Sec. 3. [EFFECTIVE DATE.] *This article is effective for taxable years beginning after December 31, 1976."*

Further amend the title as follows:

Page 1, line 6, after the semicolon insert "increasing individual income tax credits and providing for inflation adjustment;"

Page 1, line 24, after the second semicolon insert "290.06, Subdivision 3c, and by adding a subdivision;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 39 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Albrecht	Eckstein	Heinitz	Laidig	Savelkoul
Anderson, R.	Erickson	Jensen	McDonald	Searle
Berkelman	Esau	Jude	Nelsen, B.	Searles
Biersdorf	Evans	Kaley	Niehaus	Sieben, H.
Carlson, A.	Ewald	Kalis	Osthoff	Wenzel
Carlson, D.	Fjoslien	Kempe, R.	Peterson	Wigley
Dean	Forsythe	Knickerbocker	Pleasant	Zubay
Den Ouden	Friedrich	Kvam	Rose	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Neisen	Smogard
Adams	Cohen	Kelly, R.	Nelson	Spanish
Anderson, B.	Corbid	Kelly, W.	Norton	Stanton
Anderson, G.	Cummiskey	Kempe, A.	Novak	Stoa
Anderson, I.	Dahl	King	Patton	Suss
Arlandson	Eken	Kostohryz	Pehler	Swanson
Battaglia	Ellingson	Kroening	Petrafeso	Tomlinson
Beauchamp	Enebo	Langseth	Prahl	Vanasek
Begich	Farley	Lehto	Reding	Voss
Berg	Fudro	Lemke	Rice	Waldorf
Berglin	Fugina	Mangan	St. Onge	Welch
Birnstihl	George	Mann	Samuelson	Wenstrom
Brandl	Gunter	McCarron	Sarna	White
Braun	Hanson	McCollar	Scheid	Wieser
Brinkman	Haugerud	McEachern	Schulz	Williamson
Byrne	Hokanson	Metzen	Sherwood	Wynia
Carlson, L.	Jacobs	Moe	Sieben, M.	Speaker Sabo
Casserly	Jaros	Munger	Simoneau	
Clark	Johnson	Murphy	Skoglund	

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 38, strike lines 6 to 16, and insert:

"Sec. 2. Minnesota Statutes 1976, Section 290.06, Subdivision 3d, is amended to read:

Subd. 3d. [CREDITS AGAINST TAX.] *In the case of a claimant and his spouse whose combined taxable net income is less than \$15,000, the taxes due as computed in accordance with*

section 290.06, subdivisions 2c and 3c shall be credited with the following amounts:

(1) A credit equal to his tax liability in the case of:

(a) An unmarried claimant with an income of (\$4,400) \$5,000 or less;

(b) A claimant with one dependent, with an income of (\$5,200) \$6,200 or less;

(c) A claimant with two dependents, with an income of (\$6,000) \$7,200 or less;

(d) A claimant with three dependents, with an income of (\$6,700) \$8,100 or less;

(e) A claimant with four dependents, with an income of (\$7,300) \$8,800 or less; and

(f) A claimant with five or more dependents, with an income of (\$7,800) \$9,400 or less.

(2) In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of section 290.012 and this subdivision, whichever is less.

(3) The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No individual dependent upon and receiving his chief support from any other individual may be a claimant under section 290.012 and this subdivision. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of section 290.012 and this subdivision. All claimants shall submit their returns on these forms."

Further amend the title as follows:

Page 1, line 6, after the semicolon insert "changing limitations on low income credit;"

Page 1, line 24, after the first semicolon delete "290.012, Subdivision 2" and insert "290.06, Subdivision 3d".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 32 yeas and 100 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 84, after line 22, insert:

“Article . . .

Section 1. Minnesota Statutes 1976, Section 290.031, is amended by adding a subdivision to read:

Subd. 7. [REDUCTION OF TAX.] The rate of tax imposed in subdivision 6, clause (a) shall be 1.5 mills per dollar beginning July 1, 1977, one mill per dollar beginning July 1, 1978, and .5 mills per dollar beginning July 1, 1979. The rate of tax imposed in subdivision 6, clause (b) on employers with taxable net income of \$0 or less shall be .75 mills per dollar beginning July 1, 1977, .5 mills per dollar beginning July 1, 1978, and .25 mills per dollar beginning July 1, 1979. The tax imposed by this section shall terminate on June 30, 1980.”

Further, amend the title as follows:

Page 1, line 6, after the semicolon insert "phasing out the employers excise tax;"

Page 1, line 24, after the second semicolon insert "290.031, by adding a subdivision;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 42 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Heinitz	Nelsen, B.	Searles
Anderson, R.	Den Ouden	Jensen	Niehaus	Smogard
Berkelman	Erickson	Jude	Peterson	Wenstrom
Biersdorf	Esau	Kaley	Pleasant	Wieser
Birnstihl	Evans	Knickerbocker	Reding	Wigley
Carlson, A.	Ewald	Kvam	Rose	Zubay
Carlson, D.	Fjoslien	Laidig	Savelkoul	
Cohen	Forsythe	McDonald	Scheid	
Corbid	Friedrich	Neisen	Searle	

Those who voted in the negative were:

Abeln	Clawson	Kahn	Moe	Sieben, M.
Adams	Cummiskey	Kalis	Munger	Simoneau
Anderson, B.	Dahl	Kelly, R.	Murphy	Skoglund
Anderson, G.	Eckstein	Kelly, W.	Nelson	Spanish
Anderson, I.	Eken	Kempe, A.	Norton	Stanton
Arlandson	Ellingson	Kempe, R.	Novak	Stoa
Battaglia	Enebo	King	Osthoff	Suss
Beauchamp	Faricy	Kostohryz	Patton	Swanson
Begich	Fudro	Kroening	Pehler	Tomlinson
Berg	Fugina	Langseth	Petrafeso	Vanasek
Berglin	George	Lehto	Prahl	Voss
Brandl	Gunter	Lemke	Rice	Waldorf
Braun	Hanson	Mangan	St. Onge	Welch
Brinkman	Haugerud	Mann	Samuelson	Wenzel
Byrne	Hokanson	McCarron	Sarna	White
Carlson, L.	Jacobs	McCollar	Schulz	Williamson
Casserly	Jaros	McEachern	Sherwood	Wynia
Clark	Johnson	Metzen	Sieben, H.	Speaker Sabo

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 84, after line 22, insert:

"Article . . .

Section 1. Minnesota Statutes 1976, Section 290.06, Subdivision 9a, is amended to read:

Subd. 9a. [FEEDLOT POLLUTION CONTROL EQUIPMENT.] A credit of 10 percent of the net cost of pollution con-

trol and abatement equipment, including but not limited to, lagoons, aerating equipment, concrete storage pits, slurry handling equipment, and other equipment and devices approved by the pollution control agency, purchased, installed and operated within the state by a feedlot operator to prevent pollution of air, land, or water in connection with the operation of a livestock feedlot, poultry lot or other animal lot, may be deducted from the tax due under this chapter in the taxable year in which such equipment is purchased; provided that no deduction shall be taken for any portion of the cost of the same equipment pursuant to subdivision 9.

The credits provided for in this subdivision and in subdivision 9 shall terminate on December 31, (1976) 1979.

Sec. 2. [EFFECTIVE DATE.] *This article is effective for taxable years beginning after December 31, 1976.*"

Further, amend the title as follows:

Page 1, line 6, after the semicolon insert "extending the pollution control equipment credit;"

Page 1, line 24, after the second semicolon insert "290.06, Subdivision 3d;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 41 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Kaley	Nelsen, B.	Wenstrom
Anderson, R.	Esau	Kalis	Niehaus	Wenzel
Biersdorf	Evans	Knickerbocker	Peterson	Wieser
Birnstihl	Ewald	Kvam	Pleasant	Wigley
Carlson, A.	Fjoslien	Laidig	Rose	Zubay
Carlson, D.	Forsythe	Langseth	Savelkoul	
Dean	Friedrich	Lemke	Searle	
Den Ouden	Gunter	Mann	Searles	
Eckstein	Heinitz	McDonald	Smogard	

Those who voted in the negative were:

Abeln	Berglin	Corbid	Hanson	Kelly, W.
Adams	Berkelman	Cummiskey	Haugerud	Kempe, A.
Anderson, B.	Brandl	Dahl	Hokanson	Kempe, R.
Anderson, G.	Braun	Eken	Jacobs	King
Anderson, I.	Brinkman	Ellingson	Jaros	Kostohryz
Arlandson	Carlson, L.	Enebo	Jensen	Kroening
Battaglia	Casserly	Faricy	Johnson	Lehto
Beauchamp	Clark	Fudro	Jude	Mangan
Begich	Clawson	Fugina	Kahn	McCarron
Berg	Cohen	George	Kelly, R.	McEachern

Metzen	Osthoff	Samuelson	Skoglund	Voss
Moe	Patton	Sarna	Spanish	Waldorf
Munger	Pehler	Scheid	Stanton	Welch
Murphy	Petrafeso	Schulz	Stoa	White
Neisen	Prahl	Sherwood	Suss	Williamson
Nelson	Reding	Sieben, H.	Swanson	Wynia
Norton	Rice	Sieben, M.	Tomlinson	Speaker Sabo
Novak	St. Onge	Simoneau	Vanasek	

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Page 40, after line 25, insert a new paragraph:

"A claimant with gross income of \$12,000 or less who has one or more dependent children six years of age or under whose spouse elects to remain at home for the exclusive purpose of providing care and attention to such dependent children shall be entitled to a credit of \$150 for each dependent or \$300 in the case of two or more dependents."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 35 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Albrecht	Esau	Hokanson	Laidig	Rose
Anderson, R.	Evans	Jensen	McDonald	Savelkoul
Biersdorf	Ewald	Jude	Nelsen, B.	Searle
Carlson, A.	Fjoslien	Kaley	Nelson	Searles
Carlson, D.	Forsythe	Kempe, R.	Niehaus	Sherwood
Den Ouden	Friedrich	Knickerbocker	Peterson	Wigley
Erickson	Heinitz	Kvam	Pleasant	Zubay

Those who voted in the negative were:

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

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

Savelkoul moved to amend H. F. No. 1475, as follows:

Beginning on page 2, line 7, strike Sections 1 through 4 of Article I, inclusively, and insert the following:

"Section 1. Minnesota Statutes 1976, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 120 acres less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, (FOR ALL PURPOSES EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by (45) 65 percent of the tax; provided that the amount of said reduction shall not exceed (\$325) \$500, or, in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years during the year the property was assessed, \$800. Valuation subject to relief shall be limited to 120 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 2. Minnesota Statutes 1976, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, (FOR ALL PURPOSES EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by (45) 65 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$500, or, *in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years during the year the property was assessed, \$800.* If the market value is in excess of the sum of the homestead base value, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving supplemental security income for the disabled, or who is receiving worker's compensation based on a finding of total and permanent disability, or who is receiving social security disability, or who is receiving aid under the federal railroad retirement act of 1937, 45 United States Code Annotated, Section 228b(a)5 which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, (FOR ALL PURPOSES EXCEPT THE PAYMENT OF PRINCIPAL OR INTEREST ON

NON-SCHOOL DISTRICT BONDED INDEBTEDNESS,) shall be reduced by (45) 65 percent of the amount of such tax; provided that the amount of said reduction shall not exceed (\$325) \$500, or, in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years during the year the property was assessed, \$800. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 3. Minnesota Statutes 1976, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, (FOR ALL PURPOSES EXCEPT THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDED INDEBTEDNESS,) shall be reduced by (45) 65 percent of the amount of the tax in respect of said value as otherwise determined by law, but not by more than (\$325) \$500, or, in the case of property described in this subdivision owned by a disabled person or a person who has attained the age of 65 years during the year the property was assessed, \$800.

Sec. 4. Minnesota Statutes 1976, Section 275.07, is amended to read:

275.07 [CITY, TOWN, COUNTY, SCHOOL DISTRICT AND SPECIAL DISTRICT TAXES.] The taxes voted by cities, towns, and school districts shall be certified by the proper authorities to the county auditor on or before October tenth in each year. If a city, town, county, school district or special district fails to certify its levy by that date, its levy shall be the amount levied by it for the preceding year. If the local unit notifies the commissioner of revenue before October tenth of its inability to certify its levy by that date, and the commissioner is satisfied that the delay is unavoidable and is not due to the negligence of the local unit's officials or staff, the commissioner shall extend the time within which the local unit shall certify its levy.

Sec. 5. Minnesota Statutes 1976, Section 276.01, is amended to read:

276.01 [DELIVERY OF LISTS TO TREASURER.] On or before (THE FIRST MONDAY IN JANUARY IN) Decem-

ber 15 each year, the county auditor shall deliver the lists of the several districts of the county to the county treasurer, taking therefor his receipt, showing the total amount of taxes due upon the lists and showing, for qualified property, as defined in section 273.011, for which the credit provided for in section 273.012 is claimed, the base tax, as defined in section 273.011. Where the names of taxpayers appear in the property tax lists, the county auditor shall show the addresses of such taxpayers. Such lists shall be authority for the treasurer to receive and collect taxes therein levied.

In counties in which the auditor has elected to come under the provisions of section 273.03, subdivision 2, he shall, during the year in which such lists as provided for in section 275.28, subdivision 3, are in the possession of the county treasurer, have access thereto for the purposes of changing true and full valuations and the classifications of real estate contained therein which he would have been required to change or otherwise amend in the assessment books provided for in section 273.03, subdivision 1, except for his election to discontinue the preparation of such assessment books. The county auditor shall be the official custodian of such lists after the year during which they are in the county treasurer's possession.

Sec. 6. Minnesota Statutes 1976, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, cause to be printed on all tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property. The county treasurer shall mail to taxpayers statements of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than (MAY 15) *January 31*; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. (THE STATEMENT SHALL ALSO INCLUDE THE BASE TAX AS DEFINED IN SECTION

273.011, SUBDIVISION 4, FOR QUALIFIED PROPERTY AS DEFINED IN SECTION 273.011 FOR WHICH THE CREDIT PROVIDED FOR IN SECTION 273.012 IS CLAIMED.) The statement shall show the amount attributable to section 273.132 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit." (THE COMMISSIONER OF REVENUE SHALL PROVIDE EACH COUNTY AUDITOR WITH THE NAMES OF THOSE PERSONS IN THE ASSESSOR'S DISTRICT WHO HAVE FILED AND QUALIFIED FOR THE PROPERTY TAX CREDIT PURSUANT TO SECTIONS 273.011 AND 273.012 AND SHALL INFORM THE ASSESSOR OF THE BASE TAX OF THOSE PERSONS) *The county treasurer shall separately show the "state paid basic homestead credit" and the "state paid supplementary homestead credit" as defined in article VI, section 1. The county treasurer shall prepare and send a sufficient number of copies of the property tax statement to the owner, and to his escrow agent if the taxes are paid via an escrow agent, to enable him to comply with article VI, section 1 and to retain one copy for his records. The property tax statement shall be in a form prescribed by the commissioner of revenue and shall state that if the owner or owners of the property and their spouses have a combined federal adjusted gross income in excess of \$15,000 in the year the property tax is payable they may be subject to pay all or part of the state paid supplementary homestead credit back to the state with their income tax return due in that year. If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists."*

Renumber the remaining sections of Article I accordingly.

Beginning on page 41, strike Article VI in its entirety and insert the following new Article VI:

"Sec. 1. Minnesota Statutes 1976, Chapter 290, is amended by adding a section to read:

[290.976] [STATE PAID SUPPLEMENTAL HOMESTEAD RECAPTURE.] *Subdivision 1. For purposes of this section, unless the context indicates a different meaning, the following terms shall have the meanings given them:*

(a) "State paid basic homestead credit" means the amount by which property tax is reduced by applying 45 percent to such tax pursuant to section 273.13, subdivisions 6, 7 and 14 (a), but not in excess of \$325.

(b) "State paid supplemental homestead credit" means the amount by which property tax is reduced by applying 65 percent

to such tax pursuant to section 273.13, subdivisions 6, 7 and 14-(a), subject to the maximum dollar limitations contained in those subdivisions, less the amount of the state paid basic homestead credit.

(c) "Disabled person" means a person who has been certified as disabled by the social security administration under Title II or Title XVI of the federal social security act prior to June 1 of the year in which the property tax is payable, or a person who has a disability prior to June 1, of the year in which the property taxes are payable.

(d) "Disability" has the meaning given in section 290A.03, subdivision 10.

(e) "Person who has attained the age of 65 years" means a person who is or will be 65 or more years old on June 1 of the year the property taxes are payable.

(f) In the case of a married couple, property shall be deemed to be owned by the disabled person or person who has attained the age of 65 years, regardless of whether the property is actually owned by the other spouse or jointly owned.

(g) "Federal adjusted gross income" means a person's federal adjusted gross income for the year immediately preceding the year in which the property tax is payable. In the case of a married person, federal adjusted gross income means the combined federal adjusted gross income of the person and his spouse who for any part of the preceding year resided on the property. In the case of property in which not all of the interests are owned by one person and his spouse, federal adjusted gross income means the combined federal adjusted gross income of all persons who have a present and possessory interest in the property on January 2 of the year in which the property tax is payable and who for any part of the preceding year resided on the property.

(h) "Property" means property with respect to which a state paid supplemental homestead credit has reduced the property tax.

(i) "Person" means an individual who owns or has an ownership interest in property.

Subd. 2. A tax is hereby imposed on a person for whom real estate tax on property he owns has been reduced by the state paid supplemental homestead credit. The tax shall be computed pursuant to subdivision 3. The tax shall be a personal liability and shall be due and payable in the same manner and at the same time as the tax imposed by section 290.03. The tax shall be paid in the year in which the person's real estate tax on property subject to this subdivision is payable. The tax shall be collected in

the same manner as the tax imposed by section 290.03, and in so far as is applicable all procedures for the determination, assessment, collection and imposition, including the imposition of penalties and interest, with respect to the tax imposed by section 290.03 shall apply to the tax imposed by this subdivision. The failure to pay the tax imposed by this subdivision shall not constitute a delinquent property tax.

Subd. 3. For persons whose federal adjusted gross income does not exceed \$15,000, the tax imposed by this section shall be zero. For persons whose federal adjusted gross income exceeds \$15,000, the tax imposed by this section shall be an amount determined by multiplying the state paid supplemental homestead credit which has been applied to reduce the property tax payable by five percent for each \$1,000 or portion thereof by which such person's federal adjusted gross income exceeds \$15,000.

Subd. 4. Each person for whom property tax on property he owns has been reduced by the state paid supplemental homestead credit shall be liable for the tax imposed by this section. In the case of property owned by two or more persons, payment of the full tax imposed by this section, including interest and penalties, if any, shall discharge the liability of all owners. The tax imposed by this section may be entirely paid by any person who owns the property or it may be paid by all owners of the property in the same percentage that each such owner's ownership interest in the property bears to the entire property interest.

Subd. 5. The state paid supplemental homestead credit shall be determined pursuant to this subdivision for disabled persons and persons who have attained the age of 65 years.

(a) A person who has attained the age of 65 years and a person who is disabled on the date he is required to file his homestead declaration shall present in duplicate to the county treasurer on forms prescribed by the commissioner, together with his homestead declaration, a signed application, under penalty of perjury, to receive the additional amount of state paid supplemental homestead credit to which he is eligible. The petition shall set forth such facts as may be prescribed by the commissioner. The county treasurer may request a certified copy of such person's certificate of birth.

(b) The county treasurer shall forward one copy of each petition to the commissioner.

(c) The county treasurer may deny application when it appears that the person does not qualify for the additional supplemental credit. In the alternative, the county treasurer may hold the petition in abeyance and refer the matter to the commissioner for his determination. Any determination of the county treasurer denying a petition shall be appealable to the commissioner within 30 days of the date of the notice of such denial. The coun-

ty treasurer shall promptly notify the person making the petition of such denial by certified mail setting forth the person's right of appeal. The commissioner shall within 90 days of receipt of an application referred to him by a county treasurer or an appeal of the county treasurer's order make an order granting or denying the petition. The commissioner's order shall be appealable in the same manner as any order of the commissioner assessing a tax.

(d) A person who has attained the age of 65 years or a person who is disabled shall be required to petition the county treasurer only for the first year to which the additional state paid supplemental homestead credit shall be payable except as provided in this paragraph. Each year thereafter on such person's homestead declaration he shall certify that he continues to be disabled and that there has been no change in ownership of the property. If there is a change in the ownership of the property or if there has been a change in a person's degree of disability to the extent that he may not continue to be disabled under this section, such person shall file a new petition with the homestead declaration that must be filed in the year next succeeding such change or changes, which shall be treated in the same manner as an original petition.

Subd. 6. If a person has received a state paid supplemental homestead credit in an amount in excess of that to which he is entitled, whether such excess credit is due to such person not qualifying as disabled or not having attained the age of 65 years or for any other reason, the commissioner shall assess as a tax under subdivision 2 the amount of such excess. Such assessment shall be attributed to the years in which the excess credit was allowed. In no case shall the county treasurer seek to obtain a refund of an excess credit for any person, and the commissioner shall not seek a refund of such excess credit from the county.

Subd. 7. The commissioner shall not assess a tax imposed by this section after the statute of limitations has run on a person's income tax return for the year in which the homestead credit is payable.

Subd. 8. The commissioner may make rules to accomplish the purpose of this section which are consistent with this section. The commissioner may establish reasonable and appropriate guidelines for county treasurers in the determination or referral to him of petitions filed by persons who are disabled or who have attained the age of 65 years.

Subd. 9. The commissioner may require the examination and certification of a person who is allegedly disabled by a physician of the person's choosing or by a physician designated by the commissioner. The cost of the examination shall be borne by the person examined, unless the examination proves the disability, in

which case the cost of examination shall be borne by the commissioner.

Subd. 10. A petition filed pursuant to this section shall be treated as confidential by the county treasurer and the commissioner, and the provisions of section 290.61 relating to publicity of returns shall apply.

Subd. 11. A person who prepares, causes to be prepared or assists in the preparation of a petition with the intent to defraud and to receive a credit in excess of that to which he or the applicant is entitled is guilty of a misdemeanor.

Subd. 12. A person who is disabled or has attained the age of 65 years who has failed to petition with his homestead declaration for the additional amount of credit to which he is entitled pursuant to this section may file such petition upon a showing of reasonable cause on or before June 1 of the year in which he is required to file such petition without penalty.

Subd. 13. Section 273.13, subdivision 16 shall apply with respect to a disabled person or person who has attained the age of 65 years who has purchased property prior to June 1 of the year the property taxes are payable. Such a person shall be entitled to the additional credit allowed by this section for one-half the property tax payable.

Sec. 2. [290B.01] [CITATION.] Sections 8 to 25 may be cited as the "Minnesota Income-Adjusted Rent Credit Act".

Sec. 3. [290B.02] [PURPOSE.] The purpose of sections 8 to 25 is to provide relief to renters who pay real estate tax as a part of their rent.

Sec. 4. [290B.03] [DEFINITIONS.] Subdivision 1. The following words, terms, and phrases when used in sections 8 to 25 shall have the meaning ascribed to them in this section, except where the context indicates a different meaning.

Subd. 2. "Commissioner" means the commissioner of revenue of the state of Minnesota.

Subd. 3. "Federal adjusted gross income" means the claimant's federal adjusted gross income for the year during which he paid the rent which is the basis for the rent credit claim. In the case of married persons, federal adjusted gross income means the combined federal adjusted gross income of the claimant and his spouse who for any part of such year resided in the rental unit upon which the rent credit is claimed.

Subd. 4. "Rental unit" means a dwelling rented and occupied by a claimant as a place of residence and so much of the land surrounding it, not to exceed one acre, as is reasonably necessary for the use of the dwelling as a residence. A rental unit may be part of a multi-dwelling or multi-purpose building and the land upon which it is built.

Subd. 5. "Claimant" means a person who filed a claim authorized by sections 8 to 25. A claimant shall have resided in a rented or leased unit on which ad valorem taxes are payable for not less than six months of the calendar year covered by the claim, except that a claimant who is disabled or who has attained the age of 65 on the date specified in subdivision 9, may file a claim based on residence in a unit on which ad valorem taxes were not payable. In the case of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. Maximum credit allowed under this computation would be at a rate of one-twelfth of the maximum credit allowed pursuant to section 11 per month of residency computed to the nearest full month.

Subd. 6. If a rental unit is occupied by two or more renters other than renters who are husband or wife the rent shall be deemed to be paid in the same proportion that each paid such rent. In the case of renters who are husband and wife and reside in the same rental unit the rent shall be deemed to be paid by either spouse, and either spouse may claim the entire credit. Only one spouse may claim the credit. If the spouses cannot agree as to who is entitled to claim the credit, upon application by a spouse the commissioner shall decide and his decision shall be final.

Subd. 7. "Disabled claimant" means a claimant who has a disability on or before June 1 of the year in which the credit is claimed.

Subd. 8. "Disability" means:

(a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, or

(b) Blindness; and the term "blindness" means central acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

(c) *An individual shall be determined to be under a disability only if his physical or mental impairment or impairments are of such severity that he is not only unable to do his previous work but cannot, considering his age, education, and work experience, engage in any other kind of substantial gainful work which exists in the state economy, regardless of whether the work exists in the immediate area in which he lives, or whether a specific job vacancy exists for him, or whether he would be hired if he applied for work. For purposes of the preceding sentence, "work which exists in the state economy" means work which exists in significant numbers either in the area where the individual lives or in several areas of the state.*

(d) *A "physical or mental impairment" is an impairment that results from anatomical, physiological, or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques.*

Subd. 9. "Claimant who has attained the age of 65 years" means a person who has attained the age of 65 years on or before June 1 of the year in which the rent credit is claimed.

Subd. 10. "Rent constituting property taxes" means 20 percent of the gross rent actually paid in cash, or its equivalent, in 1977 or any subsequent calendar year by a claimant solely for the right of occupancy of his Minnesota homestead in the calendar year, and which rent constitutes the basis, in the succeeding calendar year of a claim for relief under sections 8 to 25 by the claimant.

Subd. 11. "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a rental unit, exclusive of charges for any utilities, services, furniture, or furnishings furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 8 to 25. For homesteads which are mobile homes as defined in section 168.011, subdivision 8, gross rent includes rent paid for the site upon which the mobile home is located.

If the landlord does not supply the charges for any utilities, furniture, or furnishings furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

An amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall be excluded from gross rent for purposes of sections 8 to 25.

Sec. 5. [290B.04] [RENT CREDIT ALLOWABLE.] *Subdivision 1. The rent credit allowable under sections 8 to 25 shall be the amount of rent constituting property taxes except that the credit shall not exceed:*

(a) *\$800 in the case of a disabled claimant or a claimant who has attained the age of 65 years or*

(b) *\$500 in all other cases, reduced by the amount set forth in subdivision 2 and subject to the overall limits in subdivision 3.*

Subd. 2. The credit allowed in subdivision 1 to a claimant shall be reduced by an amount equal to five percent for each \$1,000 by which federal adjusted gross income exceeds \$15,000, but shall not be reduced below \$120.

Subd. 3. Other law to the contrary notwithstanding, the maximum credit allowed under sections 8 to 25, when added to any credit available under section 7 during any year, shall not exceed \$800 in the case of a disabled claimant or a claimant who has attained the age of 65 and \$500 in all other cases.

Sec. 6. [290B.05] [LEASES AND SUBLEASES.] *If a claimant rents, leases or subleases a part of his rental unit to another person, he shall reduce the amount of the gross rent he pays by the gross rent he receives from such rental, lease or sublease in computing his own gross rent for purposes of sections 8 to 25.*

Sec. 7. [290B.06] [FILING TIME LIMIT: LATE FILING.] *All claims shall be filed with the department of revenue on or before August 31 of the year immediately succeeding the year the rent constituting the basis for the claim was paid. The commissioner may extend the time for filing these claims for a period not to exceed six months in the case of sickness, absence, or other disability, or when in his judgment other good cause exists.*

A claim filed after the original or extended due date shall be allowed, but the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent. In any event no claim shall be allowed if the claim is filed two years after the original due date for filing the claim.

Sec. 8. [290B.07] [TIME FOR PAYMENT.] *Subdivision 1. Allowable claims filed pursuant to the provisions of sections 8 to 25 shall be paid by the commissioner from the general fund.*

Subd. 2. A claimant shall receive full payment no later than 60 days after receipt of the application or may elect to take as a credit against his income tax the full amount.

Subd. 3. Claims remaining unpaid 60 days after the dates provided in subdivision 2, shall have interest added at six percent per annum from the later date until the date the claim is paid.

Sec. 9. [290B.08] [PROOF OF CLAIM.] *Every claimant shall supply to the department of revenue, in support of his claim, proof of eligibility under sections 8 to 25, including but not limited to amount of rent paid, name and address of owner or managing agent of property rented, changes in homestead, household membership, federal adjusted gross income, size and nature of property claimed as a rental unit.*

Disabled persons filing claims shall submit proof of disability in the form and manner as the department may prescribe. The department may require examination and certification by the claimant's physician or by a physician designated by the department. The cost of any examination shall be borne by the claimant, unless the examination proves the disability, in which case the cost of the examination shall be borne by the department.

A determination of disability of a claimant by the social security administration under Title II or Title XVI of the Social Security Act shall constitute presumptive proof of disability.

Sec. 10. [290B.09] [OBJECTIONS TO CLAIMS.] *Subdivision 1. [AUDIT OF CLAIM.] When on the audit of any claim filed under sections 8 to 25 the department determines the amount thereof to have been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final unless appealed to the Minnesota tax court of appeals within 30 days of notice thereof.*

Subd. 2. [FRAUDULENT CLAIM; PENALTY.] *In any case in which it is determined that the claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full. If the claim has been paid, the amount disallowed shall be recovered by assessment and collection in the manner provided in chapter 290 for collection of income tax. The assessment shall bear interest from the date the claim is paid by the state until the date of repayment by the claimant, at the rate of six percent per annum. The claimant, and any person who assisted in the preparation of filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, is guilty of a misdemeanor.*

Subd. 3. [EXCESSIVE OR NEGLIGENT CLAIM.] *If it is determined that a claim is excessive and was negligently prepared, ten percent of the corrected claim shall be disallowed. If the claim has been paid, the amount erroneously paid out plus penalty shall be recovered as provided in subdivision 2.*

Subd. 4. [INTEREST.] Amounts to be repaid to the state shall bear interest at six percent per annum from the date the state paid the claim until the date of repayment by the claimant.

Sec. 11. [290B.10] [APPEAL.] Any person aggrieved by the denial, in whole or in part, of relief claimed under sections 8 to 25, except when the denial is based upon late filing of a claim for relief, may appeal the denial to the Minnesota tax court of appeals by filing a petition with the tax court of appeals within 30 days after the denial, as provided in chapter 271.

Sec. 12. [290B.11] [NO RELIEF ALLOWED IN CERTAIN CASES.] No claim for relief under sections 8 to 25 shall be allowed if the commissioner determines that the claimant received tenancy to his rental unit primarily for the purpose of receiving benefits under sections 8 to 25 and not for bona fide residence purposes.

Sec. 13. [290B.12] [CLAIM APPLIED AGAINST OUTSTANDING LIABILITY.] The amount of any claim otherwise payable under sections 8 to 25 may be applied by the commissioner against any delinquent tax liability of the claimant or spouse of the claimant payable to the department of revenue.

Sec. 14. [290B.13] [PUBLICITY OF CLAIMS.] It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known any particulars disclosed in any claim filed pursuant to sections 8 to 25. The provisions of section 290.61 relating to the confidential nature of income tax returns shall also be applicable to claims thus filed.

Nothing herein shall be construed to prohibit the commissioner from making public the information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 8 to 25, notwithstanding section 290.61.

Sec. 15. [290B.14] [RIGHT TO FILE CLAIM.] If a claimant entitled to relief under sections 8 to 25 dies prior to receiving relief, the surviving spouse or dependent child of the claimant shall be entitled to receive it. If there is no surviving spouse or dependent child, the right to the credit shall lapse.

Sec. 16. [290B.15] [LANDLORD TO FURNISH RENT CERTIFICATE; PENALTY.] The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each renter in the form prescribed by the commissioner. The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner

or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.

Sec. 17. [290B.16] [RULES.] *The commissioner shall promulgate rules which he deems appropriate for the administration of sections 8 to 25. He shall also make available forms with instructions for claimants as he deems necessary for the proper administration of sections 8 to 25. The claim shall be in the form the commissioner may prescribe.*

Sec. 18. [290B.17] [EXCLUSIVE RELIEF.] *Sections 290.981 to 290.992, 290.0601 to 290.0616, and 290.0618 shall not be effective with respect to any rent paid after December 31, 1974 or property taxes payable after December 31, 1975. Minnesota Statutes 1976, Chapter 290A, shall not be effective for property taxes payable after December 31, 1977.*

Sec. 19. [290B.18] [SUPPLEMENTAL HOUSING ALLOWANCE FOR AFDC RECIPIENTS.] *Recipients of the aid to families with dependent children program who receive a supplemental housing allowance under section 256.879 are not eligible for the tax credit set forth under sections 8 to 25. The commissioner of revenue shall assist the commissioner of public welfare in the administration of the supplemental housing allowance, and shall provide the commissioner of public welfare with such records and information as are necessary to administer the housing allowance.*

Sec. 20. [REPEALER.] *Minnesota Statutes 1976, Chapter 290A, is repealed.*

Sec. 21. [REPEALER.] *Minnesota Statutes 1976, Sections 273.011; 273.012; and 290.066, are repealed.*

Sec. 22. [EFFECTIVE DATE.] *Sections 1 to 7 and 27 are effective for taxes levied in 1977 and thereafter, payable in 1978 and thereafter. Sections 8 to 26 are effective for claims based on rent paid after December 31, 1976."*

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 31 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Albrecht Berkelman Biersdorf Carlson, A. Carlson, D.

Dean	Fjoslien	Kvam	Peterson	Wigley
Den Ouden	Forsythe	Laidig	Pleasant	Zubay
Erickson	George	Langseth	Rose	
Esau	Heinitz	McDonald	Savelkoul	
Evans	Kaley	Nelsen, B.	Searle	
Ewald	Knickerbocker	Niehaus	Searles	

Those who voted in the negative were:

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

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

Rose moved to amend H. F. No. 1475, as follows:

Page 43, line 7, strike "22" and insert "25".

Page 43, line 24, strike "22" and insert "25".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 96 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Casserly moved to amend H. F. No. 1475, as amended, as follows:

Page 25, delete the new language in lines 12 to 23.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 123 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Braun	Carlson, A.	Cummiskey	Dean	Niehaus
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The motion prevailed and the amendment was adopted.

Williamson moved to amend H. F. No. 1475, as follows:

Page 24, line 11, after "rate" insert "*excluding that portion of the city or town's mill rate which is levied for the purpose of funding pension programs*".

Page 24, line 26, after "rate" insert "*excluding that portion of the city or town's mill rate which is levied for the purpose of funding pension programs*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 85 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Adams	Evans	Jude	McCollar	Rose
Albrecht	Ewald	Kaley	McDonald	Searle
Biersdorf	Fjoslien	Kempe, R.	Nelsen, B.	Searles
Carlson, L.	Forsythe	Knickerbocker	Niehaus	Swanson
Den Ouden	Friedrich	Kostohryz	Novak	Wigley
Erickson	Hokanson	Kvam	Peterson	Williamson
Esau	Jensen	Laidig	Pleasant	Zubay

Those who voted in the negative were:

Abeln	Cassery	Jaros	Murphy	Simoneau
Anderson, B.	Clark	Johnson	Neisen	Skoglund
Anderson, G.	Clawson	Kahn	Nelson	Smogard
Anderson, I.	Cohen	Kalis	Norton	Spanish
Anderson, R.	Corbid	Kelly, R.	Osthoff	Stanton
Arlandson	Cummiskey	Kelly, W.	Pehler	Stoa
Battaglia	Dahl	Kempe, A.	Petrafeso	Suss
Beauchamp	Dean	King	Prah	Tomlinson
Begich	Eckstein	Kroening	Reding	Vanasek
Berg	Eken	Langseth	Rice	Voss
Berglin	Ellingson	Lehto	St. Onge	Waldorf
Berkelman	Enebo	Lemke	Samuelson	Wenstrom
Birnstihl	Faricy	Mangan	Sarna	Wenzel
Brandl	Fudro	Mann	Savelkoul	White
Braun	Fugina	McCarron	Scheid	Wieser
Brinkman	George	McEachern	Schulz	Wynia
Byrne	Gunter	Metzen	Sherwood	Speaker Sabo
Carlson, A.	Hanson	Moe	Sieben, H.	
Carlson, D.	Jacobs	Munger	Sieben, M.	

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

Ewald was excused between the hours of 4:40 p.m. and 7:15 p.m. Haugerud was excused for the remainder of today's session.

Williamson moved to amend H. F. No. 1475, as follows:

Page 23, line 11, delete "\$52" and insert "\$45".

Page 23, line 13, delete "\$59".

Page 25, after line 23, insert a new section to read:

"Sec. 7. Minnesota Statutes 1976, Section 477A.01 is amended by adding a subdivision to read:

Subd. . . In calendar year 1978 the commissioner of revenue shall distribute to each city and township in the state an amount equal to \$7 times the number of persons residing in said city or township as determined by the 1970 federal census.

In calendar year 1979 the commissioner of revenue shall distribute to each city and township in the state an amount equal to \$14 times the number of persons residing in said city or township as determined by the 1970 federal census."

Further amend the title:

Page 1, line 23, after "adding" delete "a".

Page 1, line 33, delete "subdivision" and insert "subdivisions".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 29 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Adams	Esau	Knickerbocker	Nelsen, B.	Searles
Biersdorf	Evans	Kostohryz	Niehaus	Swanson
Carlson, D.	Fjoslien	Kvam	Peterson	Wigley
Carlson, L.	Forsythe	Laidig	Pleasant	Williamson
Den Ouden	Friedrich	McCollar	Rose	Zubay
Erickson	Jensen	McDonald	Savelkoul	

Those who voted in the negative were:

Abeln	Braun	Ellingson	Kalis	Munger
Anderson, B.	Brinkman	Enebo	Kelly, W.	Murphy
Anderson, G.	Byrne	Faricy	Kempe, A.	Neisen
Anderson, I.	Carlson, A.	Fudro	King	Nelson
Anderson, R.	Casserly	Fugina	Kroening	Norton
Arlandson	Clark	George	Langseth	Novak
Battaglia	Clawson	Gunter	Lehto	Osthoff
Beauchamp	Cohen	Hanson	Lemke	Pehler
Begich	Corbid	Jacobs	Mangan	Petrafeso
Berg	Cummiskey	Jaros	Mann	Prahl
Berglin	Dahl	Johnson	McCarron	Reding
Berkelman	Dean	Jude	McEachern	Rice
Birnstihl	Eckstein	Kahn	Metzen	St. Onge
Brandl	Eken	Kaley	Moe	Samuelson

Sarna	Sieben, M.	Stanton	Voss	Wieser
Scheid	Simoneau	Stoa	Waldorf	Wynia
Schulz	Skoglund	Suss	Wenstrom	Speaker Sabo
Sherwood	Smogard	Tomlinson	Wenzel	
Sieben, H.	Spanish	Vanasek	White	

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

McCollar moved to amend H. F. No. 1475, as follows:

Page 24, delete line 7.

Page 24, line 8, delete "population and".

Page 24, delete line 22.

Page 24, line 23, delete "population and".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 47 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Albrecht	Fjoslien	Laidig	Peterson	Weich
Biersdorf	Forsythe	Mangan	Pleasant	Wenzel
Birstihl	Friedrich	McCarron	Rose	White
Braun	George	McCollar	Samuelson	Wieser
Carlson, D.	Gunter	McDonald	Savelkoul	Wigley
Clawson	Jensen	McEachern	Searles	Williamson
Dahl	Jude	Neisen	Sieben, H.	Zubay
Den Ouden	Kempe, R.	Nelsen, B.	Sieben, M.	
Esau	Knickerbocker	Niehaus	Spanish	
Evans	Kostohryz	Novak	Swanson	

Those who voted in the negative were:

Abeln	Carlson, L.	Hokanson	Metzen	Searle
Adams	Casserly	Jacobs	Moe	Sherwood
Anderson, B.	Clark	Jaros	Munger	Simoneau
Anderson, G.	Cohen	Johnson	Murphy	Skoglund
Anderson, R.	Corbid	Kahn	Nelson	Smogard
Arlandson	Cummiskey	Kaley	Norton	Stanton
Battaglia	Dean	Kalis	Osthoff	Stoa
Beauchamp	Eckstein	Kelly, R.	Pehler	Suss
Begich	Eken	Kelly, W.	Petrafeso	Tomlinson
Berg	Ellingson	Kempe, A.	Prahl	Vanasek
Berglin	Enebo	King	Reding	Voss
Berkelman	Erickson	Kroening	Rice	Waldorf
Brandl	Faricy	Langseth	St. Onge	Wenstrom
Brinkman	Fudro	Lehto	Sarna	Wynia
Byrne	Fugina	Lemke	Scheid	Speaker Sabo
Carlson, A.	Hanson	Mann	Schulz	

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

H. F. No. 1475, A bill for an act relating to taxation; providing changes in classification ratios and assessment procedures; increasing local government aids and certain tax credits; altering levy limits; imposing a minimum tax on certain types of income; establishing tax study committee; increasing the tax on taconite production and providing for the distribution of its proceeds; establishing a taconite area environmental protection and economic development fund council; establishing a Northeast Minnesota economic protection fund; imposing a tailings tax; increasing the tax on unmined taconite; requiring owners and lessees of mineral rights to file exploration data with the commissioner of revenue; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 124.212, Subdivisions 10 and 11; 273.11, Subdivisions 1 and 2; 273.12; 273.13, Subdivisions 6, 7 and 14a; 273.132; 273.134; 274.01, Subdivision 1; 275.50, Subdivision 5; 275.51, by adding a subdivision; 275.52, Subdivisions 2, 3 and 4; 275.53, Subdivisions 1 and 3; 278.01; 278.05; 287.241, Subdivision 2; 290.012, Subdivision 2; 290.09, Subdivision 4; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivision 2, and by adding a subdivision; 294.26; 298.03; 298.22, Subdivision 1; 298.24, Subdivisions 1 and 2; 298.244, Subdivision 2; 298.25; 298.26; 298.27; 298.28, Subdivision 1; 298.282, Subdivisions 1 and 2; 375.192, by adding a subdivision; 477A.01, Subdivisions 1, 2, 4, 4a, 4b, and by adding a subdivision; 477A.03; and Chapters 3, 272, 287, 290, 298 and 477A, by adding sections; repealing Minnesota Statutes 1976, Sections 275.51, Subdivisions 3b and 3c; 287.241, Subdivisions 3 and 4; 290.09, Subdivision 26; 294.27; 294.28; 298.241; 298.243; 298.244, Subdivision 1; 298.28, Subdivision 1a; 298.281; Extra Session Laws 1971, Chapter 31, Article XIII; Laws 1973, Chapter 601; Laws 1975, Chapter 437, Article VII; and Laws 1976, Chapter 149, Section 58.

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 107 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeln	Braun	Eckstein	Johnson	Mangan
Adams	Brinkman	Eken	Jude	Mann
Anderson, B.	Byrne	Ellingson	Kahn	McCarron
Anderson, G.	Carlson, A.	Enebo	Kalis	McCollar
Anderson, I.	Carlson, D.	Evans	Kelly, R.	McEachern
Anderson, R.	Carlson, L.	Faricy	Kelly, W.	Metzen
Arlandson	Cassery	Fudro	Kempe, A.	Moe
Battaglia	Clark	Fugina	Kempe, R.	Munger
Beauchamp	Clawson	George	King	Murphy
Begich	Cohen	Gunter	Kostohryz	Neisen
Berg	Corbid	Hanson	Kroening	Nelson
Berglin	Cummiskey	Hokanson	Laidig	Norton
Berkelman	Dahl	Jacobs	Langseth	Novak
Birnstihl	Dean	Jaros	Lehto	Osthoff
Brandl	Den Ouden	Jensen	Lemke	Patton

Pehler	Sarna	Skoglund	Vanasek	Wieser
Petrafeso	Scheid	Smogard	Voss	Williamson
Prahl	Schulz	Stanton	Waldorf	Wynia
Reding	Sherwood	Stoa	Welch	Speaker Sabo
Rice	Sieben, H.	Suss	Wenstrom	
St. Onge	Sieben, M.	Swanson	Wenzel	
Samuelson	Simoneau	Tomlinson	White	

Those who voted in the negative were:

Albrecht	Forsythe	Kvam	Pleasant	Spanish
Biersdorf	Friedrich	McDonald	Rose	Wigley
Ericksen	Heinitz	Nelsen, B.	Savelkoul	Zubay
Esau	Kaley	Niehaus	Searle	
Fjoslien	Knickerbocker	Peterson	Searles	

The bill was passed, as amended, and its title agreed to.

CALL OF THE HOUSE LIFTED

George moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. No. 1610, S. F. No. 1489, and H. F. Nos. 613 and 733.

Sieben, H., as Speaker Pro Tempore, was called to the Chair.

Birnstihl, Jensen, Sabo and Tomlinson were excused for the remainder of today's session.

H. F. No. 1610 was reported to the House.

Novak moved to amend H. F. No. 1610, as follows:

Page 14, line 5, delete "161.125, Subdivision 2;".

Further, amend the title:

Line 8, delete "161.125, Subdivision 2;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 43 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Brandl	Clark	Farcy	Hokanson
Anderson, R.	Byrne	Clawson	Fugina	Kelly, R.
Berg	Carlson, A.	Dean	George	Kempe, A.
Berglin	Carlson, D.	Ellingson	Guntar	Kempe, R.
Berkelman	Casserly	Enebo	Hanson	Kostohryz

Kroening	Neisen	Pehler	Scheid	Williamson
Mangan	Nelson	Prahl	Skoglund	Wynia
McCarron	Novak	Rice	Swanson	
Moe	Patton	Rose	Waldorf	

Those who voted in the negative were:

Abeln	Eckstein	Kahn	Niehaus	Smogard
Albrecht	Eken	Kaley	Norton	Stanton
Anderson, G.	Erickson	Kelly, W.	Osthoff	Stoa
Arlandson	Esau	King	Peterson	Suss
Battaglia	Evans	Laidig	Pleasant	Vanasek
Beauchamp	Fjoslien	Langseth	Sarna	Voss
Begich	Forsythe	Lemke	Savelkoul	Welch
Biersdorf	Friedrich	Mann	Schulz	Wenstrom
Braun	Fudro	McCollar	Searle	Wenzel
Carlson, L.	Heinitz	McDonald	Searles	White
Corbid	Jacobs	McEachern	Sieben, H.	Wieser
Cummiskey	Johnson	Murphy	Sieben, M.	Wigley
Den Ouden	Jude	Neisen, B.	Simoneau	Zubay

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

H. F. No. 1610, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes; amending Minnesota Statutes 1976, Section 161.125, Subdivision 1; 219.40; and 299D.03, Subdivision 5; repealing Minnesota Statutes 1976, Sections 161.125, Subdivision 2; 161.50; 219.401; and 299D.03, 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 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Casserly	Fudro	Kostohryz	Niehaus
Adams	Clark	Fugina	Kroening	Norton
Albrecht	Clawson	George	Kvam	Novak
Anderson, G.	Cohen	Gunter	Laidig	Osthoff
Anderson, I.	Corbid	Hanson	Langseth	Patton
Anderson, R.	Cummiskey	Heinitz	Lehto	Pehler
Arlandson	Dahl	Hokanson	Lemke	Peterson
Battaglia	Dean	Jacobs	Mangan	Petrafeso
Beauchamp	Den Ouden	Jaros	Mann	Pleasant
Begich	Eckstein	Johnson	McCarron	Prahl
Berg	Eken	Jude	McCollar	Rice
Berglin	Ellingson	Kahn	McDonald	Rose
Berkelman	Enebo	Kaley	McEachern	St. Onge
Biersdorf	Erickson	Kalis	Metzen	Sarna
Brandl	Esau	Kelly, R.	Moe	Savelkoul
Braun	Evans	Kelly, W.	Munger	Scheid
Byrne	Faricy	Kempe, A.	Murphy	Schulz
Carlson, A.	Fjoslien	Kempe, R.	Neisen	Searle
Carlson, D.	Forsythe	King	Nelsen, B.	Searles
Carlson, L.	Friedrich	Knickerbocker	Nelson	Sherwood

Sieben, H.	Spanish	Vanasek	Wenzel	Wynia
Sieben, M.	Stanton	Voss	White	Zubay
Simoneau	Stoa	Waldorf	Wieser	
Skoglund	Suss	Welch	Wigley	
Smogard	Swanson	Wenstrom	Williamson	

The bill was passed and its title agreed to.

Evans, Kelly, W., and McDonald were excused for the remainder of today's session.

S. F. No. 1489 was reported to the House.

Norton moved to amend S. F. No. 1489, as follows:

Strike everything after the enacting clause and insert:

“Section 1. [SEMI-STATE ACTIVITIES; APPROPRIATIONS.] The sums set forth in the columns designated “APPROPRIATIONS” are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures “1977”, “1978”, and “1979”, wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1977, June 30, 1978, or June 30, 1979, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30,

	1978	1979
	\$	\$
Sec. 2. GENERAL GOVERNMENT		
Subdivision 1. Great Lakes Commission	31,500	

The governor shall review the functions of this agency and shall, using the procedures of Minnesota Statutes, Section 3.30, determine whether this agency should be funded for the second year of the biennium. There is appropriated to the general contingent account the sum of \$31,500 which may be utilized for the second year of the biennium.

Subd. 2. Minnesota-Wisconsin Boundary Area Commission	46,300	46,000
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	1978	1979
	\$	\$

The amount expended shall not exceed the amount provided for the commission by the state of Wisconsin.

Of this appropriation, \$3,800 is money that was previously appropriated to assess recreational watercraft traffic on the lower St. Croix river, but was not spent.

Subd. 3. Uniform Laws Commission	11,000	11,000
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Sec. 3. STATE HORTICULTURAL SOCIETY

For maintenance	35,000	45,000
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Sec. 4. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

Subdivision 1. Minnesota Historical Society

(a) General Operations and Management	2,412,966	2,346,256
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This appropriation includes money for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail, and vandalism insurance from this appropriation.

Any unencumbered balance remaining at the end of the first year shall be returned to the state treasury and credited to the general fund.

The Minnesota historical society shall report by January 1 of each year to the governor, the commissioners of finance and administration, and the legislature the amount and purpose for which state

	1978	1979
	\$	\$

money was expended for each fiscal year of the biennium.

\$62,500 each year is for the science museum of Minnesota. This appropriation shall be expended according to the provisions of Minnesota Statutes, Section 138.035.

\$45,000 each year is for the government learning center.

\$50,000 each year is for the Center for Minnesota Folklife.

(b) Historic Site Operations	3,424,153	1,881,537
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(1) \$300,000 the first year is to identify significant historic sites on a statewide basis and formulate a plan for their preservation. The plan shall be presented to the governor and the legislature by January 1, 1979.

(2) \$1,250,000 the first year is for interpretive center development, to be expended in accordance with the historic interpretation program plan prepared by the society. This appropriation may also be used for matching grants to localities to plan and construct interpretive centers, provided they can demonstrate their ability to operate and maintain the centers.

Any unencumbered balance remaining in (1) or (2) the first year shall not cancel but is available for the second year of the biennium.

(3) \$500,000 each year is for historic site grants to encourage local historic preservation projects. To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines.

Subd. 2. Sibley House	15,900	16,200
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	1978	1979
	\$	\$

This appropriation is available for maintenance of the Sibley House and related buildings on the Old Mendota state historic site owned by the Sibley House Association.

The Sibley House association should seek an agreement with the Historical Society whereby the historical society will provide the Association with technical assistance in applying for federal grants, and will provide professional architectural services to prepare a report to be submitted by January 1, 1979 to the governor and the legislature on the condition of the Sibley House, the Faribault House, and other buildings on the site.

Notwithstanding any laws to the contrary, the Sibley House Association may purchase fire, wind, hail, and vandalism insurance from this appropriation.

Subd. 3. Minnesota Academy of Science	16,200	16,200
Subd. 4. Board of the Arts		
(a) General Support	271,296	279,601
(b) Subsidies and Grants	1,478,704	1,970,399

\$700,000 the first year and \$900,000 the second year is for subsidies to the major arts organizations of the state.

Subsidies may be allocated to arts organizations with consistent state-wide or multi-region impact. Subsidy grants are for the general purposes of the recipient, not for any specific program project. The state arts board shall set guidelines and shall be responsible for the disbursement of subsidy funds.

The board of the arts shall continue to develop regional arts task forces and regional arts councils serving each of the 13 economic development regions

	1978	1979
	\$	\$

of the state. The board shall recognize one task force from each district. The board shall, with the advice of a citizen advisory committee representing each of the 13 regions, establish guidelines for the regional arts task forces and regional arts councils. The regional arts task forces and regional arts councils may establish policy and make decisions or arts programs and grants of local and regional impact under the guidelines established by the board.

The board shall continue to develop comprehensive statewide information and publicity system and shall include a progress report on its activities in its annual report to the legislature.

The state arts board shall allocate funds for the above purposes provided that no state appropriated funds may be expended for the general administration of any of the regional arts task forces or regional arts councils.

State appropriations for grants shall not be expended unless matched by federal money.

Any unencumbered balance remaining in the first year shall not cancel but is available for the second year of the biennium.

Subd. 5. Minnesota Safety Council	47,500	47,500
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This appropriation is from the trunk highway fund and shall be disbursed by the commissioner of finance on certification of need therefor by the president of the Minnesota safety council. The commissioner of finance shall disburse upon certification 25 percent of the annual appropriation on the first day of July, October, January, and April of each fiscal year.

Sec. 5. SOCIAL SECURITY

	1978	1979
	\$	\$
Subdivision 1. Disabled American Veterans	10,000	10,000
<p>For salaries, supplies and expenses to be expended as provided by Laws 1974, Chapter 425.</p>		
Subd. 2. Veterans of Foreign Wars		
For carrying out the provisions of Laws 1945, Chapter 455	10,500	10,500
Sec. 6. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY	15,000	
<p>No state funds shall be expended for the care, feeding or housing of animals.</p>		
<p>The governor shall review the functions of this agency and shall, using the procedures of Minnesota Statutes, Section 3.30, determine whether this agency should be funded for the second year of the biennium. There is appropriated to the general contingent account the sum of \$15,000 which may be utilized for the second year of the biennium.</p>		
Sec. 7. COUNTY ATTORNEYS COUNCIL	50,000	50,000
Sec. 8. SOUTHERN MINNESOTA RIVERS BASIN BOARD	40,220	
<p>The governor shall review the functions of this agency and shall, using the procedures of Minnesota Statutes, Section 3.30, determine whether this agency should be funded for the second year of the biennium. There is appropriated to the general contingent account the sum of \$41,455 which may be utilized for the second year of the biennium.</p>		
Sec. 9. VOYAGEURS NATIONAL PARK ADVISORY COMMITTEE	35,000	

	1978	1979
	\$	\$

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 10. UNEMPLOYMENT COMPENSATION

For 1977 — \$5,090

To the commissioner of finance for transfer to the unemployment compensation fund, in reimbursement for unemployment compensation benefits paid to former employees of the following agencies:

Arts Board \$1,190

County Attorneys' Council . \$3,900

Sec. 11. Minnesota Statutes 1976, Section 139.10, is amended by adding a subdivision to read:

Subd. 3. The board shall be responsible for the administration of the professional touring program.

Sec. 12. Minnesota Statutes 1976, Chapter 139, is amended by adding a section to read:

[139.11] [PUBLICATIONS; LEGEND.] *Every publication, program, or other graphic material prepared by the board or prepared for use by any other organization in connection with an activity paid for by the board shall bear the legend: "This activity is made possible in part by a grant provided by the Minnesota state arts board through an appropriation by the Minnesota state legislature."*

Further amend by striking the title and inserting:

"A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Section 139.10, by adding a subdivision; and Chapter 139, by adding a section."

The motion prevailed and the amendment was adopted.

S. F. No. 1489, A bill for an act relating to the organization and operation of state government; appropriating money for

maintenance of various semi-state activities and for other purposes; amending Minnesota Statutes 1976, Sections 139.08, Subdivision 5; 139.10, by adding a subdivision; 343.08; 343.12; 346.216; Chapter 139, by adding sections; repealing Minnesota Statutes 1976, Sections 343.02; and 343.03.

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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed, as amended, and its title agreed to.

H. F. No. 613 was reported to the House.

Petrafaso moved to amend H. F. No. 613 as follows:

Page 2, delete lines 7 to 14.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 24 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Brandl	Dean	Jude	Kelly, R.
Berglin	Carlson, A.	Heinitz	Kahn	Kostohryz

Neisen	Pehler	Rose	Swanson	Welch
Niehaus	Petrafeso	Smogard	Voss	Wigley
Norton	Reding	Stoa	Waldorf	

Those who voted in the negative were:

Abeln	Cummiskey	Hokanson	McCollar	Sherwood
Adams	Dahl	Jacobs	McEachern	Sieben, H.
Anderson, G.	Den Ouden	Jaros	Metzen	Sieben, M.
Anderson, I.	Ellingson	Johnson	Moe	Simoneau
Arlandson	Enebo	Kaley	Munger	Skoglund
Battaglia	Erickson	Kalis	Murphy	Stanton
Beauchamp	Esau	Kempe, A.	Nelsen, B.	Suss
Begich	Ewald	Kempe, R.	Nelson	Vanasek
Berkelman	Faricy	King	Osthoff	Wenstrom
Biersdorf	Fjoslien	Kroening	Patton	Wenzel
Braun	Forsythe	Kvam	Peterson	White
Carlson, D.	Friedrich	Laidig	Prahl	Wieser
Carlson, L.	Fudro	Langseth	Rice	Williamson
Clark	Fugina	Lemke	Sarna	Wynia
Clawson	George	Mangan	Scheid	Zubay
Cohen	Gunter	Mann	Schulz	
Corbid	Hanson	McCarron	Searle	

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

H. F. No. 613, A bill for an act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dean Heinitz	Jude Kvam	Niehaus Rose	Voss Waldorf	Wigley
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The bill was passed and its title agreed to.

H. F. No. 733, A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article XI, Sections 4 to 7, and Article XIV, Section 11, and authorizing the expenditure of the proceeds thereof for trunk highway bridges and approaches; authorizing the issuance and sale of Minnesota state transportation bonds under the provisions of Minnesota Constitution, Article XI, and authorizing the expenditure thereof for grants to political subdivisions for design, construction and reconstruction of certain bridges; appropriating money.

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

The question was taken on the passage of the bill and the roll was called. There were 106 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Adams	Dahl	Jude	Nelsen, B.	Simoneau
Albrecht	Dean	Kalis	Niehaus	Smogard
Anderson, G.	Den Ouden	Kempe, A.	Norton	Spanish
Anderson, I.	Eckstein	Kempe, R.	Novak	Stanton
Anderson, R.	Eken	King	Osthoff	Stoa
Battaglia	Ellingson	Knickerbocker	Patton	Suss
Beauchamp	Enebo	Kostohryz	Pehler	Swanson
Begich	Erickson	Kroening	Peterson	Vanasek
Berkelman	Ewald	Laidig	Petrafeso	Voss
Biersdorf	Faricy	Langseth	Prahl	Waldorf
Brandl	Fjoslien	Lehto	Reding	Wenstrom
Braun	Forsythe	Lemke	Rice	Wenzel
Byrne	Friedrich	Mangan	St. Onge	White
Carlson, A.	Fudro	Mann	Sarna	Wieser
Carlson, D.	Fugina	McCarron	Savelkoul	Wigley
Carlson, L.	George	McCollar	Scheid	Williamson
Casserly	Gunter	McEachern	Schulz	Wynia
Clark	Hanson	Metzen	Searle	Zubay
Clawson	Hokanson	Moe	Searles	
Cohen	Jacobs	Munger	Sherwood	
Corbid	Jaros	Murphy	Sieben, H.	
Cummiskey	Johnson	Neisen	Sieben, M.	

Those who voted in the negative were:

Abeln	Berg	Kahn	Kelly, R.	Rose
Arlandson	Heinitz	Kaley	Kvam	Skoglund

The bill was passed and its title agreed to.

CALENDAR

There being no objection, the bill on the Calendar for today was continued on the Calendar for one day.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued on Special Orders until Monday, May 9, 1977, immediately following the Calendar. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders for one day.

MOTIONS AND RESOLUTIONS

Petrafeso moved that his name be stricken as an author on H. F. No. 613. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, May 9, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Monday, May 9, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

