

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

FIFTY-SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 17, 1977

The House of Representatives convened at 1:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Wenstrom was excused until 3:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Enebo 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. 1631, 666, 723, 415 and 843 and S. F. Nos. 448, 472, 801, 1394, 126, 1337, 522, 978, 1087, 1174, 899 and 1027 have been placed in the members' files.

S. F. No. 1087 and H. F. No. 1179, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McCollar moved that the rules be so far suspended that S. F. No. 1087 be substituted for H. F. No. 1179 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

May 16, 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:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Date Approved 1977 | Date Filed 1977 |
|-------------|-------------|-----------------------------|-----------------------|--------------------|
| 895 | | 89 | May 16 | May 16 |

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

PURSUANT TO JOINT RULE 2.03, THE FOLLOWING COMMITTEE REPORT WAS RE-REFERRED TO THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

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

H. F. No. 1343, A bill for an act relating to commerce; transferring the powers and duties of the consumer services section of the department of commerce to other state agencies; amending Minnesota Statutes 1976, Sections 144A.53, Subdivision 4; 214.14, Subdivision 1; 306.761, Subdivisions 1 and 2; 325.382; 325.383; 325.384; 325.385, Subdivision 1; 325.387; 325.388; 325.77, Subdivision 4a; 325.80, Subdivision 1; 332.31, by adding a subdivision; 332.311; 332.33, Subdivisions 4, 5, and 6; 332.34; 332.40; 332.41, Subdivision 2; 332.42; 332.43; 332.44; 332.45; and Chapter 325, by adding a section; repealing Minnesota Statutes 1976, Sections 45.15; 45.16; and 332.31, Subdivision 4.

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

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF SENATE BILLS

S. F. No. 1087 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Dean; Novak; Sieben, M.; Hanson and Adams introduced:

H. F. No. 1640, A bill for an act relating to energy costs; requiring fuel suppliers to provide heating fuel discounts to certain low income senior citizens; prescribing powers and duties for the public service commission and the commissioner of revenue; reimbursing fuel suppliers for discount expenses; providing penalties; amending Minnesota Statutes 1976, Sections 297A.26, by adding a subdivision; and 297A.27, by adding a subdivision.

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

Nelson, Brandl, Tomlinson, Carlson, A., and Petrafeso introduced:

H. F. No. 1641, A bill for an act relating to education; establishing a system of statewide assessment of minimal basic skills of students; providing assistance in teaching basic skills.

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

Munger, Jaros, Lehto, Berkelman and Murphy introduced:

H. F. No. 1642, A bill for an act relating to the Western Lake Superior Sanitary District; providing for its financing and operation; authorizing temporary reallocation and deferment of user charges to avoid financial hardships to units of government; authorizing direct user contracts with private industries; clarifying the district's taxing and bonding authority; amending Laws 1971, Chapter 478, Sections 9, 10 and 14, as amended.

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

Cummiskey, McCarron, Rice, Faricy and Anderson, R., introduced:

H. F. No. 1643, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 3; providing that each senate district include four representative districts.

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

Cummiskey introduced:

H. F. No. 1644, A bill for an act relating to competitive bidding; allowing ten percent latitude in the selection of the lowest responsible bid.

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

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Osthoff introduced:

H. A. No. 38, A proposal to study commercial users of inland waterways.

The advisory was referred to the Committee on Transportation.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 921

A bill for an act relating to public employees; designating the number of arbitrators to resolve labor dispute; amending Minnesota Statutes 1976, Section 179.72, Subdivision 6.

May 16, 1977

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

We, the undersigned conferees for H. F. No. 921 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 921 be further amended as follows:

Page 2, lines 8 to 12, restore the stricken language.

Page 2, line 11, strike "\$100" and insert "\$180".

Page 2, line 13, after "All" insert "fees,".

Page 2, line 14, after the period insert "*In those cases where a single arbitrator is hearing a dispute, the fees, expenses and costs of the arbitrator shall also be shared and assessed equally by the parties to the dispute.*".

We request adoption of this report and repassage of the bill.

House Conferees: DOUGLAS J. ST. ONGE, BOB MCEACHERN and MARY O. MURPHY.

Senate Conferees: CLARENCE M. PURFEERST, CONRAD M. VEGA and MEL FREDERICK.

St. Onge moved that the report of the Conference Committee on H. F. No. 921 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 79 yeas and 39 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-----------|------------|--------------|
| Abeln | Clark | Kahn | Nelsen, M. | Sieben, M. |
| Adams | Clawson | Kelly, W. | Nelson | Simoneau |
| Anderson, B. | Cohen | Kempe, A. | Norton | Skoglund |
| Anderson, I. | Cummiskey | Kempe, R. | Novak | Smogard |
| Arlandson | Dahl | King | Osthoff | Spanish |
| Battaglia | Ellingson | Kostohryz | Patton | Stanton |
| Begich | Enebo | Kroening | Pehler | Stoa |
| Berglin | Fudro | Lehto | Prahl | Swanson |
| Berkelman | Fugina | Mangan | Reding | Vanasek |
| Biersdorf | George | McCarron | Rice | Voss |
| Birnstihl | Hanson | McCollar | St. Onge | Wenzel |
| Brandl | Haugerud | McEachern | Sarna | White |
| Byrne | Jacobs | Metzen | Scheid | Williamson |
| Carlson, D. | Jaros | Moe | Schulz | Wynia |
| Carlson, L. | Jensen | Munger | Sherwood | Speaker Sabo |
| Casserly | Jude | Murphy | Sieben, H. | |

Those who voted in the negative were:

| | | | | |
|--------------|-----------|-----------|------------|-----------|
| Albrecht | Eckstein | Heinitz | Neisen | Searles |
| Anderson, D. | Erickson | Johnson | Nelsen, B. | Suss |
| Anderson, G. | Esau | Kaley | Niehaus | Tomlinson |
| Anderson, R. | Evans | Kalis | Peterson | Waldorf |
| Berg | Ewald | Kelly, R. | Pleasant | Wieser |
| Carlson, A. | Faricy | Kvam | Rose | Wigley |
| Dean | Fjoslien | Langseth | Savelkoul | Zubay |
| Den Ouden | Friedrich | McDonald | Searle | |

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 801, A bill for an act relating to crimes; specifying certain acts which constitute theft in relation to cable television services and systems; providing penalties; amending Minnesota Statutes 1976, Section 609.52, Subdivision 2; and Chapter 609, by adding a section.

The Senate has appointed as such committee Messrs. Stokowski, Kleinbaum and Kirchner.

Said House File 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 appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 875, A bill for an act relating to the state housing finance agency; setting the amount of bonds and notes that may be outstanding; clarifying eligibility; providing for fund administration and repayment requirements; appropriating money; amending Minnesota Statutes 1976, Sections 462A.03, Subdivisions 7 and 13; 462A.05, Subdivisions 5 and 15; 462A.07, Subdivision 12, and by adding subdivisions; 462A.21, Subdivisions 4a and 4b, and by adding a subdivision; and 462A.22, Subdivision 1.

The Senate has appointed as such committee Messrs. Knoll, Anderson and Willet.

Said House File 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 appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1102, A bill for an act relating to state agencies; purchasing and furnishing goods and services; amending Minnesota Statutes 1976, Chapter 16, by adding a section; Sections 15.047, Subdivision 1; 16.02, Subdivisions 2, 13, 16, 19, and by adding a subdivision; 16.07, Subdivision 8, and by adding a subdivision; 16.72, Subdivision 2; 16.75, Subdivision 7; 16.80, Subdivision 1; 238.04, Subdivision 2; and 327.51, Subdivisions 1 and 3, and by adding a subdivision.

The Senate has appointed as such committee Messrs. Schaaf, Gunderson and Ulland, J.

Said House File 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 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. 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, Sections 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 Senate has appointed as such committee Messrs. Kleinbaum, Schaaf, Purfeerst, Gearty and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 296, A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.26, Subdivision 2; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Casserly moved that the House concur in the Senate amendments to H. F. No. 296 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 296, A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association; providing protection for policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota; amending Minnesota Statutes 1976, Sections 60B.17, by adding a subdivision; 60B.25; 60B.26, Subdivision 2; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Voss
Waldorf
Welch

Wenzel
White
Wieser

Wigley
Williamson
Wynia

Zubay

Speaker Sabo

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

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 672, A bill for an act relating to insurance; providing for determination of the participation ratio; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.02, Subdivision 7; 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Abeln moved that the House concur in the Senate amendments to H. F. No. 672 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 672, A bill for an act relating to insurance; providing for determination of the participation ratio; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.02, Subdivision 7; 65B.06, Subdivision 2; and 65B.49, Subdivision 6.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Arlandson moved that the House concur in the Senate amendments to H. F. No. 1017 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1017, A bill for an act relating to consumer protection; regulating invention development services; prescribing contract terms and disclosures to customers; defining terms; requiring invention developers to file a bond; providing penalties.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|-----------|-------------|-------------|
| Abeln | Anderson, G. | Beauchamp | Biersdorf | Carlson, D. |
| Adams | Anderson, I. | Begich | Birnstihl | Carlson, L. |
| Albrecht | Anderson, R. | Berg | Brandl | Casserly |
| Anderson, B. | Arlandson | Berglin | Byrne | Clark |
| Anderson, D. | Battaglia | Berkelman | Carlson, A. | Clawson |

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

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

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Corbid moved that the House concur in the Senate amendments to H. F. No. 1275 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

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

Those who voted in the affirmative were:

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

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

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested :

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelsen, M., moved that the House concur in the Senate amendments to H. F. No. 1421 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 121 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Cummiskey Kalis Williamson

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 56, A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 56 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 56, A bill for an act relating to children; providing visitation rights to minor children in certain cases; amending Minnesota Statutes 1976, Section 257.022, Subdivision 2, and by adding a subdivision.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, B., moved that the House concur in the Senate amendments to H. F. No. 79 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 79, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

The bill was read for the third time, 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 120 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | |
|-----------|-------------|--------|---------|----------|
| Arlandson | Carlson, A. | Fugina | Heinitz | Skoglund |
| Brandl | Cummiskey | | | |

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4, 7 and 7a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Reding moved that the House concur in the Senate amendments to H. F. No. 829 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 829, A bill for an act relating to landlord and tenant; establishing period for which interest is payable on security deposit; providing a measure of damages for the improper withholding of security deposits and the improper withholding of rent payments; amending Minnesota Statutes 1976, Section 504.20, Subdivisions 2, 3, 4, 7 and 7a.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lehto moved that the House concur in the Senate amendments to H. F. No. 952 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 952, A bill for an act relating to courts; sixth judicial district; authorizing the position of domestic relations referee in St. Louis county; amending Minnesota Statutes 1976, Chapter 484, by adding a section.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Wenzel
White

Wieser
Wigley

Williamson
Wynia

Zubay

Speaker Sabo

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

Pehler was excused between the hours of 2:05 p.m. and 3:15 p.m.

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. 1226, A bill for an act relating to metropolitan airports; authorizing reimbursement to commission members; clarifying its organization and authority; granting emergency authority to expend funds; amending Minnesota Statutes 1976, Sections 473.605, Subdivisions 1 and 2; 473.606, Subdivisions 1 and 4; 473.608, Subdivisions 1, 15 and 17; 473.611, Subdivision 5; 473.621, Subdivisions 2 and 4; 473.641, Subdivision 2; 473.652; repealing Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4; and 473.621, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Adams moved that the House concur in the Senate amendments to H. F. No. 1226 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1226, A bill for an act relating to metropolitan airports; authorizing reimbursement to commission members; clarifying its organization and authority; granting emergency authority to expend funds; amending Minnesota Statutes 1976, Sections 473.605, Subdivisions 1 and 2; 473.606, Subdivisions 1 and 4; 473.608, Subdivisions 1, 15 and 17; 473.611, Subdivision 5; 473.621, Subdivisions 2, 4 and 5; 473.641, Subdivision 2; 473.652; repealing Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4; and 473.621, Subdivision 1.

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 108 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeln

Adams

Anderson, B.

Anderson, D.

Anderson, I.

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Anderson, R. | Eckstein | Kaley | Nelsen, M. | Smogard |
| Arlandson | Eken | Kalis | Niehaus | Spanish |
| Battaglia | Ellingson | Kelly, R. | Norton | Stanton |
| Beauchamp | Erickson | Kelly, W. | Novak | Stoa |
| Begich | Esau | Kempe, A. | Peterson | Suss |
| Berg | Evans | Kempe, R. | Petrafaso | Swanson |
| Biersdorf | Faricy | King | Pleasant | Tomlinson |
| Brandl | Fjoslien | Knickerbocker | Prahl | Vanasek |
| Brinkman | Fudro | Kostohryz | Reding | Voss |
| Byrne | Fugina | Kvam | Rice | Waldorf |
| Carlson, A. | George | Langseth | Rose | Welch |
| Carlson, D. | Gunter | Lehto | Sarna | Wenzel |
| Carlson, L. | Hanson | Mangan | Savelkoul | White |
| Casserly | Haugerud | Mann | Scheid | Wieser |
| Clawson | Heinitz | McCollar | Schulz | Wigley |
| Cohen | Hokanson | McEachern | Searle | Williamson |
| Corbid | Jacobs | Metzen | Searles | Wynia |
| Cummiskey | Jaros | Munger | Sherwood | Zubay |
| Dahl | Johnson | Murphy | Sieben, H. | Speaker Sabo |
| Dean | Jude | Neisen | Sieben, M. | |
| Den Ouden | Kahn | Nelsen, B. | Simoneau | |

Those who voted in the negative were:

| | | | | |
|----------|-----------|--------|----------|----------|
| Albrecht | Birnstihl | Enebo | McDonald | Skoglund |
| Berglin | Clark | Jensen | Nelson | |

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1310, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; altering covered employment; regulating employer's contributions; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; allowing certain political activities; changing total disqualification based on receipt of social security benefits; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12, 22, and 23, and by adding a subdivision; 268.06, Subdivisions 1, 5, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivisions 3, 4, and 5, and by adding subdivisions; 268.09, Subdivision 3, as amended; and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Adams moved that the House concur in the Senate amendments to H. F. No. 1310 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1310, A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; providing for agricultural and domestic service employees; altering covered employment; regulating employer's contributions; providing for the noncharging of certain benefits; providing for extended benefits; providing for certain public employees; changing total disqualification based on receipt of social security; allowing certain political activities; amending Minnesota Statutes 1976, Sections 268.04, Subdivisions 10, 12, 22, and 23, and by adding a subdivision; 268.06, Subdivisions 1, 5, 25 and 28, and by adding subdivisions; 268.07, by adding a subdivision; 268.071, Subdivisions 1 and 6; 268.08, Subdivisions 3, 4, and 5, and by adding subdivisions; 268.09, Subdivision 1; and 268.12, Subdivision 5; repealing Minnesota Statutes 1976, Section 268.08, Subdivision 5; and a portion of Laws 1975, Chapter 433, Section 11, Subdivision 4.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wenzel moved that the House concur in the Senate amendments to H. F. No. 1386 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1386, A bill for an act relating to agriculture; clarifying certain terms; eliminating six months license provision; permitting license suspension; permitting waiver of the right to a hearing; clarifying weighing locations and weighing fees; amending Minnesota Statutes 1976, Sections 17A.03, Subdivisions 6 and 7; 17A.04, Subdivision 1, and by adding a subdivision; 17A.05, Subdivision 2; 17A.06, Subdivisions 2 and 3; 17A.10; and 17A.11.

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 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|-------------|-----------|-----------|
| Abeln | Beauchamp | Byrne | Dahl | Evans |
| Adams | Begich | Carlson, A. | Dean | Ewald |
| Albrecht | Berg | Carlson, D. | Den Ouden | Farcy |
| Anderson, B. | Berglin | Carlson, L. | Eckstein | Fjoslien |
| Anderson, D. | Berkelman | Casserly | Eken | Forsythe |
| Anderson, G. | Biersdorf | Clark | Ellingson | Friedrich |
| Anderson, I. | Birnstihl | Clawson | Enebo | Fudro |
| Anderson, R. | Brandl | Corbid | Erickson | Fugina |
| Battaglia | Brinkman | Cummiskey | Esau | George |

| | | | | |
|-----------|---------------|------------|------------|--------------|
| Gunter | King | Munger | Rose | Stoa |
| Hanson | Knickerbocker | Murphy | St. Onge | Suss |
| Haugerud | Kostohryz | Neisen | Samuelson | Swanson |
| Heinitz | Kroening | Nelsen, B. | Sarna | Tomlinson |
| Hokanson | Kvam | Nelsen, M. | Savelkoul | Vanasek |
| Jacobs | Laidig | Nelson | Scheid | Voss |
| Jaros | Langseth | Niehaus | Schulz | Waldorf |
| Jensen | Lehto | Norton | Searle | Welch |
| Johnson | Lemke | Novak | Searles | Wenzel |
| Jude | Mangan | Osthoff | Sherwood | White |
| Kahn | Mann | Patton | Sieben, H. | Wieser |
| Kaley | McCarron | Peterson | Sieben, M. | Wigley |
| Kalis | McCollar | Petrafeso | Simoneau | Williamson |
| Kelly, R. | McDonald | Pleasant | Skoglund | Wynia |
| Kelly, W. | McEachern | Prahl | Smogard | Zubay |
| Kempe, A. | Metzen | Reding | Spanish | Speaker Sabo |
| Kempe, R. | Moe | Rice | Stanton | |

Those who voted in the negative were:

Arlandson

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

Mr. Speaker:

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

S. F. No. 1172, 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 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.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Borden, Schaaf and Sieloff have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, H., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee ap-

pointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1172. The motion prevailed.

Mr. Speaker:

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

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.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Perpich, Nelson and Willet have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 274. The motion prevailed.

Mr. Speaker:

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

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.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Olson, Chmielewski and Ueland, A., have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Cummiskey moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee

of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 977. The motion prevailed.

Mr. Speaker:

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

S. F. No. 971, A bill for an act relating to probate; registrars; specifying certain powers of registrars; amending Minnesota Statutes 1976, Section 524.1-307.

And the Senate respectfully requests that a Conference Committee of three members be appointed thereon. Messrs. Davies, Strand and Keefe, J., have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Ellingson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 971. The motion prevailed.

Mr. Speaker:

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

S. F. No. 381, A bill for an act relating to game and fish; changing the commissioner's duties in the removal of beaver; authorizing seasons for taking bobcat, fisher, fox, and wild turkey; requiring the commissioner to issue sportsman's licenses; extending the season and eliminating the annual limit for taking beaver; changing the hours for taking trout; extending the surcharge on small game licenses; amending Minnesota Statutes 1976, Sections 97.56; 98.46, Subdivisions 2, 2a, and 14; 100.26, Subdivision 1; 100.27, Subdivisions 1, 3, 4, 5, and 7; 100.28, Subdivision 1; 101.42, Subdivision 8; and Laws 1961, Chapter 66, Section 1, as amended; repealing Minnesota Statutes 1976, Section 348.071.

And the Senate respectfully requests that a Conference Committee of three members be appointed thereon. Messrs. Peterson, Nichols and Bernhagen have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Reding moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 381. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1349, A bill for an act relating to the organization and operation of state government; regulating organization and procedures of various state departments and agencies; providing for the source of per diem and expense payments; providing for appointment and compensation of the employees suggestion board; removing the minimum teachers' license fee; permitting the board of teaching to adopt rules; regulating state arts board grants and publicity; providing the status of part time executive secretaries; permitting joint rule making proceedings; changing the name and composition of the state board of human rights; making miscellaneous inconsequential clarifications and corrections; amending Minnesota Statutes 1976, Sections 15.01; 15.059, Subdivision 6; 16.71, Subdivisions 1 and 1a; 121.02, Subdivision 1; 125.08; 125.185, by adding a subdivision; 139.10, Subdivision 1, and by adding subdivisions; 144A.19, Subdivision 2; 144A.21, Subdivision 1; 144A.251; 214.04, Subdivision 3, and by adding a subdivision; 214.06, Subdivision 1; 238.04, Subdivision 2; 363.04, Subdivisions 4, 4a and 5; Chapter 15, by adding a section; and Laws 1976, Chapter 222, Section 207, Subdivision 2; repealing Minnesota Statutes 1976, Sections 144A.21, Subdivisions 3 and 4; 144A.25; and 214.05.

And the Senate respectfully requests that a Conference Committee of three members be appointed thereon. Messrs. Schaaf, Ulland, J., and Sikorski have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Adams moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed

by the Senate on the disagreeing votes of the two Houses on S. F. No. 1349. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 206, A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1, and by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

King moved that the House concur in the Senate amendments to H. F. No. 206 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 206, A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1, and by adding subdivisions.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

| | | | | |
|-----------|------------|-----------|---------|--------------|
| Savelkoul | Sieben, H. | Stanton | Voss | Wigley |
| Scheid | Sieben, M. | Stoa | Waldorf | Williamson |
| Schulz | Simoneau | Suss | Welch | Wynia |
| Searle | Skoglund | Swanson | Wenzel | Zubay |
| Searles | Smogard | Tomlinson | White | Speaker Sabo |
| Sherwood | Spanish | Vanasek | Wieser | |

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

Mr. Speaker:

I hereby announce that the Senate has discharged the present Conference Committee and appointed a new committee, consisting of three members, on the following Senate File:

S. F. No. 932, A bill for an act relating to motor vehicles; registration and taxation; increasing fees for filing applications; amending Minnesota Statutes 1976, Section 168.33, Subdivisions 2 and 7.

The Senate has appointed as such committee Messrs. Menning, Knutson and Olson.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1015.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1015, 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; authorizing the commissioner of transportation to remove certain dilapidated buildings; appropriating money; amending Minnesota Statutes 1976, Section 16.866.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. Nos. 324, 550 and 1475 and S. F. Nos. 1416 and 1489 was reported to the House.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 274:

Clawson, Lemke, and Anderson, G.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 971:

Ellingson, Haugerud, and Stoa.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 977:

Cummiskey, Casserly, and Laidig.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1349:

Adams, Arlandson and Searles.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1172:

Sieben, H.; Berg and Casserly.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 381:

Reding, Begich, and Anderson, G.

Wenstrom was excused between the hours of 4:00 p.m. and 5:50 p.m.

Braun was excused for the remainder of today's session.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. Nos. 415, 723 and 1631, S. F. No. 288, and H. F. No. 1630.

H. F. No. 415 was reported to the House.

Savelkoul moved to amend H. F. No. 415, as follows:

Page 10, line 13, after "*matter shall*" delete "*be given immediate priority and shall*".

The motion prevailed and the amendment was adopted.

H. F. No. 415, A bill for an act relating to collection and dissemination of data; clarifying information practices; defining terms; prescribing remedies; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15.1642; 15.165; Chapters 15, by adding sections; and 138, by adding a section; repealing Minnesota Statutes 1976, Sections 15.162; 15.163; 15.1641; 15.166; 15.167; 15.1671; 15.169; 15.17; 15.171; 15.172; 15.173; 15.174; 138.161; 138.162; 138.163; 138.17; 138.18; 138.19; 138.20; 138.21; and 138.22.

The bill was read for 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 116 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | |
|--------------|----------|-------|-------|--------|
| Albrecht | Eckstein | Kalis | Lemke | Wieser |
| Anderson, R. | | | | |

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

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

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

The bill was passed and its title agreed to.

H. F. No. 1631 was reported to the House.

Swanson moved to amend H. F. No. 1631, as follows:

Page 2, delete Section 2 of the bill.

Renumber the remaining sections.

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 18 yeas and 98 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|----------|------------|---------|---------|
| Anderson, B. | Gunter | Nelsen, M. | Scheid | Swanson |
| Byrne | Kahn | Patton | Schulz | Welch |
| Corbid | Kroening | Pehler | Spanish | |
| Fugina | McCollar | Reding | Suss | |

Those who voted in the negative were:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Cohen | Hokanson | McCarron | Savelkoul |
| Adams | Dahl | Jacobs | McDonald | Searle |
| Albrecht | Dean | Jaros | McEachern | Searles |
| Anderson, D. | Den Ouden | Jensen | Metzen | Sieben, H. |
| Anderson, G. | Eckstein | Johnson | Munger | Sieben, M. |
| Anderson, I. | Eken | Jude | Murphy | Simoneau |
| Anderson, R. | Ellingson | Kaley | Neisen | Skoglund |
| Arlandson | Enebo | Kalis | Nelsen, B. | Stoa |
| Battaglia | Erickson | Kelly, R. | Nelson | Vanasek |
| Beauchamp | Esau | Kelly, W. | Niehaus | Waldorf |
| Begich | Evans | Kempe, A. | Norton | Wenzel |
| Berkelman | Ewald | Kempe, R. | Novak | White |
| Biersdorf | Faricy | Knickerbocker | Osthoff | Wieser |
| Birnstuhl | Fjoslien | Kostohryz | Peterson | Wigley |
| Brandl | Forsythe | Laidig | Petraieso | Williamson |
| Carlson, A. | Friedrich | Langseth | Pleasant | Wynia |
| Carlson, D. | Fudro | Lehto | Rice | Zubay |
| Carlson, L. | George | Lemke | Rose | Speaker Sabo |
| Clark | Hanson | Mangan | St. Onge | |
| Clawson | Heinitz | Mann | Sarna | |

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

McDonald moved to amend H. F. No. 1631, as follows:

Pages 1 and 2, strike all of Section 1 and insert in lieu thereof the following:

“Section 1. [DAY ACTIVITY CENTERS FOR THE MENTALLY RETARDED.] \$5,000,000 or as much thereof as necessary is appropriated from the Minnesota state building fund to the commissioner of welfare to design, construct and equip day activity centers for the mentally retarded. The commissioner of welfare may disperse funds appropriated by this section to a local governmental unit to discharge all or part of the capital cost of a day activity center for the mentally retarded that he determines to have been a financial obligation of the unit on May 15, 1977.”.

Page 3, line 8, strike “\$34,766,000” and insert “\$18,966,000”.

Further amend the title, page 1, line 3, strike "prison" and insert "health".

A roll call was requested and properly seconded.

POINT OF ORDER

McCarron raised a point of order pursuant to rule 3.9 that the McDonald amendment was out of order. The Speaker ruled the point of order not well taken and the amendment in order.

The question was taken on the adoption of the McDonald amendment and the roll was called. There were 30 yeas and 84 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------------|-----------|------------|
| Abeln | Esau | Kaley | Niehaus | Spanish |
| Albrecht | Evans | Kalis | Peterson | Wenzel |
| Anderson, R. | Ewald | Kempe, R. | Rose | Wieser |
| Biersdorf | Fjoslien | Knickerbocker | Savelkoul | Wigley |
| Carlson, A. | Friedrich | McDonald | Searles | Williamson |
| Den Ouden | Heinitz | Nelsen, B. | Sherwood | Zubay |

Those who voted in the negative were:

| | | | | |
|--------------|-----------|-----------|-----------|--------------|
| Adams | Clark | Jaros | Moe | Scheid |
| Anderson, B. | Clawson | Jensen | Munger | Schulz |
| Anderson, D. | Cummiskey | Johnson | Murphy | Sieben, H. |
| Anderson, G. | Dahl | Jude | Neisen | Sieben, M. |
| Anderson, I. | Dean | Kahn | Nelson | Simoneau |
| Arlandson | Eckstein | Kelly, W. | Norton | Skoglund |
| Battaglia | Eken | Kempe, A. | Novak | Smogard |
| Beauchamp | Ellingson | King | Osthoff | Stanton |
| Berg | Enebo | Kostohryz | Patton | Stoa |
| Berglin | Faricy | Laidig | Pehler | Suss |
| Berkelman | Forsythe | Langseth | Petrafeso | Swanson |
| Brandl | Fudro | Lehto | Prahl | Vanasek |
| Brinkman | Fugina | Lemke | Reding | Waldorf |
| Byrne | George | Mangan | Rice | Welch |
| Carlson, D. | Gunter | McCarron | St. Onge | Wynia |
| Carlson, L. | Hanson | McEachern | Samuelson | Speaker Sabo |
| Casserly | Jacobs | Metzen | Sarna | |

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

Kahn moved to amend H. F. No. 1631, as follows:

Page 2, line 11, after "funds." insert "It is the intent of the legislature that the construction of building F shall not result in increased state appropriations for faculty in pharmacy or nursing."

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 4 yeas and 116 nays as follows:

Those who voted in the affirmative were:

| | | | |
|------|----------|-----|------------|
| Kahn | McCollar | Moe | Williamson |
|------|----------|-----|------------|

Those who voted in the negative were:

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

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

Carlson, A., moved to amend H. F. No. 1631, as follows:

Delete Section 1 from the bill.

Renumber the following sections.

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 19 yeas and 100 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|---------------|-----------|---------|
| Abeln | Carlson, A. | Friedrich | Niehaus | Searles |
| Albrecht | Den Ouden | Kaley | Peterson | Wieser |
| Anderson, R. | Evans | Knickerbocker | Rose | Zubay |
| Begich | Ewald | McDonald | Savelkoul | |

Those who voted in the negative were:

| | | | | |
|--------------|-----------|-----------|------------|--------------|
| Adams | Clawson | Jacobs | McCarron | Schulz |
| Anderson, B. | Cohen | Jaros | McCollar | Searle |
| Anderson, D. | Corbid | Jensen | McEachern | Sherwood |
| Anderson, G. | Cummiskey | Johnson | Metzen | Sieben, H. |
| Anderson, I. | Dahl | Jude | Moe | Sieben, M. |
| Arlandson | Dean | Kahn | Munger | Simoneau |
| Battaglia | Eckstein | Kelly, R. | Murphy | Skoglund |
| Beauchamp | Eken | Kelly, W. | Neisen | Smogard |
| Berg | Ellingson | Kempe, A. | Nelsen, B. | Spanish |
| Berglin | Enebo | Kempe, R. | Norton | Stanton |
| Berkelman | Faricy | King | Novak | Stoa |
| Biersdorf | Fjoslien | Kostohryz | Patton | Swanson |
| Birnstihl | Forsythe | Kroening | Pehler | Waldorf |
| Brandl | Fudro | Kvam | Petrafeso | Welch |
| Brinkman | Fugina | Laidig | Prahl | Wenzel |
| Byrne | George | Langseth | Rice | White |
| Carlson, D. | Gunter | Lehto | St. Onge | Wigley |
| Carlson, L. | Hanson | Lemke | Samuelson | Williamson |
| Casserly | Heinitz | Mangan | Sarna | Wynia |
| Clark | Hokanson | Mann | Scheid | Speaker Sabo |

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

Begich moved to amend H. F. No. 1631, as follows:

Page 2, after line 30, insert the following:

"Sec. 5. There is appropriated to the Commissioner of Education, the sum of \$345,000 for the purpose of constructing an addition to the Eveleth Voc-Tech AVTI as planned and approved by the Department."

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

H. F. No. 1631, A bill for an act relating to public improvements; providing for prison and education facilities; regulating the location of certain education facilities; barrier free buildings; authorizing state building bonds; 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 118 yeas and 9 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|--------------|-----------|-------------|-------------|
| Adams | Anderson, R. | Berg | Brandl | Carlson, L. |
| Anderson, B. | Arlandson | Berglin | Brinkman | Casserly |
| Anderson, D. | Battaglia | Berkelman | Byrne | Clark |
| Anderson, G. | Beauchamp | Biersdorf | Carlson, A. | Clawson |
| Anderson, I. | Begich | Birnstihl | Carlson, D. | Cohen |

| | | | | |
|-----------|---------------|------------|------------|--------------|
| Corbid | Hanson | Langseth | Pehler | Skoglund |
| Cummiskey | Heinitz | Lehto | Peterson | Smogard |
| Dahl | Hokanson | Lemke | Pleasant | Spanish |
| Dean | Jacobs | Mangan | Prahl | Stanton |
| Den Ouden | Jaros | Mann | Reding | Stoa |
| Eckstein | Jensen | McCarron | Rice | Swanson |
| Eken | Johnson | McDonald | Rose | Tomlinson |
| Ellingson | Jude | McEachern | St. Onge | Vanasek |
| Enebo | Kaley | Metzen | Samuelson | Waldorf |
| Erickson | Kelly, R. | Moe | Sarna | Welch |
| Esau | Kelly, W. | Munger | Savelkoul | Wenzel |
| Evans | Kempe, A. | Murphy | Scheid | White |
| Ewald | Kempe, R. | Neisen | Schulz | Wigley |
| Fjoslien | King | Nelsen, B. | Searle | Williamson |
| Forsythe | Knickerbocker | Nelson | Searles | Wynia |
| Fudro | Kostohryz | Norton | Sherwood | Zubay |
| Fugina | Kroening | Novak | Sieben, H. | Speaker Sabo |
| George | Kvam | Osthoff | Sieben, M. | |
| Gunter | Laidig | Patton | Simoneau | |

Those who voted in the negative were:

| | | | | |
|----------|-----------|------------|---------|--------|
| Abeln | Friedrich | McCollar | Niehaus | Wieser |
| Albrecht | Kalis | Nelsen, M. | Suss | |

The bill was passed and its title agreed to.

Enebo was excused for the remainder of today's session.

S. F. No. 288, A bill for an act relating to state parks; providing for cooperative agricultural leases of property acquired by the state within state parks; amending Minnesota Statutes 1976, Chapter 85, 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 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

| | | | | |
|-----------|------------|-----------|------------|--------------|
| Rice | Searles | Spanish | Waldorf | Wynia |
| Rose | Sherwood | Stanton | Welch | Zubay |
| St. Onge | Sieben, H. | Stein | Wenzel | Speaker Sabo |
| Sarna | Sieben, M. | Suss | White | |
| Savelkoul | Simoneau | Swanson | Wieser | |
| Scheid | Skoglund | Tomlinson | Wigley | |
| Schulz | Smogard | Vanasek | Williamson | |

The bill was passed and its title agreed to.

H. F. No. 1630 was reported to the House.

McCarron moved to amend H. F. No. 1630, as follows:

Page 5, after line 16, insert a new section:

“Sec. 7. The section of law enacted at the 1977 session of the legislature known as H. F. No. 384, Section 6, is repealed effective retroactively to the effective date of H. F. No. 384.”.

Page 5, line 17, delete “and” and insert a comma, and after “6” insert “and 7”.

Renumber the sections accordingly.

The motion prevailed and the amendment was adopted.

H. F. No. 1630, A bill for an act relating to claims against the state; appropriating money for the payment thereof; establishing procedures for consideration of certain claims.

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 119 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

| | | | | |
|-----------|------------|----------|-----------|--------------|
| Prahl | Schulz | Skoglund | Tomlinson | Wieser |
| Reding | Searle | Smogard | Vanasek | Wigley |
| Rose | Searles | Spanish | Voss | Williamson |
| St. Onge | Sherwood | Stanton | Waldorf | Wynia |
| Sarna | Sieben, H. | Stoa | Welch | Zubay |
| Savelkoul | Sieben, M. | Suss | Wenzel | Speaker Sabo |
| Scheid | Simoneau | Swanson | White | |

Those who voted in the negative were:

Kvam

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

Pursuant to rule 1.10, Kelly, W., requested immediate consideration of S. F. Nos. 506, 928, 1175, 223, 626, 709, 1029 and 1309.

S. F. No. 506, A bill for an act relating to taxation; extending the tax credit for feedlot pollution control equipment and providing for a carryover of the credit from one year to another; amending Minnesota Statutes 1976, Section 290.06, Subdivision 9a.

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

Those who voted in the negative were:

Moe

The bill was passed and its title agreed to.

S. F. No. 928, A bill for an act relating to taxation; altering the requirements for claiming withholding exemptions; amending Minnesota Statutes 1976, Section 290.92, Subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1175, A bill for an act relating to taxation; exempting probate deeds of distribution from conveyance recording requirements; amending Minnesota Statutes 1976, Section 272.12.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 223, A bill for an act relating to deaf persons; providing that deaf persons with guide dogs have the same rights and protection as blind persons with guide dogs; defining as a deductible medical expense the cost, feeding and maintenance expenses of guide dogs; amending Minnesota Statutes 1976, Sections 256C.02; 256C.025, Subdivision 4; 256C.03; 290.09, Subdivision 10; and 327.095.

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

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

Those who voted in the affirmative were:

| | | | | |
|--------------|-------------|-----------|-----------|----------|
| Abeln | Begich | Casserly | Ellingson | George |
| Adams | Berg | Clark | Erickson | Gunter |
| Albrecht | Berglin | Clawson | Esau | Hanson |
| Anderson, B. | Berkelman | Cohen | Evans | Heinitz |
| Anderson, D. | Biersdorf | Corbid | Ewald | Hokanson |
| Anderson, G. | Birnstihl | Cummiskey | Faricy | Jacobs |
| Anderson, I. | Brandl | Dahl | Fjoslien | Jaros |
| Anderson, R. | Byrne | Dean | Forsythe | Jensen |
| Arlandson | Carlson, A. | Den Ouden | Friedrich | Johnson |
| Battaglia | Carlson, D. | Eckstein | Fudro | Jude |
| Beauchamp | Carlson, L. | Eken | Fugina | Kahn |

| | | | | |
|---------------|------------|-----------|------------|--------------|
| Kaley | Mangan | Norton | Scheid | Tomlinson |
| Kalis | Mann | Novak | Schulz | Vanasek |
| Kelly, R. | McCarron | Osthoff | Searle | Voss |
| Kelly, W. | McCollar | Patton | Searles | Waldorf |
| Kempe, A. | McDonald | Pehler | Sherwood | Welch |
| Kempe, R. | McEachern | Peterson | Sieben, H. | Wenzel |
| King | Metzen | Petrafeso | Sieben, M. | White |
| Knickerbocker | Moe | Pleasant | Simoneau | Wieser |
| Kostohryz | Munger | Prahl | Skoglund | Wigley |
| Kroening | Murphy | Reding | Smogard | Williamson |
| Kvam | Neisen | Rice | Spanish | Wynia |
| Laidig | Nelsen, B. | Rose | Stanton | Zubay |
| Langseth | Nelsen, M. | St. Onge | Stoa | Speaker Sabo |
| Lehto | Nelson | Sarna | Suss | |
| Lemke | Niehaus | Savelkoul | Swanson | |

The bill was passed and its title agreed to.

S. F. No. 626, A bill for an act relating to taxation; providing for reduced assessment classification of certain resort property; amending Minnesota Statutes 1976, Section 273.13, Subdivisions 4 and 6.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 709, A bill for an act relating to the Hennepin county municipal court; clarifying fee exclusions for governmental units; amending Minnesota Statutes 1976, Section 488A.03, Subdivision 11a.

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 115 yeas and 13 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | |
|-------------|-----------|-----------|--------|----------|
| Berg | Clark | Kroening | Pehler | Skoglund |
| Berglin | Dean | McEachern | Rice | |
| Carlson, A. | Kelly, R. | Osthoff | Sarna | |

The bill was passed and its title agreed to.

S. F. No. 1029 was reported to the House.

Erickson moved to amend S. F. No. 1029, as follows:

Page 5, line 31, after "*petition*" insert "*or who prior to the effective date of this act has signed a petition for such a district,*".

Page 6, line 8, after "*petition*" insert "*, or the petition was signed prior to the effective date of this act*".

The motion prevailed and the amendment was adopted.

White moved to amend S. F. 1029 as follows:

Page 16, after line 18, insert the following:

"Sec. 15. Minnesota Statutes 1976, Section 375.18, Subdivision 9, is amended to read:

Subd. 9. [COUNTY FAIRS, PURCHASE OR CONDEMNATION OF LANDS.] Each county board may purchase or condemn land with such improvements, if any, as may be thereon, for the purpose of holding thereon agricultural fairs and exhibitions and appropriate money in payment therefor, not exceeding the sum of \$5,000, and such county board may purchase or condemn land for holding such fairs and exhibitions thereon and appropriate money in payment therefor in excess of the sum of \$5,000 when authorized so to do by a vote of the people; accept and receive a donation or donations to be used to obtain lands for the purpose of holding thereon agricultural fairs and exhibitions and in such case and for such purpose, without being authorized by a vote of the people, to purchase or condemn lands not exceeding in value the amount of such donation or donations; improve and erect structures thereon, for which purpose they may receive donations of money, materials or labor; and lease such land from time to time to agricultural and other societies of similar nature and establish reasonable rules and regulations under which such land may be used by all such societies in the county; provided, that all structures and improvements made on such land by societies using the same shall belong to the county.

(All proceedings for the condemnation of such lands shall be had under the provisions of chapter 117.)

Notwithstanding section 375.18, upon majority vote of the Dakota county board, the Dakota county board may spend up to but not to exceed \$240,000 for the purposes of payment for property needed for expansion of the Dakota county fairgrounds. This provision expires January 1, 1978."

Renumber the remaining sections.

Further amend the title:

Line 11, after the semicolon, insert "375.18, Subdivision 9;"

The motion prevailed and the amendment was adopted.

S. F. No. 1029, A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1976, Sections 116A.01, Subdivisions 1, 1a, 2 and 4, and by adding

a subdivision; 116A.02, by adding a subdivision; 116A.09; 116A.-11, Subdivision 4; 116A.12, by adding a subdivision; 116A.16; 116A.17, Subdivision 2; 116A.20, Subdivisions 2 and 6; and 116A.24, Subdivisions 1, 2 and 3.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Cohen | Jaros | Metzen | Searle |
| Adams | Corbid | Jensen | Moe | Searles |
| Albrecht | Cummiskey | Johnson | Munger | Sherwood |
| Anderson, B. | Dahl | Jude | Murphy | Sieben, H. |
| Anderson, D. | 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 | Petrafeso | Vanasek |
| Biersdorf | Forsythe | Kvam | Pleasant | Voss |
| Birnstihl | Friedrich | Laidig | Prahl | Waldorf |
| Brandl | Fudro | Langseth | Reding | Welch |
| Brinkman | Fugina | Lehto | Rice | White |
| Byrne | George | Lemke | Rose | Wieser |
| Carlson, A. | Gunter | Mangan | St. Onge | Wigley |
| Carlson, D. | Hanson | Mann | Samuelson | Williamson |
| Carlson, L. | Haugerud | McCarron | Sarna | Wynia |
| Casserly | Heinitz | McCollar | Savelkoul | Zubay |
| Clark | Hokanson | McDonald | Scheid | Speaker Sabo |
| Clawson | Jacobs | McEachern | Schulz | |

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

S. F. No. 1309 was reported to the House.

Kempe, A., moved to amend S. F. No. 1309, as follows:

Page 8, line 28, delete "1977" insert "1978".

The motion prevailed and the amendment was adopted.

S. F. No. 1309, A bill for an act relating to tax-forfeited land; providing time limitations for bringing actions; providing procedures for settling tax titles; amending Minnesota Statutes 1976, Section 284.28; and Chapter 541, by adding a section; repealing Minnesota Statutes 1976, Sections 280.34; 284.09 and 284.22.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 68, A bill for an act relating to the tax court; establishing the tax court as a full time court; creating a small claims division; providing penalties; appropriating money; amending Minnesota Statutes 1976, Sections 15A.083, Subdivision 4; 124.212, Subdivision 11; 271.01, Subdivisions 1 and 4a, and by adding a subdivision; 271.02; 271.04; 271.06, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; 271.07; 271.08; 271.09, Subdivisions 1, 2, and 3; 271.10, Subdivision 2; 271.12; 271.13; 271.15; 271.17; 271.18; 271.20; and 490.121, Subdivision 2; and Chapter 271, by adding sections; repealing Minnesota Statutes 1976, Sections 271.001; 271.01, Subdivisions 2, and 2a; 271.11; 271.14; and 271.16.

Reported the same back with the following amendments:

Page 2, line 13, delete "*continue to*".

Page 2, line 13, after the period insert "*The initial three terms to be filled pursuant to this act will expire on the first Monday in January in the following years: 1979, 1981, and 1983.*".

Page 4, line 28, strike "judge" and insert "judges".

Page 4, line 29, strike "having for the time being the longest record of then".

Page 4, line 30, strike "continuous service as such".

Page 4, line 30, strike "be" and insert "*choose a*".

Page 4, line 32, strike "In case the periods".

Page 5, strike line 1.

Page 5, line 2, strike "shall choose between them".

Page 5, line 2, after "The" insert "*chief judge of the*".

Page 5, line 3, delete "an" and insert "*one of the judges to serve as the*".

Page 5, line 4, strike "its" and insert "*the court's*"; strike "it" and insert "*the administrator*"; strike "a deputy".

Page 5, line 5, delete "*administrator*" and strike "and other necessary" and insert "*up to two*".

Page 5, line 5, after the period insert "*The judge who is appointed the administrator may delegate his duties as administrator to the employees whom he has appointed and may select one employee to act in his place as the administrator.*".

Pages 25 and 26, delete all of section 30 and insert:

"Sec. 30. [APPROPRIATION.] *Subdivision 1. The sums set forth in this section are appropriated from the general fund to the agencies indicated for increased costs of general operations and management resulting from this act, to be available for the fiscal year ending June 30 in the years indicated.*

| | 1978 | 1979 |
|--------------------|-----------|-----------|
| Subd. 2. Tax Court | \$208,000 | \$203,500 |

The approved complement of the tax court is increased by the following number of persons. 1978 — 4”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 18, delete “at least”.

Page 2, line 16, delete “by the school board and the school board”.

Page 2, delete line 17.

Page 2, line 18, delete “treatment” and insert “of the condition and the school board shall ensure that an appropriate follow-up and referral process are available,”.

Page 2, line 22, delete “To the extent possible,”.

Page 2, line 23, delete “attempt to” and “existing”.

Page 3, line 21, delete “health”.

Page 3, line 22, delete “for” and insert “to meet the individual needs of”.

Page 3, line 22, delete “their families” and insert “designing appropriate health education programs for the district”.

Page 3, line 30, delete “\$24” and insert “\$22”.

Page 4, line 19, delete “650,000” and “1,200,000” and insert “390,000” and “660,000”.

Page 4, line 20, delete “97,395” and “106,895” and insert “50,000” and “58,000”.

Page 4, line 27, delete "3" and insert "1".

Page 4, line 28, delete "persons" and insert "clerical position".

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1252, A bill for an act relating to the Minnesota state water pollution control fund; clarifying eligibility for 15 percent matching grants financed by the fund; eliminating certain matching grants; authorizing the issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1976, Sections 116.16, Subdivision 6; and 116.18, Subdivisions 1 and 4.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 73, A bill for an act relating to weather modification; prohibiting the use of cloud seeding apparatus located on the ground; prescribing a penalty.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 15, the terms defined in this section have the meanings given them.

Subd. 2. "Weather modification" means any activity performed in connection with placing or attempting to place any substance in the atmosphere or clouds within the atmosphere, including fog, with the intention of and for the purpose of producing artificial changes in the composition, motions, and resulting behavior of the atmosphere or clouds within the atmosphere, including fog.

Subd. 3. "Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, trust or other public agency.

Subd. 4. "Operation" means the performance of weather modification activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year.

Subd. 5. "Commissioner" means the commissioner of agriculture.

Sec. 2. [SOVEREIGN RIGHT CLAIMED BY STATE.] It is declared that the state of Minnesota claims its sovereign right to use for the best interest of its residents the moisture contained in the clouds and atmosphere within its sovereign state boundaries.

Sec. 3. [COMMISSIONER; POWERS AND DUTIES.]
Subdivision 1. [POWERS.] The commissioner of agriculture may:

(a) pursuant to Minnesota Statutes, Chapter 15, adopt rules necessary to implement the license and permit program established pursuant to sections 1 to 15;

(b) enter into contracts or memoranda of agreement and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of sections 1 to 15;

(c) cooperate with other states to jointly carry out research and planning in weather modification;

(d) advise persons, groups, and local units of government on weather modification and distribute informational material relating to weather modification and review and comment on all county programs of weather modification; and

(e) carry on research related to weather modification including evaluation of the effects of weather modification activities within the state by staff members, or by contract. Evaluation of weather modification programs shall, if practical and within limits of available funding, include components of economic and environmental analysis which delineate the economic and environmental implications of the programs.

Subd. 2. [DUTIES.] The commissioner of agriculture shall:

(a) utilize to the extent possible the facilities and technical resources of public and private institutions in the state;

(b) by rule adopted pursuant to Minnesota Statutes, Chapter 15, require persons engaged in weather modification to submit reports of their activities and operations and any other information deemed necessary;

(c) on or before January 15 of each year, submit a report to the legislature and governor describing the weather modification operations within the state during the preceding year and the social, economic and environmental impact of the operations. The report shall also include recommendations for legislative action and any other information useful to the legislature.

Sec. 4. [COUNTY PROGRAMS OF WEATHER MODIFICATION.] Counties may, only after approval of the commissioner and subject to the requirements of sections 1 to 15, conduct programs of weather modification and levy taxes therefor, not in excess of limitations provided by law. Counties may participate in and conduct programs with the state or jointly with other states. No program may be conducted within the county without prior approval by the county board.

Sec. 5. [LICENSES.] Subdivision 1. No person shall engage in weather modification without a license issued by the commissioner. Applications for weather modification licenses shall be on forms prescribed and furnished by the commissioner. The commissioner shall issue licenses only to applicants who demonstrate good character, adequate education and sufficient competence in the field of meteorology and cloud physics to engage in weather modification and who pay a fee of \$100. If the applicant is an organization, the competence must be demonstrated by the individuals who are to supervise and conduct the weather modification. The license shall be valid for one year. The commissioner may waive the license fee in situations he deems appropriate.

Subd. 2. The commissioner may renew a license annually if the applicant has the qualifications necessary for issuance of an original license and pays a fee of \$100.

Subd. 3. The moneys collected as fees shall be deposited with the state treasurer in the general fund.

Sec. 6. [SUSPENSION; REVOCATION; REFUSAL TO RENEW LICENSE.] The commissioner may, subject to the provisions of chapter 15, suspend, revoke or refuse to renew a license for any one or any combination of the following causes:

- (1) Incompetency;
- (2) Dishonest practice;
- (3) False or fraudulent representation in obtaining a license or permit under sections 1 to 15 or rules promulgated thereunder;
- (4) Failure to comply with any of the provisions of sections 1 to 15 or of rules promulgated thereunder; or

(5) Aiding other persons who fail to comply with any of the provisions of sections 1 to 15 or rules promulgated thereunder.

Sec. 7. [INVESTIGATION.] The commissioner may investigate any operation or research and development activities of any person applying for a license and of any person holding or claiming to hold a license or permit.

Sec. 8. [PERMITS.] Subdivision 1. No person shall conduct an operation without a permit issued by the commissioner. Applications for permits shall be on forms prescribed and furnished by the commissioner. Permits shall be issued only to applicants who hold a valid weather modification license, pay a fee of \$100 and furnish proof of financial responsibility pursuant to subdivision 2. Prior to conducting an operation, the permittee shall publish notice of the operation as the commissioner shall require and shall give written notice to the county boards of the counties over which the operation is to be conducted and counties contiguous thereto. The permit shall be valid for one year or until the operation terminates, whichever first occurs.

Subd. 2. The applicant shall demonstrate to the satisfaction of the commissioner that he has the ability to respond to damages for liability which might reasonably result from the operation for which the permit is sought.

Subd. 3. The fees collected for permits shall be deposited with the state treasurer in the general fund.

Subd. 4. To the extent the commissioner deems necessary, emergency weather modification operations for the purpose of controlling fire, frost, sleet, hail, fog, or wind shall be exempt from the permit requirements.

Subd. 5. The commissioner may renew a permit annually if the applicant has the qualifications necessary for issuance of an original permit and pays a fee of \$100.

Sec. 9. [SUSPENSION; REVOCATION AND REFUSAL TO RENEW PERMIT.] Subdivision 1. The commissioner may, subject to chapter 15, suspend or revoke a permit if it appears that the permittee no longer has the qualifications necessary for the issuance of an original permit or has violated any provision of sections 1 to 15 or of any rules promulgated thereunder.

Subd. 2. The commissioner may, subject to chapter 15, refuse to renew a permit if it appears from the operational records and reports of the permittee that an original permit would not be issuable for the operation, or if the permittee has violated any provision of sections 1 to 15 or of any rules promulgated thereunder.

Sec. 10. [MODIFICATION OF PERMIT.] Subdivision 1. The commissioner may revise the conditions and limits of a permit if:

(a) The permittee is given notice and a hearing, pursuant to chapter 15, on whether there is a need for the revision and the commissioner finds that a modification of the conditions and limits of a permit is necessary to protect the public health, safety or welfare, or the environment.

(b) If it appears to the commissioner that an emergency situation exists or is impending which could endanger the public safety, health or welfare, or the environment, the commissioner may, without prior notice or a hearing, immediately modify the conditions and limits of a permit, or order temporary suspension of the permit. The order shall include notice of a hearing to be held pursuant to chapter 15 within ten days thereafter on the question of permanently modifying the conditions and limits, continuing the suspension of the permit, removing the changes or lifting the suspension.

Subd. 2. Failure to comply with an order temporarily suspending an operation or modifying the conditions and limits of a permit shall be grounds for immediate revocation of the permit and of the license of the person controlling the operation.

Subd. 3. The permittee shall notify the commissioner of any emergency which can reasonably be foreseen, or of any existing emergency situations which might be caused or affected by the operation. Failure by the permittee to so notify the commissioner may be grounds, at the discretion of the commissioner, for revocation of the permit and of the license of the person controlling the operation.

Sec. 11. [PENALTY FOR VIOLATIONS.] Any person violating any of the provisions of sections 1 to 15 or of any rule promulgated thereunder is guilty of a misdemeanor, and each day such violation continues constitutes a separate offense.

Sec. 12. [JUDICIAL REVIEW.] All final administrative decisions of the commissioner are subject to judicial review pursuant to the provisions of Minnesota Statutes, Chapter 15. The proceedings for judicial review shall be commenced in the district court of the county in which the party applying for review resides. If such party is not a resident of Minnesota, the venue shall be in the district court of Ramsey county.

Sec. 13. [IMMUNITY.] Nothing in sections 1 to 15 shall be construed to impose on the state, or its officers and employees any responsibility or liability for any injury caused by activities undertaken under sections 1 to 15 by persons granted licenses or permits under sections 1 to 15 or exempt from the permit requirement.

Sec. 14. [LIABILITY.] Subdivision 1. An operation or research and development activity conducted under the license and permit requirements of sections 1 to 15 or exempt from them is not an ultrahazardous or an abnormally dangerous activity.

Subd. 2. Dissemination of weather modification agents into the atmosphere or clouds within the atmosphere, including fog, by a licensee or a person exempt from the license and permit requirements of sections 1 to 15, acting within the scope of the permit or exemption, shall not in itself give rise to a cause of action.

Subd. 3. Except as expressly provided in sections 1 to 15, nothing in sections 1 to 15 shall prevent any person adversely affected by a weather modification operation or research and development activity from recovering damages resulting from intentional harmful actions or negligent conduct by a person conducting the weather modification operation or research and development activity.

Subd. 4. Failure to obtain a license and permit, when required by sections 1 to 15, before conducting an operation or operational activities when one knows the operation or activities constitute a violation of the conditions or limits of permits, shall constitute negligence per se and shall give rise to liability for all harm caused thereby.

Subd. 5. Other than in legal actions charging failure to obtain a license and permit, the fact that a person holds a license or was issued a permit under sections 1 to 15, or that a person has complied with the rules made by the commissioner pursuant to sections 1 to 15, is not admissible as a defense in any legal action which may be brought under this section against such person.

Sec. 15. [INJUNCTION.] The commissioner may, in addition to the other remedies provided in sections 1 to 15, apply to a district court having venue and jurisdiction, for an injunction to restrain repetitious violations of the provisions of sections 1 to 15 and of any rule promulgated thereunder.

Sec. 16. [APPROPRIATION.] There is appropriated from the general fund to the commissioner the sum of \$100,000 for the biennium ending June 30, 1979 for administrative expenses incurred in fulfilling the provisions of this act.

Sec. 17. [EFFECTIVE DATE.] Section 4 of this act is effective on the day following its final enactment. Sections 1 to 3 and sections 5 to 16 are effective January 1, 1978."

Further amend by striking the title in its entirety and substituting the following :

"A bill for an act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; appropriating money."

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 311, A bill for an act relating to courts; providing for the selection of chief judges; permitting the assignment of judges to serve in other judicial districts; prescribing duties of the chief justice; providing for the rotation of the duties of family court in Hennepin county; providing for the rotation of the duties of juvenile court in Hennepin and Ramsey counties; prescribing duties of the supreme court administrator; providing continuous terms of court; providing for the payment of judges' salaries and expenses; abolishing de novo jurisdiction of district courts when hearing appeals; creating the office of district administrator; abolishing the office of justice of the peace; providing for appellate panels in district court; providing for the compensation of certain judges upon compliance with certain provisions of the law; amending Minnesota Statutes 1976, Sections 2.724; 260.021, Subdivisions 2 and 3; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.34; 484.54; 484.62; 484.63; 484.65, Subdivisions 1 and 6; 484.66; 485.01; 485.018, by adding a subdivision; 487.01, Subdivisions 1, 3, 5 and 6; 487.02, Subdivision 1; 487.08; 487.25, Subdivision 6; 487.35, Subdivision 1; 487.39; 488.20; 488A.01, Subdivision 10 and by adding a subdivision; 488A.021, Subdivision 8; 488A.10, Subdivisions 1 and 6; 488.111; 488A.12, Subdivision 5; 488A.18, Subdivision 11 and by adding a subdivision; 488A.19, Subdivision 10; 488A.27, Subdivisions 1 and 6; 488A.281; 488A.29, Subdivision 5; and 525.081, Subdivision 7; Chapters 480, by adding a section; 484, by adding a section; 487, by adding a section; and Laws 1977, Chapter 35, Section 18; repealing Minnesota Statutes 1976, Sections 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.23; 484.29; 484.47; 485.02; 487.03, Subdivision 4; 487.10, Subdivision 6; 487.35, Subdivisions 2, 3, 4, 5 and 6; 487.39, Subdivision 3; 487.41; 488A.01, Subdivision 11; 488A.021, Subdivision 7; 488A.18, Subdivision 12; 488A.19, Subdivisions 8 and 9; 490.124, Subdivision 7; and Chapters 530; 531; 532; and 633.

Reported the same back with the recommendation that the bill be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 2.722, is amended to read:

2.722 [JUDICIAL DISTRICTS.] *Subdivision 1.* [DESCRIPTION.] Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts two or more judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; five judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 12 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; six judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 19 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; six judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; four judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; six judges; and permanent chambers

shall be maintained in Anoka, Stillwater, and such other places as may be designated by the chief judge of the district.

Subd. 2. [ALTERING BOUNDARIES.] The supreme court, with the consent of a majority of the chief judges of the several may alter the boundaries or change the number of judicial districts, except the second and fourth.

Sec. 2. Minnesota Statutes 1976, Section 2.724, is amended to read:

2.724 [CHIEF JUSTICE OF SUPREME COURT, DUTIES.] Subdivision 1. When public convenience and necessity require it, the chief justice of the supreme court may assign any judge of (THE DISTRICT) any court to serve and discharge the duties of judge of any (OTHER) court in a judicial district not his own at such times as the chief justice may determine. A judge may appeal his assignment to the supreme court. The appeal shall be decided before the assignment is effective. A transferred judge shall be subject to the assignment powers of the chief judge of the judicial district to which he is transferred.

Subd. 2. To promote and secure more efficient administration of justice, the chief justice of the supreme court of the state shall supervise and coordinate the work of the (DISTRICT) courts of the state. The supreme court may provide by rule that the chief justice not be required to write opinions as a member of the supreme court. Its rules may further provide for it to hear and consider cases in divisions, and it may by rule assign temporarily any retired justice of the supreme court or one district judge at a time to act as a justice of the supreme court. Upon the assignment of a district judge to act as a justice of the supreme court a district judge previously acting as a justice may continue to so act to complete his duties. Any number of justices may disqualify themselves from hearing and considering a case, in which event the supreme court may assign temporarily a retired justice of the supreme court or a district judge to hear and consider the case in place of each disqualified justice. At any time that a retired justice is acting as a justice of the supreme court under this section, he shall receive, in addition to his retirement pay, such further sum, to be paid out of the general fund of the state, as shall afford him the same salary as an associate justice of the supreme court.

Subd. 3. (WHEN PUBLIC CONVENIENCE AND NECESSITY REQUIRE IT, THE CHIEF JUSTICE OF THE SUPREME COURT MAY ASSIGN ANY MUNICIPAL JUDGE OF THE STATE TO SERVE AND DISCHARGE THE DUTIES OF A MUNICIPAL JUDGE IN ANY OTHER MUNICIPALITY NOT HIS OWN, AT SUCH TIMES AS THE CHIEF JUSTICE MAY DETERMINE. ANY MUNICIPALITY

SO SERVED BY A MUNICIPAL JUDGE OTHER THAN ITS OWN SHALL PAY SUCH JUDGE ALL SUMS FOR TRAVEL, MEALS, LODGING AND COMMUNICATIONS NECESSARILY PAID OR INCURRED BY HIM AS A RESULT OF SUCH ASSIGNMENT TOGETHER WITH THE PER DIEM PAYMENT SPECIFIED FOR A SPECIAL JUDGE OF A MUNICIPAL COURT BY SECTION 488.22, SUBDIVISION 1.)

(SUBD. 4.) The chief justice of the supreme court may assign a retired justice of the supreme court to act as a justice of the supreme court pursuant to subdivision 2 or as a judge of any other court. The chief justice may assign a retired judge of (THE DISTRICT) *any* court to act as a judge of (THE DISTRICT) *any* court (IN ANY JUDICIAL DISTRICT OR ANY OTHER COURT) except the supreme court. (THE CHIEF JUSTICE MAY ASSIGN ANY OTHER RETIRED JUDGE TO ACT AS A JUDGE OF ANY COURT WHOSE JURISDICTION IS NOT GREATER THAN THE JURISDICTION OF THE COURT FROM WHICH HE RETIRED. UNLESS OTHERWISE PROVIDED BY LAW,) A judge acting pursuant to this subdivision shall receive pay and expenses in the amount and manner provided by law for (ACTIVELY SERVING RETIRED DISTRICT) judges *serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving.* (A JUDGE ACTING PURSUANT TO THIS SUBDIVISION OR ANY OTHER LAW PROVIDING FOR THE SERVICE OF RETIRED JUDGES SHALL BE PAID ONLY HIS EXPENSES FOR SERVICE PERFORMED WHILE STILL RECEIVING THE FULL PAY OF THE OFFICE FROM WHICH HE RETIRED.)

Subd. 4. The chief justice shall exercise general supervisory powers over the courts in the state, including:

(a) Supervising the courts' financial affairs, programs of continuing education for judicial and nonjudicial personnel and planning and operations research;

(b) Serving as chief representative of the court system and as liaison with other governmental agencies for the public; and

(c) Supervising the administrative operations of the courts. The chief justice may designate individual judges and committees of judges to assist him in the performance of his duties.

Sec. 3. Minnesota Statutes 1976, Section 15A.083, is amended to read:

15A.083 [SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH.] Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

| | |
|--|------------|
| (1) Chief justice of the supreme court | (\$40,000) |
| | \$52,000 |
| (2) Associate justice of the supreme court | (36,500) |
| | 49,000 |
| (3) District judge, judge of county court (learned in the law), probate court, and municipal court | (32,000) |
| | 42,000 |
| (4) Judge of a county court (not learned in the law) | 27,000 |

(EACH DISTRICT JUDGE SHALL RECEIVE \$1,500 ADDITIONAL ANNUALLY FROM EACH COUNTY IN HIS DISTRICT HAVING A POPULATION OF 200,000 OR MORE, WHEN ANY DISTRICT JUDGE SHALL PRESIDE UPON THE TRIAL OR HEARING OF ANY CAUSE OUTSIDE OF HIS RESIDENT DISTRICT WHEREIN THE DISTRICT JUDGE RECEIVES A LARGER SALARY HE SHALL RECEIVE AN ADDITIONAL COMPENSATION DURING THE PERIOD OF SUCH TRIAL OR HEARING THE DIFFERENCE BETWEEN HIS FIXED COMPENSATION AND THE COMPENSATION OF THE DISTRICT JUDGE OF THE DISTRICT WHERE HE HAS BEEN SO ENGAGED, TO BE PAID BY THE COUNTY WHEREIN THE TRIAL OR HEARING WAS HELD UPON CERTIFICATION OF THE SENIOR RESIDENT DISTRICT JUDGE THEREOF.)

(AN AMOUNT DUE FROM A COUNTY UNDER THIS SUBDIVISION SHALL BE PAID BY THE STATE AND FORTHWITH REIMBURSED BY THE COUNTY.)

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] (1) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota . . . (\$29,000) \$42,000.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

Beginning January 1, 1978, the entire compensation of county, probate and municipal court judges shall be paid by the state.

Beginning on July 1, 1977, the salary increases provided in this act for county, probate and municipal judges shall be paid by the state. All payments made pursuant to sections 490.11 and 490.12, subdivision 1, after January 1, 1978, shall be made by the state regardless of whether the payments commenced before or commence after the effective date of this act.

Notwithstanding any other provision in this section to the contrary, an increase in compensation provided a district or supreme court judge herein shall not take effect as to any judge of the district court or any justice of the supreme court who served in the district or supreme court prior to July 1, 1967, until that judge who served in the district or supreme court prior to July 1, 1967 and who has not submitted an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106 on or prior to the effective date of this section submits an executed agreement to the executive director in accord with section 490.106.

Subd. 3. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of the positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

| | |
|--|----------------------------|
| Public defender | (\$24,000-30,000) |
| | \$35,000 |
| District Court administrator | (25,000-32,000) |
| | 25,000-35,000 |
| County attorneys council executive director | (18,000-27,500) |
| | 20,400-29,700 |

Subd. 4. [TAX COURT OF APPEALS.] Salaries of judges of the tax court of appeals . . . (**\$10,500**) **\$15,000.**

Subd. 5. [REFEREE SALARIES.] *Notwithstanding any other law or ordinance to the contrary, no referee or hearing examiner employed by a court in this state shall receive a salary which is in excess of 90 percent of the salary paid a judge of the court by which he is employed.*

Sec. 4. Minnesota Statutes 1976, Section 43.43, Subdivision 2, is amended to read:

Subd. 2. "State employee" for the purpose of determining eligibility for the basic life insurance and basic health benefits coverage hereunder means:

(1) An employee in the classified service of the state civil service paid on a state payroll;

(2) An employee in the unclassified service of the state paid on a state payroll who is not excluded from any of the provisions of sections 43.42 to 43.49;

(3) A permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission;

(4) A judge of the supreme court or an officer or employee of such court; a judge of the district court, *a judge of county court, a judge of municipal court, a judge of probate court*;

(5) A salaried employee of the public employees retirement association;

(6) Full time military or civilian personnel in the unclassified service of the department of military affairs whose salary is paid from state funds;

(7) A salaried employee of the Minnesota historical society, whether paid from state funds or otherwise, who is not a member of the governing board;

(8) An employee of the regents of the University of Minnesota, who is a member of the academic staff with the rank of instructor, research fellow, or above, including a lecturer, serving on not less than 75 percent regular appointment;

(9) An employee of the regents of the University of Minnesota and a member of the civil service staff under the civil service plan, adopted by the university of Minnesota, who is employed on a monthly salaried appointment;

(10) An employee of the state university board or the state board for community colleges who is a member of the academic staff, who is employed for not less than a 75 percent time basis, and who is paid on a state salary payroll; or

(11) An employee of the state university board or the state board for community colleges who is either in the classified service or the unclassified service of the state civil service whose salary is paid from the university board of the state of Minnesota, revenue fund or the university activity fund. The required premium payment of such an employee is to be paid, however, from the fund from which the employee's salary is paid.

(12) A member of the state legislature.

(13) A seasonal employee of the waters, soils and minerals division of the state department of natural resources whose duties include the sampling, weighing or grading of iron ore, taconite, or other minerals; provided that the employee shall receive the benefits provided in sections 43.42 to 43.50, at no cost to the employee for the period in each calendar year when the employee is not working at his occupation, and the premiums therefor shall be paid from the same salary fund or account as the salary of the employee.

(14) A person employed in the state service as a pre-service trainee on a full time basis.

Sec. 5. Minnesota Statutes 1976, Section 43.47, Subdivision 6, is amended to read:

Subd. 6. (A JUDGE OF ANY COURT, AND) An officer or employee thereof except as otherwise provided in section 43.43;

Sec. 6. Minnesota Statutes 1976, Chapter 480, is amended by adding a section to read:

[480.051] [DISCRETIONARY REVIEW.] *The supreme court may, in its discretion, exercise or decline to exercise its appellate jurisdiction in any case or class of cases. Refusal to exercise its appellate jurisdiction shall constitute summary affirmation of the judgment or order appealed from and shall not require written decision.*

Sec. 7. Minnesota Statutes 1976, Section 480.15, is amended by adding a subdivision to read:

Subd. 10a. *The court administrator shall prepare standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline which shall apply to all personnel in the court system other than judges, judicial officers, court reporters and court services officers by January 1, 1979.*

Sec. 8. Minnesota Statutes 1976, Section 480.15, is amended by adding a subdivision to read:

Subd. 10b. *The court administrator shall promulgate and administer uniform requirements concerning records, budget and information systems and statistical compilation and controls for the purpose of performance evaluation.*

Sec. 9. Minnesota Statutes 1976, Section 480.17, is amended to read:

480.17 [JUDGES, CLERKS, OTHER OFFICERS, TO COMPLY WITH REQUESTS OF COURT ADMINISTRATOR.] The judges and clerks of the courts and all other officers, state and local, shall comply with all requests made by the court administrator after approval by the chief justice, for information and statistical data bearing on the state of the dockets of such courts and such other information as may reflect the business transacted by them and the expenditure of public moneys for the maintenance and operation of the judicial system. *Failure to comply with requests made by the court administrator pursuant to this section is grounds for removal from office by the appointing authority.*

Sec. 10. Minnesota Statutes 1976, Section 480.18, is amended to read:

480.18 [ANNUAL CONFERENCE OF JUDGES; JUDGE'S EXPENSES.] The (SUPREME COURT OF THIS STATE MAY PROVIDE BY RULE OR SPECIAL ORDER FOR THE HOLDING IN THIS STATE OF AN ANNUAL) *chief justice shall call a conference of the judges of the courts of record of this state (, AND OF MEMBERS OF THE RESPECTIVE JUDICIARY COMMITTEES OF THE LEGISLATURE, AND OF INVITED MEMBERS OF THE BAR) at least once each year*, for the consideration of matters relating to judicial business, the improvement of the judicial system, and the administration of justice. Each judge attending such annual judicial conference shall be entitled to be reimbursed for his necessary expenses to be paid from state appropriations made for the purposes of sections 480.13 to 480.20.

Sec. 11. Minnesota Statutes 1976, Chapter 480, is amended by adding a section to read:

[480.22] *The supreme court, with the advice of the judicial conference held pursuant to section 480.18, may establish chambers locations for judges in all courts in the state.*

Sec. 12. Minnesota Statutes 1976, Section 484.08, is amended to read:

484.08 [DISTRICT COURTS TO BE OPEN AT ALL TIMES.] The district courts of the state shall be deemed open at all times, except on legal holidays and Sundays (, FOR THE TRANSACTION OF SUCH BUSINESS AS MAY BE PRESENTED, INCLUDING THE ISSUANCE OF WRITS AND PROCESSES, THE HEARING OF MATTERS OF LAW IN PENDING ACTIONS AND PROCEEDINGS, AND THE ENTRY OF JUDGMENTS AND DECREES THEREIN; AND, IN ADDITION TO THE GENERAL TERMS APPOINTED BY LAW TO BE HELD, WHICH MAY BE ADJOURNED FROM TIME TO TIME, THE JUDGE OF THE DISTRICT

COURT, OR ONE THEREOF IN DISTRICTS OF MORE THAN ONE JUDGE, MAY BY ORDER FILED WITH THE CLERK, CONVENE THE COURT IN ACTUAL SESSION DURING THE VACATION PERIOD ON A DATE NAMED IN THE ORDER, FOR THE TRIAL OF BOTH CIVIL ACTIONS INVOLVING PUBLIC INTEREST AND CRIMINAL ACTIONS, WHENEVER IN HIS JUDGMENT PUBLIC INTERESTS WILL THEREBY BE PROMOTED. WHEN SO CONVENED, THE COURT MAY, BY ORDER ENTERED IN THE MINUTES BY THE CLERK, DIRECT THE ISSUANCE OF SPECIAL VENIRES FOR GRAND AND PETIT JURIES, RETURNABLE ON A NAMED DATE, FOR THE PERFORMANCE OF SUCH DUTIES AS MAY BE SUBMITTED BY THE COURT IN THE USUAL COURSE OF PROCEDURE. CIVIL ACTIONS INVOLVING PUBLIC INTERESTS MAY BE NOTICED FOR TRIAL AT AN ADJOURNED SITTING OF SUCH TERM OCCURRING MORE THAN EIGHT DAYS AFTER THE DATE OF CALLING SAME, AND INFORMATION BY THE COUNTY ATTORNEY CHARGING THE COMMISSION OF CRIMES WITHIN THE COUNTY MAY, AS AUTHORIZED BY LAW, BE PRESENTED AT SUCH TERMS, AND ANY SUCH INFORMATION THEN PRESENTED AND FILED AND ALL INDICTMENTS THEN RETURNED BY THE SPECIAL GRAND JURY SHALL BE PROCEEDED WITH BY THE COURT IN ALL RESPECTS IN HARMONY WITH THE LAW APPLICABLE TO OTHER CASES AND OTHER TERMS OF THE COURT. THE JUDGE OF THE DISTRICT COURT MAY ALSO, BY ORDER FILED WITH THE CLERK, APPOINT SPECIAL TERMS IN ANY COUNTY OF THE DISTRICT FOR THE HEARING OF MATTERS OF LAW). *The term of the court shall be continuous.*

Sec. 13. Minnesota Statutes 1976, Section 484.62, is amended to read:

484.62 [COMPENSATION AND REPORTER.] When such retired judge undertakes such service, he shall be provided at the expense of the county in which he is performing such service with a reporter, selected by such retired judge, clerk, bailiff, if the judge deems a bailiff necessary, and a courtroom or hearing room for the purpose of holding court or hearings, to be paid for by the county in which such service is rendered and shall be paid in addition to his retirement compensation and not affecting the amount thereof, the sum of \$50 per diem for such additional service, together with travel pay in the (SUM OF NINE CENTS PER MILE) *same amount and manner as other state employees* and his actual expenses incurred in such service, said payment to be made in the same manner as the payment of salaries for district judges, on certification by the presiding or senior judge of the district or by the Chief Judge of the Supreme Court of the state of Minnesota. A deputy clerk may act as bailiff when called to do so for the purposes of this section.

Sec. 14. Minnesota Statutes 1976, Section 485.01, is amended to read:

485.01 [APPOINTMENT; BOND; DUTIES.] (THERE SHALL BE ELECTED IN EACH COUNTY) A clerk of the district court(, WHO) *for each county within the judicial district shall be appointed by a majority of the district court judges in the district, after consulting the county court judges of the affected county court districts. The clerk, before entering upon the duties of his office, shall give bond to the state, to be approved by the (COUNTY BOARD) chief judge, in a penal sum of not less than (\$1,000) \$25,000 nor more than (\$10,000) \$250,000 conditioned for the faithful discharge of his official duties. (IN THE SECOND JUDICIAL DISTRICT THE AMOUNT OF SUCH BOND SHALL BE \$10,000 AND IN THE FOURTH JUDICIAL DISTRICT THE AMOUNT OF SUCH BOND SHALL BE \$25,000, WHICH) The bond, with his oath of office, shall be filed for record with the county recorder. Such clerk shall perform all duties assigned him by law and by the rules of the court. He shall not practice as an attorney in the court of which he is the clerk.*

Sec. 15. Minnesota Statutes 1976, Section 485.018, is amended by adding a subdivision to read:

Subd. 2a. Upon certification by the court administrator of the supreme court that the clerk of district court has failed to perform any of the duties assigned to him by law or by rule of court, the county board shall withhold the salary of the clerk, and shall not pay the salary until receipt of notice from the court administrator that the clerk has performed the duties assigned to him by law or by rule of court.

Nothing in this subdivision shall be construed to prohibit the judges of the district court from removing a clerk of district court from office.

Sec. 16. Minnesota Statutes 1976, Section 487.01, Subdivision 3, is amended to read:

Subd. 3. The following *combined* probate and county court districts are established: Kittson, Roseau and Lake of the Woods; Marshall, Red Lake and Pennington; Norman(, CLEAR-WATER) and Mahnomen; Cass and Hubbard; Wadena and Todd; Mille Lacs and Kanabec; (WILKIN,) Big Stone and Traverse; (SWIFT AND STEVENS; POPE,) Grant and Douglas; (LAC QUI PARLE, YELLOW MEDICINE AND CHIPPEWA;) Lincoln and Lyon; (MURRAY AND PIPESTONE; JACKSON AND COTTONWOOD;) Rock and Nobles; Dodge and Olmsted; Lake and Cook; (AITKIN AND CARLTON; SIBLEY, MEEKER AND MCLEOD, MARTIN, WATONWAN AND FARIBAULT; HOUSTON AND FILLMORE;

NICOLLET AND LE SUEUR; WINONA AND WABASHA;) Pine, Isanti and Chisago; Sherburne, Benton and Stearns. *Notwithstanding the provisions of this paragraph, the separation of combined county court districts by concurrent action of county boards before May 5, 1977 shall continue to be in effect.*

A combined county court district may be separated into single county courts by the (CONCURRENCE OF THE COUNTY BOARDS OF THE RESPECTIVE COUNTIES AFFECTED) *supreme court*. Vacancies in the office of judge created by such a separation shall be filled in the manner herein provided for the selection of other county court judges.

The single county court districts so created by such separation shall each be entitled to one judge, subject to the provisions of subdivision 5, clause (5), provided, however, that if the number of judges of the combined county court district exceeds the number of counties, then, upon separation into single county court districts, the county having the largest population determined by the last United States census shall be entitled to two judges and in the event there are more judges than counties remaining, the county having the next largest population determined by the last United States census shall also be entitled to two judges.

In each other county except Hennepin and Ramsey, the probate court of the single county is also the county court of the county and shall be governed by the provisions of sections 487.01 to 487.39.

Sec. 17. Minnesota Statutes 1976, Section 487.01, Subdivision 5, is amended to read:

Subd. 5. Each county court district shall elect one county court judge except:

(1) The district consisting of St. Louis county shall elect six judges; two of the county court judges shall reside and serve in and be elected at large by the voters of St. Louis county; two of the county court judges shall reside and serve in and be elected by the voters in that part of St. Louis county south of the following described line: South of the south line of township 55; the area to be known as the south district; one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northwest district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and west of the west line of range 18 and excluding that part of Portage township west of the west line of range 18; and one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northeast district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and east of the west line of range 18 and including that part of Portage township west of the west line of range 18.

(2) The district consisting of Dakota county, the district consisting of Anoka county and the district consisting of Stearns, Sherburne and Benton shall each elect five judges;

(3) The (DISTRICT CONSISTING OF OLMSTED AND DODGE COUNTIES, THE DISTRICT CONSISTING OF WINONA AND WABASHA COUNTIES AND THE DISTRICT CONSISTING OF WASHINGTON COUNTY) *following districts shall each elect three judges: Olmsted and Dodge counties, Washington county, Blue Earth county, Pine, Isanti and Chisago counties;*

(4) The (DISTRICT CONSISTING OF BLUE EARTH COUNTY, THE DISTRICT CONSISTING OF CLAY COUNTY, THE DISTRICT CONSISTING OF SIBLEY, MEEKER AND MCLEOD COUNTIES, THE DISTRICT CONSISTING OF MARTIN, WATONWAN AND FARIBAULT COUNTIES AND THE DISTRICT CONSISTING OF PINE, CHISAGO AND ISANTI COUNTIES) *following districts shall each elect two county court judges: Clay county, Carver county, Cass and Hubbard counties, Crow Wing county, Douglas and Grant counties, Freeborn county, Norman and Mahnomen counties, Marshall, Red Lake and Pennington counties, Mower county, Otter Tail county, Rice county, Scott county, Winona county, Wright county.*

(5) The number of judges to be elected may be increased by the county board of the affected county or by the concurrence of the county boards of those affected counties combined into districts; *provided that no new judge positions authorized pursuant to this section may be created without specific statutory authorization. Notwithstanding the other provisions of this subdivision county judge positions created by county board action prior to May 5, 1977 shall be continued.*

Sec. 18. Minnesota Statutes 1976, Section 487.01, Subdivision 6, is amended to read:

Subd. 6. For the more effective administration of justice, *the supreme court may combine two or more county court districts (MAY COMBINE THEIR RESPECTIVE COUNTY COURT DISTRICTS) into a single county court district (BY CONCURRENCE OF THE COUNTY BOARDS OF THE RESPECTIVE COUNTIES AFFECTED). If districts are combined, the office of a judge may be terminated at the expiration of his term and he shall be eligible for retirement compensation under the provisions of (SECTION 487.06) sections 490.121 to 490.132. If the office of a judge who has not qualified for retirement compensation is terminated he shall upon attaining age 62 or more, be entitled to an annuity or proportionate annuity as computed under the provisions of sections 490.121 to 490.132 based upon his years of service as a judge. A judge whose office*

is terminated shall continue to receive the insurance coverage provided for a judge of the office but shall pay the premiums himself.

Sec. 19. Minnesota Statutes 1976, Section 487.02, Subdivision 1, is amended to read:

487.02 [PAYMENT OF EXPENSES.] Subdivision 1. The salary and traveling expenses of a judge of the county, *municipal or probate court*, shall be paid by the (COUNTY IN WHICH THE EXPENSES WERE INCURRED FROM THE GENERAL REVENUE FUND OF THE COUNTY. IF THE DISTRICT CONSISTS OF MORE THAN ONE COUNTY, THE COUNTY OF THE JUDGE'S RESIDENCE SHALL PAY THE JUDGE AND SHALL BE REIMBURSED EACH MONTH BY THE OTHER COUNTIES OF THE DISTRICT BY APPORTIONING THE SALARY AND EXPENSES ACCORDING TO THE RESPECTIVE POPULATION OF THE COUNTIES AS DETERMINED BY THE LAST UNITED STATES CENSUS) *state in the amount prescribed by section 15A.083. Expenses shall be paid by the state in the same manner and amount as provided for judges of the district court in section 484.54.*

Sec. 20. Minnesota Statutes 1976, Section 487.08, is amended to read:

487.08 [JUDICIAL OFFICERS ABOLISHED.] (WHEN THE JUDICIAL BUSINESS OF A COUNTY COURT REQUIRES, THE COUNTY COURT MAY APPOINT ONE OR MORE FULL OR PART TIME JUDICIAL OFFICERS WHO SHALL BE LEARNED IN THE LAW AND WHOSE SALARY SHALL BE FIXED BY THE COUNTY COURT, WITH THE APPROVAL OF THE COUNTY BOARD OR BOARDS OF THE COUNTIES OF THE DISTRICT, AND PAID BY THE COUNTY. THEY SHALL SERVE AT THE PLEASURE OF THE COUNTY COURT. THEY SHALL HEAR AND TRY SUCH MATTERS AS SHALL BE ASSIGNED TO THEM BY THE COUNTY COURT JUDGE. BEFORE ENTERING UPON THE DUTIES OF OFFICE EACH JUDICIAL OFFICER SHALL TAKE AND SUBSCRIBE AN OATH, IN THE FORM PROVIDED BY LAW FOR JUDICIAL OFFICERS, AND A CERTIFIED COPY OF THE OATH SHALL BE FILED IN THE OFFICE OF EACH OF THE COUNTY AUDITORS WITHIN THE COUNTY COURT DISTRICT) *The office of judicial officer is abolished.*

Sec. 21. Minnesota Statutes 1976, Section 487.35, Subdivision 1, is amended to read:

487.35 [JUSTICES OF THE PEACE.] Subdivision 1. [ABOLISHED.] (ON THE DATE LAWS 1971, CHAPTER 951 BECOMES EFFECTIVE IN A COUNTY COURT DISTRICT) *The office of justice of the peace is abolished (WITH-*

IN EVERY MUNICIPALITY IN WHICH THE COUNTY COURT HOLDS REGULAR SESSIONS OR ESTABLISHES AN ORDINANCE AND TRAFFIC VIOLATIONS BUREAU. FOR PURPOSES OF THIS SUBDIVISION, THE TERM MUNICIPALITY INCLUDES ANY TOWNSHIP, PART OF WHICH IS WITHIN THE BOUNDARIES OF AN AFFECTED MUNICIPALITY).

Sec. 22. Minnesota Statutes 1976, Section 488A.01, Subdivision 10, is amended to read:

Subd. 10. [TERMS.] The court shall be *deemed* open (EVERY DAY) *at all times*, except Sundays and legal holidays. (THE COURT SHALL HOLD A GENERAL TERM FOR THE TRIAL OF CIVIL ACTIONS COMMENCING ON THE FIRST MONDAY FOLLOWING LABOR DAY OF EACH YEAR AND CONTINUING UNTIL THE NEXT GENERAL TERM, WITH SUCH ADJOURNMENTS AS THE JUDGES MAY DETERMINE TO BE NECESSARY AND PROPER.) *The term of court shall be continuous.*

Sec. 23. Minnesota Statutes 1976, Section 488A.12, Subdivision 5, is amended to read:

Subd. 5. [TERMS OF COURT.] The judges shall hold terms of court (FROM TIME TO TIME AS NECESSARY) *continuously* to hear and dispose of all claims as promptly as feasible after filing.

Sec. 24. Minnesota Statutes 1976, Section 525.04, is amended to read:

525.04 [JUDGE; ELECTION, QUALIFICATIONS, BOND.] There shall be elected in (EACH COUNTY) *Hennepin county and Ramsey county* a probate (JUDGE) *judges* who shall be learned in the law(, EXCEPT THAT PROBATE JUDGES NOW IN OFFICE SHALL BE CONSIDERED LEARNED IN THE LAW INsofar AS BEING ELIGIBLE TO CONTINUE IN OFFICE AND TO BE RE-ELECTED TO SAME). Before (HE) *a judge* enters upon the duties of his office he shall execute a bond to the state in the amount of \$1,000, approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with his oath shall be recorded in the office of the county recorder. The premiums on such bond and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof.

Sec. 25. Minnesota Statutes 1976, Section 525.081, Subdivision 7, is amended to read:

Subd. 7. [PRACTICE OF LAW.] No judge of the probate court (IN ANY COUNTY HAVING A POPULATION OF 25,000 OR MORE,) shall practice as an attorney or counselor at law, nor shall he be a partner of any practicing attorney in the business of his profession nor shall he serve as an appraiser in an estate proceeding.

Sec. 26. [CHIEF JUDGE.] *Subdivision 1. The judges of district, county, municipal, and probate court resident in each of the judicial districts shall meet and elect from among their number a district court judge as chief judge and an assistant chief judge who shall hold office for two years beginning the first business day in July and until their successors qualify. After July 1, 1981, the chief judge may be either a district, county, municipal, or probate court judge.*

A chief judge or assistant chief judge may be removed as chief judge or assistant chief judge by the chief justice, or by the judges of the district, for cause.

No judge may serve as chief judge or assistant chief judge for more than two consecutive two-year terms.

The seniority of judges shall not be criteria for the election of chief judge or assistant chief judge.

Subd. 2. [ADMINISTRATIVE AUTHORITY.] *In each judicial district, the chief judge, subject to the authority of the chief justice, shall exercise general administrative authority over the courts within the judicial district. The chief judge shall make assignments of judges for the courts within the judicial district, and assignments may be made without the consent of the judges affected. The chief judge may assign a county court judge to hear district court matters and a district court judge to hear county court matters. When a judge of a court is assigned another court he is vested with the powers of a judge of the court to which he is assigned. A judge may not be assigned to hear matters outside his district court judicial district pursuant to this subdivision. The assignment provisions of this subdivision shall apply to the probate judges of Hennepin and Ramsey counties.*

Subd. 3. [SEMI-ANNUAL MEETINGS; JUDICIAL CONFERENCE AGENDA.] *The chief judges shall meet at least semi-annually to consider problems relating to judicial business and administration. After consultation with the judges of their respective courts the chief judges shall prepare in conference and submit to the chief justice a suggested agenda for the judicial conference held pursuant to section 480.18.*

Subd. 4. [JUDGE'S MEETINGS.] *The chief judge shall convene a conference at least semi-annually of all judges of the*

judicial district to consider administrative matters and rules of court and to provide advice and counsel to the chief judge.

Sec. 27. [DISTRICT COURT ADMINISTRATOR.] *Subdivision 1. For each judicial district unless otherwise ordered by the supreme court in consultation with the affected judges, before January 1, 1979, a single district administrator shall be appointed to serve the courts by the chief judge of the judicial district with the approval of the supreme court and the advice of the judges of the affected courts. The administrator shall serve at the pleasure of a majority of the affected judges and shall be paid by the state. Unless otherwise provided by law the district administrator's compensation shall be set by the appointing authority within the limits provided in section 15A.083. The compensation for the office of district court administrator established by other than this section shall not be affected by the provision of this paragraph.*

Subd. 2. [STAFF.] *The district administrator shall have deputies, assistants and staff as the majority of the judges he serves deem necessary to perform the duties of the office.*

Subd. 3. [DUTIES.] *The district administrator shall manage the administrative affairs of all the courts of the district, direct the work of the clerks and other support personnel, except for the court reporters, assign the use of courtrooms and other facilities, and serve as secretary for meetings of judges he serves.*

Sec. 28. [TRIAL COURT ORGANIZATION OPTION.] *Subdivision 1. One year following certification to the secretary of state of intention to reorganize pursuant to this section by a majority of the district judges and a majority of the county or county municipal and probate judges within a district court judicial district the following court organization provisions shall apply to that district.*

Subd. 2. *There shall be one general trial court to be known as the district court. The district court may hold sessions anywhere in its geographical area where adequate facilities exist for the disposition of court business.*

Subd. 3. *The district courts shall have original jurisdiction in all civil actions within their respective districts, in all cases of crime committed or triable therein, in all special proceedings not exclusively cognizable by some other court or tribunal, and in all other cases within such jurisdiction is conferred upon them by law. They shall also have appellate jurisdiction in every case in which an appeal thereto is allowed by law from any other court officer or body.*

Subd. 4. *Subject to rules of the supreme court, a district court shall establish a probate division, a family court division,*

a civil division and a criminal division, and shall establish within the civil division a conciliation court and may establish within the criminal division traffic and ordinance violation bureaus at such locations as it determines. The conciliation court shall hear and determine civil claims by a simple and informal procedure without jury trial. The rules of the supreme court shall govern practice and procedure in conciliation court and shall provide for a right of appeal from the decision of the conciliation court to the district court for a trial de novo on the merits.

Subd. 5. The probate division shall include all cases and proceedings relating to the administration of estates of deceased persons, of persons under guardianship, and proceedings for the administration of trust estates or actions relating thereto.

Subd. 6. The family court division shall include all cases and proceedings arising out of the juvenile court act of this state and all cases arising out of or affecting the family relationship including the civil commitment of persons pursuant to chapter 253A, and all cases and proceedings arising under chapter 518.

Subd. 7. The civil division shall consist of all cases and proceedings within the jurisdiction of the court not included in another division, including jurisdiction in actions of forcible entry and unlawful detainer involving land located wholly or partly within the court district.

Subd. 8. The criminal division shall consist of all criminal proceedings residing in municipal, county and district court prior to adoption of this act, any petty misdemeanor and any charge of violation of any ordinance, charter provision, or rule of any subdivision of government in the district.

Subd. 9. All persons who are licensed to practice law in the district and who are judges of a probate, county or municipal court existing pursuant to a municipal ordinance, charter or legislative act located in the district as of the date of exercise of this option shall thereafter be designated as judges of the district court herein established with the same jurisdiction as those persons currently serving as district court judges. Such judge shall serve as so designated for the balance of the term for which he was elected. Upon completion of such a term, the court to which he was elected shall be abolished excepting those courts having more than one judge wherein such court shall be abolished at the expiration of the term of the judge having the longest term of office therein at the time of the exercise of this option. All judges of said courts upon completion of their term of office therein shall be entitled to run for reelection as incumbent judges of the district court established therein and have the jurisdiction of such a judge.

Subd. 10. Each judge serving in a judicial district exercising the court option in this section shall receive 110 percent of the

then existing salary of a district judge provided for in section 15A.083, provided that when applicable such judge satisfies all conditions in section 15A.083 regarding executed agreements specified in section 490.106.

Subd. 11. An appellate division shall be established within the district court and may hear any appeal from the district court. The supreme court shall promulgate rules governing procedure in such appeals. Appeal from the decision of the district court shall be to the supreme court at its discretion.

Subd. 12. All judges of the county, municipal, and probate court who become district court judges through the exercise of this court reorganization option shall have their retirement governed by section 487.06 or chapter 490 until changed by law.

Sec. 29. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall remove all references to justices of the peace and judicial officers.

Sec. 30. For the biennium beginning January 1, 1977, \$1,350,000 is appropriated from the general fund to the commissioner of finance to make the payments provided by this act.

Sec. 31. Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.34; 487.03, Subdivision 4; 487.05; 488A.021, Subdivisions 7 and 8; 488A.19, Subdivisions 8, 9, and 10; and 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8, and 9; Chapters 488, 530, 531, 532, and 633; and Extra Session Laws 1971, Chapter 42, are repealed.

Sec. 32. [EFFECTIVE DATE.] Section 28 shall be effective July 1, 1979. The remaining sections of this act shall be effective on July 1, 1977."

Further, amend the title by striking in its entirety and inserting:

"A bill for an act relating to courts; providing for the organization, compensation and procedure of the several courts; appropriating money; amending Minnesota Statutes 1976, Sections 2.722; 2.724; 15A.083; 43.43, Subdivision 2; 43.47, Subdivision 6; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.62; 485.01; 485.018, by adding a subdivision; 487.01, Subdivisions 3, 5 and 6; 487.02, Subdivision 1; 487.08; 487.35, Subdivision 1; 488A.01, Subdivision 10; 488A.12, Subdivision 5; 525.04; 525.081, Subdivision 7; and Chapter 480, by adding sections; repealing Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.34; 487.03, Subdivision 4; 487.05; 488A.021, Subdivisions 7 and 8; 488A.19, Subdivisions 8, 9, and 10; and 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8, and

9; Chapters 488, 530, 531, 532, and 633; and Extra Session Laws 1971, Chapter 42.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1337, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; appropriating money; amending Minnesota Statutes 1976, Chapter 43, by adding a section; Sections 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 10, 11, 14, 16, 17, and 18, and by adding a subdivision; 43.121, Subdivision 3; 43.122, Subdivision 3, and by adding a subdivision; 43.126, Subdivision 1; 43.323, by adding a subdivision; 43.42; 43.44, Subdivision 1; 43.46; and 43.50, Subdivision 1; repealing Minnesota Statutes 1976, Sections 43.09, Subdivision 7; and 43.12, Subdivisions 4 and 9.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

“Section 1. [TEMPORARY PROVISION; WAGE AND ECONOMIC FRINGE BENEFITS; AGREEMENTS APPROVED.] *Within the funds appropriated for the purpose by the 70th legislature and except as may otherwise be provided in this act, the commissioner of personnel is authorized to implement those provisions of agreements negotiated and executed on or before May 15, 1977, with the Minnesota state employees union, American federation of state, county and municipal employees, council No. 6, the Minnesota teamsters public and law enforcement employees union, local No. 320, the international union of operating engineers, locals No. 34, No. 49 and No. 808, the association of institutional dentists, the bureau of criminal apprehension agents association, the professional employee pharmacists of Minnesota, the middle management association, the state residential schools education association, the Minnesota conservation officers association, the independent Minnesota association of government employees, bureau of criminal apprehension association of forensic scientists, and the Minnesota administrative hearing officers association which establish wage and economic fringe benefits.*

Sec. 2. Minnesota Statutes 1976, Section 43.323, is amended by adding a subdivision to read:

Subd. 3. [RULE SUSPENSION.] The commissioner of personnel shall identify those rules he has promulgated pursuant to chapter 15 which are in conflict with the provisions of a collective bargaining agreement negotiated in accordance with sections 179.61 to 179.77 and notwithstanding the provisions of chapter 15, shall suspend those rules and promulgate emergency rules to be effective for a period not exceeding 180 days during which time the commissioner shall repeal, suspend or modify the temporarily suspended rules in accordance with chapter 15.

Sec. 3. Minnesota Statutes 1976, Section 43.09, Subdivision 3, is amended to read:

Subd. 3. [LABOR SERVICE.] All positions involving unskilled labor shall constitute a labor service. The commissioner shall designate the class or classes of positions which shall comprise the labor service and create rules for that service designed to expedite and make more economical the personnel processes in such service. Any (APPOINTMENTS WHICH SHALL BE FOR A TOTAL PERIOD OF NOT TO EXCEED SEVEN MONTHS IN ANY CALENDAR YEAR) *appointment to the labor service is not subject to the appointment provisions of subdivision 4 and may be made by the appointing authority (NOT SUBJECT TO) without other approval, providing payroll notice of such employment is regularly made to the department of personnel. Employees in the labor service who are employed for a total of six months within a 12 month period shall receive the same civil service status given by chapter 43 to permanent classified employees of the state and shall be known as tenured laborers.*

Sec. 4. Minnesota Statutes 1976, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. [SALARY RANGES.] The following procedure will be used in establishing rates of pay for all state employees in the classified civil service whose positions are assigned to classes in the professional salary schedule, which schedule shall be known as salary schedule "A". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed minimum monthly rate of pay and extending upward by a maximum of (30) 33 additional salary increments. Salary range assignments for each class of employment in this schedule shall include no more than ten salary steps. Effective July (9, 1975) 6, 1977, the prescribed minimum monthly rate of pay shall be (\$825) \$932. The maximum monthly rate of pay shall be (\$2,672) \$3,394.

Sec. 5. Minnesota Statutes 1976, Section 43.12, Subdivision 3, is amended to read:

Subd. 3. All employees whose rates of pay are established according to salary schedule "A", effective July (9, 1975) 6,

1977, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date to the comparable step in the new salary range for their class or to the new minimum rate of pay for their class, whichever rate is greater.

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate established for a classification as of July 6, 1977, is equal to or less than the employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 6. Minnesota Statutes 1976, Section 43.12, Subdivision 5, is amended to read:

Subd. 5. The following procedure shall be used to establish rates of pay for all state employees in the classified civil service whose positions are assigned to classes in the maintenance and related trades schedule, which schedule shall be known as salary schedule "B". Classes shall be assigned an orientation and base rate, one consecutive wage step apart. The orientation rate shall be paid during the first six calendar months of service and the base rate shall be paid commencing at the beginning of the pay period nearest the completion of six calendar months of service. In assigning rates of pay to classes of work covered by this schedule, the commissioner shall give primary consideration to the median of rates paid by other public and private employers for similar types of work. Supplementary pay practices shall be evaluated and costs considered in comparing the rates being paid by other employers. The commissioner is authorized to establish a percentage differential based upon full annual employment and tenure where such advantages are not common in employment outside of the state service.

Effective July (9, 1975) 6, 1977, the minimum hourly rate of pay in the salary schedule "B" shall be (\$4.59) \$4.71. The schedule shall provide for (14) 19 additional wage steps with a maximum rate of (\$7.23) \$8.21 per hour.

Notwithstanding any provision of chapter 43 to the contrary, the commissioner is authorized to establish (a) hourly equipment rates to provide appropriate compensation to employees intermittently engaged in operating maintenance equipment, (b) an hourly rate to provide appropriate compensation to employees intermittently assigned to first level highway foreman work, (AND) (c) an eight percent differential rate rounded to the nearest cent for journeyman skilled trade classes assigned to salary schedule B and employed at adult institutions of the department of corrections, and (d) a ten cent per hour differential for skilled trade classes assigned to salary schedule B and employed by the department of administration. The commissioner

shall establish regulations and procedures to equitably implement such rates.

Sec. 7. Minnesota Statutes 1976, Section 43.12, Subdivision 6, is amended to read:

Subd. 6. All (PERMANENT) employees *with more than six calendar months of service* whose rates of pay are established according to salary schedule "B", effective July (9, 1975) 6, 1977, shall be advanced in salary to the established base rate for their class.

Employees with less than six calendar months of service whose rates of pay are established according to salary schedule "B", effective July (9, 1975) 6, 1977, shall be advanced in salary to the established orientation rate for their class. Employees who are classified as highway maintenance worker, senior, and who are employed by the department of transportation and assigned to the central office and districts 5 and 9 shall, in addition, be granted a one-time lump sum payment of \$400.

(EMPLOYEES COMPENSATED ACCORDING TO SALARY SCHEDULE "B" WHOSE HOURLY RATE OF PAY IMMEDIATELY PRECEDING JULY 9, 1975, EXCEEDS THE MAXIMUM HOURLY RATE OF PAY FOR THEIR CLASS SHALL BE GRANTED A ONE TIME LUMP SUM PAYMENT OF \$300, EXCEPT FOR THOSE EMPLOYEES WHOSE ADJUSTMENT IN THEIR CURRENT MAXIMUM RATE OF PAY WOULD BE \$12.25 OR LESS. THE AMOUNT OF THE LUMP SUM PAYMENT FOR THOSE EMPLOYEES WHOSE ADJUSTMENT WOULD BE \$12.25 OR LESS SHALL BE EQUAL TO THE DIFFERENCE BETWEEN \$300 AND THE PRODUCT OF THE EMPLOYEE'S MONTHLY ADJUSTMENT MULTIPLIED BY 24. THIS PAYMENT SHALL BE MADE IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE COMMISSIONER OF FINANCE.)

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate for a classification as of July 6, 1977, is equal to or less than an employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 8. Minnesota Statutes 1976, Section 43.12, Subdivision 7, is amended to read:

Subd. 7. The following procedure shall be used to establish rates of pay for all state employees in the classified civil service whose positions are assigned to classes in the (CLERICAL,

TECHNICAL,) *general* service (AND RELATED) salary schedule, which schedule shall be known as salary schedule "C". Classes shall be assigned salary ranges within an area of compensation beginning at a prescribed monthly rate of pay and extending upward (28) *34* additional fixed salary increments. Salary range assignments for each class of employment in this schedule shall not include more than (SEVEN) *eight* salary steps. Effective July (9, 1975) *6, 1977*, the prescribed minimum monthly rate of pay shall be (\$450) *\$456*. The maximum monthly rate of pay shall be (\$1,250) *\$1,409*.

Sec. 9. Minnesota Statutes 1976, Section 43.12, Subdivision 8, is amended to read:

Subd. 8. All employees whose rates of pay are established according to salary schedule "C", effective July (9, 1975) *6, 1977*, shall be advanced in salary from their rate of pay and step in salary range immediately preceding that date, *to the next step within the salary range for that classification. An employee whose classification is reassigned to a higher salary range shall, in addition, be adjusted to the comparable step in the new salary range for (THEIR) his class. These step increases shall not affect an employee's eligibility for normal step progression increases provided by section 43.122, subdivision 3.*

Employees who are paid at a rate which exceeds the maximum rate established for their class prior to July 6, 1977, but whose rate falls within the new range for their class, shall be assigned to the maximum of the new range. In the event the maximum rate for a classification as of July 6, 1977, is equal to or less than an employee's salary on July 5, 1977, no adjustment shall be made; however, the employee shall suffer no reduction in pay and shall continue at his rate of pay as of July 5, 1977.

Sec. 10. Minnesota Statutes 1976, Section 43.12, is amended by adding a subdivision to read:

Subd. 8a. [LABOR SERVICE.] *The following procedure shall be used to establish rates of pay for all state employees whose positions are assigned to the labor service. The labor service shall consist of four steps. Effective July 6, 1977, the hourly rate of pay for step A shall be \$4.47, for step B \$4.62, for step C \$5.22, and for step D \$5.37.*

Tenured laborers who are on the payroll on July 6, 1977, shall be paid at the step D rate.

Non-tenured laborers who are on the payroll on July 6, 1977, and who were paid at the base rate on July 5, 1977, shall be paid at the step D rate. Such employees shall continue to be paid at the step D rate in subsequent years provided that their service in the previous calendar year was 800 hours or more.

Non-tenured laborers who are on the payroll on July 6, 1977, and who were paid at the orientation rate on July 5, 1977, shall be paid at the step C rate. Such employees shall advance to step D after completion of 800 hours of work in the second of two consecutive calendar years in which at least 800 hours at step C are worked; provided, however, that an employee whose service in calendar year 1976 was 800 hours or more shall advance to step D upon the completion of 800 hours in calendar year 1977.

For the purpose of this subdivision, service requirements must be fulfilled with the same appointing authority, at the same principal place of employment and performing similar work. Advancement to the next higher step shall be effective at the beginning of the first payroll period following completion of the service requirements.

Non-tenured laborers who are not on the payroll on July 6, 1977 but who have worked 800 hours or more in the 12 months immediately preceding July 6, 1977, and who return to work in the labor service prior to July 1, 1978 with the same appointing authority, at the same principal place of employment and to perform similar work, shall be paid at the rate which they would have received and advanced in pay in the same manner as if they had been on the payroll on July 6, 1977.

Tenured laborers whose employment relationship is severed and non-tenured laborers who in any calendar year fail to meet the service and hour requirements of this subdivision shall be subject to the hiring and advancement provisions of section 43.122, subdivision 5 if they are subsequently reappointed to the labor service.

Sec. 11. Minnesota Statutes 1976, Section 43.12, Subdivision 10, is amended to read:

Subd. 10. [COST OF LIVING ADJUSTMENT.] For each full four-tenths point increase in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of January, (1975) 1977, and October, (1975) 1977, new series index (1967=100), (ALL MONTHLY RATES OF PAY IN THE "A" AND SPECIAL TEACHER SALARY SCHEDULES SHALL BE INCREASED BY TWO-TENTHS OF ONE PERCENT, ROUNDED TO THE NEAREST DOLLAR AND) all (HOURLY) rates of pay in the "A", "B", (AND) "C", *special teacher, and labor service salary schedules shall be increased by one cent per hour.*

The increase, if any, in wages and salaries generated by this formula shall be effective January (7, 1976) 4, 1978, and shall continue in effect until July (7, 1976) 5, 1978.

A redetermination of the cost of living allowance shall be made (IN) for April, (1976) 1978. For each full four-tenths point increase in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics for the months of January, (1975) 1977, (THROUGH) and April, (1976) 1978, all (MONTHLY) rates of pay in the "A", (AND SPECIAL TEACHER SALARY SCHEDULES SHALL BE INCREASED BY TWO-TENTHS OF ONE PERCENT, ROUNDED TO THE NEAREST DOLLAR AND ALL HOURLY RATES IN THE) "B", (AND) "C", *special teacher, and labor service salary schedules shall be increased by one cent per hour. The increase, if any, in wages and salaries generated by this redetermination shall be effective July (7, 1976,) 5, 1978 (AND SHALL CONTINUE IN EFFECT UNTIL JANUARY 5, 1977).*

(A REDETERMINATION OF THE COST OF LIVING ALLOWANCE SHALL BE MADE IN OCTOBER, 1976. FOR EACH FULL FOUR-TENTHS POINT INCREASE IN THE CONSUMER PRICE INDEX FOR URBAN WAGE EARNER AND CLERICAL WORKERS FOR MINNEAPOLIS-ST. PAUL, AS PUBLISHED BY THE BUREAU OF LABOR STATISTICS FOR THE MONTHS OF JANUARY, 1975, THROUGH OCTOBER, 1976. ALL MONTHLY RATES OF PAY IN THE "A" AND SPECIAL TEACHER SALARY SCHEDULES SHALL BE INCREASED BY TWO-TENTHS OF ONE PERCENT, ROUNDED TO THE NEAREST DOLLAR AND ALL HOURLY RATES IN THE "B" AND "C" SALARY SCHEDULES SHALL BE INCREASED BY ONE CENT PER HOUR. THE INCREASE, IF ANY, IN WAGES AND SALARIES GENERATED BY THIS REDETERMINATION SHALL BE EFFECTIVE JANUARY 5, 1977.)

During periods when such cost of living allowance is in effect, it shall be added to the applicable basic hourly (AND MONTHLY) rates of pay of each employee, including those that are above the maximum step of their range, and treated as a part thereof in all calculations involving employees' pay. *Cost of living adjustments are not cumulative and allowances paid under an earlier determination shall cease when a re-determination takes effect.*

Sec. 12. Minnesota Statutes 1976, Section 43.12, Subdivision 14, is amended to read:

Subd. 14. Except (AS OTHERWISE PROVIDED IN THIS SECTION) *for classification reassignments effective July 6, 1977, no class will be reassigned to a higher salary range by the commissioner during the (1975-1977) 1977-1979 biennium.*

Sec. 13. Minnesota Statutes 1976, Section 43.12, Subdivision 16, is amended to read:

Subd. 16. Effective July 9, 1975, employees whose positions are assigned to classes in the A, B, C, *labor service*, and special teachers salary schedules working an assigned shift that begins before 6:00 a.m. or which ends on or after 7:00 p.m. shall receive a shift differential of 15 cents per hour for all hours worked on that shift in addition to their regular rate of pay. Such differential shall be included in all payroll computations for hours worked but shall not apply during periods of paid leave.

Employees working the regular day schedule who are required to work overtime or who are called back to work for special projects shall not be eligible for the shift differential.

Sec. 14. Minnesota Statutes 1976, Section 43.12, Subdivision 17, is amended to read:

Subd. 17. [SEVERANCE PAY.] Effective July 1, (1975) 1977, any (PERMANENT) employee who is separated from the state classified civil service by reason of death, mandatory retirement, (RETIREMENT UNDER A STATE RETIREMENT PROGRAM AFTER TEN YEARS OF STATE EMPLOYMENT,) or layoff, excluding seasonal layoffs, or who is separated after completing 20 years of state service, or who retires under a state retirement program after completing ten years of state service shall be entitled upon such separation, to pay in an amount equal to (30) 40 percent (, EXCEPT FOR COMMUNITY COLLEGE AND STATE UNIVERSITY SYSTEM FACULTY EMPLOYEES WHO SHALL RECEIVE 25 PERCENT) of the employee's (REGULAR) accumulated but unused sick leave balance at the time of separation. (EFFECTIVE JULY 1, 1976,) Severance pay (SHALL BE COMPUTED UPON 40 PERCENT, EXCEPT) for community college (AND) *system faculty employees and for state university system faculty employees (WHO) whose appointment and salary are based upon a nine month academic year shall (RECEIVE) be (30) 35 percent of the employee's (REGULAR) accumulated but unused sick leave balance. The provisions of this subdivision shall apply to unclassified employees in the same manner as they apply to employees in the classified civil service.*

Should any employee who has received severance pay be subsequently reappointed to state service, eligibility for future severance pay shall be computed upon the difference between the amount of accumulated but unused sick leave to the employee's credit at the time the employee was separated and the amount of accumulated but unused sick leave balance at the time of the employee's subsequent eligibility for severance pay.

The base for computing the severance pay provided for in this clause shall not exceed (800) 900 hours *except for community college and state university system faculty employees whose base shall not exceed 112 days*, nor shall said base include lapsed sick leave hours as defined by departmental rules and regulations.

Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate.

Sec. 15. Minnesota Statutes 1976, Section 43.12, Subdivision 18, is amended to read:

Subd. 18. The commissioner is hereby empowered to establish by rule an injured on duty compensation plan for certain classes of state employees in hazardous or dangerous classes of employment *and for special teachers employed by the departments of corrections and public welfare and by the department of education at the Minnesota School for the Deaf and the Minnesota Braille and Sight Saving School*. Said plan shall not be subject to the limitations contained in section 176.021, subdivision 5.

Sec. 16. Minnesota Statutes 1976, Section 43.121, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of this section, the commissioner may assign the classes of employment which require teaching in an established school program in the department of education and institutions of the state under the jurisdiction of the department of public welfare and the department of corrections to salary ranges, which he is hereby authorized to establish. Whenever the commissioner assigns classes of employment which require teaching in an established school program to any salary range which he is authorized to establish by this subdivision, he shall prepare schedules showing the salary ranges for each class, or group of positions in the class of positions assigned by him and he shall also prepare schedules showing entrance salaries and step increases based upon educational attainments and length of satisfactory service. The salary ranges shall include a minimum rate and not more than 12 additional step increases. In assigning ranges of salaries for positions in this category the commissioner shall give consideration to the salary schedules for teachers which are in effect in other units of government of the state. *The commissioner is authorized to establish a schedule of payment for assignments to extra-curricular activities which are in addition to the normal teaching schedule.*

The basic salary for institution educational administrators and supervisors shall be based upon the employee's qualifications and the appropriate academic level of the special teacher salary schedule. However, the commissioner is authorized to establish a percentage differential to compensate for administrative and supervisory responsibilities. Annual length of satisfactory service salary adjustments shall be awarded beginning with the

payroll period nearest the anniversary date of the special teacher's, institution educational supervisor's or institution educational administrator's original or promotional appointment to his present class, unless he is notified in writing by the appointing authority that his work has been of a less than satisfactory level.

Sec. 17. Minnesota Statutes 1976, Section 43.122, Subdivision 3, is amended to read:

Subd. 3. (a) Employees in classes assigned to the "A" salary schedule may receive a one step salary increase annually, at the beginning of the first full payroll period nearest their anniversary date, to the position rate in their salary range, provided performance is satisfactory as indicated by their appointing authority.

The position rate shall be as follows:

10 step salary range—6th step

9 step salary range—5th step

8 step salary range—5th step

7 step salary range—4th step

6 step salary range—4th step

5 step salary range—4th step

4 step salary range—3rd step

3 step salary range—3rd step

Beyond the position rate, employees may receive one step satisfactory performance increases biennially, at the beginning of the first full payroll period nearest their anniversary date, upon the recommendation of their appointing authority, up to and including the maximum rate of the salary range for their class.

No increases authorized by this subdivision shall be granted by the appointing authority until an appropriate employee evaluation program is filed with the commissioner. Authorized increases shall be recommended in the context of performance measured against specific performance standards or objectives.

Appointing authorities shall not recommend increases for those employees in this schedule who have not met, or only marginally attained, performance standards or objectives. Increases withheld may subsequently be granted by the appointing authority.

ty upon certification to the commissioner that the employee is achieving performance standards or objectives.

(b) Employees in classes assigned to the "C" salary schedule shall progress through the salary range for their class according to the following procedure:

Employees compensated at the first step in their salary range shall be advanced to the second step at the beginning of the first full payroll period nearest the completion of six calendar months of satisfactory service at the first step. Employees compensated at the second step in their salary range shall be advanced to the third step at the beginning of the first full payroll period nearest the completion of six calendar months of satisfactory service at the second step.

Employees compensated at or beyond the third step in their salary range shall advance to the next highest rate in their salary range at the beginning of the first full payroll period nearest completion of each subsequent 12 calendar months of satisfactory service until the maximum rate of pay is attained.

Employees compensated at the maximum step in their range or above shall receive no salary adjustments under the provisions of this subdivision.

(c) Appointing authorities may withhold increases authorized in clause (b). Those employees who will be denied an increase because of unsatisfactory service must be notified in writing. Increases withheld may subsequently be granted by the appointing authority upon certification to the commissioner that the employee has achieved a satisfactory level of performance.

Sec. 18. Minnesota Statutes 1976, Section 43.122, is amended by adding a subdivision to read:

Subd. 5. Employees who are hired after July 5, 1977, for positions assigned to the labor service shall be hired at step A. Such employees shall advance to step B after 800 hours of service within a calendar year; to step C after completion of 800 hours in the second of two consecutive calendar years in which at least 800 hours at step B are worked; and to step D after completion of 800 hours in the second of two consecutive calendar years in which at least 800 hours at step C are worked. Advancement to the next higher step shall be effective at the beginning of the first payroll period following completion of the service requirement. Service requirements must be fulfilled with the same appointing authority, at the same principal place of employment, and performing similar work. Tenured laborers whose employment relationship is severed and non-tenured laborers who fail to meet the service and hour requirements for advancement in any calendar year, shall be considered to be new employees for

purposes of this subdivision if they are subsequently reappointed to the labor service and shall be reappointed at step A.

Sec. 19. Minnesota Statutes 1976, Section 43.126, Subdivision 1, is amended to read:

43.126 [SPECIAL RATES OF PAY.] Subdivision 1. Notwithstanding the provisions of sections 43.12 and 43.121 to 43.123, the following salary ranges are established with annual salaries as shown:

| | | | | | |
|---------|------------|----------|----|------------|----------|
| Range A | (\$23,000) | \$29,000 | to | (\$32,000) | \$40,500 |
| Range B | (\$28,000) | \$35,500 | to | (\$38,000) | \$48,000 |
| Range C | (\$30,000) | \$40,000 | to | (\$45,000) | \$57,500 |

Sec. 20. Minnesota Statutes 1976, Section 43.42, is amended to read:

43.42 [INSURANCE BENEFITS INTENT.] It is the intent of sections 43.42 to 43.49 to provide certain state employees with basic life insurance, *basic dental insurance*, and basic health benefits coverage, including such basic health benefits coverage as the commissioner may make available from prepaid group practice plans, to be paid for by the state and to authorize an eligible state employee to enroll himself, and his dependents in such optional coverages as are made available therefor by the commissioner to be paid for by the employee through payroll deductions. Optional group coverages may include additional life insurance, auto insurance, disability insurance, dental insurance, legal insurance, homeowners insurance, and vision insurance.

Sec. 21. Minnesota Statutes 1976, Section 43.44, Subdivision 1, is amended to read:

43.44 [ENROLLMENT OF ELIGIBLE EMPLOYEES.] Subdivision 1. Every eligible employee meeting the requirements of subdivision 2 shall, at such time, in such manner, and under such conditions of eligibility as the commissioner may by regulation prescribe, be enrolled in the employee life insurance benefits coverage, the hospital benefits coverage, *the dental benefits coverage* and the medical benefits coverage. Such regulations shall be within the framework of intent as set forth in section 43.42.

Sec. 22. Minnesota Statutes 1976, Section 43.46, is amended to read:

43.46 [CONTRIBUTIONS BY STATE.] The total contribution by the state for each state employee under sections 43.42

to 43.49 shall be otherwise prescribed by law and which contribution shall be applied to provide basic hospital benefits, basic medical benefits, *basic dental benefits, an annual health evaluation and screening program* and basic life insurance of such amounts as may be determined from time to time by the commissioner.

Sec. 23. Minnesota Statutes 1976, Section 43.50, Subdivision 1, is amended to read:

43.50 [PAYMENT OF PREMIUMS.] Subdivision 1. Each department of the state government shall pay the amounts due for basic life insurance, *basic dental insurance*, and basic health benefits coverage authorized for eligible state employees as provided by this chapter. *Effective July 1, 1977, each department of the state government shall contribute up to \$58 per year toward the cost of the approved annual health evaluation and screening program for all eligible employees who elect to participate.* Additionally, and notwithstanding any law to the contrary, *effective the first day of the first payroll period commencing on or after July (9, 1975) 1, 1977, each department of the state government shall contribute (\$20) \$45 per month toward the cost of dependent hospital-medical insurance coverage premiums for their eligible employees who have eligible dependents. Effective the first day of the first payroll period commencing on or after July (7, 1976) 1, 1978, each department shall (CONTRIBUTE \$30 PER MONTH) pay the full cost for such dependent hospital-medical (THE) coverage and, for all eligible employees carrying dependent dental insurance coverage, shall contribute one-half the difference between single and family dental coverage per month except that no department shall pay an amount in excess of the contribution for dependent hospital-medical and dental coverage in effect on June 30, 1979.* To enable employees to receive benefit from this provision, open enrollment periods (DURING THE FULL MONTHS OF AUGUST, 1975) *from August 15 through September 30, 1977 and from August 15 through September 30, (1976) 1978, are established.* During open enrollment periods employees may enroll their dependents in *dental coverage and hospital-medical coverage without proof of insurability. Effective January 1, (1975) 1977, the state contribution of (\$10) \$30 per month shall apply to eligible members of the legislature who have eligible dependents. Effective January 1, (1977) 1979, the increased benefits provided in this section shall apply to eligible members of the legislature (WHO HAVE) and their eligible dependents.* Each of the departments shall pay such amounts from accounts and funds from which the department receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of salaries. Such sums of money as are necessary for such purposes are hereby appropriated to the departments from such account and funds in the state trea-

sury. In order to enable the commissioner of finance to maintain proper records covering the appropriations made by this section, he may require certifications in connection therewith as he may deem necessary from any state department whose employees receive benefits pursuant to this chapter. The accounts and funds referred to from which departments receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 24. Minnesota Statutes 1976, Chapter 43, is amended by adding a section to read:

[43.51] [DEATH BENEFIT FOR RETIRED EMPLOYEES.] *Employees who retire from state service on or after July 1, 1977, shall be entitled to a \$500 cash death benefit payable to a beneficiary designated by the employee, if, at the time of the employee's death, the employee is receiving an annuity under a state retirement program.*

Sec. 25. Minnesota Statutes 1976, Section 486.05, is amended to read:

486.05 [DISTRICT COURT REPORTERS' SALARIES.] The judge by an order filed with the county auditor on or before the second Monday in June, 1975, shall fix and establish the salary of the court reporter at an amount not exceeding (\$19,100) \$21,500 per year and, in such order, each judge (, EXCEPT THOSE JUDGES IN THE SECOND AND FOURTH JUDICIAL DISTRICTS,) shall apportion the salaries of the reporters in their respective districts among the several counties, and each county shall be required by such order to pay a specified amount thereof in monthly installments, which shall be such proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event a judge is temporarily transferred to hold court in some county other than in his judicial district then, and in that event, the said county shall pay that part of the monthly salary of the judge's reporter as that part of the month worked by said reporter in said county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses while absent from the city in which he resides in the discharge of his official duties, such expenses to be paid by the county for which the same were incurred upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such county, upon presentation of such approved statement, shall issue his warrant in payment thereof.

All laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties

are hereby repealed and superseded, except the manner of setting salary as hereinbefore set forth shall not apply to the second and fourth judicial districts.

Sec. 26. *The commissioner of public safety shall provide that criminal investigators receive a clothing allowance of \$100 per year in lieu of any other clothing allowance pursuant to section 299C.04.*

Sec. 27. [REVISOR'S INSTRUCTIONS.] *In respect to a collectively bargained contract with the state covering a period beginning on and after July 1, 1979, the revisor of statutes shall provide the chairpersons of the main policy committee in each body of the legislature charged with the responsibility of legislative oversight of state employee contract provisions and the legislative reference library with a copy of the contract showing additions and deletions from contract language in effect for the immediately preceding contract period. Where appropriate, the revisor shall consolidate provisions which are identical from contracts of two or more bargaining units.*

Sec. 28. Minnesota Statutes 1976, Section 16A.16, is amended to read:

16A.16 [DEPARTMENT HEAD EXPENSES.] *Heads of departments in the executive branch who receive a fixed salary of, or whose range midpoint is, (\$23,000) \$36,000 annually or more, and constitutional officers, are authorized to expend annually a sum not to exceed \$2,000; and the heads of all other state departments are authorized to expend a sum not to exceed \$1,000 annually from their supply and expense funds for expenses necessary for the normal performance of their duties for which no other reimbursement is provided. The expenditures are subject to the statutes and rules and regulations of the state governing budgeting, allotment and encumbrance, preaudit, and post audit.*

The commissioner of finance may promulgate rules and regulations as necessary to assure the proper expenditure of these funds, and to provide for reimbursement.

Sec. 29. *Notwithstanding any provision of chapter 43 to the contrary, the commissioner is authorized to establish, effective from July 6, 1977, to July 3, 1979, a one percent differential rounded to the nearest dollar for the classes crime laboratory analyst 1, crime laboratory analyst 2, crime laboratory analyst 3, and identification officer and a five percent differential rounded to the nearest dollar for employees assigned to the class chemist and employed in the bureau of criminal apprehension, department of public safety.*

Sec. 30. [REPEALER.] *Minnesota Statutes 1976, Sections 43.09, Subdivision 7, and 43.12, Subdivisions 4 and 9 are repealed.*

Sec. 31. [EFFECTIVE DATE.] *This act is effective the first day of the first payroll period commencing on or after July 1, 1977.*"

Further amend the title as follows:

Line 6, after "ranges;" insert "setting the salaries for court reporters;"

Line 8, after "Sections" insert "16A.16;"

Line 9, delete "11."

Line 14, delete "and".

Line 14, at the end of the line add "and 486.05;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 68, 757 and 1252 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 73, 311 and 1337 were read for the second time.

CALENDAR

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Moe moved that the name of Patton be added as an author on H. F. No. 1632. The motion prevailed.

Kroening moved that the name of Anderson, I., be stricken and the name of Battaglia be added as an author on H. F. No. 756. The motion prevailed.

Corbid moved that the name of Berg be stricken and the name of Abeln be added as an author on H. F. No. 748. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 1:00 p.m., Wednesday, May 18, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and Norton, as Speaker Pro Tempore, declared the House stands adjourned until 1:00 p.m., Wednesday, May 18, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

