

## STATE OF MINNESOTA

## SEVENTIETH SESSION - 1978

## SIXTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 2, 1978

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Abeln; Beauchamp; Dean; Heinitz; Kelly, W.; Nelson and Swanson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Erickson 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. 1394, 1424 and 1442 and S. F. Nos. 1612, 1613, 1614 and 1617 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

January 27, 1978

The Honorable Martin Sabo  
Speaker of the House

Dear Speaker Sabo:

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

H. F. No. 1500, A bill for an act relating to election; establishing the manner of filling United States Senate vacancies.

Sincerely,

RUDY PERPICH  
Governor

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

January 30, 1978

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 1978 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:

68th Day]

THURSDAY, FEBRUARY 2, 1978

4187

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1978	Date Filed 1978
	1500	456	January 27	January 27

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

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

S. F. No. 823, A bill for an act relating to mechanics liens; increasing the period in which notice must be given to the owner of improved real estate; amending the definition of owner; enlarging the circumstances in which notice is not required to be given; providing penalties; amending Minnesota Statutes 1976, Section 514.011, Subdivisions 2, 3 and 4.

Reported the same back with the following amendments:

Page 3, line 3, delete the new language and reinstate the stricken language.

Page 3, line 28, delete "including" and insert "but does consist of" and after "but" and before "not" insert "is".

Page 4, delete section 4.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 397, A bill for an act relating to the department of natural resources; providing conservation officers with the powers of peace officers; amending Minnesota Statutes 1976, Section 84.028, Subdivision 3.

Reported the same back with the following amendments:

Page 2, line 4, after "appropriate" insert "local".

Page 2, after line 10, add a new section to read:

"Sec. 2. Minnesota Statutes 1976, Section 169.01, Subdivision 5, is amended to read:

Subd. 5. [AUTHORIZED EMERGENCY VEHICLE.] "Authorized emergency vehicle" means any of the following vehicles when equipped and identified according to law: (1) A vehicle of a fire department; (2) a publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which he is responsible; (3) an ambulance, whether publicly or privately owned; (4) an emergency vehicle of a municipal department or a public service corporation, approved by the commissioner of public safety or the chief of police of a municipality; (5) any volunteer rescue squad operating pursuant to Laws 1959, Chapter 53; (6) *a vehicle of the enforcement division of the department of natural resources used in law enforcement.*"

Renumber the section that follows.

Further amend the title:

Page 1, line 5, delete "Section" and insert "Sections" and after "3" insert "; and 169.01, Subdivision 5".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1100, A bill for an act appropriating funds annually for WATS incoming lines to serve state offices.

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

The report was adopted.

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

H. F. No. 1103, A bill for an act relating to the operation of state government; centralizing the management and review of all state contracts in the office of the commissioner of administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Sections 15.061; 161.35; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Sections 4.19 and 16.10.

Reported the same back with the following amendments:

Page 1, line 14, delete “, PROFESSIONAL AND TECHNICAL”.

Page 1, line 17, strike “use salary appropriations to”.

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

Page 1, delete line 24.

Page 2, delete lines 1 to 17, and insert:

“[16.098] [CONTRACT MANAGEMENT AND REVIEW.]  
Subdivision 1. [DEFINITIONS.] For the purposes of this section:

(1) “Commissioner” means the commissioner of administration.

(2) “State contract” means any written instrument containing the elements of offer, acceptance and consideration to which a state agency is a party.

(3) “Agency” means any state officer, employee, board, commission, bureau, division or department.

(4) “Consultant services” means professional or technical advice or opinions which may include evaluations, recommended actions, predictions, planning and will produce a report.

(5) “Professional and technical services” means services which result in the completion of a task rather than recommendation, evaluation or analysis.

Subd. 2. [DUTIES OF COMMISSIONER.] The commissioner shall perform all contract management and review functions for state contracts, excepting those functions presently performed by the contracting agency, the attorney general and the commissioner of finance. In so doing, the commissioner shall establish the manner and form in which all state contracts shall be prepared and processed and shall examine and approve or disapprove all state contracts as to content, purpose, propriety and budget ramifications. No agency shall implement a state contract without receiving the prior approval of the commissioner pursuant to this subdivision. All agencies shall afford full cooperation to the commissioner in the management and review of state contracts.

Subd. 3. To approve a proposed state contract for consultant services or professional and technical services the commissioner must determine at least that:

(1) *the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities;*

(2) *the work cannot be performed adequately by personnel currently employed by the state;*

(3) *the contracting agency has sufficiently specified the work tasks to be performed and time periods for their completion; and*

(4) *the contracting agency has specified a satisfactory method of evaluating and utilizing the results of the work to be performed.*

*Subd. 4. [CONTRACT ADMINISTRATION.] Upon entering into a state contract, an agency shall bear full responsibility for the diligent administration and monitoring of such contract. The commissioner may require an agency to report to him at any time on the status of an outstanding state contract to which the agency is a party."*

Page 2, line 18, delete "of".

Page 2, line 19, delete "administration".

Page 2, line 19, after "his" insert "contract management and".

Page 2, line 20, delete "subordinate" and insert "person".

Page 2, line 20, after "in" insert "either".

Page 2, line 21, delete "and" and insert "or".

Page 2, line 21, delete "board or department".

Page 2, line 22, delete "state body" and insert "agency".

Page 2, line 24, after "shall" insert "not".

Page 2, line 24, delete "in no event" and insert "except with respect to delegations within the department of administration".

Page 2, line 26, delete "of".

Page 2, line 27, delete "administration".

Page 2, line 27, delete "promulgate" and insert "adopt".

Page 2, line 28, delete "with respect to" and insert "regarding".

Page 2, delete lines 30 to 32.

Page 3, delete lines 1 to 23.

Page 3, line 25, after "*valid*" insert "*, nor shall the state be bound by same*".

Page 3, line 25, after "*been*" insert "*approved and*".

Page 3, line 26, delete "*of administration*".

Page 3, line 26, delete the comma.

Page 3, delete line 27 and insert "*pursuant to this*".

Page 3, line 28, delete the comma.

Re-number the subdivisions in order.

Page 4, line 2, strike "*employ and engage*" and insert "*contract for*".

Page 4, line 4, strike "*, to act as consultants*".

Page 4, line 5, strike "*in connection with and*".

Page 4, line 17, strike "*consultants*" and insert "*contractors*".

Page 4, line 20, delete "*Sections 4.19 and*" and insert "*Section*".

Page 4, line 21, delete "*are*" and insert "*is*".

Further amend the title:

Page 1, line 9, delete "*Sections 4.19 and*" and insert "*Section*".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1522, A bill for an act relating to the state council for the handicapped; authorizing appeals by the council from state building code decisions affecting the interests of handicapped persons; granting the council authority to promulgate rules governing display of the international symbol of accessibility; authorizing the council to initiate or intervene in proceedings affecting handicapped persons; amending Minnesota Statutes 1976, Sections 256.482, Subdivision 5, and by adding subdivisions; 299G.12; and Chapter 16, by adding a section.

Reported the same back with the following amendments:

Page 2, line 1, after "code" insert "or any rules".

Page 2, after line 13, insert a new section to read:

"Sec. 2. Minnesota Statutes 1976, Chapter 16, is amended by adding a section to read:

[16.8632] [SYMBOL INDICATING ACCESSIBILITY.]  
*Subdivision 1. [STATEMENT OF POLICY AND PURPOSE.] The legislature finds that there is an urgent need to adopt an internationally accepted symbol to indicate buildings, facilities and grounds which are accessible to and usable by persons with disabilities, that a symbol of accessibility has been adopted by Rehabilitation International's Eleventh World Congress, and that this symbol is universally recognized by persons with disabilities.*

*Subd. 2. [ADOPTION AND DISPLAY OF SYMBOL.] The symbol adopted by Rehabilitation International's Eleventh World Congress shall be the state symbol indicating buildings, facilities and grounds which are accessible to and usable by persons with disabilities. In the interests of uniformity, this symbol in its white on blue format shall be the sole symbol for display in or on all public or private buildings, facilities and grounds which qualify for its use. The secretary of state shall obtain and keep on file the symbol. No building, facility or grounds shall display the symbol unless it is in compliance with the rules promulgated by the commissioner of administration as provided for by subdivision 3.*

*Subd. 3. [RULES GOVERNING DISPLAY OF SYMBOL.] The commissioner of administration shall promulgate rules to govern display of the state symbol of accessibility. Before the rules are proposed for adoption the commissioner shall consult with the state council for the handicapped.*

*The rules shall be enforced in the same manner as provisions of the state building code, but shall be applicable to all buildings, facilities or grounds in the state.*

*The commissioner shall implement this subdivision so that the rules required by this subdivision are effective no later than December 31, 1978."*

Page 3, delete lines 14 and 15.

Renumber the remaining clause.

Page 3, delete lines 21 to 29.



Page 4, line 3, delete "(9)" and insert "(8)".

Page 4, line 5, delete "At least seven days notice that the".

Page 4, delete line 6.

Page 4, line 7, delete "register".

Pages 4 and 5, delete all of section 5.

Page 5, after line 17, add new sections to read:

"Sec. 5. *Minnesota Statutes 1976, Section 299G.12, is repealed.*

Sec. 6. *This act shall be effective the day following final enactment.*"

Renumber the sections in order.

Amend the title as follows:

Page 1, line 10, delete "Sections" and insert "Section".

Page 1, line 12, delete "subdivisions; 299G.12" and insert "a subdivision".

Page 1, line 12, delete "a".

Page 1, line 13, delete "section" and insert "sections; repealing Minnesota Statutes 1976, Section 299G.12".

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

The report was adopted.

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

H. F. No. 1736, A bill for an act relating to state buildings; concerning the handicapped; requiring state buildings and situses for state meetings to be accessible to the handicapped.

Reported the same back with the following amendments:

Page 2, line 6, before "Space" insert "On or before July 1, 1982, all".

Page 2, line 6, after "Space" insert "of 1000 square feet or more".

Page 2, line 9, after the period, add a sentence: "Exceptions may be granted by the commissioner of administration."

Page 2, line 10, before "Meetings" insert "Public".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1761, A bill for an act relating to the state; authorizing the sale of certain state lands to, and the development of that land for industrial purposes or purposes which the city deems compatible with adjacent land by, the city of Owatonna; amending Laws 1965, Chapter 216, Section 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Laws 1965, Chapter 216, Section 2, as amended by Laws 1967, Chapter 423, Section 1, and Laws 1975, Chapter 251, Section 1, is amended to read:

Sec. 2. [CONVEYANCE OF STATE LANDS; OWATONNA, CITY OF; INDUSTRIAL DEVELOPMENT.] At the request of the governing body of the city of Owatonna *the governor upon recommendation of the commissioner of administration* may sell only to the city of Owatonna all or any part or parts of the lands described in section 1 *which lie west of interstate highway marked I-35* for industrial or governmental purposes. *At the request of the governing body of the city of Owatonna, the governor may sell only to the city of Owatonna all or any part or parts of the lands described in section 1 which lie east of interstate highway marked I-35 for purposes which the city of Owatonna shall deem compatible with adjacent lands lying east and south thereof.* The sale price shall be the value certified by the commissioner of administration upon the submission of three independent appraisals made by competent appraisers selected by him, one of whom shall be a resident of Steele county. This price shall represent fair market value at the time of the sale. All sales by the city of Owatonna of lands so conveyed by the state of Minnesota shall be at the same price paid to the state of Minnesota for said land, except that, in selling such lands, the city may add to the price paid the state the cost of any improvements made to said lands by the city.

Each sale of all or any part or parts of the lands described in section 1 shall be for cash and the commissioner of adminis-

tration shall recommend to the governor the execution of the deed when the property sold is paid for. The attorney general shall prescribe and approve the form of each deed.

Sec. 2. *This act shall become effective only after its approval by a majority of the governing body of the city of Owatonna and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*"

Further, amend the title as follows:

Page 1, line 7, after "2" insert ", as amended".

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

The report was adopted.

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

H. F. No. 1824, A bill for an act relating to health; providing for review of certain health care planning; requiring certificates of need for construction or modifications of certain health care facilities and services; amending Minnesota Statutes 1976, Sections 145.71, Subdivision 1; 145.72; 145.73; 145.74; 145.75; 145.751; 145.76, Subdivisions 1 and 2; 145.761; 145.77; 145.78; 145.79; 145.80; 145.83; and Chapter 145, by adding sections.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 145.71, Subdivision 1, is amended to read:

145.71 [PURPOSE; CITATION.] Subdivision 1. The legislature finds that the unnecessary construction or modification of health care facilities *is one of the factors which* increases the cost of care and threatens the financial ability of the public to obtain necessary medical services. The purposes of sections 145.71 to 145.83 are (TO PROMOTE):

(a) *To reduce the escalation of health care costs by promoting comprehensive health planning;*

(b) *To assist in providing the highest quality of health care at the lowest possible cost by encouraging the development of alternative methods of providing health care such as health maintenance organizations; (TO AVOID UNNECESSARY DUPLICATION)*

(c) *To bring the supply of hospital and long term care facilities into reasonable balance with the need for such facilities*

by ensuring that only those health care facilities which are needed will be built;

(d) *To stimulate the development of out-patient and non-institutional health care services and facilities which may result in a reassessment of the need for hospital or nursing home facilities; and*

(e) *To provide an orderly method of resolving questions concerning the necessity of construction or modification of health care facilities, home health agencies, and health maintenance organizations.*

It is the policy of sections 145.71 to 145.83 that decisions regarding the construction or modification of health care facilities, home health agencies, and health maintenance organizations should be based on the maximum possible participation on the local level by consumers of health care and elected officials, as well as the providers directly concerned.

Sec. 2. Minnesota Statutes 1976, Section 145.72, is amended to read:

145.72 [DEFINITIONS.] Subdivision 1. As used in sections 145.71 to 145.83, unless the context otherwise requires the terms defined in this section have the meaning ascribed to them.

Subd. 2. "Health care facility" means any facility licensed under sections 144.50 to 144.56, or any nursing home licensed under section 144A.02; but does not include any facility licensed under sections (245.78) 245.781 to (245.821,) 245.813 or 252.28, (OR 257.081 TO 257.124) unless the facility is a vendor of medical care under section 256B.02 and is certified as an intermediate care facility for the mentally retarded or is operated by the commissioner of public welfare as a state hospital. "Health care facility" also includes any facility in which services are provided primarily for the treatment of kidney diseases.

Subd. 3. "Health service" means any service center utilized by a health care facility, a home health agency or a health maintenance organization for its accounting purposes. This service center shall conform to definitions of service centers recognized by generally accepted accounting principles and shall conform to the service center definitions utilized in reports of the facility, agency, or organization to any other state agency or program. Nothing in this definition shall be construed to authorize the commissioner of health to establish uniform accounting or reporting requirements.

Subd. (3) 4. "Construction or modification" means (THE):

(a) *Any erection, building, alteration, reconstruction, modernization, improvement, extension, lease or other acquisition, or any purchase, lease or other acquisition of diagnostic or therapeutic equipment, by or on behalf of a health care facility, INVOLVING AN EXPENDITURE WHICH, UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES, IS NOT PROPERLY CHARGEABLE AS AN EXPENSE OF OPERATION AND MAINTENANCE AND) which:*

(1) *Requires or would require if purchased a total capital expenditure in excess of (\$100,000) \$150,000, and which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance; or*

(2) **(EXPANDS OR EXTENDS THE SCOPE OR TYPE OF SERVICE RENDERED AND REQUIRES A CAPITAL EXPENDITURE IN EXCESS OF \$50,000; OR)**

(3) **INCREASES THE BED COMPLEMENT OF THE FACILITY AND REQUIRES A CAPITAL EXPENDITURE IN EXCESS OF \$50,000.)** *Changes, by more than five beds or five percent, whichever is less over any contiguous two year time period:*

(i) *The bed complement of the facility; or*

(ii) *The distribution of the bed complement among licensing categories, levels of certification or sites;*

(b) *Any expansion or extension of the scope or type of service rendered and requires a capital expenditure in excess of \$75,000;*

(c) *The establishment of a new health care facility, new health maintenance organization, or new home health agency; or, any predevelopment activity by or on behalf of a health care facility, home health agency or health maintenance organization which may result in a proposal reviewable according to sections 145.71 to 145.83;*

(d) *Any establishment of a new institutional health service by a health care facility, a home health agency or a health maintenance organization which is to be offered in or through a health care facility, a home health agency or a health maintenance organization and which was not offered on a regular basis in or through that facility, agency, or organization within the 12 month period prior to the time when that service is intended to be offered;*

**(“CONSTRUCTION OR MODIFICATION” ALSO MEANS)**  
(e) *The purchase, lease, or other acquisition of diagnostic or*

therapeutic equipment by a licensed medical doctor or osteopath, a group of licensed medical doctors or osteopaths, or a professional corporation of licensed medical doctors or osteopaths organized pursuant to chapter 319A, which

(1) requires or would require if purchased a capital expenditure in excess of (\$100,000) \$150,000 for any one item of equipment (OR \$200,000 FOR TWO OR MORE ITEMS OF EQUIPMENT;) and

(2) is determined by the state board of health to be designed to circumvent the provisions of sections 145.71 to 145.83; or

(f) Any erection, building, alteration, reconstruction, modernization, improvement, extension, lease or acquisition of buildings or facilities, required to be licensed as health care facilities, by or on behalf of a health maintenance organization or home health agency which requires, or would require if purchased, a total capital expenditure in excess of \$150,000, which under generally accepted accounting principles is not properly chargeable as an expense of operation and maintenance; or, any purchase, lease, or other acquisition of diagnostic or therapeutic equipment by or on behalf of a health maintenance organization or home health agency which requires, or would require if purchased, a capital expenditure in excess of \$150,000 for any one item of equipment.

Subd. (4) 5. "Certificate of need" means a certificate issued in accordance with sections 145.71 to 145.83.

Subd. (5) 6. "(AREA WIDE COMPREHENSIVE HEALTH PLANNING) Health systems agency" means an agency (ESTABLISHED TO MEET THE REQUIREMENTS OF THE PARTNERSHIP FOR HEALTH ACT, P.L.89-749, AS AMENDED, AND DESIGNATED AS SUCH BY THE MINNESOTA STATE PLANNING AGENCY, OR A SUCCESSOR AGENCY) designated pursuant to the National Health Planning and Resources Development Act, (P.L.93-641) 42 U.S.C., Section 300k; provided that in the metropolitan area the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency shall be the metropolitan council, if it has appointed a health board to advise it meeting the requirements of section 145.74.

Subd. (6) 7. "Consumer" means any person other than a person:

(a) Whose occupation involves, or before his retirement involved, the administration of health activities or the providing of health services(,) within the 24 months previous to appointment;

(b) Who is, or ever was, employed by a health care facility within the 24 months previous to appointment, as a licensed professional(,) ; or

(c) Who has, or ever had, a material financial interest in the rendering of health service *within the 24 months previous to appointment.*

*Subd. 8. "Health maintenance organization" has the meaning given that term in section 62D.02, subdivision 4.*

*Subd. 9. "Home health agency" means a person or a public or private organization primarily engaged in the provision of skilled nursing services and other therapeutic services on a part time or intermittent visiting basis in the patient's place of residence. Therapeutic services may include physical, occupational, or speech therapy services, home health aid-homemaker services, medical social services, and nutrition counseling services.*

*Subd. 10. "Predevelopment activity" means any activity by or on behalf of a health care facility, home health agency or health maintenance organization which occurs in preparation for the offering or development of a new institutional health service if the predevelopment activity would require an expenditure in excess of \$150,000 if the predevelopment activity involves any arrangement or commitment for financing the offering or development of a new institutional health service.*

*Subd. 11. "Health service areas" means those areas established pursuant to 42 U.S.C., Section 3001.*

*Subd. 12. "Health systems plan" means the plan developed by the health systems agency pursuant to the requirements of 42 U.S.C., Section 3001-2.*

*Subd. 13. "Annual implementation plan" means the plan developed annually by the health systems agency pursuant to the requirements of 42 U.S.C., Section 3001-2 which relate to the implementation of the health systems plan.*

Sec. 3. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.725] [CONSOLIDATION.] *The commissioner of health shall present proposed legislation and rules to the legislature by January 1, 1980 which shall combine the Minnesota hospital rate review system authorized by sections 144.695 to 144.703, the certificate of need program authorized by sections 145.71 to 145.83, and the licensing programs authorized by sections 144.50 to 144.58 and sections 144A.01 to 144A.29 into one functional administrative program. The result of this proposal shall be a study which shall address the feasibility of establishing one law and one set of administrative rules which rely on one basic set of reports from regulated entities and which provides for one administrative point within the Minnesota health department to which all regulated entities may relate.*

Sec. 4. Minnesota Statutes 1976, Section 145.73, is amended to read:

145.73 [COMMENCEMENT OF CONSTRUCTION.] No construction or modification of *or by a health care facility, home health agency or health maintenance organization*, whether public, non-profit, or proprietary, shall be commenced unless a certificate of need has been issued therefor in accordance with sections 145.71 to 145.83. *The commissioner of health shall promulgate rules to define the commencement of a construction or a modification.*

Sec. 5. Minnesota Statutes 1976, Section 145.74, is amended to read:

145.74 [HEALTH PLANNING AGENCIES; MEMBERSHIP REGULATIONS.] The (STATE PLANNING AGENCY) *commissioner of health* shall, subject to chapter 15, after consulting with the (STATE BOARD OF HEALTH) *state planning agency* promulgate (REGULATIONS) *rules* concerning the membership of (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems agencies*. The (REGULATIONS) *rules* shall include, but not be limited to, the following factors. The (REGULATIONS) *rules* shall:

(1) Comply with the provisions of (THE PARTNERSHIP FOR HEALTH ACT, P.L.89-749, AS AMENDED, AND WITH) the National Health Planning and Resources Development Act, (P.L.93-641) *42 U.S.C., Section 300k*;

(2) Provide that a majority of the membership be composed of consumers;

(3) Provide for representation of hospital and nursing home providers;

(4) *Provide for representation of health maintenance organizations in those health service areas where they exist;*

(5) *Provide for representation of home health agencies;*

(6) *Provide for representation of community health service agencies;*

(7) Provide for representation of licensed medical doctors and other health professionals;

((5)) (8) Provide for a fixed term of membership; and

((6)) (9) Provide that members of (AN AREA WIDE COMPREHENSIVE HEALTH PLANNING) *a health systems agency* shall not select their successors.



No existing (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency shall exercise the functions provided in sections 145.71 to 145.83 until it is in compliance with (REGULATIONS) *rules* issued pursuant to this section.

If there is no (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency in a designated area of the state in compliance with sections 145.71 to 145.83, the Minnesota state planning agency shall perform the functions and duties of (AN AREA WIDE COMPREHENSIVE HEALTH PLANNING) *a health systems* agency for that area.

Sec. 6. Minnesota Statutes 1976, Section 145.75, is amended to read:

145.75 [HEALTH PLANNING AGENCIES; REGULATION OF DUTIES.] The (STATE PLANNING AGENCY) *commissioner of health*, in accordance with chapter 15, shall, after consulting with (THE AREA WIDE COMPREHENSIVE HEALTH PLANNING AGENCIES AND THE STATE BOARD OF HEALTH, MAKE REGULATIONS TO GUIDE THE AREA WIDE COMPREHENSIVE HEALTH PLANNING) *the state planning agency*, promulgate *rules governing the health systems agencies in the performance of their duties*. The (REGULATIONS) *rules* shall provide for the consideration of at least the following factors:

(a) The need for health care facilities and services and *home health agencies and services* in the area and the requirements of the population of the area;

(b) Maximum and minimum hospital and nursing home bed ratios or *maximum and minimum units of service per 1,000 inhabitants of the area or other appropriate indicators of the availability of care in the area*, subject to differences in requirements of the various designated areas;

(c) The possible economies and improvement in service that may be derived from operation of joint, cooperative, or shared health care resources;

(d) The relationship of proposed construction or modification to overall plans for the development of the area;

(e) *The special needs of medical teaching and research facilities, and referral hospitals;*

(f) *The special requirements of health maintenance organizations to meet the health care needs of their present and future subscribers as distinct from the needs of the general public;*

(g) The availability and adequacy of the area's existing hospitals and nursing homes currently conforming to state and federal standards; (AND)

((F)) (h) The availability and adequacy of other health services in the area such as out-patient, ambulatory or home care service, or services provided by community health services agencies, which may serve as alternates or substitutes for the whole or any part of the service to be provided by any proposed health care facility construction or modification;

(i) The financial impact of the proposed construction or modification on health care costs in the area to be served; and

(j) The health care facility, home health agency or health maintenance organization's compliance with state and federal standards.

The fact that a health care facility, home health agency or health maintenance organization serves more than a local area constituency or population or is engaged in educational or research activities shall be taken into consideration in the decision making process with respect to any proposal.

Sec. 7. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.753] [PROPOSALS; REVIEW.] *Subdivision 1. Except as otherwise provided in this section, a health systems agency may require that proposals be submitted for review only during specific review periods established by the agency. The health systems agency shall provide public notice throughout the health service area regarding review periods and the associated dates for submissions of proposals. Review periods may be established by the health systems agency according to category of facility, service or equipment. The health systems agency may establish additional review periods per year, per category, if the health systems agency determines that the resources of the agency are inadequate to review in a timely manner the volume of proposals anticipated for the category in question.*

*Subd. 2. The provisions of section 145.78 shall apply to all proposals reviewed pursuant to subdivision 1.*

*Subd. 3. The following types of proposals may be submitted for review at any time and may receive expedited review in accordance with procedures established pursuant to section 145.78:*

(a) *Proposals involving the replacement of existing facilities, services, or equipment which do not exceed \$500,000 and do not alter the type or scope of the services offered;*

(b) *Proposals necessary to repair damage caused by fire or other natural disaster which do not qualify as emergency proposals pursuant to section 145.761;*

(c) *Proposals which the commissioner of health determines to be of such importance that delay would be hazardous to the public health of the community;*

(d) *Proposals which pertain to the delivery of out-patient and non-institutional patient care such as those from health maintenance organizations or home health agencies; and*

(e) *Proposals which pertain to amendments to unexpired certificates of need.*

*Subd. 4. Health systems agencies which establish specific review periods shall provide technical assistance to health care facilities, home health agencies, health maintenance organizations or other persons required to obtain certificate of need pursuant to sections 145.71 to 145.83 upon request.*

Sec. 8. Minnesota Statutes 1976, Section 145.751, is amended to read:

145.751 [COMPREHENSIVE STUDY.] *The state planning agency and the (AREAWIDE COMPREHENSIVE HEALTH PLANNING AGENCY) health systems agencies shall conduct (A) comprehensive (STUDY IN ITS JURISDICTION) studies to:*

(a) *Determine the needs for health care services or facilities which are not met by existing services or facilities;*

(b) *Identify health care services and facilities which are duplicative; (AND)*

(c) *Develop guidelines for the sharing of costly technical equipment, technical staff and services by health care facilities; and*

(d) *Evaluate the extent to which any unused capacity in health care facilities may be excessive and the impact of reducing any excess capacity upon employment, debt retirement, alternative sources of care, accessibility to care, and the cost and quality of care. These evaluations shall also address any alternate uses which may be made of any unused capacity determined to be excessive.*

*The (AREAWIDE COMPREHENSIVE HEALTH) state planning agency and health systems agencies shall annually review and amend the conclusions of the (STUDY) studies, and shall report the findings of these studies to the governor and the legislature annually in accordance with section 3.195.*

Sec. 9. Minnesota Statutes 1976, Section 145.76, Subdivision 1, is amended to read:

145.76 [PROCEDURE PRIOR TO PROPOSAL.] Subdivision 1. Except as provided in subdivision 2, no health care facility, *home health agency, health maintenance organization, or person, group, corporation or association* intending to embark upon a program of construction or modification of a health care facility, *home health agency or health maintenance organization*, shall engage architectural, professional consultation, *other predevelopment activities*, or fund raising services with respect to (THE PROJECT) *construction or modification* until it has notified the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency of its intention to engage such services or activities. The notice shall state simply the nature of the architectural, professional consultation, *other predevelopment activities*, or fund raising services to be engaged and the nature of the construction or modification contemplated. Upon receipt of notice under this section, the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency shall promptly notify the (STATE BOARD) *commissioner* of health and the state planning agency. Any person (SUBMITTING A NOTICE) *directly affected by a proposal* may, at the time of submission of the notice to the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency, request a written determination by the (STATE BOARD) *commissioner* of health as to whether the (PROJECT) *construction or modification* is subject to the provisions of sections 145.71 to 145.83 and whether a proposal must be submitted. Upon receipt of a request, the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency shall within ten days notify the (STATE BOARD) *commissioner* of health and the state planning agency for the purpose of determining whether a proposal is required to be submitted. The applicant shall be notified by the (STATE BOARD) *commissioner* of health of the determination in writing not later than (60) *30* days after the (REQUEST IS SUBMITTED TO) *receipt of the request* from the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency. No (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency shall be required to accept or act upon a proposal if the notice required by this section has not been given. Nothing in this section shall be construed to limit in any way the right to engage architectural, professional consultation, *other predevelopment activities*, or fund raising services *except as provided by section 145.72, subdivision 3.*

Sec. 10. Minnesota Statutes 1976, Section 145.76, Subdivision 2, is amended to read:

Subd. 2. A licensed medical doctor, a group of licensed medical doctors, or a professional corporation of licensed medical doctors proposing to purchase or acquire one or more items of diagnostic or therapeutic equipment which require capital expenditure in excess of (\$100,000) *\$150,000* for a single item (OR

\$200,000 FOR TWO OR MORE ITEMS) shall, prior to purchasing or acquiring the equipment, notify the *health systems agency and the commissioner* (AREA WIDE COMPREHENSIVE HEALTH PLANNING AGENCY AND THE STATE BOARD) of health of the proposed acquisition or purchase. *The commissioner of health shall, within 30 days* (THE STATE BOARD OF HEALTH SHALL, WITHIN 60 DAYS) of receipt of the notice, determine whether or not the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83. A hearing shall be held if requested by the applicant or the *health systems agency. The commissioner of health* (AREA WIDE COMPREHENSIVE HEALTH PLANNING AGENCY. THE BOARD OF HEALTH) shall notify the applicant and the *health systems* (AREA WIDE COMPREHENSIVE HEALTH PLANNING) agency in writing of (ITS) *his* determination. If (THE STATE BOARD) *the commissioner* of health determines that the proposed acquisition or purchase is not designed to circumvent the provisions of sections 145.71 to 145.83, no certificate of need shall be required of the applicant. If the (STATE BOARD) *commissioner* of health determines that the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83, the applicant must obtain a certificate of need.

Sec. 11. Minnesota Statutes 1976, Section 145.761, is amended to read:

145.761 [WAIVER.] *Subdivision 1.* [CRITERIA.] A proposal meeting the requirements of section 145.72, subdivision 3, (CLAUSE (1)) may be granted a waiver from the requirements of section 145.73 by the (STATE BOARD) *commissioner* of health if, *based on the recommendation of the health systems agency*, the (BOARD) *commissioner* determines that:

(a) The proposed capital expenditure is less than three percent of the annual operating budget of the facility, *home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83* applying for a waiver, and the expenditure is required solely to meet mandatory federal or state (LIFE, SAFETY OR) *requirements of law* (OTHER CODES); or

(b) The proposal (INVOLVES) is (PROJECTS) not related to direct patient care services, such as parking lots, sprinkler systems, heating or air conditioning equipment, fire doors, food service equipment, building maintenance, or other (PROJECTS) *constructions or modifications* of a like nature.

*The commissioner of health, after consultation with the state planning agency and the health systems agencies, may by rule provide for the granting of waivers under other situations the commissioner of health deems appropriate and not inconsistent with sections 145.71 to 145.83 and 42 U.S.C., Section 300k, et seq.*

The request for a waiver shall be submitted by the applicant to the (STATE BOARD) *commissioner* of health at the same time the applicant submits a notice of intent to the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency pursuant to section 145.76, subdivision 1. The (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency shall submit its recommendation on the issue of the waiver to the (STATE BOARD) *commissioner* of health, but the recommendation shall not be binding on the (STATE BOARD) *commissioner* of health. The (STATE BOARD) *commissioner* of health shall notify the applicant and the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency of (ITS) *the* decision to grant or deny the waiver within 60 days of receipt of the request.

*Subd. 2. [EMERGENCY WAIVERS.] An emergency waiver may be granted by the commissioner to a requesting health care facility, home health agency or health maintenance organization when damage from fire or other disaster necessitates repair in order to protect the life or safety of patients or residents. The commissioner of health and the health systems agencies shall establish procedures to expedite waivers under these conditions.*

Sec. 12. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.763] [EXPEDITED REVIEWS.] *Subdivision 1. [ELIGIBILITY STANDARDS.] To the extent that it is practicable and after consultation with the health systems agencies, the commissioner of health shall establish by rule a process which may expedite the review of proposals for certificates of need in the following categories:*

(a) *Proposals from health care facilities which are demonstrated to be contained in and consistent with a current and approved long term plan, as required pursuant to 42 U.S.C., Section 300k, et seq., of that health care facility;*

(b) *Proposals from health care facilities, home health agencies or health maintenance organizations which are renewals of expired certificates of need for which the health care facility, home health agency or the health maintenance organization demonstrates to the health systems agency that there has been no material change in circumstances;*

(c) *Proposals which pertain to the delivery of out-patient or non-institutional health care services;*

(d) *Proposals which pertain to the extension or expansion of non-clinically related services;*

(e) *Proposals which pertain to diagnostic and therapeutic equipment subject to section 145.76, subdivision 2;*

(f) *Other proposals which the commissioner of health determines, by rule, may qualify for an expedited review.*

**Subd. 2. [EXPEDITED PROCESS REQUIREMENTS.]** *An expedited review process shall be consistent with the requirements of section 145.78 except that:*

(a) *The submitting health care facility, home health agency or health maintenance organization may be held responsible for notifying all persons directly affected by a proposal being submitted for an expedited review and for soliciting any adverse comments concerning the proposal;*

(b) *The public hearing on the proposal may be waived if, after a reasonable period of time, no requests for a public hearing has been received by the health systems agency from any persons directly affected by the proposal; and*

(c) *A health systems agency shall make its recommendations to the commissioner of health within 45 days of the proposal being determined to be complete.*

**Subd. 3. [INELIGIBILITY; PUBLIC HEARING REQUESTS.]** *If a request for a public hearing is received within a reasonable period of time by the health systems agency from a person directly affected by a proposal, the health systems agency shall declare the proposal ineligible for expedited review and shall treat the proposal as a regular proposal for a certificate of need pursuant to section 145.78.*

**Sec. 13.** Minnesota Statutes 1976, Section 145.77, is amended to read:

**145.77 [CONTENT OF PROPOSALS.]** *Subdivision 1. Except as provided by subdivision 2, each proposal shall contain information concerning, but not limited to, the following:*

- (a) *The geographic area likely to be served;*
- (b) *The population likely to be served;*
- (c) *The reasonably anticipated need for the facility or service to be provided by the proposal;*
- (d) *A description of the construction or modification in reasonable detail, including:*

- (1) *The capital expenditures contemplated; and*

(2) The estimated annual operating cost, including the anticipated salary cost and numbers of new staff necessitated by the proposal for at least the first five years of the proposed project's operation;

(e) The anticipated effect of the proposal on the per day and per admission, per capita, or per outpatient visit cost charged by an existing health care facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 and the general financial solvency of the facility, home health agency or health maintenance organization;

(f) So far as is known, existing institutions within the area to be served that offer the same or similar service; the extent of utilization of existing facilities or services; and the anticipated effect that the proposal will have on existing facilities and services;

(g) The anticipated benefit to the area that will result from the proposal;

(h) So far as is known, the relationship of the proposed construction or modification to any priorities which have been established for the area to be served; and

(i) The availability and manner of financing of the proposed construction or modification, and the estimated date of commencement and completion of the (PROJECT) construction or modification.

*Subd. 2. The commissioner may require less information than that required by subdivision 1 for proposals which are eligible for expedited reviews.*

Sec. 14. Minnesota Statutes 1976, Section 145.78, is amended to read:

145.78 [PROPOSAL PROCEDURE.] *Subdivision 1. Proposals for (HEALTH CARE FACILITY) construction or modification shall be made to the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency serving the area in which the proposed construction or modification is to take place. Prior to acting on the proposal and within ten days of receipt, the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency shall send a copy to the (STATE BOARD) commissioner of health and to the state planning agency with a recommendation that the proposal be considered either complete or incomplete. The commissioner of health shall determine that the proposal is complete or incomplete within ten days of receipt of a recommendation from a*



*health systems agency. If the proposal is incomplete, it is not to be considered to be submitted to the health systems agency or the commissioner and it shall be returned stating the specific needs to be met in order for the proposal to be considered complete.*

*Subd. 2. Except as provided by section 145.763, in reviewing (EACH PROPOSAL) complete proposals, the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency shall:*

- (1) Hold a public hearing;
- (2) Provide notice of the public hearing by publication in a legal newspaper of general circulation in the area for two successive weeks at least ten days before the date of such hearing;
- (3) Allow any interested person the opportunity to be heard, to be represented by counsel, to present oral and written evidence, and to confront and cross-examine opposing witnesses at the public hearing;
- (4) Provide a transcript of the hearing at the expense of any individual requesting it, if the transcript is requested at least three days prior to the hearing;
- (5) Make findings of fact and recommendations concerning the proposal which findings and recommendations shall be available to any individual requesting them; and
- (6) Follow any further procedure not inconsistent with sections 145.71 to 145.83 or (MINNESOTA STATUTES 1969, CHAPTER 15) sections 15.0411 to 15.052, which it deems appropriate.

Within (90) 60 days after (RECEIVING) the commissioner has determined the proposal to be complete, the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency shall make its recommendation to the (STATE BOARD) commissioner of health. The (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency shall either recommend that the (STATE BOARD) commissioner of health issue, or refuse to issue, a certificate of need or forward the proposal with recommendations for modification of the proposal. The reasons for the recommendation shall be set forth in detail.

Sec. 15. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.783] [PROPOSAL MODIFICATION.] *Subdivision 1. Proposals may be modified by health care facilities, home health*

*agencies, health maintenance organizations or other persons required to obtain certificates of need pursuant to sections 145.71 to 145.83 during the review of the proposal by the health systems agency, provided, that the modification is within the scope of the proposal initially submitted and that the modification is acceptable to the health systems agency.*

*Subd. 2. The health systems agency and the commissioner of health may modify proposals provided that such modification is within the scope of the proposal initially submitted and that the modification or conditioning is acceptable to the health care facility, home health agency, the health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83.*

Sec. 16. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.785] [EXTENSIONS.] *Any of the time periods specified by sections 145.71 to 145.83 may be extended for a specific period of time upon mutual agreement among the commissioner of health, the health systems agency, and the health care facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83.*

Sec. 17. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.787] [FACILITIES IN VIOLATION OF OTHER STATE LAW.] *A health systems agency may recommend denial of a certificate of need and the commissioner of health may deny a certificate of need to a health care facility if the facility, any of its employees, or controlling persons are found not to be in compliance with sections 144.50 to 144.653 or section 144A.11. This section shall not apply to proposals which are intended to correct the causes of the violations.*

Sec. 18. Minnesota Statutes 1976, Section 145.79, is amended to read:

145.79 [DETERMINATION.] *Within (60) 30 days, or within ten days in the case of an expedited review, after receiving the recommendation of the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) health systems agency, the (STATE BOARD) commissioner of health shall review the recommendations and make one of the following decisions based upon the record developed by the health systems agency:*

(a) Issue a certificate of need;

(b) (REJECT) *Deny (THE APPLICATION FOR A) the certificate of need; or*

(c) (REFER) *Remand* the application (BACK) to the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency with comments and instructions for further consideration and recommendations. A *remanded application shall be treated by the health systems agency as if it were a new application for a certificate of need.*

If the decision of the (STATE BOARD) *commissioner* of health is contrary to the recommendation of the (AREA WIDE COMPREHENSIVE HEALTH PLANNING) *health systems* agency, the (STATE BOARD) *commissioner* of health shall set forth in detail the reasons for (REVERSING THE RECOMMENDATION) *the decision.*

Sec. 19. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.795] [MONITORING.] *Within 120 days of completion of a proposal for which a certificate of need was issued, the health care facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 shall submit to the commissioner of health and the health systems agency an audited comparative financial summary which shall compare actual expenses of the proposal with those expenses estimated for purposes of obtaining a certificate of need. The commissioner shall in accordance with section 3.195, report annually to the legislature regarding the difference between actual and estimated expenses for proposals. In instances where actual expenses exceed estimated expenses for a proposal by more than ten percent, the commissioner may call a public hearing at which the health care facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 shall provide explanation for the excess expense. In place of or in addition to this public hearing, the commissioner of health shall use this excess of actual over estimated expense as a basis for the review of and comment upon the reasonableness of rates charged patients or their third-party payers in hospitals reviewed pursuant to sections 144.695 to 144.703. The commissioner of public welfare shall also consider the effect of any excess expense on rates.*

Sec. 20. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.796] [INTERVENTION.] *Prior to the expiration of a certificate of need and upon discovery that:*

(a) *a proposal for which a certificate of need has been issued has been altered in a manner which results in an increase in rates charged patients or their third-party payors, or which results in adverse effect upon any person directly affected by the original proposal or alteration; and*

(b) *The health care facility, home health agency, health maintenance organization, or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 has not sought to amend its unexpired certificate of need, pursuant to section 145.753, subdivision 3, clause (e), the commissioner of health may seek an injunction in district court in Ramsey county against the proposal, pending an amendment of the unexpired certificate of need pursuant to section 145.753, subdivision 3, clause (e).*

Sec. 21. Minnesota Statutes 1976, Section 145.80, is amended to read:

145.80 [EXPIRATION OF CERTIFICATE.] A certificate of need shall expire if the construction or modification is not commenced within (ONE YEAR) 18 months following the issuance of the certificate.

No certificate of need shall be renewed automatically after expiring before the commencement of the construction or modification. Upon expiration of the certificate, the facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 shall present an updated proposal and the agency shall redetermine its recommendation.

Sec. 22. Minnesota Statutes 1976, Section 145.83, is amended to read:

145.83 [ENFORCEMENT.] The district court in the county where an alleged violation occurs shall have jurisdiction to enjoin violations of sections 145.71 to 145.83. At the request of the (STATE BOARD) commissioner of health, the attorney general may bring an action to enjoin an alleged violation. At the request of (AN AREA WIDE COMPREHENSIVE HEALTH PLANNING) a health systems agency, the county attorney of the county where an alleged violation occurs may bring an action to enjoin the alleged violation. The (STATE BOARD) commissioner of health shall not issue a license for any portion of a health care facility or health maintenance organization in violation of section 145.73 until a certificate of need has been issued. No health care facility, home health agency or health maintenance organization in violation of section 145.73 shall be eligible to apply for or receive public funds under (MINNESOTA STATUTES 1969,) chapters 245 to 256B, or from any other source, until a certificate of need has been issued.

Sec. 23. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.825] [HEALTH MAINTENANCE ORGANIZATIONS; APPLICATION OF REQUIREMENTS OF CERTIFI-

**CATE OF NEED.]** Sections 145.71 to 145.83 shall not apply to health maintenance organizations if federal law or regulation does not require the application of state certificate of need laws to health maintenance organizations.

Sec. 24. Minnesota Statutes 1976, Section 145.82 is amended to read:

145.82 [EVASIONS.] No health care facility, home health agency, health maintenance organization or other person required to obtain a certificate of need pursuant to sections 145.71 to 145.83 shall separate portions of a single (PROJECT) proposal into components in order to evade the cost limitations of section 145.72, subdivision 3.

Sec. 25. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.827] [STATE PLANNING AGENCY; CERTIFICATE OF NEED RULEMAKING AUTHORITY.] *The commissioner of health, after consultation with the state planning agency, shall promulgate rules as necessary to carry out the responsibilities of sections 145.71 to 145.83. All rules heretofore promulgated by the state planning agency pursuant to sections 145.71 to 145.83 shall remain in full force and effect until modified or repealed.*

Sec. 26. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.828] [LICENSING OF HOME HEALTH AGENCIES.] *The commissioner of health shall report on procedures which will set standards for licensing, credentialing or certification to establish a quality assurance program for persons or organizations operating as home health agencies, as defined by section 145.72, subdivision 8. This report shall ensure that:*

(a) *services of a home health agency are offered by qualified persons;*

(b) *home health agencies are distributed in such a manner as to avoid any unreasonable duplication of service availability;*

(c) *persons or organizations must demonstrate successful compliance with minimum program performance standards; and*

(d) *home health agencies are financially solvent.*

Sec. 27. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment."*

Further strike the title and insert:

"A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities, home health agencies, health maintenance organizations, or certain other persons; requiring a study of quality assurance for home health agencies; amending Minnesota Statutes 1976, Sections 145.71, Subdivision 1; 145.72; 145.73; 145.74; 145.75; 145.751; 145.76, Subdivisions 1 and 2; 145.761; 145.77; 145.78; 145.79; 145.80; 145.82; 145.83; and Chapter 145, by adding sections."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1329, A bill for an act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

Reported the same back with the following amendments:

Page 2, line 14, after the bracket insert "*The applicant for*".

Page 2, line 14, delete "*shall be issued or*".

Page 2, delete line 15.

Page 2, line 16, delete "*giving*" and insert "*may give*".

Page 2, line 20, after the period insert "*The term of the bond shall be concurrent with the term of the license.*".

Page 2, line 26, delete "*shall have and maintain*" and insert "*may provide evidence of*".

Page 3, line 4, after the period insert "*The term of the insurance shall be concurrent with the term of the license.*".

Page 3, delete lines 7 to 19 and insert:

"*Subd. 3. [BOND AND INSURANCE EXEMPTION.] A master plumber who is an employee of a master plumber or who is an employee engaged within the limits of property owned, leased and operated, or maintained by his employer, in the maintenance and repair of plumbing equipment, apparatus, or facili-*

ties owned or leased by the employer, shall not be required to meet the bond and insurance requirements of subdivision 2.

*Subd. 4. [ALTERNATIVE COMPLIANCE.] Compliance with the local bond requirements of a locale within which work is to be performed shall be deemed to satisfy the bond and insurance requirements of subdivision 2.*

*Subd. 5. [FEE.] The state board of health may charge each applicant for a master plumber license or for a renewal of a master plumber license and an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivision 2."*

Page 4, line 12, after the bracket insert "The applicant for".

Page 4, delete line 13.

Page 4, line 14, delete "industry only upon the applicant giving" and insert "may give".

Page 4, line 19, after the period insert "The term of the bond shall be concurrent with the term of the license."

Page 4, line 25, delete "shall have and".

Page 4, line 26, delete "maintain" and insert "may provide evidence of".

Page 5, line 3, after the period insert "The term of the insurance shall be concurrent with the term of the license."

Page 5, delete lines 6 to 19 and insert:

*"Subd. 3. [BOND AND INSURANCE EXEMPTION.] A contracting steamfitter who is an employee of a contracting steamfitter or who is an employee engaged within the limits of property owned, leased and operated, or maintained by his employer, in the maintenance and repair of high pressure steam work, equipment, or facilities owned or leased by the employer, shall not be required to meet the bond and insurance requirements of subdivision 2.*

*Subd. 4. [ALTERNATIVE COMPLIANCE.] Compliance with the local bond requirements of a locale within which work is to be performed shall be deemed to satisfy the bond and insurance requirements of subdivision 2.*

*Subd. 5. [FEE.] The state department of labor and industry may charge each applicant for a contracting steamfitter license or for a renewal of a contracting steamfitter license and*

*an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivision 2."*

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1739, A bill for an act relating to labor; requiring some employees to be paid bimonthly.

Reported the same back with the following amendments:

Page 1, line 8, delete "This section shall not".

Page 1, delete lines 9 and 10 and insert "Exempt from the provisions of this section is any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, or a commissioned salesperson, as defined by rules of the department of labor and industry, or whose pay period is established by a collective bargaining agreement. The burden is on the employer to prove the exemption."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1791, A resolution memorializing the President and Congress to pass the Humphrey-Hawkins full employment bill.

Reported the same back with the following amendments:

Page 2, line 30, delete "engineers" and insert "technicians".

Page 3, line 17, delete "3" and insert "4".

Page 3, line 18, delete "four" and insert "five".

With the recommendation that when so amended the bill pass.

The report was adopted.



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

H. F. No. 935, A bill for an act relating to counties; powers of the boards of county commissioners; including the board of county commissioners of Ramsey County among those county boards that may set expense allowances for members of certain boards and agencies; amending Minnesota Statutes 1976, Section 375.47, Subdivision 1.

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

The report was adopted.

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

H. F. No. 1065, A bill for an act relating to St. Louis county; fees for tax search certificate; amending Laws 1955, Chapter 633, Section 1, Subdivision 2.

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

The report was adopted.

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

S. F. No. 975, A bill for an act relating to counties; authorizing appointment of county administrators and executive secretaries without referendum; amending Minnesota Statutes 1976, Sections 375.48, Subdivision 1; and 375A.06, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, after "1" insert "*except St. Louis county*".

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1604, A bill for an act relating to town roads; providing cartways; amending Minnesota Statutes 1976, Section 164.08, Subdivision 2.

Reported the same back with the following amendments:

Page 1, line 15, delete "township" and insert "territory".

Page 1, line 15, delete "county board" and insert "board of county commissioners".

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1930, A resolution urging the President, Congress and Secretary of Transportation to provide necessary grants and loans to the Milwaukee Road.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1103, 1736, 1761, 1824, 1829, 1739, 1791, 935, 1065, 1604, and 1930 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 823, 397, and 975 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Voss, McCarron, Kahn, Corbid and Anderson, D., introduced:

H. F. No. 1970, A bill for an act relating to the department of administration; revoking the authority for establishing a regional service center for economic development region three; repealing Minnesota Statutes, 1977 Supplement, Sections 16.015 and 16.016.

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

Birnstihl and Schulz introduced:

H. F. No. 1971, A bill for an act relating to appropriation; appropriating funds for the replacement of King's Mill Dam.

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

Kahn, Enebo, Berg, Dean and Brandl introduced:

H. F. No. 1972, A bill for an act relating to St. Anthony Falls historic district; appropriating money.

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

Nelson, Clark, Kaley and Novak introduced:

H. F. No. 1973, A bill for an act relating to juveniles; providing procedures regulating the detention of juveniles; amending Minnesota Statutes 1976, Section 260.173; and Minnesota Statutes, 1977 Supplement, Section 260.171, Subdivision 2.

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

Welch, Wenzel, Clark, Nelson and Kaley introduced:

H. F. No. 1974, A bill for an act relating to corrections; classifying the records of inmates of state correctional institutions; amending Minnesota Statutes 1976, Section 241.06.

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

Corbid, Voss and St. Onge introduced:

H. F. No. 1975, A bill for an act relating to corrections; providing for the classification and compensation of persons engaged in the sale of products manufactured or processed in correctional institutions; amending Minnesota Statutes 1976, Section 43.12, by adding a subdivision.

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

Lemke, Fudro, Hokanson, Anderson, D., and Samuelson introduced:

H. F. No. 1976, A bill for an act relating to highway traffic regulations; prohibiting possession of certain traffic signs; granting immunity from prosecution to persons who voluntarily notify police of their possession of such signs; amending Minnesota Statutes 1976, Section 169.08.

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

Clark, Moe, Jude, Carlson, A., and Nelson introduced:

H. F. No. 1977, A bill for an act relating to marijuana; retroactively reducing past convictions involving a small amount of marijuana to a petty misdemeanor; amending Minnesota Statutes 1976, Section 152.18, by adding a subdivision.

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

Suss, Brinkman, Patton, Nelsen, B., and Lemke introduced:

H. F. No. 1978, A bill for an act relating to agriculture; requiring the labeling of fryers as to state of origin; providing right for civil action for violations; amending Minnesota Statutes 1976, Chapter 29, by adding sections.

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

Wenstrom, Smogard, Langseth, Corbid and Carlson, D., introduced:

H. F. No. 1979, A bill for an act relating to livestock; requiring weighers to provide a certificate of weight to the seller; amending Minnesota Statutes, 1977 Supplement, Section 17A.10.

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

Sieben, H.; Munger and Sabo introduced:

H. F. No. 1980, A bill for an act relating to public utilities; siting and location of coal, gas and petroleum product storage facilities and pipelines; amending Minnesota Statutes 1976, Sections 116C.52, Subdivision 6, and by adding subdivisions; 116C.61, as amended; and 116C.69, by adding a subdivision; and Minnesota Statutes, 1977 Supplement, Sections 116C.52, Subdivisions 8 and 9; 116C.53; 116C.54; 116C.55, Subdivisions 2 and 3; 116C.57; 116C.63, Subdivision 1; 116C.65; 116C.67; and 116C.69, Subdivision 3.

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

Anderson, I.; Prahl; Braun; Begich and Battaglia introduced:

H. F. No. 1981, A bill for an act relating to natural resources; informal sales of state timber; removing the requirement of a certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivision 1.

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

Munger, Wynia, St. Onge, Ellingson and Biersdorf introduced:

H. F. No. 1982, A bill for an act relating to natural resources; creating a citizens advisory body known as the natural resources congress; specifying its membership, organization, and duties; appropriating money.

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

Eken and Anderson, I., introduced:

H. F. No. 1983, A bill for an act relating to state parks; deleting certain lands from the boundaries of Itasca state park; repealing Laws 1976, Chapter 110, Section 2.

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

Laidig; Kahn; Carlson, A.; Forsythe and Munger introduced:

H. F. No. 1984, A bill for an act relating to energy conservation; aerial surveys of energy loss; appropriating money; amending Minnesota Statutes 1976, Section 116H.12, by adding a subdivision.

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

Carlson, A.; McDonald; Clark and Fjoslien introduced:

H. F. No. 1985, A bill for an act relating to environmental protection; establishing a means of settling disputes over power plant siting and high voltage transmission line routing by means of a science jury; powers of the governor and environmental quality board; environmental pathology powers of the state board of health; appropriating funds; amending Minnesota Statutes, 1977 Supplement, Section 116C.57, by adding a subdivision.

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

Peterson, Searle, Lehto, Rose and Anderson, I., introduced:

H. F. No. 1986, A bill for an act relating to game and fish; application for and issuance of licenses to take moose; amending Minnesota Statutes 1976, Section 100.271, Subdivision 3a.

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

Clark, Enebo, Simoneau, Carlson, A., and Nelson introduced:

H. F. No. 1987, A bill for an act relating to human rights; prohibiting employment and bonding discrimination on the basis of a criminal record; amending Minnesota Statutes 1976, Sections 363.01, Subdivision 24, and by adding subdivisions; 363.03, by adding a subdivision; Minnesota Statutes, 1977 Supplement, Sections 363.02, Subdivision 1; 363.03, Subdivision 1; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

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

Kroening, Enebo, Rice, Heinitz and Hanson introduced:

H. F. No. 1988, A bill for an act relating to public utilities; suspension of proposed rate increases by gas and electric utilities; amending Minnesota Statutes 1976, Section 216B.16, Subdivision 5; repealing Minnesota Statutes 1976, Section 216B.16, Subdivision 3.

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

Laidig introduced:

H. F. No. 1989, A bill for an act relating to architects, engineers, surveyors and landscape architects; requiring the services of a licensed architect, engineer, surveyor or landscape architect for the supervision, erection or alteration of buildings and structures exceeding certain specified minimum costs; amending Minnesota Statutes 1976, Section 326.03, Subdivision 2.

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

Fugina, Battaglia, Begich, Spanish and Murphy introduced:

H. F. No. 1990, A bill for an act relating to education; school aids; providing for additional aid for school year 1978-1979 for certain isolated districts.

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

McEachern, Kostohryz, Eken, Esau and Byrne introduced:

H. F. No. 1991, A bill for an act relating to education; transportation; permitting school buses to transport senior citizens free of charge.

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

Suss introduced:

H. F. No. 1992, A bill for an act relating to education; allowing certain transportation base cost adjustments for changes in transportation patterns caused by a schoolhouse opening; amending Minnesota Statutes, 1977 Supplement, Section 124.222, Subdivision 6.

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

Nelsen, B.; Mangan; Carlson, L.; McEachern and Esau introduced:

H. F. No. 1993, A bill for an act relating to education; school aids; increasing the aid for handicapped children in residential facilities; amending Minnesota Statutes, 1977 Supplement, Section 124.32, Subdivision 5.

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

Wynia, Ellingson, Schulz, Voss and Anderson, R., introduced:

H. F. No. 1994, A bill for an act relating to insurance; changing certain abstracting and publishing requirements for annual statements; exempting certain assessments from retaliatory provisions; clarifying application of certain benefit requirements for handicapped children under group hospital or medical expense insurance policies; amending Minnesota Statutes 1976, Sections 60A.13, Subdivisions 3, 4 and 7; 60A.14, Subdivision 1; 60A.19, Subdivision 6; and 62A.14, Subdivision 2.

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

Brinkman, Wynia, Vanasek, Abeln and George introduced:

H. F. No. 1995, A bill for an act relating to credit life and accident and health insurance; requiring notice of right to cancel and receive refund upon prepayment of indebtedness; amending Minnesota Statutes, 1977 Supplement, Section 62B.05.

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

Brinkman; Anderson, D.; Swanson; Vanasek and Wynia introduced:

H. F. No. 1996, A bill for an act relating to employment; allowing employees to continue participation in certain employee group health care plans after disability or retirement; amending Minnesota Statutes 1976, Section 62A.17, Subdivision 3.

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



George; Sieben, H.; Dean; Voss and Corbid introduced:

H. F. No. 1997, A bill for an act relating to commerce; regulating interest rates; providing loan yield computations; providing investigation powers; amending Minnesota Statutes 1976, Sections 51A.39, Subdivision 1; 52.14; 56.19; 334.02; 334.03; Chapter 334, by adding a section; Minnesota Statutes, 1977 Supplement, Section 47.20, Subdivisions 2, 4, 13 and by adding subdivisions; repealing Minnesota Statutes 1976, Section 334.18.

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

Simoneau; Voss; Anderson, G.; Abeln and Anderson, R., introduced:

H. F. No. 1998, A bill for an act relating to commerce; credit unions; modifying reserve fund requirements; amending Minnesota Statutes 1976, Section 52.17.

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

Swanson, Sarna, Petrafeso, Ewald and Hanson introduced:

H. F. No. 1999, A bill for an act relating to public safety; regulating amusement rides; requiring state safety inspections of amusement rides; requiring liability insurance covering amusement rides; providing penalties; appropriating money.

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

Pehler, Suss, Heinitz, Ellingson and Wenzel introduced:

H. F. No. 2000, A bill for an act relating to rates of interest on money; providing interest rates for loans secured by savings accounts; amending Minnesota Statutes 1976, Chapter 334, by adding a section.

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

Prahl, Battaglia, McCollar, Wynia and Hokanson introduced:

H. F. No. 2001, A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1976, Chapter 65B, by adding a section.

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

Brandl, Heinitz, Ellingson, McDonald and Rice introduced :

H. F. No. 2002, A bill for an act relating to Hennepin county; authorizing the county board to self-insure against claims of liability.

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

Abeln, Wynia, Heinitz and Nelsen, M., introduced :

H. F. No. 2003, A bill for an act relating to reporting requirements for products liability claims; making various clarifications and technical changes; providing penalties for failure to comply; extending the expiration date; amending Laws 1977, Chapter 316, Section 2.

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

Voss, Adams, Abeln, Heinitz and Wenzel introduced :

H. F. No. 2004, A bill for an act relating to savings associations; authorizing savings associations to establish negotiable order of withdrawal accounts; amending Minnesota Statutes 1976, Chapter 51A, by adding a section.

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

Carlson, L.; Petrafeso; Heinitz; Abeln and Brinkman introduced :

H. F. No. 2005, A bill for an act relating to medical malpractice insurance; extending the temporary joint underwriting association for an additional two year period; amending Minnesota Statutes 1976, Section 62F.01; repealing Laws 1976, Chapter 242, Section 16.

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

Jacobs, Kostohryz, Osthoff, Biersdorf and McCarron introduced :

H. F. No. 2006, A bill for an act relating to armories; authorizing disposition of unused armories to counties in addition to municipalities; amending Minnesota Statutes 1976, Section 193.36, Subdivision 2.

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

Waldorf, Jacobs, Kostohryz, Biersdorf and McCarron introduced:

H. F. No. 2007, A bill for an act relating to the national guard; amending the state military code; providing penalties; amending Minnesota Statutes 1976, Sections 192.06; 192.11; 192.12; 192.261, Subdivision 5; 192.32; 192.33; 192.34; and Chapter 192, by adding a section; repealing Minnesota Statutes 1976, Sections 190.28; 192.09; and 192.10.

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

Hokanson, Waldorf, Jacobs, Kostohryz and Osthoff introduced:

H. F. No. 2008, A bill for an act relating to the national guard; increasing the pay for enlisted persons on active duty; amending Minnesota Statutes 1976, Section 192.51.

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

Fugina introduced:

H. F. No. 2009, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing for election of half of the senate each two years.

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

McEachern, Berg, Kostohryz, Schultz and Biersdorf introduced:

H. F. No. 2010, A bill for an act relating to municipal elections; providing for the hours of voting; establishing procedures for establishing candidacy; establishing filing fees; providing for the printing of election materials and ballots; providing for publication and posting of sample ballots; amending Minnesota Statutes 1976, Sections 205.021; 205.03; 205.13; 205.14, Subdivisions 1 and 3; and 205.16, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 365.60.

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

Fugina, Corbid, Enebo, Erickson and Knickerbocker introduced:

H. F. No. 2011, A bill for an act relating to the Minnesota historical society; providing for a liaison position; implementing the administration of a state humanities program; updating statutory provisions; amending Minnesota Statutes 1976, Sections 138.081, Subdivision 2, and by adding a subdivision; 138.17, Subdivision 1; 138.35, Subdivision 1; repealing Minnesota Statutes 1976, Sections 138.162 and 138.18.

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

Kelly, R., introduced:

H. F. No. 2012, A bill for an act relating to state government; surcharge upon certain parking fees for state facilities; amending Minnesota Statutes, 1977 Supplement, Section 16.72, Subdivision 7.

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

Wenzel, Welch, Casserly, Clark and Biersdorf introduced:

H. F. No. 2013, A bill for an act relating to domestic relations; contracts and conveyances between husband and wife; amending Minnesota Statutes 1976, Sections 500.19, by adding a subdivision; and 519.06.

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

Swanson, Norton, Rice, Osthoff and Sieben, H., introduced:

H. F. No. 2014, A bill for an act relating to state parks; authorizing the lease of a portion of Fort Snelling state park; waiving park admission fees and authorizing a liquor license on the leased property.

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

Corbid and Samuelson introduced:

H. F. No. 2015, A bill for an act relating to state government; providing for classifying certain persons as state employees; amending Minnesota Statutes, 1977 Supplement, Section 268.013, by adding a subdivision.

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

Jude, Cohen and Biersdorf introduced:

H. F. No. 2016, A bill for an act relating to courts; judges; removal due to mental or physical incapacity; amending Minnesota Statutes 1976, Section 490.16, Subdivision 5; repealing Minnesota Statutes 1976, Sections 490.04; 490.05; 490.06; 490.07; 490.08; and 490.09.

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

Cohen introduced:

H. F. No. 2017, A bill for an act relating to cable communications; providing for the extension of cable service; amending Minnesota Statutes 1976, Sections 238.02, Subdivision 5, and by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.

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

Eckstein, Kalis, Mann, Biersdorf and Birnstihl introduced:

H. F. No. 2018, A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1976, Section 117.175, Subdivision 2.

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

Sieben, H., introduced:

H. F. No. 2019, A bill for an act relating to marriage; providing that the clerk of county court may solemnize marriages; amending Minnesota Statutes 1976, Section 517.04.

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

Kalis, Lemke, Wenzel, Wigley and Brinkman introduced:

H. F. No. 2020, A bill for an act relating to workers' compensation; changing the definition of family farms; amending Minnesota Statutes, 1977 Supplement, Section 176.011, Subdivision 11a.

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

Clawson, Voss, Beauchamp, Battaglia and George introduced:

H. F. No. 2021, A bill for an act relating to courts; establishing the appellate division of the district court; providing for the election of judges; prescribing duties; providing for appellate division staff; appropriating money; repealing Minnesota Statutes, 1977 Supplement, Sections 484.63; and 487.39.

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

Simoneau, Neisen, Clark, Wenzel and McCarron introduced:

H. F. No. 2022, A bill for an act relating to workers' compensation; authorizing pooling of liabilities by self-insurers; requiring approval by the commissioner of labor and industry; amending Minnesota Statutes 1976, Section 176.181, Subdivision 2.

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

Patton, Biersdorf, Moe, Reding and Wenzel introduced:

H. F. No. 2023, A bill for an act relating to retirement; the highway patrolmen's retirement fund; payment of survivor benefits; amending Minnesota Statutes 1976, Section 352B.11, Subdivision 2.

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

Jude, Moe, Arlandson, Cohen and Biersdorf introduced:

H. F. No. 2024, A bill for an act relating to courts; disqualification of a presiding judge without a showing of prejudice; amending Minnesota Statutes 1976, Section 542.16.

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

Spanish, Fugina, Begich, Battaglia and Simoneau introduced:

H. F. No. 2025, A bill for an act relating to the city of Chisholm; police and firemen's relief associations; reversion of funds and bond of treasurer.

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

Jude introduced:

H. F. No. 2026, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; amending Minnesota Statutes, 1977 Supplement, Section 490.15, Subdivision 1.

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

Berglin, George, Cohen and Faricy introduced:

H. F. No. 2027, A bill for an act relating to marriage and divorce; revising provisions allowing minors to marry; modifying prohibitions of marriage between certain parties; modifying requirements to receive a marriage license; requiring blood tests of applicants for a license to marry; modifying penalties for certain offenses; providing that children born of a prohibited marriage are legitimate; revising procedures and grounds for annulment actions; declaring the legal rights of putative spouses; providing new procedures for actions of dissolution and legal separation; limiting grounds for a dissolution to a finding that the marriage is irretrievably broken; modifying procedures for custody proceedings; declaring the right of a custodial parent to determine a child's upbringing; defining marital property; defining provisions for an award of maintenance to a spouse; amending Minnesota Statutes 1976, Sections 517.02; 517.03; 517.04; 517.05; 517.06; 517.07; 517.09; 517.13; 517.14; 517.15; 517.16; 517.17; 517.19; 518.001; 518.01; 518.02; 518.03; 518.05; 518.06, Subdivision 1, and by adding a subdivision; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.16; 518.165; 518.17; 518.175, Subdivisions 1 and 3, and by adding a subdivision; 518.18; 518.24; 518.27; 518.54; 518.55; 518.57; 518.58; 518.61; 518.62; 518.63; 518.64; 518.65; Chapter 517, by adding a section; and Chapter 518, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 517.01; 517.08, Subdivisions 1 and 3; 518.155; and 518.551; repealing Minnesota Statutes 1976, Sections 518.06, Subdivision 2; 518.15; 518.29; 518.59; and 518.67.

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

Prahl, Scheid, Sherwood and McCollar introduced:

H. F. No. 2028, A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca county for use by the Itasca Ski and Outing Club, Inc.

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

Simoneau, Enebo, Neisen, Clark and McCarron introduced:

H. F. No. 2029, A bill for an act relating to workers' compensation; providing for insurance rates based on hours worked; amending Minnesota Statutes, 1977 Supplement, Section 79.07.

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

Cohen introduced:

H. F. No. 2030, A bill for an act relating to evidence; eliminating the presumption of due care in negligence actions; repealing Minnesota Statutes 1976, Section 602.04.

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

Kahn, Casserly, Berglin, Nelson and Norton introduced:

H. F. No. 2031, A bill for an act relating to the state board of investment; prohibiting certain investments; amending Minnesota Statutes 1976, Sections 11.13 and 11.16, Subdivision 13.

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

Berglin, Reding, Zubay, Sieben, H., and Welch introduced:

H. F. No. 2032, A bill for an act relating to state employees; improving testing procedures; tightening provisions relating to provisional appointments; providing for a pilot reliability-based band width certification program; appropriating money; amending Minnesota Statutes 1976, Sections 43.13, by adding a subdivision; and 43.20, Subdivision 2.

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



McCarron, Pehler and Kaley introduced:

H. F. No. 2033, A bill for an act relating to health and welfare; Title XX funds for social services; establishing a formula for allocating Title XX funds to counties.

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

Jude, Sarna, Cohen, Biersdorf and Berglin introduced:

H. F. No. 2034, A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1976, Section 144A.17.

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

Jacobs introduced:

H. F. No. 2035, A bill for an act relating to public health; allowing a parent or guardian to refuse certain immunizations for a child or ward on conscientious grounds; amending Minnesota Statutes 1976, Section 123.70, Subdivisions 1 and 2.

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

Swanson, Petrafeso, Clark and Heinitz introduced:

H. F. No. 2036, A bill for an act relating to nursing homes; medical assistance; providing for exceptions to rate limitations; amending Minnesota Statutes, 1977 Supplement, Section 256B.-47, Subdivision 1.

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

Carlson, L.; Sabo; Mangan; Heinitz and Clark introduced:

H. F. No. 2037, A bill for an act relating to health; ambulance service; providing for licensing of a specialized ambulance service; amending Minnesota Statutes, 1977 Supplement, Sections 144.801, Subdivisions 6, 7, and 9, and by adding a subdivision; 144.802, Subdivision 1; and 144.804, Subdivisions 2 and 3.

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

Clark, Clawson, Petrafeso, Forsythe and Swanson introduced:

H. F. No. 2038, A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; amending Minnesota Statutes, 1977 Supplement, Section 256B.47, Subdivision 1.

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

Mangan, Clawson, St. Onge, Heinitz and Carlson, L., introduced:

H. F. No. 2039, A bill for an act relating to mental health; requiring counties to prepare annual plans for mental health services; providing for review and approval by the commissioner of public welfare; providing for preparation of a statewide plan for mental health services.

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

Fugina, Johnson, Berglin and Sabo introduced:

H. F. No. 2040, A bill for an act relating to education; adopting the Midwestern Education Compact; implementing the operation of such compact.

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

Enebo, Sabo, Jude, Moe and Faricy introduced:

H. F. No. 2041, A bill for an act relating to labor and employment; prohibiting mandatory retirement of public or private employees; rights and remedies of employees; amending Minnesota Statutes 1976, Sections 43.24, Subdivision 1; 69.29; 352.22, Subdivisions 1 and 2; 422A.13, Subdivision 2; and 490.124, Subdivision 1; and Chapter 181, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 43.12, Subdivision 17; and 363.02, Subdivision 6; repealing Minnesota Statutes 1976, Sections 125.12, Subdivision 5; 163.07, Subdivision 2a; 354A.21; 423.075; and 423.26; and Minnesota Statutes, 1977 Supplement, Section 43.051, Subdivision 1.

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

Kelly, R.; Rose; Neisen and St. Onge introduced:

H. F. No. 2042, A bill for an act relating to commerce; employments licensed by the state; providing for licensing and regulation of locksmiths; establishing the board of locksmiths; prescribing its powers and duties; providing penalties; appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 214.01, Subdivision 3.

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

Begich, Battaglia and Enebo introduced:

H. F. No. 2043, A bill for an act relating to the legislature; continuation in or return of members to their employment after legislative sessions; prescribing a period during which a member may not be discharged except for good cause; amending Minnesota Statutes 1976, Section 3.083.

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

Wynia, Berg, Welch, Pehler and Friedrich introduced:

H. F. No. 2044, A bill for an act relating to shade tree disease control; clarifying utilization of appropriations; authorizing extension of temporary rules; repealing Laws 1977, Chapter 90, Section 14, Subdivision 4.

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

Corbid introduced:

H. F. No. 2045, A bill for an act relating to Pennington county; authorizing the county law library to be supported by certain judicially imposed fee charges.

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

Begich and Battaglia introduced:

H. F. No. 2046, A bill for an act relating to towns; authorizing town constables to be elected or appointed by the town board; amending Minnesota Statutes 1976, Section 367.03, Subdivisions 1 and 3.

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

Berglin, Clark, Casserly, Carlson, A., and Brandl introduced:

H. F. No. 2047, A bill for an act relating to the city of Minneapolis; modifying the certification procedure for vacancies in the classified service.

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

Begich, Fugina and Battaglia introduced:

H. F. No. 2048, A bill for an act relating to municipalities; purpose and name of range association of municipalities and schools; amending Minnesota Statutes 1976, Section 471.58.

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

Brinkman, Gunter and Corbid introduced:

H. F. No. 2049, A bill for an act relating to local units of government; removing certain restrictions on contracts affecting the financial interests of public officers; amending Minnesota Statutes 1976, Section 471.89, Subdivisions 2 and 3; and Minnesota Statutes, 1977 Supplement, Section 471.88, Subdivision 5.

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

Brandl, Casserly, Enebo and Berglin introduced:

H. F. No. 2050, A bill for an act providing for positions in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended and by adding a subdivision.

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

Rice, Berg, Fudro, Kroening and Casserly introduced:

H. F. No. 2051, A bill for an act relating to the city of Minneapolis; authorizing increased compensation for members of the board of park commissioners; amending Laws 1974, Chapter 181, Section 1.

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

Scheid; Carlson, L.; Ellingson; Skoglund and Ewald introduced:

H. F. No. 2052, A bill for an act relating to aeronautics; modifying airport zoning regulations to protect existing residential neighborhoods; amending Minnesota Statutes 1976, Sections 360.062; 360.066, Subdivision 1, and by adding a subdivision.

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

Kelly, W.; Casserly and Eken introduced:

H. F. No. 2053, A bill for an act relating to taxation; property taxes; eliminating limits on annual increases in property valuation; amending Minnesota Statutes 1976, Sections 273.11, Subdivision 1; and 273.17, Subdivision 1; repealing Minnesota Statutes 1976, Section 273.11, Subdivision 5; and Minnesota Statutes, 1977 Supplement, Section 273.11, Subdivision 2.

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

Jacobs introduced:

H. F. No. 2054, A bill for an act relating to taxation; extending the property tax assessment freeze to disabled persons; amending Minnesota Statutes 1976, Section 273.011, Subdivisions 2 and 4.

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

Pehler introduced:

H. F. No. 2055, A bill for an act relating to taxation; property tax; exempting certain energy systems; amending Minnesota Statutes 1976, Section 273.11, Subdivision 1, and by adding a subdivision.

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

Prahl, Murphy, Scheid and Anderson, I., introduced:

H. F. No. 2056, A bill for an act relating to taxation; motor vehicle excise tax; defining purchase price; providing for a used motor vehicle credit on the excise tax in certain transactions; amending Minnesota Statutes 1976, Section 297B.01, Subdivision 8.

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

Prahl, Battaglia, Fjoslien and Begich introduced:

H. F. No. 2057, A bill for an act relating to motor vehicles; providing that the transfer tax on motor vehicles be directly received by counties; amending Minnesota Statutes 1976, Section 168B.11.

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

Prahl, Battaglia, Fjoslien and Begich introduced:

H. F. No. 2058, A bill for an act relating to motor vehicles; repealing the motor vehicle transfer tax; repealing Minnesota Statutes 1976, Section 168B.11.

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

Faricy introduced:

H. F. No. 2059, A bill for an act relating to taxation; specifying sales to which filing of a certificate of value is applicable; amending Minnesota Statutes, 1977 Supplement, Section 272.115, Subdivisions 1 and 4.

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

Knickerbocker introduced:

H. F. No. 2060, A bill for an act relating to taxation; providing that private pension payments be eligible for class 3cc property tax treatment; amending Minnesota Statutes 1976, Section 273.13, Subdivision 7.

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

McEachern; Sarna; Anderson, I.; Osthoff and Biersdorf introduced:

H. F. No. 2061, A bill for an act relating to taxation; providing for an income tax credit for tax paid on property damaged by certain natural disasters; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

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

Heinitz introduced:

H. F. No. 2062, A bill for an act relating to taxation; diseased shade tree removal and replacement expenses; providing optional deductions from gross income and credits against property tax; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

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

Lemke; Birnstihl; Anderson, G.; Eckstein and Kalis introduced:

H. F. No. 2063, A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

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

Kalis; Kelly, W.; Mann; Fjoslien and Jensen introduced:

H. F. No. 2064, A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board and the agricultural alcohol fuel tax fund; appropriating money; amending Minnesota Statutes 1976, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

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

Searles; Sieben, M.; Norton; Carlson, D., and Evans introduced:

H. F. No. 2065, A bill for an act relating to taxation; income tax; exempting certain capital gains on homesteads held for more than one year from taxation; amending Minnesota Statutes 1976, Section 290.13, by adding a subdivision.

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

Abeln, Wenzel and Brinkman introduced:

H. F. No. 2066, A bill for an act relating to commerce; providing for delivery of motor vehicle certificates of title to owners; amending Minnesota Statutes 1976, Sections 168A.06; and 168A.20, Subdivision 1.

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

Schulz, Birnstihl, Lemke, Braun and Mann introduced:

H. F. No. 2067, A bill for an act relating to transportation; authorizing permits for the construction of agricultural fences on a highway right-of-way.

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

#### HOUSE ADVISORIES

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

Faricy and Fugina introduced:

H. A. No. 62, A proposal to make lifelong learning easily accessible to all Minnesota citizens.

The advisory was referred to the Committee on Higher Education.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, con-



sisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1180, A bill for an act relating to financial institutions; permitting the establishment and operation of electronic funds transfer facilities; prescribing the powers and duties of the commissioner of banks in relation to funds transfer facilities; protecting the privacy and security of customers of financial institutions who use electronic funds transfer facilities; prescribing penalties.

The Senate has appointed as such committee Messrs. Laufenburger, Kirchner and Keefe, S.

House File No. 1180 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 9, A Concurrent Resolution relating to joint rules; providing deadlines; amending Joint Rule 2.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 9 was referred to the Committee on Rules and Legislative Administration.

#### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 2.06, progress on H. F. Nos. 544 and 1180 and S. F. No. 65 was reported to the House.

#### CONSENT CALENDAR

H. F. No. 1442, A bill for an act relating to professional corporations; including architects, professional engineers and land surveyors within the definition of professional service for the purposes of formation of professional corporations; amending Minnesota Statutes 1976, Section 319A.02, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

## GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

### REPORT OF COMMITTEE OF THE WHOLE

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

H. F. Nos. 1665 and 1394 which it recommended to pass.

S. F. No. 698 which it recommended progress until Thursday, February 9, 1978.

H. F. No. 1424 which it recommended to pass with the following amendment offered by Jaros:

Page 1, line 14, delete "*waters*" insert "*bays*".

Page 2, line 7, after "sales" insert: "; provided, that any city in which a boat licensed pursuant to this subdivision is moored continually for a period of at least three consecutive months may require such a boat to obtain a license to sell intoxicating liquor at on-sale during the time it is so continually moored, and may charge a fee for such a license not to exceed one-half the fee charged for a comparable all-year on-sale license. Any license issued by a city pursuant to this subdivision shall be in addition to the number authorized by subdivision 5a."

On the motion of Berglin the report of the Committee of the Whole was adopted.

### MOTIONS AND RESOLUTIONS

Stanton and Suss moved that the name of Stanton be stricken and the name of Suss be added as an author on H. F. No. 1754. The motion prevailed.

Stanton and Munger moved that H. F. No. 1091 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Friedrich moved that his name be stricken as an author on H. F. No. 1391. The motion prevailed.

Savelkoul moved that the names of Wieser, Rose, Knickerbocker, and Heinitz be added as authors on H. F. No. 1896. The motion prevailed.

Wenstrom moved that H. F. No. 1908 be recalled from the Committee on Labor and Management and be re-referred to the Committee on Education. The motion prevailed.

### ADJOURNMENT

Berglin moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 6, 1978. The motion prevailed.

Berglin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 6, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

