

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

EIGHTY-SECOND DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 3, 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:

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

A quorum was present.

Clark, Clawson, Samuelson, Searles, Suss and Swanson were excused. Kempe, A., was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Laidig 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. 2116, 2281, 2254, 2256, 2298, 1400, 1599, 1797, 2052, 1220, 1663, 1913, 1976, 2093, 2151, 2159, 2299, 1286, 1754, 1884, 2220, 2389 and 2094 and S. F. Nos. 804, 1194 and 1547 have been placed in the members' files.

S. F. No. 1431 and H. F. No. 2389, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

King moved that the rules be so far suspended that S. F. No. 1431 be substituted for H. F. No. 2389 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

March 2, 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1978</i>	<i>Date Filed 1978</i>
682		464	March 2	March 2
698		465	March 2	March 2
1004		466	March 2	March 2
1178		467	March 2	March 2

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1978	Date Filed 1978
	1065	468	March 2	March 2
	1180	469	March 2	March 2

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 960, A bill for an act relating to data processing by public bodies; its regulation and control; establishing the Minnesota public data processing board; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1976, Sections 16.94 and 16.95; repealing Minnesota Statutes 1976, Sections 16.90, Subdivisions 1, 2 and 4; 16.91; and 16.911, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [16C.01] [STATEMENT OF LEGISLATIVE INTENT.] *The legislature finds that in order for the state of Minnesota to receive the maximum use and benefit from data processing devices and systems:*

(a) *There should be a continued centralization of policy control over data processing related plans, projects and acquisitions of state departments and agencies;*

(b) *There should be full cooperation and cohesive and responsive planning and effort by and between the several state departments and agencies, including those involved in education and criminal justice;*

(c) *There should be an evaluation of proposed state agency data processing projects, leases, or purchases independent of that conducted by agencies providing data processing services to contribute to a fair and beneficial decision process;*

(d) *All operating agencies should be required to hire staff within legislative complement limits to insure more ordered and*

defined personnel practices with adequate legislative scrutiny; and

(e) There should be full cooperation and a willingness to share data processing information and expertise between the several state agencies and local government units.

Therefore, the legislature determines that a central data processing council should be established to assist in the planning for, and acquisition and use of, systems and data processing devices by all state agencies, and to monitor and facilitate the development of data processing systems in local governmental units, in order to promote the efficient, coordinated utilization of data processing resources.

Sec. 2. [16C.02] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 7, the terms defined in this section have the meanings given them.*

Subd. 2. "Council" means the Minnesota advisory council for information systems created by section 3.

Subd. 3. "Data processing device" means any equipment or computer programming, including but not limited to computer hardware, firmware, software and communication protocol, utilized in connection with the processing of information via electronic data processing means and includes data communication devices used in connection with computer facilities for the transmission of data.

Subd. 4. "Joint powers organization" means any organization composed of local governmental units or local governmental units and state agencies empowered to acquire or plan for the acquisition of data processing devices.

Subd. 5. "Local governmental unit" means any municipal or quasi-municipal corporation, public school, school district, county or other political subdivision and all branches, organizations, agencies or combinations of such entities authorized to enter into contracts.

Subd. 6. "State agency" means any office, department, agency, institution, commission, board or educational body of state government including the university of Minnesota, and any branch, organization, agency or combination thereof.

Subd. 7. "System" means an automated, organized collection of procedures, data processing devices and methods designed to collect, store, retrieve or transfer data.

Sec. 3. [16C.03] [MINNESOTA ADVISORY COUNCIL FOR INFORMATION SYSTEMS.] *Subdivision 1. [CREA-*

TION.] *The Minnesota advisory council for information systems is hereby created as an advisory council responsible and reporting to the governor.*

Subd. 2. [COMPOSITION OF COUNCIL.] The council shall be composed of 15 persons, ten of whom shall be voting members. Three of the voting members shall be heads of state agencies extensively using data processing devices, and the remaining voting members shall include persons from local governmental units, joint power organizations, educational institutions, and the private sector who are knowledgeable in the use and application of data processing devices and systems, and members of the general public. The remaining five council members shall serve in a nonvoting, advisory capacity. Four of the advisory members shall be members of the Minnesota house of representatives and senate and the fifth shall be a representative of the judicial branch of Minnesota government.

Subd. 3. [SELECTION AND TERMS.] The ten voting council members shall be appointed by the governor who shall initially appoint three members to serve for one year, four members to serve for two years and three members to serve for three years. Thereafter, all voting members shall be appointed to two year terms. With respect to the nonvoting legislative members, two each shall be selected by the speaker of the Minnesota house of representatives and the president of the Minnesota senate. The nonvoting judicial representative shall be selected by the chief justice of the Minnesota supreme court. All nonvoting council members shall be appointed for two year terms. All initial appointments shall be made not later than July 1, 1978.

Subd. 4. [COMPENSATION.] Council members shall be compensated at the rate of \$50 per day or portion thereof spent on council activities plus expenses in the same manner and amount as received by state employees. Council members who are full-time state or local governmental employees shall not receive the \$50 per day, but they shall suffer no loss in compensation or benefits from their employers as a result of their service on the board. Council members who are full-time state or local governmental employees may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source.

Subd. 5. [REMOVAL; VACANCIES.] A member may be removed by the appointing authority at any time at the pleasure of the appointing authority. In case of a vacancy on the council, the appointing authority shall appoint a person to fill the vacancy for the remainder of the unexpired term.

Sec. 4. [16C.04] [DUTIES AND POWERS.] *Subdivision 1. The council shall:*

(a) *Study existing state agency data processing devices and systems and future data processing needs and develop plans, including a master plan, regarding the effective use of existing resources and the need for future acquisitions;*

(b) *Promote and recommend the establishment of inter-governmental agreements whereby state agencies, joint powers organizations or local governmental units may benefit from the sharing of data processing resources;*

(c) *Develop data processing device specifications and procurement techniques, and recommend their use by state agencies;*

(d) *Review and within 60 calendar days advise on the data processing and systems-related budgets or plans of all state agencies if the budgets or plans envision expenditures in excess of \$10,000 per year;*

(e) *Review and within 60 calendar days advise on any proposed grant applications in excess of \$5,000 of all state agencies which relate to data processing devices or systems;*

(f) *Review and within 60 calendar days advise on any proposed data processing device acquisitions of state agencies which acquisitions are estimated to involve expenditures in excess of \$5,000;*

(g) *Determine, in its review of the budgets, plans and proposed acquisitions of a state agency whether data processing devices are needed and, if so, whether the state agency has selected the appropriate means, methods and technology to obtain necessary data processing services;*

(h) *Provide assistance to all local governmental units and joint powers organizations which seek assistance relating to the organization and operation of data processing systems including, but not limited to, providing information on the availability and capabilities of alternative data processing devices and assistance in the development of data processing device specifications;*

(i) *Annually collect and report information regarding the data processing activities of all local governmental units and joint powers organizations, including an inventory of computer hardware and comprehensive listings of data processing applications, providers of data processing services, and surplus data processing resources;*

(j) *Establish committees to assist the council in performing its duties pursuant to this subdivision, which committees shall include representatives from state agencies using data processing devices; and*

(k) Appoint an executive director to administer council activities by September 1, 1978.

Subd. 2. To accomplish the purposes of sections 1 to 9 the council may:

(a) Elect officers, establish rules and procedures for meetings and establish committees as it deems appropriate;

(b) Subject to the provisions of Minnesota Statutes, Chapter 43, employ and delegate its powers to professional, technical, and clerical staff as it deems necessary, provided that the council may establish an executive director and two other management positions in the unclassified service;

(c) Enter into contracts for office supplies and services, consultant services and any other goods or commodities necessary for the undertaking of its duties;

(d) Enter into contracts with the federal government, state agencies or local governmental units for the provision of any advisory, technical or other services;

(e) Apply for, receive and expend grant moneys, provided that the board also files with the chairpersons of the house appropriations and senate finance committees a notice of intent to apply for grant moneys. The notice of intent shall contain an analysis of the immediate and future impact of related grant requirements, limitations and rules on state budgetary and fiscal matters and on state laws and rules;

(f) Receive and accept money, property or services from any person, agency or other source for any purpose within the scope of its authority. All money so received is annually appropriated for those purposes in the manner and subject to laws applicable to the appropriation of state funds;

(g) Undertake research and development projects;

(h) Delegate its powers to state agencies, joint powers organizations, local governmental units or the intergovernmental information systems advisory council which are hereby empowered to accept such delegations;

(i) Assign its interest in any contract to state agencies, joint powers organizations or local governmental units which are hereby empowered to accept such assignments;

(j) Request state agencies, joint powers organizations and local governmental units and their officials to appear before the council or produce any records or materials relating to data processing devices or systems for council review;

(k) *Receive and expend legislative appropriations; and*

(l) *Undertake any other activity necessary to implement the powers set forth in this subdivision.*

Sec. 5. [16C.05] [MEETINGS; REPORTS TO LEGISLATURE.] *The council shall meet at least once every three months. On or before January 1 of each year and commencing January 1, 1979, the council shall submit a detailed, written report to the governor and the legislature setting forth its activities during the previous year and advising of its plans and projects for the ensuing year. Every five years, and commencing not later than January 1, 1980, the council shall submit to the governor and the legislature a long range plan setting forth its proposed plans and projects for the succeeding five years.*

Sec. 6. [16C.06] [STATE AGENCIES; ADHERENCE TO REVIEW PROCEDURE.] *Notwithstanding any law to the contrary, neither a state agency nor the Minnesota educational computing consortium shall apply for grants of any nature for data processing related projects, proceed with data processing related plans or acquisitions or the expenditure of computer services budgets without first seeking and receiving the advice of the council when so required pursuant to and under the conditions of section 4. If, pursuant to its authority, the department of administration seeks to substantially modify or reject the data processing activities or proposals of a state agency, such modification or rejection if disputed by the state agency shall not be effective until after representatives of the department of administration and the affected state agency have sought and received council advice.*

Sec. 7. [16C.07] [APPLICATION TO UNIVERSITY OF MINNESOTA.] *The board of regents of the university of Minnesota shall comply with the provisions of sections 1 to 6, to the fullest extent possible, consistent with the exercise of the powers conferred upon them by the constitution of this state.*

Sec. 8. [16C.08] [INTERGOVERNMENTAL INFORMATION SYSTEMS ADVISORY COUNCIL.] *Subdivision 1. The governor shall appoint an intergovernmental information systems advisory council, to serve at his pleasure, consisting of 25 members. The intergovernmental information systems advisory council shall be composed of two members from each of the following groups: counties outside of the seven county metropolitan area, counties within the metropolitan area, cities of the first class, municipalities of the second and third class outside the metropolitan area and municipalities of the second and third class within the metropolitan area; one member from each of the following groups: the metropolitan council, an outstate regional body, Minnesota higher education coordinating board, school districts located in cities of the first class, school districts in the metropolitan area not located in cities of the first*

class, and school districts outside the metropolitan area; one member from each of the state departments of administration, education, legislative auditor and revenue; one member from the office of the state auditor; and four members from the state community at large. To the extent permitted by available resources the Minnesota advisory council for information systems shall furnish staff and other assistance as requested by the intergovernmental information systems advisory council. The intergovernmental information systems advisory council shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

Subd. 2. The intergovernmental information systems advisory council shall assist the Minnesota advisory council for information systems in the development of data standards and program budgeting systems and standards; recommend to the Minnesota advisory council for information systems policies and procedures governing the collection, security and confidentiality of data; review and comment on all applications for federal or foundation funding for information systems and on all computer systems involving intergovernmental funding; keep local governments abreast of the state of the art in information systems and prepare guidelines for intergovernmental systems.

Subd. 3. The intergovernmental information systems advisory council shall initially be composed of those members serving on the intergovernmental information systems advisory council pursuant to the 1976 edition of Minnesota Statutes, Section 16.911, as of the effective date of this act. The initial members shall serve out their terms under the conditions of their appointments pursuant to the 1976 edition of Minnesota Statutes, Section 16.911.

Subd. 4. [TRANSFER OF EXISTING APPROPRIATIONS.] The unliquidated appropriations and encumbrances of the department of administration for the intergovernmental coordination activity defined in section 16.911 are transferred and reappropriated to the Minnesota advisory council for information systems for the purposes of this section.

Sec. 9. Minnesota Statutes 1976, Section 3.976, is amended to read:

3.976 [INFORMATION COLLECTED FROM LOCAL GOVERNMENTS.] The state auditor, or his designated agent, shall collect annually from all city, county, and other local units of government, information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, borrowing, debts, principal and interest payments on debts, and such other information as may be needful. The data shall be supplied (UPON BLANKS) in a manner prescribed by the state auditor, and all public officials (SO CALLED UPON SHALL FILL OUT PROPERLY AND RETURN PROMPTLY ALL BLANKS SO TRANS-

MITTED) shall properly and promptly provide the data in the prescribed manner. The state auditor or his assistants, may examine local records in order to complete or verify the information. Copies of all reports so received shall be forwarded by the state auditor to the legislative auditor. Before establishing reporting requirements for local governmental units pursuant to this section or to any other section, the state auditor shall consult with the Minnesota advisory council for information systems.

Sec. 10. Minnesota Statutes 1976, Section 16.80, is amended by adding a subdivision to read:

Subd. 3. The department of administration shall, prior to expenditure of any computer services revolving fund monies after June 30, 1979, prepare reports and budgets regarding the computer services revolving fund for inclusion in the governor's budget recommendations to the legislature and review by the legislature in the same manner and form as agencies operating on a direct appropriation basis. If the department of administration receives computer services revolving fund receipts in excess of those estimated in the executive/legislative budget process, it shall seek and obtain the approval of the legislative advisory committee prior to any expenditure of the excess receipts.

Sec. 11. Minnesota Statutes 1976, Section 16.90, Subdivision 4, is amended to read:

Subd. 4. The commissioner (, AFTER CONSULTATION WITH THE STATE INFORMATION SYSTEMS ADVISORY COUNCIL AND THE INTERGOVERNMENTAL INFORMATION SYSTEMS ADVISORY COUNCIL,) shall (DESIGN AND MAINTAIN A MASTER PLAN FOR INFORMATION SYSTEMS IN THE STATE AND ITS POLITICAL SUBDIVISIONS AND SHALL REPORT THEREON TO THE GOVERNOR AND LEGISLATURE AT THE BEGINNING OF EACH REGULAR SESSION; ESTABLISH STANDARDS FOR INFORMATION SYSTEMS;) maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government (;) and administer the communications for the state information system.

Sec. 12. Minnesota Statutes 1976, Section 16.94, is amended to read:

16.94 [MODIFICATION OF OPERATING AND MANAGEMENT PROCEDURES.] Where improved program effectiveness, better utilization of services, and greater efficiency and economy in state government can be demonstrated, the commissioner with the approval of the governor and with the advice of the Minnesota advisory council for information systems may

require a department or agency of the state to adjust its operating and management procedures to take advantage of improved systems, procedures, and methods resulting from systems analysis and information science technology.

Sec. 13. Minnesota Statutes 1976, Section 16.95, is amended to read:

16.95 [FUNCTION OF LEGISLATIVE AUDITOR.] The legislative auditor may conduct performance evaluation of all systems analysis, information services, and computerization efforts of all state agencies, and the university of Minnesota, and upon request of the governing body or request of the (STATE INFORMATION SYSTEMS ADVISORY COUNCIL HE) *Minnesota advisory council for information systems* shall conduct the same services for political subdivisions of the state and report his findings to the governor and to the legislature. The cost of such evaluations shall be paid by the agencies being evaluated.

Sec. 14. [REPEALER.] *Minnesota Statutes 1976, Sections 16.91 and 16.911, are repealed.*

Sec. 15. [APPROPRIATIONS.] *There is appropriated from the general fund to the Minnesota advisory council for information systems the sum of \$350,000 to be used for the purposes of this act during the biennium ending June 30, 1979.*

Sec. 16. [EFFECTIVE DATE.] *This act is effective July 1, 1978."*

Further, delete the title and insert:

"A bill for an act relating to data processing by certain public bodies; its regulation and control; establishing the Minnesota advisory council for information systems; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1976, Sections 3.976; 16.80, by adding a subdivision; 16.90, Subdivision 4; 16.94; and 16.95; repealing Minnesota Statutes 1976, Sections 16.91 and 16.911."

With the recommendation that when so amended the bill be re-referred to the Committee on Governmental Operations without further recommendation.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 961, A bill for an act relating to education; data processing; establishing the Minnesota educational computing

consortium as a state agency; prescribing powers and duties therefor; repealing Minnesota Statutes 1976, Section 16.93.

Reported the same back with the following amendments:

Page 2, delete lines 1 and 2, and insert "or computer programming, including but not limited to computer hardware, firmware, software, and communication protocol, utilized in connection with the processing of information via electronic data processing".

Page 3, line 8, delete "1977" and insert "1978".

Page 3, line 25, delete ", if appropriate,".

Page 4, line 12, delete "promulgate" and insert "establish".

Page 4, delete lines 16 to 19 and insert "(2) Subject to the provisions of Minnesota Statutes, Chapter 43, employ and delegate its powers to such professional, technical and clerical staff as it deems necessary, including an executive director in the unclassified state service, within the complement limits established by the legislature. Individuals who are employees of the Minnesota educational computing consortium on the effective date of this act, excepting the executive director thereof, shall be transferred to the classified service of the state without competitive examination and shall be placed in the classifications and receive the compensation established by the department of personnel pursuant to Minnesota Statutes, Section 120.81, Subdivision 1. The executive director shall be transferred to the unclassified state service at the compensation level established for that position pursuant to Minnesota Statutes, Section 120.81, Subdivision 1. Incumbents of positions so transferred to the state civil service shall receive such status and length of service credits as would have accrued to them had they originally been appointed to the state civil service. All of the aforementioned employees' accrued annual and sick leave shall also be transferred to their benefit, provided that accumulations of annual leave in excess of state limitations shall be paid to the employees with such accumulations."

Page 6, line 11, delete "Notwithstanding any of the provisions".

Page 6, delete lines 12 to 14.

Page 6, line 15, delete "possible,".

Page 6, line 15, after "regents" insert "of the university of Minnesota".

Page 6, line 16, after "chapter." insert "If the university does not comply, it shall then report the reasons for any noncompliance to the board."

Page 6, delete lines 17 to 19 and renumber subsequent sections.

With the recommendation that when so amended the bill be re-referred to the Committee on Governmental Operations without further recommendation.

The report was adopted.

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

H. F. No. 1141, A bill for an act relating to waters; scenic rivers; local government compliance with plans for wild, scenic or recreational river areas; providing for costs to be borne by department of natural resources in certain instances; amending Minnesota Statutes 1976, Section 104.36, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. The commissioner of natural resources shall conduct a study to determine the costs to affected local units of government of preparing, adopting, and administering local land use controls required by Minnesota Statutes, Section 104.36. By January 15, 1979, the commissioner shall report to the legislature on the results of the study and on his findings regarding the need for a program of grants or reimbursements for such costs. If the commissioner finds that such a program is necessary, his report shall also contain recommendations on the funding required, the function of any such grants or reimbursements and other appropriate matters relating to the administration of such a program."

Further, amend the title as follows:

Page 1, line 2, delete "waters; scenic rivers;"

Page 1, line 4, delete "costs".

Page 1, delete lines 5 to 7, and insert "a study and recommendations concerning the amount and distribution of costs associated therewith."

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

The report was adopted.

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

H. F. No. 1519, A bill for an act relating to natural resources; concerning forestry; regulating the maintenance of fires; amending Minnesota Statutes 1976, Sections 88.01, by adding a subdivision; 88.10; 88.16; 88.17; 88.22; 88.73; 88.75, Subdivision 1; 88.76; 88.77; and 88.78.

Reported the same back with the following amendments:

Page 2, line 30, after "1." insert "*Except as provided in subdivision 2.*".

Page 2, lines 30 to 32, reinstate the stricken language.

Page 3, reinstate stricken language in line 1 and strike "native" and insert "*natural*".

Page 3, reinstate stricken language in lines 2 to 4.

Page 3, line 5, reinstate "any open fire".

Page 3, lines 5 to 7, delete the new language.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1937, A bill for an act relating to pollution control; providing for the receipt and appropriation of certain funds by the pollution control agency; further regulating the transport of sewage sludge; amending Minnesota Statutes 1976, Section 115.06, Subdivision 2; and Minnesota Statutes, 1977 Supplement, Section 169.80, Subdivision 2.

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

The report was adopted.

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

H. F. No. 2137, A bill for an act relating to natural resources; concerning water resources; revising certain provisions concern-

ing dams, reservoirs, control structures, and waterway obstructions; prescribing certain fees to finance safety examinations relating to such projects; appropriating money; amending Minnesota Statutes 1976, Sections 105.42, Subdivision 2; 105.482, Subdivision 2; 105.52; 105.53; and Minnesota Statutes, 1977 Supplement, Section 105.44, Subdivision 10.

Reported the same back with the following amendments:

Page 5, line 2, delete "general".

Page 5, line 3, delete "fund" and insert "dam safety account which is hereby created. All of the money in the dam safety account is annually appropriated to the commissioner to carry out duties related to dams, reservoirs, control structures, or waterway obstructions to be constructed, repaired, altered, abandoned, or removed and for their periodic examination. The dam safety account shall be subject to review by the legislature annually and the account shall terminate on January 1, 1981, unless otherwise extended by the legislature. In the event the account terminates on January 1, 1981, all money paid as inspection fees under clause (a) and all money paid under clauses (b) and (c) shall be deposited in the state treasury and credited to the general fund".

Page 6, line 23, delete "four" and insert "five".

Page 6, after line 24, insert a new section as follows:

"Sec. 7. The commissioner of natural resources shall make every effort possible to promulgate rules and regulations relating to the dam safety program by February 1, 1979. These rules and regulations shall include provisions which exclude from permit requirements, minor dams such as those less than six feet in height or which impound less than 50 acre-feet of storage at maximum storage elevations. This does not apply to any such barrier which is not in excess of six feet in height, regardless of storage capacity or which has a storage capacity at maximum water storage elevation not in excess of 15 acre-feet, regardless of height. Rules and regulations shall classify structures to adequately define risks and hazards involved in relation to public health, safety and welfare."

Page 6, line 25, delete "7" and insert "8".

Page 6, line 25, delete "July".

Page 6, delete line 26 and insert "the day following final enactment."

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

The report was adopted.

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

H. F. No. 2261, A bill for an act relating to energy; changing the powers of the Minnesota energy agency; providing for the confidentiality of proprietary data furnished to the energy agency; mandating certain residential energy efficiency standards; establishing insulation product and application standards; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Section 116H.08; Chapter 116H, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 116H.129, Subdivision 1, and by adding subdivisions.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 116H.08, is amended to read:

116H.08 [POWERS.] The director may:

(a) Adopt rules (AND REGULATIONS,) pursuant to chapter 15 necessary to carry out the purposes of sections 116H.01 to 116H.15;

(b) Make all contracts pursuant to sections 116H.01 to 116H.15 and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any (PRIVATE) grant intended for the administration of sections 116H.01 to 116H.15. Notwithstanding any other law the agency is designated the state agency to apply for, receive and accept federal *or other* funds made available to the state for the purposes of sections 116H.01 to 116H.15.

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Distribute informational material at no cost to the public upon reasonable request.

Sec. 2. Minnesota Statutes, 1977 Supplement, Section 116H.-129, Subdivision 1, is amended to read:

116H.129 [ENERGY CONSERVATION IN RESIDENTIAL BUILDINGS.] Subdivision 1. Before January 1, (1978) 1979, the commissioner of administration, in consultation with the director and the appropriate standing committees of the legislature, shall promulgate minimum energy efficiency standards for existing residential buildings. The standards shall be economically feasible in that the resultant savings in energy procurement costs, based on current *and projected* average residential energy costs in Minnesota as certified by the director in the state register, will exceed the cost of the energy conserving requirements amortized over (A PERIOD OF FIVE YEARS) *the five year period subsequent to the incurring of such cost. The costs computed under this section shall include reasonable inflation and interest factors.*

(BY FEBRUARY 15, 1978, THE DIRECTOR SHALL MAKE RECOMMENDATIONS TO THE LEGISLATURE ON METHODS TO OBTAIN COMPLIANCE WITH THE STANDARDS SET FORTH IN THIS SUBDIVISION.)

Sec. 3. [RESIDENTIAL ENERGY DISCLOSURE REPORT.] Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following terms shall have the meaning given them.*

Subd. 2. "Residence" means any dwelling intended for permanent habitation except buildings such as hotels, hospitals, motels, dormitories, sanitariums, nursing homes, schools and other buildings used for educational purposes, or correctional institutions. A mobile home as defined in section 168.011, subdivision 8, shall be a residence for purposes of this section.

Subd. 3. "Time of sale" means the time when a written purchase agreement is executed by the buyer, or, in the absence of a purchase agreement, prior to the execution of any document providing for the conveyance of a residence.

Subd. 4. "Energy disclosure report" means the written and signed evaluation by a person certified pursuant to subdivision 5 of this section made on an approved form, representing to the actual buyer of the residence evaluated that the evaluator has used reasonable care and diligence, and has found no instance of noncompliance with the items contained on the approved form as of the date thereon except as specifically designated.

Subd. 5. By July 1, 1979, the commissioner of administration shall certify evaluators in each county of the state who are qualified to determine the compliance of a residence with standards adopted pursuant to Minnesota Statutes, Section 116H.129, Subdivision 1. The commissioner of administration shall, by rule pursuant to chapter 15, establish standards for the certification and performance of evaluators and set a fee for the certification of

evaluators which is sufficient to cover the ongoing costs of the program once it is established. Effective July 1, 1979, each certified evaluator shall, on request of the owner, inspect any residence and report the degree to which it complies with applicable energy disclosure requirements.

Subd. 6. Effective October 1, 1979, no owner or agent shall sell by conveyance or contract for conveyance a residence constructed before January 1, 1976, without providing to the buyer, prior to the time of sale, an energy disclosure report for the residence unless the buyer has been provided a copy of the form used in making an energy disclosure report and has declared in writing that he waives his right to a report.

Sec. 4. Minnesota Statutes, 1977 Supplement, Section 116H.129, is amended by adding subdivisions to read:

Subd. 3. Effective January 1, 1980, all nonhomestead residences constructed prior to January 1, 1976, which are renter occupied and not owned by an agency of the federal government shall be in compliance with standards pursuant to subdivision 1 pertaining to caulking and weatherstripping of exterior joints and sealing of other openings in the building envelope. Effective July 1, 1983, all such renter occupied residences shall be in full compliance with standards pursuant to subdivision 1.

Subd. 4. The energy agency shall conduct inspections on a random basis for compliance with the provisions of subdivision 3 of this section.

Subd. 5. No more than one-fifth of the actual costs of compliance with subdivision 3 of this section shall be included in the rent charged for a unit in any one calendar year.

Sec. 5. [HOME INSULATION; CONSUMER PROTECTION; DEFINITIONS.] Subdivision 1. For the purposes of sections 6 to 11, the following terms shall have the meanings here given them.

Subd. 2. "Advertisement" means any written or verbal statement, illustration or depiction which appears in the mass media, in brochures, leaflets, or circulars, outdoor advertising, retail displays, or on vehicles, which is designed to cause the sale of or interest in the purchase of insulation.

Subd. 3. "Energy agency" means the Minnesota energy agency as provided in chapter 116H.

Subd. 4. "Industry members" means producers and suppliers of materials from which insulation is made who promote the sale or distribution of insulation; manufacturers of insulation; jobbers, wholesalers and retailers of insulation; contractors and ap-

plicators who sell and install residential insulation; and those engaged in the marketing of insulation who are, or who purport to act as, agents of manufacturers or suppliers of insulation.

Subd. 5. "Insulation" means any material or assembly of materials used primarily to provide resistance to heat flow in building structures, including but not limited to mineral fibrous, mineral cellular, organic fibrous, organic cellular or reflective materials, whether in loose fill, flexible, semi-rigid or rigid form.

Subd. 6. "Laboratory qualified to test thermal insulation" means an approved laboratory classified by the energy agency in consultation with industry members as passing an appropriate examination of ability to perform tests and continuing inspection or follow-up service according to specifications for manufacture and installation, also referred to as "testing laboratory".

Subd. 7. "Presenting a clear and present danger" means known to cause physical damage to structure or health hazards to occupants through continuing direct contact or release of hazardous substances as defined in section 24.33.

Subd. 8. "R value" means the measure of resistance to heat flow through a material or the reciprocal of the heat flow through a material expressed in British thermal units per hour per square foot per degree Fahrenheit at 75 degrees Fahrenheit mean temperature.

Subd. 9. "Specifications for manufacture and installation" means those specifications in section 6.

Sec. 6. [SPECIFICATIONS FOR THE MANUFACTURE, LABELING, AND INSTALLATION OF INSULATION.] *Subdivision 1. Within nine months of the effective date of this act, the energy agency shall promulgate rules pursuant to chapter 15 regarding quality, information, and product safety specifications for the manufacture, labeling, installation, and thermographing of insulation. The specifications and any amendments to them shall conform as far as is practical to federal standards or other standards generally accepted and in use throughout the United States. Such standards, with modifications as may be deemed necessary, may be adopted by reference. The specifications as promulgated and any amendments shall be based on the application of scientific principles, approved tests, and professional judgment. Upon the effective date of this act, the energy agency may issue temporary rules pursuant to section 15.0412, subdivision 5, for the purposes of this section.*

Subd. 2. In addition to the specifications promulgated pursuant to subdivision 1 of this section, no insulation presenting a clear and present danger by the nature of its composition at the time of installation shall be used or offered for sale in Minnesota.

Subd. 3. The manufacturer's written instructions describing the proper methods of application of the insulation and required or recommended safety measures shall be provided to each intermediate and ultimate consumer of all insulation sold for use in Minnesota within ten days of when the insulation is sold.

Sec. 7. [TESTING OF INSULATION.] *Subdivision 1. The director of the energy agency shall promulgate rules concerning qualifications of testing laboratories and the nature of continuing inspection and follow-up services for this section.*

Subd. 2. Effective December 1, 1979, all insulation used or offered for sale in Minnesota shall be subject to a continuing inspection and follow-up service by an approved laboratory qualified to test thermal insulation.

Subd. 3. Upon the adoption of specifications under section 6, subdivision 1, all insulation used or offered for sale in Minnesota shall be tested in accordance with testing procedures required under those specifications by a laboratory qualified to test thermal insulation.

Subd. 4. The director of the energy agency shall purchase from time to time unopened insulation packages which shall be sent to an approved testing laboratory to test for compliance with the specifications established under section 6, subdivision 1.

Sec. 8. [UNFAIR AND DECEPTIVE ADVERTISING PRACTICES.] *Subdivision 1. It shall be considered an unfair and deceptive practice to violate any of the provisions of this section.*

Subd. 2. No advertisement for insulation to be used or offered for sale in Minnesota shall state that a percentage of fuel costs or a certain dollar amount of fuel costs will be saved unless the statement is accompanied by the following or substantially similar disclaimer in letters the same size as the claim of savings: "Stated savings are estimates only. Actual savings may vary depending on type of home, weather conditions, occupant lifestyle, energy prices and other factors."

Subd. 3. No advertisement for insulation to be used or offered for sale in Minnesota shall contain any claim which is false or misleading, or for which there exists no reasonable substantiation at the time the claim is made. Prohibited claims include, but are not limited to, the following: does not burn, noncombustible, self-extinguishing, nonpoisonous, non-irritating, vermin-proof, rodent-proof, resists mildewing, will not shrink, will not crack, permanent, no deterioration, complete coverage, fills all voids, never needs replacing, will not settle. This prohibition shall not apply if the claim is substantiated by tests

identified in the specifications established under section 6, subdivision 1, or by appropriate testing procedures of the American Society for Testing and Materials where no test required under section 6, subdivision 1, applies. Such tests shall be made by a laboratory qualified to test thermal insulation. When tests are not designed to duplicate actual conditions, substantiated claims must so state.

Subd. 4. No representation about the thermal resistance value of insulation shall be made unless the R value is given and has been determined by the tests required in the specification established under section 6, subdivision 1, or by appropriate testing procedures of the American Society for Testing and Materials where no test required under section 6, subdivision 1, applies. Such tests shall be made by an approved laboratory qualified to test thermal insulation.

Sec. 9. [MARKING, LABELING, AND CONSUMER INFORMATION.] *Subdivision 1. The outside of all containers and wrappings of insulation used or offered for sale in Minnesota shall have the following information printed legibly thereon in bold type not less than 1/8 inch high:*

(a) Type (pneumatic or blown, pouring, batt, roll, blanket, board, cellular, or reflective);

(b) R value (to the nearest tenth) per inch at the recommended installation density;

(c) Required thickness in inches to obtain four or more commonly used R values and the corresponding coverage areas in square feet of the insulation in the container or wrapping;

(d) Expiration date and expected shelf life of all resins, catalysts, and foaming agents for all foam insulations, whether in powder, diluted or partially diluted state, on canister, drum, container, or package. For purposes of this section, "foam insulation" means products having an organic base or composed of vinyl or plastic material or both, which are manufactured or installed using a process involving a foaming agent, a resin, a catalyst and an air compressor, including but not limited to urea-formaldehyde, other urea-based foams, urethane foam, polyurethane foam, polystyrene foam, and isocyanurate foam;

(e) Name and address of the manufacturer of the insulation;

(f) A notation of those current specifications of the United States General Services Administration, the United States Department of Energy, the United States Department of Housing and Urban Development, the United States Consumer Product Safety Commission, the Federal Trade Commission and the energy agency with which the insulation complies;

(g) *The net weight of the contents of the bag, package, or container.*

Subd. 2. Where insulation is used or offered for sale without the manufacturer's container, the information required in subdivision 1 shall be provided in a separate printed statement to the intermediate and ultimate consumers.

Sec. 10. [ENFORCEMENT; PENALTIES.] *Subdivision 1. Violation of section 6, subdivision 2, or section 7, subdivision 2 or 3, shall constitute a misdemeanor, provided that the sole liability for such violation on insulation sold under the manufacturer's brand or trademark shall be the manufacturer's, and that an industry member who is not a manufacturer shall be liable under this subdivision only if he has actual knowledge or knowledge fairly implied on the basis of the objective circumstances that the insulation presents a clear and present danger or has not been subject to the required testing procedures.*

Subd. 2. Violation of section 6, subdivision 3, shall constitute a petty misdemeanor.

Subd. 3. Violation of section 8 or 9 shall constitute a misdemeanor.

Subd. 4. The provisions of section 8 may be enforced by the attorney general pursuant to section 325.907. The attorney general may recover costs and disbursements, including costs of investigation and reasonable attorney's fees. In addition to the remedies otherwise provided by law, any person injured by a violation of sections 6, 8, or 9 may bring a civil action and recover damages together with costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court. The court may as appropriate enter a consent judgment or decree without the finding of illegality.

Subd. 5. Remedies taken under this section shall not exclude other civil or criminal actions under Minnesota Statutes.

Sec. 11. [APPROPRIATIONS.] *Subdivision 1. For the year ending June 30, 1979, the sum of \$ is appropriated from the general fund to the energy agency for the purposes of sections 6 and 7.*

Subd. 2. For the year ending June 30, 1979, the sum of \$18,000 is appropriated from the general fund to the department of administration for the purposes of section 3.

Subd. 3. For the year ending June 30, 1979, the sum of \$80,000 is appropriated from the general fund to the director of the housing finance agency for the purpose of studying and reporting to the legislature by January 15, 1979, on existing loan

programs for the rehabilitation of low and moderate income rental housing for energy conservation purposes. In particular, the study shall focus on the financial impact of rehabilitation and energy conservation programs on tenants. The director shall also include in the report to the legislature his recommendations for additional legislation for energy conservation programs for low and moderate income rental housing, and for methods of protecting tenants from unreasonable costs as a result of such programs.

Sec. 12. [EFFECTIVE DATE.] *This act shall be effective the day after enactment.*"

Further, amend the title as follows:

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

Page 1, delete line 4.

Page 1, line 5, delete "the energy agency; mandating" and insert "implementing".

Page 1, line 10, delete "Chapter 116H, by adding a section;"

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

The report was adopted.

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

H. F. No. 2393, A bill for an act relating to power plant sites and high voltage transmission line routes; clarifying the rights of property owners and transferees who previously transferred real property to utilities; amending Minnesota Statutes, 1977 Supplement, Section 116C.63, Subdivisions 4 and 5.

Reported the same back with the following amendments:

Page 1, delete lines 10 to 23.

Page 2, delete lines 1 to 7.

Page 2, line 11, delete "June 3, 1977" and insert "July 1, 1978".

Renumber sections.

Further, amend the title as follows:

Page 1, line 7, delete "Subdivisions 4 and" and insert "Subdivision".

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 1, line 14, delete "*June 30*" and insert "*September 1*".

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

The report was adopted.

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

H. F. No. 2139, A bill for an act relating to emergency services; authorizing the division of emergency services to enter into an agreement with the federal disaster assistance administration for the maintenance of the Minnesota natural disaster assistance plan; appropriating money.

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

The report was adopted.

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

H. F. No. 2273, A bill for an act relating to veterans; commissioner of veterans affairs; providing for appeals from and enforcement of his decisions; amending Minnesota Statutes 1976, Section 197.481, Subdivision 6, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2274, A bill for an act relating to veterans; providing for appeals from removals and disciplinary actions; amending Minnesota Statutes 1976, Sections 43.24, Subdivision 1; and 197.481, Subdivision 1.

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

The report was adopted.

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

H. F. No. 1734, A bill for an act relating to courts; permitting referees in certain courts; repealing Minnesota Statutes, 1977 Supplement, Section 484.70.

Reported the same back with the following amendments:

Page 1, after line 6, insert sections to read:

"Section 1. [APPOINTMENT OF REFEREES AND JUDICIAL OFFICERS; RESTRICTION.] Notwithstanding any other provision of law, no additional referees or judicial officers for any county court, county municipal court or district court shall be appointed or authorized.

Sec. 2. [SUPREME COURT; LEGISLATIVE REPORT.] The supreme court shall study and review the issue of judicial officers and referees; and shall consider available alternatives to the use of referees and judicial officers in the state courts. The supreme court shall submit its recommendations to the legislature on or before February 1, 1979."

Renumber the remaining section.

Page 1, line 8, delete the first "Section" and insert "Sections".

Page 1, line 8, delete ", is" and insert "and 487.08 are".

Further amend the title:

Line 2, after "referees" insert "and judicial officers".

Line 3, after the semicolon, insert "restricting appointment of referees and judicial officers; requiring the supreme court to submit recommendations;"

Line 4, delete "Section" and insert "Sections".

Line 4, before the period insert "and 487.08".

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. 2452, A bill for an act relating to state lands; directing the conveyance of Hastings state hospital surplus lands.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [CONVEYANCE OF STATE LANDS; HASTINGS, CITY OF.] At such time that the Hastings state hospital is not used as a state facility the lands comprising the hospital shall not be transferred or conveyed by the state until the commissioner of administration determines what percentage of the lands were obtained by the state as a result of contributions from the city of Hastings. Upon that determination the governor shall convey to the city of Hastings a portion of the lands equal to the city's original contribution. The conveyance shall be made by a quitclaim deed in the form the attorney general approves and in the name of the state of Minnesota, to the city of Hastings for a consideration of one dollar.

Sec. 2. This act is effective upon final enactment."

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

The report was adopted.

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

S. F. No. 1617, A bill for an act relating to evidence; eliminating the presumption of due care in negligence actions; repealing Minnesota Statutes 1976, Section 602.04.

Reported the same back with the following amendments:

Page 1, after line 8, add:

"Sec. 2. This act shall be effective in any action the trial of which is commenced after June 30, 1978."

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. 1317, A bill for an act relating to public welfare; neglected children; defining and providing procedures for termination of parental rights as to neglected children in foster care.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [STATEMENT OF PURPOSE.] *The purpose of sections 1 to 7 is to establish criteria for judicial consideration of the termination of all parental rights and responsibilities; to provide stability in the lives of children who must be removed from their home and to make the ongoing needs of a child for proper physical, mental, and emotional growth and development the decisive considerations in permanent custody proceedings.*

Sec. 2. [CHILDREN IN FOSTER HOMES; PLACEMENT; REVIEW.] *Subdivision 1. [PLACEMENT; PLAN.] A case plan shall be prepared within 30 days after any child is placed in a foster home, either by court order or by the voluntary release of the child by his natural parent or parents. Within one year after the effective date of this act, a case plan shall be prepared for all children placed in a foster home prior to that date.*

For the purposes of this section, a case plan means a written document ordered by the court or signed by the natural parent or parents of the child, the child's legal guardian, the social service agency responsible for the foster home placement and, if possible, the child. The document shall be explained to all persons involved in its implementation, including the child, and shall set forth:

(1) *The specific reasons for the placement of the child in a foster home, including a description of the problems or conditions in the home of the natural parent or parents which necessitated removal of the child from his home;*

(2) *The specific actions to be taken by the natural parent or parents of the child to eliminate or correct the problems or*

conditions identified in clause (1), and the time period during which the actions are to be taken;

(3) The financial responsibilities and obligations, if any, of the natural parents for the support of the child during the period the child is in the foster home;

(4) The visitation rights and obligations of the natural parent or parents during the period the child is in the foster home;

(5) The social and other supportive services to be provided to the natural parent or parents of the child, the child, and the foster parents during the period the child is in the foster home;

(6) The nature of the effort to be made by the social service agency to reunite the family;

(7) The date on which the child is expected to be returned to the home of his natural parent or parents; and

(8) Notice to the natural parent that placement of the child in foster care may result in termination of parental rights but only after full notice of termination proceedings pursuant to section 260.231. The natural parent or parents and the child shall have the right to legal counsel in the preparation of the case plan. If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the natural parent or parents or the child or the child's legal guardian. The natural parent or parents may receive assistance from any person or social service agency in preparation of the case plan. After the plan has been agreed upon by the parties involved, the foster parents shall be fully informed of the provisions of the case plan, knowledge of which is necessary to elicit their full cooperation.

Subd. 2. [SIX MONTH REVIEW.] If the child is not returned to the home of his natural parent or parents within 180 days of his initial placement in a foster home, all persons involved in the preparation of the initial plan shall review the plan and may agree to change or add new provisions.

Subd. 3. [ANNUAL REVIEW.] After the initial six month review provided in subdivision 2, the agency responsible for the placement of a child in foster care shall petition the court at least annually for a review of the child's status and the implementation of the plan required by subdivision 1. If it appears to the agency that there exist grounds under section 260.221, clause (7), for termination of the parental rights of one or both parents of the child in foster care, the agency may file a petition for the termination pursuant to section 260.231.

Sec. 3. [NEGLECTED AND IN FOSTER CARE.] For purposes of section 260.221, clause (7), a child who is "neglected and in foster care" shall be a child who has been placed by court order in foster care for a period of at least 12 months, whose parents' circumstances, condition, or conduct are such that the child cannot be returned to them and whose parents have, despite the availability of needed rehabilitative services, failed to make reasonable efforts to adjust their circumstances, condition, or conduct or have willfully failed to meet reasonable expectations with regard to visiting the child or providing financial support for the child. If the child has been placed in a foster home pursuant to a voluntary release by his natural parent or parents, the court shall not determine that the child is "neglected and in foster care" unless notice has been served to the natural parent or parents in the manner set forth in section 260.141 specifying the grounds for determining that the child is "neglected and in foster care". The court shall not initiate proceedings to terminate parental rights of a parent of a child voluntarily placed in foster care unless the child had been found to be a neglected child as defined in section 260.015, subdivision 10, in a previous court proceeding.

In determining whether a child shall be considered "neglected and in foster care," the court shall consider, among other factors, the following:

(1) The effort the parent has made to adjust his circumstances, conduct, or condition to make it in the child's best interest to return him to his home in the foreseeable future, including the use of rehabilitative services offered to the parent by the agency;

(2) The extent to which the parent has maintained regular visitation or other contact with the child as part of a plan to reunite the child with the parent; a minimum visitation plan should call for at least one visit every nine months unless it is physically or financially impossible for the parent or not in the best interest of the child;

(3) The maintenance of regular contact or communication with the agency or person temporarily responsible for the child;

(4) The payment of a reasonable portion of substitute physical care and maintenance if financially able to do so;

(5) The appropriateness and adequacy of services provided or offered to the parent to facilitate a reunion;

(6) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time; and

(7) *The nature of the effort made by the social service agency to rehabilitate and reunite the family.*

Sec. 4. Minnesota Statutes 1976, Section 259.29, is amended to read:

259.29 [EFFECT OF ADOPTION.] Upon adoption, such child shall become the legal child of the persons adopting him, and they shall become his legal parents with all the rights and duties between them of natural parents and legitimate child. By virtue of such adoption he shall inherit from his adoptive parents or their relatives the same as though he were the legitimate child of such parents, and in case of his death intestate the adoptive parents and their relatives shall inherit his estate as if they had been his natural parents and relatives in fact. After a decree of adoption is entered the natural parents of an adopted child shall be relieved of all parental responsibilities for such child, and they shall not exercise or have any rights over such adopted child or his property. The child shall not owe his natural parents or their relatives any legal duty nor shall he inherit from his natural parents or kindred. Notwithstanding any other provisions to the contrary in this section, the adoption of a child by his step-parent shall not in any way change the status of the relationship between the child and his natural parent who is the spouse of the petitioning step-parent. *Notwithstanding the provisions of this section, the adoption of a child whose natural parent or parents are enrolled in an American Indian tribe shall not change the child's enrollment in that tribe.*

Sec. 5. Minnesota Statutes 1976, Section 260.015, Subdivision 10, is amended to read:

Subd. 10. "Neglected child" means a child:

(a) Who is abandoned by his parent, guardian, or other custodian; or

(b) Who is without proper parental care because of the faults or habits of his parent, guardian, or other custodian; or

(c) Who is without necessary subsistence, education or other care necessary for his physical or mental health or morals because his parent, guardian or other custodian neglects or refuses to provide it; or

(d) Who is without the special care made necessary by his physical or mental condition because his parent, guardian, or other custodian neglects or refuses to provide it; or

(e) Whose occupation, behavior, condition, environment or associations are such as to be injurious or dangerous to himself or others; or

(f) Who is living in a facility for foster care which is not licensed as required by law, unless the child is living in the facility under court order; or

(g) Whose parent, guardian, or custodian has made arrangements for his placement in a manner detrimental to the welfare of the child or in violation of law; (OR)

(h) Who comes within the provisions of subdivision 5, but whose conduct results in whole or in part from parental neglect (.); or

(i) *Who is neglected and in foster care.*

Sec. 6. Minnesota Statutes 1976, Section 260.181, Subdivision 3, is amended to read:

Subd. 3. [PROTECTION OF RELIGIOUS AFFILIATION.] The court, in transferring legal custody of any child or appointing a guardian for him under the laws relating to juvenile courts, shall place him so far as it deems practicable in the legal custody or guardianship of some individual holding the same religious belief *and the same ethnic origin* as the parents of the child, or with some association which is controlled by persons of like religious faith *and ethnic origin* with the parents. *The court may require the county welfare agency to continue efforts to find a guardian of like religious faith or ethnic origin when such a guardian is not immediately available.*

Sec. 7. Minnesota Statutes 1976, Section 260.221, is amended to read:

260.221 [GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.] The juvenile court may, upon petition, terminate all rights of parents to a child in the following cases:

(a) With the written consent of parents who for good cause desire to terminate their parental rights; or

(b) If it finds that one or more of the following conditions exist:

(1) That the parents have abandoned the child; or

(2) That the parents have substantially and continuously or repeatedly refused to give the child necessary parental care and protection; or

(3) That, although the parents are financially able, they have substantially and continuously neglected to provide the child with necessary subsistence, education, or other care necessary for his physical or mental health or morals or have neglected to pay for such subsistence, education or other care when legal custody is lodged with others; or

(4) That the parents are unfit by reason of debauchery, intoxication or habitual use of narcotic drugs, or repeated lewd and lascivious behavior, or other conduct found by the court to be likely to be detrimental to the physical or mental health or morals of the child; or

(5) That following upon a determination of neglect or dependency, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination; or

(6) That in the case of an illegitimate child the person is not entitled to notice of an adoption hearing under section 259.26 and either the person has not filed a notice of his intention to retain parental rights under section 259.261 or that such notice has been successfully challenged(.) ; or

(7) *That the child is neglected and in foster care.*"

Further, strike the title and insert:

"A bill for an act relating to public welfare; neglected children; defining and providing procedures for termination of parental rights as to neglected children in foster care; amending Minnesota Statutes 1976, Sections 259.29; 260.015, Subdivision 10; 260.181, Subdivision 3; and 260.221."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1411, A bill for an act relating to health; increasing public availability of articles relating to the prevention of conception or disease; amending Minnesota Statutes 1976, Section 617.251.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Chapter 145, is amended by adding a section to read:

[145.246] [CONTRACEPTIVES; SALE AND DISTRIBUTION.] *Contraceptives not defined or regulated as legend drugs pursuant to chapter 151 may be offered for sale or distributed by any health professional, or person under the supervision of a health professional. These contraceptives may be publicly displayed and publicly accessible. Any individual may purchase or acquire such nonprescription contraceptives. Distribution or sale of contraceptives on the premises of any elementary or secondary school is prohibited.*

Sec. 2. *Minnesota Statutes 1976, Section 617.251, is repealed."*

Further, strike the title and insert:

"A bill for an act relating to health; increasing public availability of articles relating to the prevention of conception or disease; amending Minnesota Statutes 1976, Chapter 145, by adding a section; repealing Minnesota Statutes 1976, Section 617.251."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1823, A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1976, Section 123.70.

Reported the same back with the following amendments:

Page 1, line 10, strike "his".

Page 1, line 14, strike "signed by" and insert "from".

Page 1, line 14, after "physician" insert "*or a public clinic which provides immunizations*".

Page 1, line 18, after "mumps" strike the remaining language.

Page 1, line 19, strike "effective".

Page 1, line 20, delete "signed by" and insert "from".

Page 1, line 20, after "physician" insert "*or a public clinic which provides immunizations*".

Page 1, line 22, delete "he" and insert "*the child*".

Page 2, line 5, strike "his" and insert "*the*".

Page 2, line 5, after "health" insert "*of the child*".

Page 2, line 8, strike "he" and insert "*the child*".

Page 2, line 10, strike "; or" and insert a period.

Page 2, lines 11 to 22, delete the new language, strike the old language, and insert:

"Subd. 2. No child who has commenced a treatment schedule of immunization pursuant to subdivision 1, clause (2), may remain enrolled in any school in this state after ten months of enrollment unless there is submitted to the principal, or other person having general control and supervision of the school, a statement from a physician or a public clinic which provides immunizations that the child has completed the schedule of immunizations for diphtheria, tetanus, pertussis, and polio."

Page 2, after line 28, insert:

"Subd. 5. If the commissioner of health finds that an immunization required pursuant to section 123.70 is not necessary to protect the public's health, he may suspend for one year the requirement that children receive that immunization prior to enrolling in school."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1831, A bill for an act relating to public welfare; extending the pilot dental health program; appropriating money; amending Laws 1976, Chapter 305, Sections 3 and 4, Subdivision 3.

Reported the same back with the following amendments:

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

"Sec. 3. Laws 1976, Chapter 305, is amended by adding a section to read:

Sec. 8a. [DENTAL HEALTH STUDY OF LONG-TERM CARE RESIDENTS.] *The commissioner of health shall conduct a study of the dental health status of a representative sampling of residents and patients in long term care facilities, shall evaluate practical, cost effective, and appropriate methodologies to meet the dental health needs of patients and residents,*

and shall prepare and submit to the legislature on or before March 1, 1979, a report of these findings and recommendations for assuring that effective preventive and corrective dental health measures are available to these residents and patients."

Page 2, line 15, delete "department" and insert "commissioner".

Page 2, after line 19, insert new sections to read:

"Sec. 5. [APPROPRIATION.] There is appropriated to the commissioner of health from the general fund for the biennium ending June 30, 1979, the sum of \$60,000 for purposes of conducting a study of the dental health of long term care residents.

Sec. 6. [REPEALER.] Laws 1976, Chapter 305, Section 10 is hereby repealed."

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 3, after "program;" insert "providing for a dental health study of long term care residents;"

Page 1, line 4, delete "and" and insert a semicolon.

Page 1, line 5, after "3" insert ", and by adding a section; repealing Laws 1976, Chapter 305, Section 10".

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

The report was adopted.

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

H. F. No. 1870, A bill for an act relating to nursing; providing for issuance of certain licenses without examination to persons receiving certain training or licensing outside this state; amending Minnesota Statutes 1976, Section 148.211, Subdivision 2; and 148.291, Subdivision 3.

Reported the same back with the following amendments:

Page 1, delete section 1.

Page 2, line 3, reinsert the stricken "may".

Page 2, line 4, delete "*shall*".

Page 2, line 6, reinsert the stricken "or a".

Page 2, line 7, delete "*, an applicant who has been*" and reinsert the stricken "person".

Page 2, line 9, delete "*, or an*".

Page 2, delete lines 10 to 11.

Page 2, line 12, delete "*armed services,*" and reinsert the stricken "in the opinion of the board".

Page 2, line 13, delete "*can demonstrate that he*".

Page 2, line 16, after the period insert "*A person who has been licensed as a licensed practical nurse in another state, who has passed a licensing examination acceptable to the board and who has had 24 months of experience as a licensed practical nurse in the five years prior to applying for a license shall not be required to meet any additional educational requirements.*".

Renumber the sections.

Further, amend the title as follows:

Page 1, line 6, delete "148.211, Subdivision 2; and".

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. 1904, A bill for an act relating to battered women; appropriating money; amending Minnesota Statutes, 1977 Supplement, Sections 241.62, Subdivision 1; 241.63; 241.66, Subdivision 2, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 11, after "four" insert "*or more*".

Page 1, after line 20, insert a section to read:

"Sec. 2. Minnesota Statutes, 1977 Supplement, Section 241.62, Subdivision 4, is amended to read:

Subd. 4. [EDUCATIONAL PROGRAMS.] In addition to designating four pilot programs to provide emergency shelter services and support services, the commissioner shall award grants for the development and implementation of education programs designed to promote public and professional awareness of the problems of battered women. Any public or private nonprofit agency may apply to the commissioner for an education grant. The application shall be submitted in a form approved by the commissioner by rule. *In addition, education grant monies may be used by the commissioner to produce educational and promotional materials to encourage the development and utilization of emergency shelter services.* Every public or private nonprofit agency which receives an education grant shall comply with all rules of the commissioner related to the administration of education programs.”.

Page 2, line 4, after “four” insert “or more”.

Page 3, line 5, after the period, insert, “*Except for disclosure to the commissioner of corrections as required by this subdivision, the personal history information and other information from which the identity of any person described in section 241.61 may be determined is private data on individuals as defined in section 15.162, subdivision 5a.*”.

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 4, delete “Subdivision 1” and insert “Subdivisions 1 and 4”.

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

The report was adopted.

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

H. F. No. 1950, A bill for an act relating to the practice of dentistry; amending Minnesota Statutes 1976, Sections 150A.06, Subdivision 4; 150A.08, Subdivision 1; and 150A.09, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

“Section 1. Minnesota Statutes 1976, Section 150A.03, Subdivision 1, is amended to read:

150A.03 [OFFICERS; SALARIES; EQUIPMENT AND SUPPLIES.] Subdivision 1. The board (OF DENTISTRY) shall elect from its members a president, a vice-president, and a (SECRETARY-TREASURER) *secretary*. The board shall have a common seal. It may hold meetings at such times as may be necessary and as it may determine. The board may (HOLD SPECIAL MEETINGS OUTSIDE OF THE STATE FOR THE PURPOSE OF CONDUCTING EXAMINATIONS IN CONJUNCTION WITH THE BOARDS OF DENTISTRY OF OTHER STATES, PROVIDED THAT THE COST OF SUCH EXAMINATIONS BE BORNE ENTIRELY BY THOSE PERSONS WISHING TO HAVE THE BOARD OF DENTISTRY CONDUCT SUCH EXAMINATIONS) *affiliate and participate, both in and out of state, with regional and national testing agencies for the purpose of conducting examinations for licensure and registration. The fee charged by such an agency for conducting the examination may be in addition to the application fee established by the board pursuant to section 150A.06.*

Sec. 2. Minnesota Statutes 1976, Section 150A.06, Subdivision 1, is amended to read:

150A.06 [LICENSURE.] Subdivision 1. [DENTISTS.] A person of *good moral character* not already a licensed dentist of the state, (DESIRING TO PRACTICE DENTISTRY HEREIN, SHALL APPLY TO THE STATE BOARD OF DENTISTRY FOR EXAMINATION AND PAY THE FEE ESTABLISHED BY THE BOARD FOR THE FIRST EXAMINATION, AND THE SAME FEE FOR EACH SUBSEQUENT EXAMINATION, WHICH IN NO CASE SHALL BE REFUNDED. AT THE TIME AND PLACE DESIGNATED BY THE BOARD THE APPLICANT MAY PRESENT HIMSELF FOR EXAMINATION AND SHALL PRODUCE) *having submitted an application and fee as prescribed by the board and his diploma or equivalent from a dental college of good standing, of which standing the board shall be the sole judge, (ALSO SATISFACTORY EVIDENCE SHOWING THAT THE APPLICANT IS OF GOOD MORAL CHARACTER. THE BOARD SHALL GIVE THE APPLICANT) may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such (AN EXAMINATION) a manner as to test thoroughly (HIS) this applicant's fitness (FOR THE) to practice (OF) dentistry. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. (SAID) The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the (STATE) board (OF DENTISTRY). A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who (SUCCESSFULLY) passes the examination and meets all other requirements of the board shall be licensed to practice dentistry and supplied with a license by the board. Rules of the board establishing an examination fee shall remain*

in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 3. Minnesota Statutes 1976, Section 150A.06, Subdivision 2, is amended to read:

Subd. 2. [DENTAL HYGIENISTS.] A person of good moral character not already a licensed dental hygienist of this state, being a graduate of an accredited high school or its equivalent, (WHO IS A GRADUATE OF) and having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school for dental hygienists of good standing, of which standing the board shall be the sole judge, or equivalent approved by the board, may, (UPON PAYMENT OF THE FEE ESTABLISHED BY THE BOARD,) be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such manner as to thoroughly test the applicant's fitness to practice dental hygiene. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and of the rules (AND REGULATIONS) of the (STATE) board (OF DENTISTRY). A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who (SUCCESSFULLY) passes the examination and meets all the other requirements of the board shall be licensed as a dental hygienist and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 4. Minnesota Statutes 1976, Section 150A.06, Subdivision 2a, is amended to read:

Subd. 2a. [REGISTERED DENTAL ASSISTANT.] (APPLICATION FOR REGISTRATION AS A REGISTERED DENTAL ASSISTANT SHALL BE MADE IN WRITING TO THE BOARD UPON A FORM FURNISHED BY THE BOARD, ACCOMPANIED BY SATISFACTORY EVIDENCE THAT THE APPLICANT IS OF GOOD MORAL CHARACTER AND IS A GRADUATE OF A TRAINING PROGRAM APPROVED BY THE BOARD BY RULE. THE APPLICATION SHALL BE ACCOMPANIED BY A FEE SET BY THE BOARD BY RULE. UPON FILING THE APPLICATION, THE BOARD, IF SATISFIED, SHALL EXAMINE THE APPLICANT ON HIS SKILLS, AND HIS KNOWLEDGE OF THE LAWS OF MINNESOTA RELATING TO DENTISTRY AND THE RULES OF THE BOARD. AN APPLICANT WHO SUCCESSFULLY PASSES THE EXAMINATION SHALL BE REGIS-

TERED AS A DENTAL ASSISTANT.) *A person of good moral character, having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school, of good standing, for dental assistants, of which standing the board shall be sole judge, or equivalent as approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to test thoroughly the applicant's fitness to perform as a registered dental assistant. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for registration. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. A separate fee may be charged for each time a person applied which in no case shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be registered as a dental assistant. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15."*

Page 1, line 12, delete "Canada" and insert "Canadian province".

Page 1, line 14, delete "Canada" and insert "Canadian province".

Page 3, after line 32, insert a new section to read:

"Sec. 9. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

Renumber the sections.

Amend the title as follows:

Page 1, line 3, after "Sections" insert "150A.03, Subdivision 1;"

Page 1, line 4, before "4" delete "Subdivision" and insert "Subdivisions 1, 2, 2a, and".

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. 932, A bill for an act relating to Ramsey county; amending the Ramsey county code by deleting an obsolete provi-

sion therein relating to the printing of the code; amending Laws 1974, Chapter 435, Section 1.0213.

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. 1091, A bill for an act relating to waters; permitting the establishment of water user districts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [POLICY STATEMENT.] Conservation of the state's water resources is a state function, and the public interest, welfare, convenience, and necessity require the creation of water user districts and the construction of systems of works, in the manner provided, for the conservation, storage, distribution, and use of water. The construction of systems of works by districts, as provided, is hereby declared to be in all respects for the welfare and benefit of the people of Minnesota.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the following terms have the definitions given in this section.

Subd. 2. "Water user district" or "district" means a district organized under this act, either as originally organized or as reorganized, altered, or extended.

Subd. 3. "Board" means the board of directors of a district organized under this act.

Subd. 4. "Works" and "system" include all lands, property, rights, rights of way, easements, and related franchises deemed necessary or convenient for their operation, all water rights acquired or exercised by the board in connection with works, all means of conserving, controlling, and distributing water, including, but not limited to outlets, treatment plants, pumps, lift stations, service connections, mains, valves, hydrants, wells, reservoirs, tanks and other appurtenances of public water systems. A work or system may be used for domestic, commercial, industrial and stock watering purposes only and shall not be used for irrigation purposes.

Subd. 5. "City" means any home rule charter, statutory or other city, however organized.

Subd. 6. "Court" means district court in the judicial district where the largest number of petitioners resides.

Sec. 3. [WATER USER DISTRICT; ORGANIZATION.] A water user district may be created and organized as provided in this act, and may sue and be sued in its corporate name. The procedure provided by this act is alternative to that provided by other law. A district may not be organized in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington counties.

Sec. 4. [PETITION FOR ORGANIZATION.] A water user district may be organized under the provisions of this act after filing in the court a petition in compliance with the requirements set forth, and the approval of the petition by the court. The petition shall state that it is the intent and purpose of the petitioners to create a district under the provisions of this act, subject to approval by the court. The petition shall contain:

- (1) The name of the proposed district;
- (2) The object and purpose of the system proposed to be constructed or acquired, together with a general description of the nature, location, and method of operation of the proposed works;
- (3) A description of the land constituting the proposed district and its boundaries, and the names of any cities or towns included partly or wholly within the boundaries;
- (4) The location of the principal place of business of the proposed district;
- (5) A statement that the proposed district shall not have the power to levy taxes or assessments;
- (6) The number of members of the board of directors of the proposed district, which shall be not less than five nor more than 13, a statement as to whether the directors shall be elected at large or shall be apportioned to election divisions, the names and addresses of the members who shall serve until their successors are elected and qualified as provided in this act, and if election divisions are provided for, the respective divisions which the directors are to represent. The persons named in the petition as directors shall be owners of land within the district. If election divisions are provided for, they shall be owners of land within the divisions they are to represent.

Sec. 5. [LANDS INCLUDED.] The lands proposed to be included within the district need not consist of contiguous parcels. A district may consist of land within or outside the limits of cities or towns.

Sec. 6. [ORGANIZATION OF DISTRICT WITHIN TERRITORIAL BOUNDARIES OF ANOTHER DISTRICT.] A district may be organized within, or partly within, the territorial boundaries of another district organized under this or other law, so long as the works or systems, their operation, the exercise of powers and the assumptions of duties and responsibilities, of one district, do not nullify, conflict with, or materially affect those of another pre-existing district.

Sec. 7. [DIRECTORS; ELECTION.] Directors may be elected either at large, or from election divisions. If the petition states that the directors shall be elected from election divisions, the petition shall describe the boundaries of the divisions, which may be drawn either with or without regard to the limits of any city or town included within the district boundaries. So far as practicable, each district shall include the same number of parties to contracts with the district for purchase of water.

Sec. 8. [GROUPING OF DIRECTORS ELECTED AT LARGE; TERM OF OFFICE.] Directors shall be elected within 60 days after the petition is approved by the court and filed with the secretary of state. The directors named in the petition shall hold office until the election. So far as possible, an equal number of those elected shall serve one, two and three years.

Sec. 9. [PETITION; SIGNATURES.] The petition must be signed by 50 percent of the landowners within the area constituting the proposed district. If the proposed district includes any area within a city, the petition must be signed by 50 percent of the landowners in the portion of the proposed district area within the city, and must also be signed by 50 percent of the landowners in the area lying outside the limits of the city. On each petition, set opposite the signature of each petitioner, shall be stated his or her name and post office address and the location of land of which he or she is the owner.

Sec. 10. [INSTRUMENTS CONSTITUTING PETITION.] The petition may contain any number of separate instruments, and to each sheet for petitioners' signatures shall be attached a full and correct copy of the petition. Every sheet of every petition containing signatures shall have below the signatures an affidavit by the circulator in substantially the following form:

State of Minnesota,

County of

....., being first duly sworn, deposes, that he or she is the circulator of the foregoing petition containing signatures; that each person whose name appears on the petition sheet personally signed the petition in the

presence of affiant; that he or she believes that each signer is an owner of the land described opposite his or her signature, to be included within the proposed district, residing at the address written opposite his or her name, and that affiant stated to every petitioner before he or she affixed his or her signature the legal effect and nature of the petition.

.....
Circulator.

Sec. 11. [MAPS, PLANS AND ESTIMATES.] The petition shall be accompanied by maps showing the location of land within the proposed district and the proposed system of works, and by other maps, plans, and estimates as necessary to describe fully the proposed system.

Sec. 12. [EXAMINATION OF PETITION.] Upon receipt of the petition, the court shall determine whether it complies with the requirements of this act and dismiss the petition if the requirements are not complied with. The petitioners may present a new petition covering the same matter, or the same petition with additional signatures if additional signatures are necessary.

Sec. 13. [PUBLICATION OF PETITION.] The petition and a legal description of the proposed district shall be published in each county in which lands within the proposed district lie, in a newspaper of general circulation published in the county, once each week for at least two successive weeks before the time the petition is filed with the court together with a list of names of the petitioners within the county and their addresses and lands owned which need not be published.

Sec. 14. [PROTEST AGAINST ORGANIZATION.] Any owner of land within the proposed district may file with the court a protest against the qualifications of any signer of the petition, and the court shall consider and determine the validity of protests.

Sec. 15. [INVESTIGATION OF PROPOSED DISTRICT AND WORKS.] If the court determines that the petitioners have complied with the requirements of this act, it shall make an immediate investigation of the proposed district and of its proposed works, systems, or plans and of the engineering and economic feasibility of the project. The court, in its discretion, may make an estimate of the cost of the investigation and require the petitioners to defray part or all of the estimated cost before proceeding with the investigation.

Sec. 16. [FEASIBILITY; RECORDING; ESTABLISHMENT.] The court, within 90 days from the receipt of the petition, or within 90 days from the time funds are available to defray the cost of the investigation, shall declare that the proposed

project is or is not feasible and conforming to public convenience and welfare. If the project is not feasible, the court shall dismiss the petition. If the court deems the project feasible and conforming to public convenience and welfare, it shall immediately execute a certificate setting forth a copy of the petition and declaring that the petition is approved, and file it in the office of the secretary of state and a copy of it, certified by the secretary of state, in the office of the county auditor of each county in which any of the lands in the district are located. Thereupon, the district, under its designated name, shall be a public corporation of the state.

Sec. 17. [DIRECTORS; QUALIFICATION; MEETING.] Upon the filing of the certificate in the office of the secretary of state and a certified copy in the office of each county auditor, the members of the board of directors named in the petition shall immediately assume the duties of their office. The first meeting of the board of directors shall be called by the director first named in the petition.

Sec. 18. [ADDITIONAL TERRITORY.] The procedure for extending a water user district by including additional territory shall be as provided by sections 19 to 22.

Sec. 19. [PETITION TO INCLUDE ADDITIONAL TERRITORY.] A water user district may be extended by including additional territory by filing in the court a petition addressed to the court, signed by at least 50 percent of the landowners in any area to be included, and bearing the approval by resolution, of the board of directors of the district, upon compliance with the requirements hereinafter set forth. The petition shall contain a description of the lands to be included.

Sec. 20. [MAPS; PLANS; ESTIMATES.] The petition shall be accompanied by maps showing the location of the lands to be included, the proposed system of works and other plans and estimates as necessary to fully describe the project.

Sec. 21. [PUBLICATION; PROTESTS.] The petition shall be published in each county in which the lands to be included lie, in a newspaper of general circulation published in the county, once each week for at least two successive weeks before the time the petition is filed with the court together with the list of names of the petitioners and their addresses and land owned. Any owner of land within the area to be included, who did not sign the petition may file a written protest with the court as provided in section 14.

Sec. 22. [APPROVAL OF EXTENSION.] Upon receipt of the petition the court shall act upon the petition in the same manner as required upon an original petition to create a district, as set forth in sections 12 to 17.

Upon the approval of the petition and project, and the issuance and filing of the certificate of approval in the office of the secretary of state and filing a copy in the office of the county auditor of each county in which any lands in which the district is located, the included areas shall be part of the district.

Sec. 23. [MEMBERS; ELECTION; TERMS.] After the election of the board of directors members of the board to succeed those elected in the initial election provided for in section 8, respectively, and to fill unexpired terms, shall be nominated and elected and shall take office in the following manner. One year from the date of the initial election an election shall be held to elect directors to succeed those whose terms are about to expire. The term of each director thus elected shall commence two weeks after his or her election and continue for three years and until his or her successor is elected and qualified. Election of directors shall be conducted as provided by section 24.

Sec. 24. [ELECTIONS; PLACE.] Subdivision 1. The board of directors of the district shall fix the hour and place, within the boundaries of the district, of each election and shall preside. If the district is divided into election divisions, the board in its discretion may fix a place of election within each election division, and the directors who represent that division shall preside.

Subd. 2. Every person or corporation which is a party to a contract with the district for the purchase of water to be furnished by the district, may cast one vote at each election for each director to be elected. In case election divisions are provided for, each person or corporation entitled to vote by reason of being a party to a contract shall select the division in which he or it shall vote, which selection shall be made under rules established by the board of directors.

Subd. 3. The board shall at least 20 days prior to the date of election, mail to each person or corporation entitled to vote, at his or its last known place of residence or business, a notice stating the time, place, and purpose of the election or, in the alternative, publish in each county in which lands within the district lie, in a newspaper of general circulation in the county, once each week for at least two successive weeks before the time of election, a notice that the election will be held giving the purpose, time and place.

Subd. 4. At the hour and place of the election, the presiding directors shall call the roll of those entitled to vote, and the number of votes to which each is entitled. They shall make a record of the qualified voters present and prescribe the manner of casting ballots and canvassing votes. If election divisions are provided for, but the election is held at one place within the district instead of being held in each division, the board shall call the roll

for each division and conduct the election for each division separately. All costs incident to the election of directors shall be paid by the district.

Subd. 5. The candidate for director required to fill an existing vacancy or to succeed an outgoing director who receives the highest number of votes cast shall be declared elected.

Sec. 25. [DIRECTORS.] Subdivision 1. No person shall be qualified to hold office as a member of the board of directors of any district unless he or she is a party to a contract to purchase water from the district.

Subd. 2. Vacancies on the board by reason of death, disability, failure to hold land in the district, or in the election division if election divisions are provided for, or otherwise shall be filled by the board of directors. The members elected to fill vacancies shall serve until members to fill out the remainder of the terms may be elected at the next succeeding district election.

Subd. 3. Members of the board of directors shall be paid their actual expenses while engaged in performing the duties of their office or otherwise engaged upon the business of the district. In addition they shall receive compensation for services at rates determined by qualified voters at an annual meeting.

Sec. 26. [OFFICERS.] Subdivision 1. The board of directors shall elect the officers of the district who shall be a president, a vice president, a secretary and a treasurer. The board shall appoint an executive committee and other officers, agents, and employees as necessary to transact the business of the district. The president, vice president and treasurer shall be elected from the membership of the board of directors.

Subd. 2. The treasurer shall furnish and maintain a corporate surety bond in an amount sufficient to cover all moneys coming into his possession or control, which shall be satisfactory in form and with sureties approved by the board. The bond, as approved, shall be filed with the secretary of state, and the premium upon the bond paid by the district.

Sec. 27. [BOARD OF DIRECTORS.] Subdivision 1. The corporate powers of the district shall be exercised by the board of directors of the district.

Subd. 2. The board of directors may adopt rules and regulations or bylaws, consistent with this act, for the conduct of the business and affairs of the district. The board of directors shall cause to be kept accurate minutes of their meetings and accurate records and books of account, conforming to approved methods of bookkeeping, clearly setting out and reflecting the entire operation, management, and business of the district. The books and

records shall be kept at the principal place of business of the district and at reasonable business hours always open to public inspection.

Sec. 28. [POWERS.] Subdivision 1. The district shall have all the usual powers of a public corporation, and may acquire by purchase, gift, or other lawful means and hold real or personal property reasonably necessary for the conduct of its business, or lease property for its proper purposes, and sell, lease, or otherwise dispose of property when not needed.

Subd. 2. The district may own, construct, reconstruct, improve, purchase, lease, receive by gift, or otherwise acquire, hold, extend, manage, use, or operate any works, as defined in this act, and any and every kind of property, personal or real, necessary, useful, or incident to their acquisition, extension, management, use, and operation, and may sell, mortgage, alienate, or otherwise dispose of works under the terms and conditions provided in this act.

Subd. 3. A district may enter into any contract, lease, agreement, or arrangement with a state, county, city, town, district, governmental or public corporation or association, or with a person, firm, or corporation, public or private, or with the government of the United States, or with any officer, department, bureau, or agency thereof, or with any corporation organized under federal law to exercise the powers set forth in this section, or for the sale, leasing, or otherwise furnishing or establishing of water rights, water supply, conveyance and distribution of water, water service, or water storage, for domestic, industrial, municipal, or stock watering purposes, or for the financing or payment of the cost and expenses incident to the construction, acquisition, or operation of works, or incident to any obligation or liability entered into or incurred by the district.

Subd. 4. A district may exercise any of the powers enumerated in this section either within or beyond or partly within and partly beyond the boundaries of the district and of the state, unless prohibited by the law of the area or state concerned or of the United States of America.

Subd. 5. A district may appropriate the waters of the state in the same manner as other persons under the laws of this state. A district shall not, in the exercise of the powers conferred by this act, interfere with, injure, or otherwise damage or affect existing water rights, other than through the purchase of the rights or through condemnation proceedings. No district, corporation, association, or individual holding a water right for lands located either within or outside the boundaries of a district shall be in any way affected by the operations of the district other than by reason of a contract voluntarily entered into by the organization or individual with the district, or by reason of the exercise by the district of the power of eminent domain.

Subd. 6. A district may exercise the power of eminent domain in accordance with Minnesota Statutes, Chapter 117, after declaring by resolution the necessity for and purpose of the taking of property and the extent of the taking.

Subd. 7. The district shall have no power of taxation, or of levying assessments for special benefits. No governmental authority shall have power to levy or collect taxes or assessments for the purpose of paying, in whole or in part, any indebtedness or obligation of or incurred by the district or upon which the district may be or become in any manner liable. Nor shall any privately owned property within or outside a district, or the owner thereof, nor any city, town, county, or other political subdivision or public or private corporation or association or its property, be directly or indirectly liable for any district indebtedness or obligation beyond the liability to perform an express contract between the owner or public or private organization and the district.

Subd. 8. No person, city, town, county, or other governmental subdivision, or other public or private corporation or association shall be liable for the payment of any rent or charge for water storage, water supply, or for any of the costs of operation of a district, unless a contract has been entered into between the person or public or private organization and the district furnishing water storage or water supply. All capital and operating expenses shall be borne by the users in proportion to their use of water supplied by the district.

Subd. 9. A district organized under this act may exercise any power conferred by this act to obtain grants or loans or both from any federal agency pursuant to acts of congress, and may accept from private owners or other sources, gifts, deeds, or instruments of trust or title relating to land, water rights and any other form of property.

Subd. 10. A district may purchase and acquire lands, water rights, rights of way, and real and personal properties of every nature in cooperation with the United States under conditions as may to the board seem advisable, and to convey them under the conditions, terms and restrictions approved by the directors and the federal government or any of its agencies and to pay the purchase price and any and all construction costs or other necessary expenses and costs in connection with any works contemplated by this act either from its own funds or cooperatively with the federal government.

Sec. 29 [CONTRACTS.] Subdivision 1. Before a district shall enter into a contract for the construction, alteration, extension, or improvement of works, or any part or section thereof, or a building for the use of the district, or for the purchase of materials, machinery, or apparatus, the district shall cause estimates of the cost to be made by a competent engineer or

engineers, and if the estimated cost exceeds \$10,000 no contract shall be entered into for a price, cost or consideration exceeding the estimate nor without advertising for sealed bids.

Subd. 2. Prior to advertisement, plans and specifications for the proposed construction work or materials shall be prepared and filed at the principal office or place of business of the district. The advertisement shall designate the nature of construction work proposed to be done or materials proposed to be purchased.

Sec. 30. [DEBT.] The district may borrow money and incur indebtedness by issuing its obligations or entering into contracts for any lawful corporate purpose; provided that all the obligations and contracts, whether express or implied, shall be payable solely:

(1) From revenues, income, receipts and profits derived by the district from its operation and management of systems;

(2) From the proceeds of warrants, notes, revenue bonds, debentures, or other evidences of indebtedness issued and sold by the district which are payable solely from such revenues, income, receipts and profits; or

(3) From federal or state grant gifts or other moneys received by the district which are available therefor.

The district may by resolution pledge any such source to the payment of the obligations and contracts and the interest coming due thereon. Any resolution may specify the particular revenues that are pledged and the terms and conditions to be performed by the district and the rights of the holders of district obligations, and may provide for priorities of liens in any revenues as between the holders of district obligations issued at different times or under different resolutions. The district may provide for the refunding of any district obligation through the issuance of other district obligations, entitled to rights and priorities similar in all respects to those held by the obligations that are refunded. All the obligations and refunding obligations shall be issued in accordance with the provisions of Minnesota Statutes, Chapter 475, except that the obligations may be sold by negotiation.

Sec. 31. [SERVICE CHARGES.] Subdivision 1. The directors of the district are authorized to agree with the holders of district obligations as to the maximum or minimum amounts which the district shall charge and collect for water sold by the district.

Subd. 2. The directors of the district are authorized to fix and establish the prices, rates and charges at which any and all

services, products, resources and facilities made available under the provisions of this act shall be sold and disposed of; to enter into any and all contracts and agreements, and to do any and all things which in its judgment are necessary, convenient or expedient for the accomplishment of any and all the purposes and objectives of this act, under the general regulations and upon the terms, limitations and conditions it shall prescribe; and the directors shall enter into contracts and fix and establish prices, rates and charges so as to provide at all times funds which will be sufficient to pay all costs of operation and maintenance of any and all of the works and systems authorized by this act, together with necessary repairs thereto, and which will provide at all times sufficient funds to meet and pay the principal and interest of all obligations and other evidences of indebtedness of the district when due. Nothing in this act shall authorize any change, alteration or revision of rates, prices or charges established by any contract entered into under authority of this act except as provided by the contract.

Subd. 3. Every contract made by the board for the sale, conveyance and distribution of water, use of water, water storage, or other service, or for the sale of any property or facilities, shall provide that in the event of any failure or default in the payment of any moneys specified in the contract to be paid to the board, the board may, upon notice as shall be prescribed in the contract, terminate the contract and all obligations thereunder. The act of the board in ceasing on a default to furnish or deliver water, use of water, or water storage, under a contract shall not deprive the board of, or limit any remedy provided by the contract or by law for the recovery of money due or which may become due under the contract.

Sec. 32. [DISBURSEMENTS; FISCAL YEAR; AUDITS.] Subdivision 1. Money of the district shall be paid only upon approval of the board of directors and by warrant or other instrument in writing signed by the president and by the treasurer of the district. In case of the death, absence or other disqualification of the president, the vice president shall sign warrants or other instruments.

Subd. 2. The fiscal year of the district shall coincide with the calendar year. The board of directors, at the close of each year's business, shall cause an audit of the books, records and financial affairs of the district to be made by an experienced public accountant, copies of a written report of which audit, certified to by the auditors, shall be placed and kept on file at the principal place of business of the district and shall be filed with the secretary of state.

Sec. 33. [WORKS; OWNERSHIP; SALE.] Subdivision 1. No water supply works, owned by the district shall be sold, alienated, or mortgaged by the district, except under the circumstances described by this section.

Subd. 2. If in the judgment of the board of directors it is for the best interest of the district to sell any portion of the district works not needed for the performance of any outstanding contract, and not mortgaged or pledged as provided for in subdivision 3, the board shall pass a resolution to that effect. The board shall call a special election at which the question of selling the portion of the works shall be submitted to the electors of the district qualified to vote for district directors. The board shall mail to each qualified elector, at his last known place of residence or place of business, a notice stating the time, place, and purpose of the election, and so far as practicable shall conduct the election in all other respects as provided in section 24. If a majority of all qualified electors of the district vote "yes", the board may sell the portion of the works.

Subd. 3. If, in order to borrow money from the federal government or from any of its agencies, or from the state, it is necessary that the district mortgage or otherwise pledged any or all of its property to secure the payment of loans made to it, the district may mortgage or pledge property and assets for the purpose. Nothing in this section shall prevent the district from assigning, pledging, or otherwise legally committing its revenues, incomes, receipts, or profits to secure the payment of indebtedness to the federal government or any agency thereof, or the state. The state shall never pledge its credit or funds, or any part thereof, for the payment or settlement of any indebtedness or obligation whatsoever of any district created under the provisions of this act. Nothing in this act authorizes any agency of the state to make loans to a district, unless the agency is otherwise authorized by law.

Sec. 34. [FORECLOSURE.] If any district created under this act shall execute and deliver a mortgage or trust deed to secure the payment of any moneys borrowed by it for the purposes herein authorized, it may be provided in the mortgage or trust deed that it may be foreclosed upon default and a receiver may be appointed with the authority provided in the mortgage or trust deed.

Sec. 35. [DISSOLUTION.] Subdivision 1. Any district may be dissolved by authorization of a majority vote of the electors, qualified to vote for district directors, voting thereon at a special election called by the board of directors for that purpose, notice of which shall be mailed to each qualified elector at least 20 days prior to the date of the election and the procedure for which shall conform as nearly as may be to the procedure provided in section 24, for the election of directors. The district shall discharge its obligations and distribute the assets of the district in a just and equitable manner before dissolution. The board may liquidate noncash assets prior to dissolution.

Subd. 2. Dissolution shall be completed upon resolution of the board of directors canvassing the vote and declaring that a

majority of the qualified electors voting thereon have voted in favor of dissolution. A verified copy of the resolution shall be filed in the office of the secretary of state and in the office of the county auditor of each county in which any portion of the district shall lie.

Subd. 3. In case of dissolution all applications for appropriation of water shall be canceled and all rights of the district in applications shall end.”.

Further, strike the title and insert:

“A bill for an act relating to waters; permitting the establishment of rural water user districts.”.

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. 1912, A bill for an act relating to the city of Minneapolis; establishing a program setting aside a portion of services and materials for small businesses; regulating bid and performance bonds for small businesses; amending Minnesota Statutes, 1977 Supplement, Section 574.262, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 21, after “*Minneapolis*” insert “or the board of commissioners of the housing and redevelopment authority in and for the city of Minneapolis except as otherwise provided”.

Page 1, line 23, after the period insert “Where a federal program prohibits any geographical limitation on the principal place of business of an eligible business, in order for the city or authority to be eligible for funds, the federal requirement shall prevail.”.

Page 2, line 14, before the period insert “for the three year period”.

Page 2, line 17, before the period insert “for the three year period”.

Page 2, line 20, before the period insert “for the three year period”.

Page 2, line 23, before the period insert “for the three year period”.

Page 3, line 12, after "*Minneapolis*" insert "and the housing and redevelopment authority in and for the city of Minneapolis".

Page 3, line 14, after "*city*" insert "or authority".

Page 3, line 18, after "*Minneapolis*" insert "and the housing and redevelopment authority in and for the city of Minneapolis".

Page 3, line 22, after "*city's*" insert "or the authority's".

Page 4, line 1, after "*city*" insert "or the authority".

Page 4, line 7, after "*Minneapolis*" insert "and the housing and redevelopment authority in and for the city of Minneapolis".

Page 4, line 19, after "*matters*" insert ", including Minnesota Statutes, Sections 177.41 to 177.44,".

Page 4, line 23, after "*ordinance*" insert ", and the housing and redevelopment authority in and for the city of Minneapolis shall promulgate by regulation,".

Page 4, line 31, after "*eligibility*" insert ", specifically whether a business is a small business or is owned and operated by a socially or economically disadvantaged person,".

Page 4, line 32, after "*city*" insert "or the authority".

Page 5, delete lines 2 to 22.

Renumber the remaining section accordingly.

Delete all underlining from the bill.

Further, amend the title as follows:

Page 1, line 3, after "*Minneapolis*" insert "and the housing and redevelopment authority in and for the city of Minneapolis".

Page 1, line 5, delete "; regulating bid and".

Page 1, delete lines 6 to 8, and insert a period.

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. 1914, A bill for an act relating to Koochiching county; authorizing the county law library to be supported by judicially imposed fee charges.

Reported the same back with the following amendments:

Page 3, line 15, delete "\$3" and insert "\$5".

Page 3, line 18, delete "\$3" and insert "\$5".

Page 4, line 8, delete "\$3" and insert "\$5".

Page 4, line 21, delete "\$3" and insert "\$5".

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

The report was adopted.

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

H. F. No. 1921, A bill for an act relating to taxation; property tax; eliminating certain limitations on special assessments by municipalities; amending Minnesota Statutes 1976, Section 429.011, Subdivision 2b.

Reported the same back with the following amendments:

Page 1, reinstate the stricken language on lines 16 to 21 and before the period insert "*except when a majority of the owners of the land which would be benefited by the improvement petition for the improvement the requirement for approval by the town electors provided in this subdivision shall not apply*".

Page 1, line 22, delete "*This act is effective for*".

Page 2, delete lines 1 and 2, and insert "*This act is effective the day following its final enactment.*".

Further, strike the title in its entirety and insert:

"A bill for an act relating to local improvements; special assessments; eliminating certain limitations on special assessments by municipalities; amending Minnesota Statutes 1976, Section 429.011, Subdivision 2b."

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

The report was adopted.

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

H. F. No. 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.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Page 1, line 12, after the second "the" insert "*park and recreation*".

Page 1, line 12, strike the second "of".

Page 1, line 13, strike "park commissioners".

Page 1, line 15, after "each" insert "*regular and committee*".

Page 1, line 15, after "board" insert "*attended*".

Page 1, line 16, after "board" insert "*and shall not exceed payment for a total of three meetings per month*".

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

The report was adopted.

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

H. F. No. 2246, A bill for an act relating to counties; concerning the investment of county funds; amending Minnesota Statutes 1976, Section 385.07.

Reported the same back with the following amendments:

Page 1, line 10, reinstate the stricken language.

Page 1, line 11, reinstate the stricken language "treasurer in the name of the county".

Page 2, line 22, after the period insert "*Interest and profits which accrue from such investment shall, when collected, be credited to the general revenue fund of the county.*".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 1285, A bill for an act relating to local government; setting a time limit for local improvements; amending Minnesota Statutes 1976, Sections 429.021, Subdivision 3; 429.041, Subdivision 1; and Chapter 435, by adding a section.

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

The report was adopted.

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

S. F. No. 1635, A bill for an act relating to St. Louis county; limiting the manner in which costs to collect a judgment may be defrayed; amending Laws 1961, Chapter 302, Section 3.

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

The report was adopted.

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

H. F. No. 46, A bill for an act relating to taxation; exempting from sales, use, and property tax certain property to be used to provide a solar energy heating or solar cooling or solar electricity generation system for buildings; amending Minnesota Statutes 1976, Sections 272.02, Subdivision 1; and 297A.25, Subdivision 1.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] Subdivision 1. Except as provided in (SUBDIVISION) *subdivisions 2 and 6* or section 273.17, subdivision 1, all property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.-19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 2. Minnesota Statutes 1976, Section 273.11, is amended by adding a subdivision to read:

Subd. 6. [EXEMPTION FROM VALUATION INCREASE DUE TO ENERGY SYSTEM.] For purposes of property taxation, the market value of real and personal property installed prior to January 1, 1984, which is a solar, wind, or agriculturally derived methane gas system used as a heating, cooling, or electric power source of a building or structure shall be excluded from the market value of that building or structure.

Sec. 3. [EFFECTIVE DATE.] *This act is effective January 1, 1978.”*

Further strike the title and insert:

"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."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 965, A bill for an act relating to the public land surveys; authorizing the counties to contract for the preservation and remonumentation of the United States public land survey; providing for the financing thereof; amending Minnesota Statutes 1976, Section 287.21, Subdivision 2; 287.25; 287.28; and 287.32.

Reported the same back with the following amendments:

Pages 5, 6, 7, and 8, delete sections 8, 9, 10, 11, 12 and 13.

Delete underlining from the bill.

Further, amend the title as follows:

Line 5, delete "; providing for the financing thereof;".

Delete line 6.

Line 7, delete "Subdivision 2; 287.25; 287.28; and 287.32".

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

The report was adopted.

Lemke from the Committee on Transportation to which was referred:

H. F. No. 1605, A bill for an act relating to motor vehicles, registration dates, display of plates or insignia; amending Minnesota Statutes 1976, Section 168.09, Subdivision 3.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 168.09, Subdivision 2, is amended to read:

Subd. 2. When a motor vehicle registered in Minnesota, has during the calendar year for which it is so registered, been re-registered for the following year, the display on such motor vehicle of the plates issued for such motor vehicle on its re-registration for the following year shall on and after November 15 of the calendar year in which it was so re-registered constitute compliance with subdivision 1 requiring display of plates *except as provided in subdivision 3.*

Sec. 2. Minnesota Statutes 1976, Section 168.09, Subdivision 3, is amended to read:

Subd. 3. Plates or other insignia issued for a motor vehicle registered under the provisions of section 168.187 for a calendar year shall be displayed on such motor vehicle not later than 12:01 a.m. on March 2 of the year unless extended by the registrar for such time as may be required for the issuance of such new plates or insignia. Plates or other insignia issued for a *self-propelled* motor vehicle *registered for over 27,000 pounds* except a motor vehicle registered under the provision of sections 168.017 and 168.187 shall be displayed on such vehicle not later than 12:01 a.m. on March 2 of the year, nor earlier than 12:01 a.m. on February 15 of the year, unless otherwise extended by the registrar for such period as may be required for the issuance of such new plates or insignia. The commissioner of public safety shall register all motor vehicles with the exception of those registered under sections 168.017 or 168.187 for a period of 14 months for the registration year 1978 to implement the provisions of this subdivision. The registration year for all vehicles herein shall be from March 1 to the last day of February for 1979 and succeeding years.

Sec. 3. Minnesota Statutes 1976, Section 168.31, Subdivision 1, is amended to read:

168.31 [TAX, WHEN DUE AND PAYABLE.] Subdivision 1. [TIME PAYABLE.] The tax required under this chapter to be paid upon a motor vehicle for each calendar year becomes due when the vehicle first uses the public streets or highways in the state, and upon January 1 each year thereafter, except those vehicles which are taxed under section 168.017 *and vehicles registered under 168.09, subdivision 3.* Taxes due upon January 1 become payable upon November 15 preceding the calendar year for which they are assessed except those upon motor vehicles which shall first use the public streets and highways of this state between November 15 and the next following December 31. *The tax required to register vehicles for the registration year March 1 to the last day of February shall be due on March 1 and payable November 15 preceding.* The tax that becomes due January 1 next following upon such motor vehicles becomes payable at the time the tax for the current year becomes payable. Taxes due upon January 1 become delinquent after January 10 unless paid. Taxes due when the vehicle first uses

the public streets or highways in the state shall become delinquent upon the expiration of seven days after the same became due unless paid.”.

Further amend the title as follows:

Page 1, line 4, delete “Section” and insert “Sections”.

Page 1, line 4, delete “Subdivision” and insert “Subdivisions 2 and”.

Page 1, line 4, after “3” insert “; and 168.31, Subdivision 1”.

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2493, 2494, 1141, 1519, 1937, 2393, 2005, 2273, 2274, 1734, 2452, 1317, 1411, 1823, 1870, 1950, 932, 1091, 1912, 1914, 1921, 2050, 2051, 2246, 46 and 1605 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1431, 1617, 1285 and 1635 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Redalen and Friedrich introduced:

H. F. No. 2495, A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.

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

Stoa introduced:

H. F. No. 2496, A bill for an act relating to corrections; commitment of prisoners; providing for education or treatment for drug dependency; amending Minnesota Statutes 1976, Section 631.425, Subdivisions 3, 4, 7 and 9.

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

Redalen, Nelsen, B., and McDonald introduced:

H. F. No. 2497, A bill for an act relating to education; transportation aid; removing certain restrictions on transportation between educational facilities; amending Minnesota Statutes, 1977 Supplement, Section 124.223.

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

Battaglia introduced:

H. F. No. 2498, A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park.

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

Wenzel; Sieben, H.; Biersdorf and Braun introduced:

H. F. No. 2499, A resolution memorializing the Congress and President of the United States to remove prohibitions upon construction of high voltage transmission lines on highway and fish and wildlife lands.

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

Anderson, I., introduced:

H. F. No. 2500, A bill for an act relating to retirement; service requirement for elected public officials in public employees retirement association; amending Minnesota Statutes 1976, Section 353.29, Subdivision 1.

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

Jude introduced:

H. F. No. 2501, A bill for an act relating to the administration of justice; providing for compensation of assistant public defenders; amending Minnesota Statutes 1976, Section 611.24.

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

Gunter, Osthoff, Anderson, B., and Anderson, G., introduced:

H. F. No. 2502, A bill for an act relating to retirement; early retirement by members of the Minnesota state retirement system; amending Minnesota Statutes 1976, Section 352.116, Subdivision 1.

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

Williamson, White, McCollar, Metzen and Jensen introduced:

H. F. No. 2503, A bill for an act relating to taxation; income tax; providing certain inflation adjusted credits against tax; increasing individual credits against tax; amending Minnesota Statutes, 1977 Supplement, Section 290.06, Subdivision 3c.

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

Tomlinson, Novak, White, Pleasant and McCollar introduced:

H. F. No. 2504, A bill for an act relating to taxation; property tax; changing property assessment procedures; amending Minnesota Statutes, 1977 Supplement, Sections 273.11, Subdivision 2; 278.01; and 278.05.

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

Lemke introduced:

H. F. No. 2505, A bill for an act relating to transportation; providing for the expenditure of certain portions of the county turnback account on town road bridge structures; prohibiting funds for such expenditures to be declared surplus funds; amending Minnesota Statutes 1976, Sections 161.082, Subdivision 2a; and 161.084.

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 Advisories were introduced:

Simoneau and McCarron introduced:

H. A. No. 77, A proposal to investigate allocation of costs of the metropolitan disposal system to local units.

The advisory was referred to the Committee on Local and Urban Affairs.

Pehler and Patton introduced:

H. A. No. 78, A proposal to study taxation of tax-exempt property leased for a non-exempt purpose.

The advisory was referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wynia moved that the House concur in the Senate amendments to H. F. No. 356 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 356, A bill for an act relating to insurance; increasing fees for examinations of insurance companies and insurance agents; increasing fees for agents' licenses and amendments; amending Minnesota Statutes 1976, Sections 60A.03, Subdivision 5; and 60A.14, Subdivision 1.

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

The question was taken on the repassage of the bill and the roll was called. There were 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Albrecht	Anderson, D.	Anderson, I.	Battaglia
Adams	Anderson, B.	Anderson, G.	Arlandson	Beauchamp

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

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

Mr. Speaker :

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

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

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Carlson, L., moved that the House concur in the Senate amendments to H. F. No. 1095 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 85, A bill for an act relating to governmental agencies; providing for an open appointment process; requiring reports from appointing authorities and the commissioner of administration; providing for publication of agency vacancies.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wenstrom moved that the House refuse to concur in the Senate amendments to H. F. No. 85, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

CONSENT CALENDAR

H. F. No. 2175, A bill for an act relating to the city of South St. Paul; authorizing an on-sale liquor license for Wakota arena.

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

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	Esau	Fjoslien	Pehler	Searle
Erickson				

The bill was passed and its title agreed to.

S. F. No. 1698 was reported to the House.

Jacobs moved to amend S. F. No. 1698 as follows:

Page 2, line 6, delete "*the right*" and insert "*first priority*".

The motion prevailed and the amendment was adopted.

S. F. No. 1698, 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 third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1787 was reported to the House.

Waldorf moved to amend S. F. No. 1787 as follows:

Page 6, line 27, delete "*in an amount not to exceed \$100*".

The motion prevailed and the amendment was adopted.

S. F. No. 1787, 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 third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Berglin	Carlson, A.	Cummiskey
Adams	Arlandson	Berkelman	Carlson, D.	Dean
Albrecht	Battaglia	Birnstihl	Carlson, L.	Den Ouden
Anderson, B.	Beauchamp	Brandl	Casserly	Eckstein
Anderson, D.	Begich	Braun	Cohen	Eken
Anderson, G.	Berg	Byrne	Corbid	Ellingson

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

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

CALENDAR

H. F. No. 1612, A bill for an act relating to military justice; providing for military judges; modifying court composition and punishment authority; making other changes consistent and current federal military law; amending Minnesota Statutes 1976, Sections 192A.015; 192A.02; 192A.045; 192A.06; 192A.085; 192A.09; 192A.10; 192A.105; 192A.11, Subdivision 3; 192A.12; 192A.13; 192A.14; 192A.145, Subdivisions 3 and 4; 192A.15; 192A.155; 192A.16; 192A.165; 192A.18, Subdivisions 1 and 2; 192A.195; 192A.205; 192A.21, Subdivision 2; 192A.215; 192A.22; 192A.225; 192A.23; 192A.245; 192A.25, Subdivision 2; 192A.265, Subdivision 1; 192A.275; 192A.28; 192A.29; 192A.305; 192A.315; 192A.345, Subdivisions 2 and 3; 192A.355; 192A.47; 192A.555; 192A.585; 192A.595, Subdivision 1; 192A.61, Subdivision 3; 192A.615; Chapter 192A by adding sections; and repealing Minnesota Statutes 1976, Sections 192A.01, Subdivision 2; 192A.04, Subdivisions 4 and 5; 192A.125; and 192A.565.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1931, A bill for an act relating to agriculture; corporate farming; providing new definitions; declaring the desirability of family farm stability; amending Minnesota Statutes 1976, Sections 268.04, Subdivision 31; 308.11; 500.24; and Minnesota Statutes, 1977 Supplement, Section 176.041, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 105 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Jacobs	Metzen	Schulz
Adams	Carlson, L.	Jaros	Moe	Sherwood
Anderson, B.	Casserly	Jensen	Munger	Sieben, H.
Anderson, D.	Cohen	Johnson	Murphy	Sieben, M.
Anderson, G.	Corbid	Jude	Nelsen	Simoneau
Anderson, I.	Cummiskey	Kahn	Nelsen, B.	Skoglund
Anderson, R.	Den Ouden	Kelly, R.	Nelsen, M.	Smogard
Arlandson	Eckstein	Kelly, W.	Niehaus	Spanish
Battaglia	Eken	Kempe, R.	Norton	Stanton
Beauchamp	Ellingson	King	Novak	Stoa
Begich	Erickson	Knickerbocker	Osthoff	Tomlinson
Berg	Esau	Kostohryz	Patton	Vanasek
Berglin	Evans	Kroening	Pehler	Voss
Berkelman	Farcy	Langseth	Peterson	Welch
Biersdorf	Fjoslien	Lehto	Petrafeso	Wenstrom
Birnstihl	Fudro	Lemke	Prahl	Wenzel
Brandl	Fugina	Mangan	Reding	White
Braun	George	Mann	Rice	Wieser
Brinkman	Gunter	McCarron	St. Onge	Williamson
Byrne	Hanson	McCollar	Sarna	Wynia
Carlson, A.	Hokanson	McEachern	Scheid	Speaker Sabo

Those who voted in the negative were:

Albrecht	Friedrich	Kvam	Pleasant	Wigley
Dean	Heinitz	Laidig	Rose	Zubay
Ewald	Kaley	McDonald	Savelkoul	
Forsythe	Kalis	Onnen	Searle	

The bill was passed and its title agreed to.

H. F. No. 1773, A bill for an act relating to unemployment compensation; providing limited benefits to certain employees; amending Minnesota Statutes, 1977 Supplement, Section 268.09, Subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Forsythe

The bill was passed and its title agreed to.

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 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 120 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams	Kaley	Moe
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The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

Abeln	Berkelman	Den Ouden	Fugina	Kelly, R.
Adams	Biersdorf	Eckstein	George	Kelly, W.
Albrecht	Birnstihl	Eken	Gunter	Kempe, R.
Anderson, B.	Brandl	Ellingson	Hanson	King
Anderson, D.	Braun	Enebo	Heinitz	Knickerbocker
Anderson, G.	Byrne	Erickson	Hokanson	Kostohryz
Anderson, I.	Carlson, A.	Esau	Jacobs	Kroening
Anderson, R.	Carlson, D.	Evans	Jaros	Kvam
Arlandson	Carlson, L.	Ewald	Jensen	Laidig
Battaglia	Cassery	Faricy	Johnson	Langseth
Beauchamp	Cohen	Fjoslien	Jude	Lehto
Begich	Corbid	Forsythe	Kahn	Lemke
Berg	Cummiskey	Friedrich	Kaley	Mangan
Berglin	Dean	Fudro	Kalis	Mann

McCarron	Nelson	Prahl	Sherwood	Waldorf
McCollar	Niehaus	Redalen	Sieben, H.	Welch
McDonald	Norton	Reding	Sieben, M.	Wenstrom
McEachern	Novak	Rice	Simoneau	Wenzel
Metzen	Onnen	Rose	Skoglund	White
Moe	Osthoff	St. Onge	Smogard	Wieser
Munger	Patton	Sarna	Spanish	Wigley
Murphy	Pehler	Savelkoul	Stoa	Williamson
Neisen	Peterson	Scheid	Tomlinson	Wynia
Nelsen, B.	Petrafeso	Schulz	Vanasek	Zubay
Nelsen, M.	Pleasant	Searle	Voss	Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 2283, A bill for an act relating to the division of highway patrol; concerning salaries; increasing the salary of a corporal; amending Minnesota Statutes, 1977 Supplement, Section 299D.03, 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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2372, A bill for an act relating to public employee labor relations; including physical therapists and occupational therapists in the definition of "teacher"; amending Minnesota Statutes 1976, Section 179.63, Subdivision 13.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 649 was reported to the House and given its third reading.

UNANIMOUS CONSENT

Fugina requested unanimous consent to offer an amendment. The request was granted.

Fugina moved to amend H. F. No. 649, as follows:

Page 1, line 16, after the word "to" delete "*a proprietor of a general*".

Page 1, line 17, delete the words "*food store or*".

The motion prevailed and the amendment was adopted.

H. F. No. 649, A bill for an act relating to intoxicating liquor; authorizing certain counties to issue off-sale liquor licenses in

unorganized areas of the county; amending Minnesota Statutes 1976, Section 340.11, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeln	Cohen	Jude	Nelsen, B.	Skoglund
Adams	Corbid	Kahn	Nelsen, M.	Smogard
Anderson, B.	Dean	Kaley	Nelson	Spanish
Anderson, G.	Eckstein	Kalis	Niehaus	Stanton
Anderson, I.	Eken	Kelly, W.	Norton	Stoa
Anderson, R.	Ellingson	Kempe, R.	Novak	Tomlinson
Arlandson	Enebo	King	Osthoff	Vanasek
Battaglia	Evans	Knickerbocker	Patton	Voss
Beauchamp	Faricy	Kostohryz	Peterson	Waldorf
Begich	Fjoslien	Kroening	Petraleso	Welch
Berg	Forsythe	Langseth	Pleasant	Wenstrom
Berglin	Friedrich	Lehto	Prahl	Wenzel
Berkelman	Fudro	Lemke	Redalen	White
Biersdorf	Fugina	Mangan	Reding	Wieser
Birnstihl	George	Mann	Rice	Wigley
Brandl	Gunter	McCarron	Rose	Williamson
Braun	Hanson	McCollar	St. Onge	Wynia
Brinkman	Heinitz	McEachern	Sarna	Zubay
Byrne	Hokanson	Metzen	Scheid	Speaker Sabo
Carlson, A.	Jacobs	Moe	Schulz	
Carlson, D.	Jaros	Munger	Sieben, H.	
Carlson, L.	Jensen	Murphy	Sieben, M.	
Cassery	Johnson	Neisen	Simoneau	

Those who voted in the negative were:

Albrecht	Erickson	Laidig	Onnen	Searle
Anderson, D.	Ewald	McDonald	Savelkoul	Sherwood
Den Ouden	Kvam			

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

S. F. No. 1637, A bill for an act relating to political subdivisions; authorizing loans to acquire town halls; authorizing issuance of general obligation bonds for a fire and community hall in the city of Tower; amending Minnesota Statutes, 1977 Supplement, Section 465.73.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2111, A bill for an act relating to aeronautics; providing for reimbursement for services; changing the permitted number of certain types of airports; permitting municipalities flexibility in airport acquisition; amending Minnesota Statutes 1976, Sections 360.015, Subdivision 7; 360.032, by adding a subdivision; and 360.305, Subdivision 3.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Kelly, W., requested immediate consideration of H. F. Nos. 1881 and 1916.

H. F. No. 1881 was reported to the House.

Peterson and Albrecht moved to amend H. F. No. 1881, as follows:

Page 1, after line 15, insert:

“Section 2. Minnesota Statutes 1976, Chapter 41, is amended by adding a section to read:

[41.585] [CONTRACT FOR DEED/DEDUCTION.] *If the seller of property is 62 years of age or older, the interest earned by the seller from a buyer who is approved by the council in meeting the eligibility criteria in section 41.55 shall be excludable from gross income tax for purposes of chapter 290 for the year in which the interest is received. The interest earned by the seller must be paid pursuant to a contract for deed for the sale of farmland by the seller to the buyer. No family farm security loan, as defined by section 41.52, subdivision 2, need be made for the seller to qualify for the deduction.*

Sec. 3. Minnesota Statutes 1976, Section 41.55, is amended to read:

41.55 [ELIGIBILITY.] A family farm security loan approval may be granted if the following criteria are satisfied:

(a) That the applicant is a resident of the state of Minnesota, or shows sufficient evidence that he intends to become a resident;

(b) That the applicant has sufficient education, training or experience in the type of farming for which he wishes the loan and continued participation in a farm management program,

approved by the commissioner, for the duration of the family farm security loan;

(c) That the applicant, his dependents and spouse have total net worth valued at less than \$50,000 and has demonstrated a need for the loan;

(d) That the applicant intends to purchase farm land to be used by the applicant for agricultural purposes;

(e) That the applicant is credit worthy according to standards prescribed by the commissioner;

(f) That the seller has not acquired the farm land for purposes of obtaining the income tax exemption allowed by sections 41.58, 41.585, and Laws 1976, Chapter 210, Section 12."

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, line 6, after the word "subdivision" insert "; Chapter 41 by adding a section; and amending Section 41.55".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 35 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Lemke	Rose
Anderson, D.	Eckstein	Heinitz	McDonald	Savelkoul
Anderson, R.	Erickson	Kaley	Neisen	Sherwood
Biersdorf	Esau	Kempe, R.	Nelsen, B.	Stoa
Carlson, A.	Evans	Knickerbocker	Niehaus	Wieser
Carlson, D.	Ewald	Kvam	Peterson	Wigley
Dean	Fjoslien	Laidig	Redalen	Zubay

Those who voted in the negative were:

Abeln	Byrne	Hanson	Langseth	Osthoff
Adams	Carlson, L.	Hokanson	Lehto	Patton
Anderson, B.	Casserly	Jacobs	Mangan	Pehler
Anderson, G.	Cohen	Jaros	Mann	Petrafereso
Anderson, I.	Corbid	Jensen	McCarron	Reding
Arlandson	Cummiskey	Jude	McCollar	St. Onge
Battaglia	Eken	Kahn	McEachern	Sarna
Begich	Ellingson	Kalis	Metzen	Scheid
Berglin	Enebo	Kelly, R.	Moe	Schulz
Berkelman	Faricy	Kelly, W.	Munger	Sieben, H.
Birnstihl	Fudro	Kempe, A.	Murphy	Sieben, M.
Brandl	Fugina	King	Nelsen, M.	Simoneau
Braun	George	Kostohryz	Norton	Skoglund
Brinkman	Gunter	Kroening	Novak	Smogard

Stanton
Tomlinson
Vanasek

Voss
Waldorf
Welch

Wenstrom
Wenzel
White

Williamson
Wynia

Speaker Sabo

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

H. F. No. 1881, A bill for an act relating to agriculture; family farm security program; providing for exclusion from gross income of interest on certain loans; amending Minnesota Statutes 1976, Section 41.58, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Osthoff Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 1916 was reported to the House.

Peterson moved to amend H. F. No. 1916, as follows:

Page 19, after line 6, insert:

“(d) Notwithstanding the provisions of clauses (b) and (c), all losses attributable to farming, including losses incurred in connection with farms outside the state, will be allowed to the extent allowed under the provisions of section 290.09, subdivision 29.”

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

Albrecht moved to amend H. F. No. 1916, as follows:

Page 7, line 8, strike “contiguous”.

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

H. F. No. 1916, A bill for an act relating to taxation; defining the use of sales ratio studies; requiring social security numbers; providing a procedure for handling ad valorem tax abatements; providing a uniform appeal and demand period; clarifying classification of certain homesteads; recodifying the classification of resort property; allowing a special levy for commuter van program; providing adjustments to the levy limit base; defining resident estate and resident trust for income tax purposes; defining income in computing low income credit; providing apportionment in computing minimum tax on preference items; allowing a carryback period for out-of-state losses; authorizing the commissioner of revenue to release information to assessors; amending Minnesota Statutes 1976, Sections 270.07, by adding a subdivision; 270.075, Subdivision 2; 270.076, Subdivision 1; 272.08; 273.13, Subdivision 19, and by adding a subdivision; 290.01, by adding subdivisions; 290.46; 290.47; 290.48, Subdivisions 1 and 2; 290A.11, Subdivision 1; 290A.12; 292.08, Subdivision 4; 292.09, Subdivision 3; 294.02; 294.021; 297.07, Subdivision 3; 297.09, Subdivision 5; 297.35, Subdivision 3; 297.37, Subdivision 5; 297A.31, Subdivision 1; 297A.33, Subdivision 1; and Chapter 270, by adding a section; Minnesota Statutes, 1977 Supplement, Sections 124.212, Subdivision 11; 273.13, Subdivisions 4 and 6; 275.50, Subdivision 5; 275.51, Subdivision 3d; 290.012, Subdivision 2; 290.091; 290.17; 298.282, Subdivision 2; 298.48, Subdivision 4; repealing Laws 1977, Chapter 307, Section 27.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeln	Anderson, B.	Anderson, G.	Anderson, R.	Battaglia
Adams	Anderson, D.	Anderson, I.	Arlandson	Beauchamp

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

The bill was passed and its title agreed to.

Evans was excused at 3:35 p.m. Mangan was excused at 4:10 p.m.

GENERAL ORDERS

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

REPORT OF COMMITTEE OF THE WHOLE

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

H. F. No. 2192 which it recommended to pass.

H. F. Nos. 1256 and 2112 which it recommended progress.

S. F. Nos. 478 and 1096 which it recommended progress.

H. F. No. 2043 which it recommended to pass as amended by the Committee of the Whole on Wednesday, March 1, 1978 and with the following amendment offered by Begich:

Page 1, line 13, after "TENURE.]" insert "*Subdivision 1.*".

Page 1, line 19, reinstate the stricken language and delete the underscored language.

Page 1, line 23, after the period insert:

"Subd. 2. No member as described in subdivision 1 shall be discriminated against or discharged from his or her employment in retribution for his or her political acts, statements or beliefs while a member of the legislature, regardless of the time elapsed since continuation or restoration of employment."

Further, amend the title:

Page 1, line 6, after the semicolon insert "political discrimination;"

H. F. No. 838 which it recommended to pass with the following amendments:

Offered by Neisen:

Page 16, after line 32, add a new section to read:

"Sec. 15. Laws 1969, Chapter 969 is repealed."

Further amend the title as follows:

Line 17, after "sections" insert "; repealing Laws 1969, Chapter 969".

Offered by Jensen:

Page 16, after line 32, add a new section to read:

"Sec. 16. This act is effective the day following its final enactment."

H. F. No. 2348 which it recommended progress with the following amendment offered by Kvam:

Page 1, line 14, after "highway." insert the following: *"Installations are to be primarily for crossing the highway and the length of longitudinal installations are to be kept to a minimum."*

Page 1, line 22, after "made." insert *"The road authority shall not be responsible for any damage to the tile installation resulting from the action of the authority or any permittee utilizing the right-of-way. No open trenching will be allowed. The commissioner shall take no action pursuant to this act which will result in the loss of federal aid for highway construction in this state."*

H. F. No. 1131 which it recommended re-referral to the Committee on Appropriations and with the following amendments:

Offered by Stanton:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1976, Section 45.16, Subdivision 1, is amended to read:

[45.16] [CONSUMER SERVICES SECTION, RESPONSIBILITIES AND DUTIES.] Subdivision 1. The section of consumer services shall have the responsibilities and duties prescribed by this section *and section 45.17* and such other authority as may be conferred by the commissioner of commerce.

Sec. 2. Minnesota Statutes 1976, Chapter 45, is amended by adding a section to read:

45.17 [DEFINITIONS.] *Subdivision 1. For the purposes of this section, the terms defined in this subdivision shall apply:*

(1) *"Public utility" means a publicly or privately owned entity engaged in supplying utility services to residential utility consumers in this state or to another public utility for ultimate distribution to residential utility consumers in this state and whose rates or charges are subject to approval by the public service commission or any agency of the federal government provided that no municipal utility or electrical cooperative shall be considered a "public utility" for the purposes of this clause.*

(2) *"Consumer services section" means the consumer services section of the department of commerce.*

(3) *"Residential utility consumer" or "consumer" means a person who uses utility services at his residence in this state and who is billed by or pays a public utility for these services.*

(4) *"Utility services" means electricity, natural gas, or telephone services distributed to residential utility consumers by a public utility.*

Subd. 2. The consumer services section shall be responsible for representing and furthering the interests of residential utility consumers through participation in matters before the public service commission involving utility rates and adequacy of utility services to residential utility consumers.

Subd. 3. Subject to the limitations of subdivision 2, the consumer services section may intervene as of right or participate

as an interested party in matters pending before the public service commission which affect the distribution by a public utility of utility services to residential utility consumers. The right of the consumer services section to participate or intervene shall in no way affect the obligation of the public service commission to protect the public interest.

Subd. 4. The public service commission shall give reasonable notice to the consumer services section of any matter scheduled to come before the commission affecting a public utility's rates or adequacy of services to residential utility consumers. Rules of the commission governing procedures before the commission shall apply to the consumer services section and its employees or representatives. The consumer services section shall have the same rights and privileges accorded other intervenors or participants in matters pending before the commission.

Subd. 5. The consumer services section shall be deemed to have an interest sufficient to maintain, intervene as of right in, or otherwise participate in any civil action in the trial courts or supreme court of this state for the review or enforcement of any public service commission action which affects a public utility's rates or adequacy of service to residential utility consumers.

Subd. 6. The expenses of performing the responsibilities authorized by this act shall be defrayed as follows:

Immediately after the final enactment of this act, the public service commission shall assess to all public utilities subject to the provisions of this act, in proportion to their respective gross operating revenues during the preceding calendar year, the sum of \$300,000. Thereafter, commencing with the year 1979, the public service commission shall make the assessment provided above on July 1 of each year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by registered mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof. The assessments shall be credited to a special account within the agency fund in behalf of the consumer services section.

Subd. 7. [BOARD OF RESIDENTIAL UTILITY CONSUMERS.] There is hereby created the board of residential utility consumers whose duties shall include:

(1) Establishing policy guidelines concerning the utility related activities of the commerce department's consumer services section;

(2) Reviewing and approving the section's staff employment decisions related to performing the responsibilities conferred in Minnesota Statutes 45.17; and

(3) *Annual review and approval of the consumer services section's budget of estimated expenses for utility related activities.*

The board shall consist of eleven voting members to be appointed by the governor. Each congressional district shall be represented by at least one member. In making appointments, the governor shall give consideration to individuals having a special interest in the provision of utility services to residential consumers, and so far as practicable, shall include persons representing diverse socio-economic backgrounds.

The board members shall elect from among their number a chairman and such other officers as it may deem necessary. The board shall meet at the call of the chairman or the director. The terms of office, compensation, and provisions for removal and filling vacancies of members shall be as provided in section 15.0575.

The director of the consumer services section shall submit an annual budget of estimated expenses to the board for review and approval. The director shall also periodically seek the advice of the board concerning its operations related to the responsibilities conferred by this section. The director shall also file an annual report of the section's utility related activities with the board on or before December 31 of each year."

Amend the title as follows:

Page 1, line 4, after "matters", insert "by the consumer services section".

Page 1, line 4, delete "permitting a private, nonprofit".

Page 1, delete lines 5 through 7 and insert "assessing utility companies for the expenses of the representation; amending Minnesota Statutes 1976, Section 45.16, Subdivision 1; and Chapter 45, by adding a section."

Offered by Anderson, G.:

As previously amended.

Page 3, line 24 of the amendment, after "year." insert "Any monies not expended during the year of assessment shall be applied towards the assessment for the following year."

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Stanton moved to amend H. F. No. 1131, as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. Minnesota Statutes 1976, Section 45.16, Subdivision 1, is amended to read:

[45.16] [CONSUMER SERVICES SECTION, RESPONSIBILITIES AND DUTIES.] Subdivision 1. The section of consumer services shall have the responsibilities and duties prescribed by this section *and section 45.17* and such other authority as may be conferred by the commissioner of commerce.

Sec. 2. Minnesota Statutes 1976, Chapter 45, is amended by adding a section to read:

45.17 [DEFINITIONS.] *Subdivision 1. For the purposes of this section, the terms defined in this subdivision shall apply:*

(1) *“Public utility” means a publicly or privately owned entity engaged in supplying utility services to residential utility consumers in this state or to another public utility for ultimate distribution to residential utility consumers in this state and whose rates or charges are subject to approval by the public service commission or any agency of the federal government provided that no municipal utility or electrical cooperative shall be considered a “public utility” for the purposes of this clause.*

(2) *“Consumer services section” means the consumer services section of the department of commerce.*

(3) *“Residential utility consumer” or “consumer” means a person who uses utility services at his residence in this state and who is billed by or pays a public utility for these services.*

(4) *“Utility services” means electricity, natural gas, or telephone services distributed to residential utility consumers by a public utility.*

Subd. 2. The consumer services section shall be responsible for representing and furthering the interests of residential utility consumers through participation in matters before the public service commission involving utility rates and adequacy of utility services to residential utility consumers.

Subd. 3. Subject to the limitations of subdivision 2, the consumer services section may intervene as of right or participate as an interested party in matters pending before the public service commission which affect the distribution by a public utility of utility services to residential utility consumers. The right of

the consumer services section to participate or intervene shall in no way affect the obligation of the public service commission to protect the public interest.

Subd. 4. The public service commission shall give reasonable notice to the consumer services section of any matter scheduled to come before the commission affecting a public utility's rates or adequacy of services to residential utility consumers. Rules of the commission governing procedures before the commission shall apply to the consumer services section and its employees or representatives. The consumer services section shall have the same rights and privileges accorded other intervenors or participants in matters pending before the commission.

Subd. 5. The consumer services section shall be deemed to have an interest sufficient to maintain, intervene as of right in, or otherwise participate in any civil action in the trial courts or supreme court of this state for the review or enforcement of any public service commission action which affects a public utility's rates or adequacy of service to residential utility consumers.

Subd. 6. The expenses of performing the responsibilities authorized by this act shall be defrayed as follows:

Immediately after the final enactment of this act, the public service commission shall assess to all public utilities subject to the provisions of this act, in proportion to their respective gross operating revenues during the preceding calendar year, the sum of \$300,000. Thereafter, commencing with the year 1979, the public service commission shall make the assessment provided above on July 1 of each year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by registered mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof. The assessments shall be credited to a special account within the agency fund in behalf of the consumer services section.

Subd. 7. [BOARD OF RESIDENTIAL UTILITY CONSUMERS.] There is hereby created the board of residential utility consumers whose duties shall include:

(1) Establishing policy guidelines concerning the utility related activities of the commerce department's consumer services section;

(2) Reviewing and approving the section's staff employment decisions related to performing the responsibilities conferred in Minnesota Statutes 45.17; and

(3) Annual review and approval of the consumer services section's budget of estimated expenses for utility related activities.

The board shall consist of eleven voting members to be appointed by the governor. Each congressional district shall be represented by at least one member. In making appointments, the governor shall give consideration to individuals having a special interest in the provision of utility services to residential consumers, and so far as practicable, shall include persons representing diverse socio-economic backgrounds.

The board members shall elect from among their number a chairman and such other officers as it may deem necessary. The board shall meet at the call of the chairman or the director. The terms of office, compensation, and provisions for removal and filling vacancies of members shall be as provided in section 15.0575.

The director of the consumer services section shall submit an annual budget of estimated expenses to the board for review and approval. The director shall also periodically seek the advice of the board concerning its operations related to the responsibilities conferred by this section. The director shall also file an annual report of the section's utility related activities with the board on or before December 31 of each year."

Amend the title as follows:

Page 1, line 4, after "matters", insert "by the consumer services section".

Page 1, line 4, delete "permitting a private, nonprofit".

Page 1, delete lines 5 through 7 and insert "assessing utility companies for the expenses of the representation; amending Minnesota Statutes 1976, Section 45.16, Subdivision 1; and Chapter 45, by adding a section."

The question was taken on the adoption of the amendment and the roll was called. There were 78 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Adams	Cohen	Jensen	Metzen	Searle
Anderson, B.	Corbid	Johnson	Munger	Sherwood
Arlandson	Cummiskey	Kahn	Neisen	Simoneau
Battaglia	Dean	Kalis	Nelsen, M.	Skoglund
Beauchamp	Den Ouden	Kelly, R.	Nelson	Smogard
Begich	Eken	Kelly, W.	Novak	Stanton
Berg	Ellingson	Kempe, A.	Onnen	Stoa
Berglin	Enebo	King	Pehler	Voss
Berkelman	Farcy	Kroening	Petrafaso	Waldorf
Birnstihl	Fudro	Langseth	Prahl	Welch
Braun	George	Lehto	Redalen	Wenstrom
Brinkman	Gunter	Lemke	Rice	Wieser
Byrne	Hanson	McCarron	Rose	Wynia
Carlson, D.	Heinitz	McCollar	Sarna	Speaker Sabo
Carlson, L.	Hokanson	McDonald	Scheid	
Casserty	Jaros	McEachern	Schulz	

Those who voted in the negative were:

Abeln	Carlson, A.	Fugina	Nelsen, B.	Sieben, M.
Albrecht	Erickson	Jude	Niehaus	Vanasek
Anderson, D.	Esau	Kaley	Peterson	Wenzel
Anderson, G.	Evans	Kempe, R.	Pleasant	White
Anderson, I.	Ewald	Knickerbocker	Reding	Wigley
Anderson, R.	Fjoslien	Kostohryz	St. Onge	Williamson
Biersdorf	Forsythe	Kvam	Savelkoul	Zubay
Brandl	Friedrich	Murphy	Sieben, H.	

The motion prevailed and the amendment was adopted.

The question was taken on the Searle motion to re-refer H. F. No. 1131, as amended, to the Committee on Appropriations and the roll was called. There were 63 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, A.	Forsythe	Lemke	Redalen
Albrecht	Carlson, D.	Friedrich	McCollar	Rose
Anderson, B.	Carlson, L.	Fudro	McDonald	St. Onge
Anderson, D.	Corbid	Jensen	McEachern	Sarna
Anderson, G.	Dean	Kaley	Metzen	Savelkoul
Anderson, I.	Den Ouden	Kalis	Neisen	Schulz
Anderson, R.	Eckstein	Kelly, W.	Nelsen, B.	Searle
Berkelman	Eken	King	Niehaus	Smogard
Biersdorf	Erickson	Knickerbocker	Norton	Wenstrom
Birnstihl	Esau	Kostohryz	Onnen	Wigley
Brandl	Evans	Kvam	Osthoff	Zubay
Braun	Ewald	Laidig	Peterson	
Brinkman	Fjoslien	Langseth	Pleasant	

Those who voted in the negative were:

Abeln	Enebo	Kahn	Novak	Stanton
Arlandson	Faricy	Kelly, R.	Pehler	Stoa
Battaglia	Fugina	Kempe, A.	Petrafeso	Tomlinson
Beauchamp	George	Kempe, R.	Prahl	Vanasek
Begich	Gunter	Kroening	Reding	Waldorf
Berg	Hanson	Lehto	Rice	Welch
Berglin	Heinitz	Mann	Scheid	Wenzel
Byrne	Hokanson	McCarron	Sherwood	White
Casserly	Jacobs	Munger	Sieben, H.	Williamson
Cohen	Jaros	Murphy	Sieben, M.	Wynia
Cummiskey	Johnson	Nelsen, M.	Simoneau	Speaker Sabo
Ellingson	Jude	Nelson	Skoglund	

The motion prevailed.

MOTIONS AND RESOLUTIONS

St. Onge moved that his name be stricken as an author on H. F. No. 2291. The motion prevailed.

Wenzel moved that the name of Anderson, D., be added as an author on H. F. No. 2499. The motion prevailed.

Carlson, A., moved that the names of Adams, Cohen, Begich, and Clark be added as authors on H. F. No. 2323. The motion prevailed.

Patton moved that the name of Jude be added as an author on H. F. No. 2490. The motion prevailed.

Fudro moved that his name be stricken as an author on H. F. No. 2449. The motion prevailed.

Sherwood moved that the name of Sherwood be stricken and the name of Reding be shown as chief author on H. F. No. 520. The motion prevailed.

Pehler moved that the names of Petrafeso, Jaros, and Adams be added as authors on H. F. No. 1243. The motion prevailed.

Sieben, H., moved that H. F. No. 2455 be recalled from the Committee on Health and Welfare and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Pursuant to Rule 1.15, Carlson, A., moved that H. F. No. 1985 be now withdrawn from the Committee on Environment and Natural Resources, be given a second reading and be advanced to General Orders.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 32 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Albrecht	Ewald	Knickerbocker	Peterson	Wenstrom
Anderson, D.	Fjoslien	Kvam	Pleasant	Wieser
Anderson, R.	Forsythe	Laidig	Redalen	Wigley
Carlson, A.	Friedrich	McDonald	Rose	Zubay
Den Ouden	Heinitz	Nelsen, B.	Savelkoul	
Erickson	Kaley	Niehaus	Searle	
Evans	Kempe, R.	Onnen	Sherwood	

Those who voted in the negative were:

Abeln	Berg	Carlson, L.	Ellingson	Jacobs
Adams	Berglin	Casserly	Enebo	Jaros
Anderson, B.	Berkelman	Cohen	Faricy	Jensen
Anderson, G.	Birnstihl	Corbid	Fugina	Johnson
Anderson, I.	Brandl	Cummiskey	George	Jude
Battaglia	Braun	Dean	Gunter	Kahn
Beauchamp	Brinkman	Eckstein	Hanson	Kelly, R.
Begich	Carlson, D.	Eken	Hokanson	Kelly, W.

Kempe, A.	McEachern	Patton	Sieben, M.	Waldorf
King	Metzen	Pehler	Simoneau	Welch
Kosthoryz	Munger	Petrafeso	Skoglund	Wenzel
Kroening	Murphy	Reding	Smogard	White
Langseth	Neisen	Rice	Spanish	Williamson
Lehto	Nelsen, M.	St. Onge	Stanton	Wynia
Lemke	Nelson	Sarna	Stoa	Speaker Sabo
Mann	Norton	Scheid	Tomlinson	
McCarron	Novak	Schulz	Vanasek	
McCollar	Osthoff	Sieben, H.	Voss	

The motion did not prevail.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 85: Wenstrom, Langseth, and Anderson, R.

ADJOURNMENT

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

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

EDWARD A. BURDICK, Chief Clerk, House of Representatives

