

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

THIRTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 18, 1979

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:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elloff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pavlak	Valento
Biersdorf	Fritz	Long	Pehler	Vanasek
Blatz	Fudro	Ludeman	Peterson	Voss
Brinkman	Greenfield	Luknic	Piepho	Waldorf
Byrne	Halberg	Mann	Pleasant	Weaver
Carlson, D.	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Casserly	Heinitz	McEachern	Reding	Wenzel
Clark	Hoberg	Mehrkens	Rees	Wieser
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Rose	Zubay
Dean	Jennings	Munger	Rothenberg	Speaker Searle
Dempsey	Johnson, C.	Murphy	Sarna	
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

Searles was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 929, 1226, 1227, 1235, 305, 311, 546, 748, 1165, 1238, 877, 914, 1245, 924, 536, 318 and 749 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 177, A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; and Chapter 429, by adding a section; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.

Reported the same back with the following amendments:

Page 1, line 15, delete "10" and insert "13"

Page 2, line 18, delete "10" and insert "13"

Page 2, line 24, after the period insert *"In making such determination, the commissioner shall solicit information and opinions from outside his department and afford all interested persons an opportunity to submit data or views on the subject in writing or orally."*

Page 3, line 15, delete "10" and insert "13"

Page 4, line 22, delete "10" and insert "13"

Page 5, line 6, after the period insert *"If the commissioner uses original cost as a factor in determining the unit value of operating property, no depreciation or obsolescence allowance shall be permitted. However, if the commissioner uses replacement cost as a factor in determining the unit value of operating property, then a reasonable depreciation and obsolescence allowance may be used."*

The commissioner shall give a report to the legislature in February 1980 and in February 1981 on the formula which he has used to determine the unit value of railroad operating property pursuant to this act. This report shall also contain the valuation for payable 1980 and 1981 by company and the taxes payable in 1980 and 1981 by company based upon the valuation of operating property. The legislature may review the formula, the valuation, and the resulting taxes and may make changes in the formula that it deems necessary."

Page 5, line 28, delete "*Subdivision 1.*"

Page 6, delete lines 12 to 17

Page 6, line 22, delete "*equalized*"

Page 6, line 24, delete "*equalized*"

Page 6, line 26, delete "*assessed valuation*" and insert "*fair market value*"

Page 7, delete section 11 and insert:

"Sec. 11. Minnesota Statutes 1978, Chapter 270, is amended by adding a section to read:

[270.90] [PAYMENT OF TAXES IN 1980 AND 1981 ONLY.] *For the years 1979 and 1980 only, after the commissioner has determined the market value of the operating property of each company under the provisions of sections 5 and 6, he shall compute the assessed value of the operating property by applying the classification percentage contained in section 273.13, subdivision 9. By March 1, 1980 and 1981, the commissioner shall compute the tax due from each company by applying the average statewide mill rate. The statement of taxes shall be sent to each company on or before April 1, 1980 and 1981, and shall indicate the assessed value of operating property, the mill rate applied in determining the taxes and the total amount of taxes due and payable. That amount shall be compared to the amount of gross earnings tax imposed under section 13 of this act. If the amount paid pursuant to section 13 is less than the amount computed in this section, the additional tax shall be payable to the commissioner and shall be deposited by him in the general fund of the state treasury. The provisions of section 279.01 pertaining to due dates and penalties for late payment of taxes for nonhomestead property shall be applicable to the taxes payable under this section. If the amount paid pursuant to section 13 exceeds the amount computed in this section, the commissioner shall refund the amount of excess within 60 days. The amounts necessary to make the refunds provided in this section are appropriated to the commissioner from the general fund in the state treasury.*

Sec. 12. Minnesota Statutes 1978, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;

- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;
- (8) All natural cheese held in storage for aging by the original Minnesota manufacturer;

(9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds con-

stitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1 (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures. *Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 1 of this act are not exempt.*

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as

the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 13. Minnesota Statutes 1978, Section 295.02, is amended to read:

295.02 [ANNUAL RETURN.] Every railroad company owning or operating any line of railroad situated within, or partly within, this state shall, annually, pay to the commissioner of revenue, in lieu of all taxes upon all property within this state owned or operated for railway purposes by such company, including equipment, appurtenances, appendages and franchises thereof, a sum of money equal to (FIVE) *two* percent of the gross earnings derived from the operation of such line of railway within this state.

On or before September first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending June thirtieth, next preceding, and the tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on September first.

On or before March first, annually, each such railroad company shall file a true and just return of all such gross earnings for the six months ending December thirty-first, next preceding, and tax of (FIVE) *two* percent thereon shall become due and payable to the state of Minnesota, in manner provided by law, on March first. The payments of such sums at the times hereinbefore set forth shall be in full and in lieu of all other taxes upon the property and franchises so taxed.

Such returns shall be filed with the commissioner, in such form as he shall prescribe, and the provisions of chapter 294 and acts amendatory thereto, shall be applicable to such railroad companies and to the returns and the taxes submitted therewith by them.

The lands acquired by public grant shall be and remain exempt from taxation until sold or contracted to be sold or conveyed, as provided in the respective acts whereby such grants were made or recognized."

Page 8, line 1, after "Sec. 13." insert "*Section 14 shall be effective beginning for taxable years after December 31, 1980. The remainder of*"

Renumber the sections.

Further, amend the title:

Page 1, line 5, delete "and Chapter 429, by"

Page 1, line 6, delete "adding a section" and insert "Sections 272.02, Subdivision 1; and 295.02"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 257, A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.

Reported the same back with the following amendments:

Page 6, line 14 after "to" insert "*or services provided for*"

Page 11, after line 1, insert "*\$1,500,000,000 or more*" and "*3.5 percent*"

Page 11, line 2, delete "*or more*" and insert "*to \$1,499,999,999*"

Page 11, after line 5, insert "*The provisions of this subdivision shall not apply to a city of less than 2,500 population. All other provisions of this act shall apply to these cities unless otherwise indicated.*"

Page 13, line 29, delete "*15*" and insert "*ten*"

Page 21, line 20, before the period insert "*, except that a tax increment financing plan need not be adopted for any project for which tax increment financing has been undertaken prior to the effective date of the act pursuant to statutes not requiring a tax increment financing plan*"

Page 37, line 10, after "Sections" insert "*458.192, Subdivision 12;*"

And further amend the title:

Page 1, line 15, after "Sections" insert "*458.192, Subdivision 12;*"

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

The report was adopted.

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

H. F. No. 274, A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; requiring annual hearings on limits on nursing care; amending Minnesota Statutes 1978, Section 256B.47, Subdivision 1; and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 256B.47, Subdivision 1 is amended to read:

256B.47 [RATE LIMITS.] Subdivision 1. The state agency shall by rule establish separate overall limitations on the costs for items which directly relate to the provision of patient care to residents of nursing homes and those which do not directly relate to the provision of care. The state agency may also by rule, establish limitations for specific cost categories which do not directly relate to the provision of patient care. The state agency shall *promptly* reimburse nursing homes for the costs of nursing care *upon the receipt and approval of an amended cost report*:

(a) If the commissioner of health issues a correction order pursuant to section 144A.10, subdivision 4, directing the nursing home to provide the additional nursing care; or

(b) *Up to a maximum of 3.2 hours per day for skilled nursing care or 2.45 hours per day for intermediate care under the following conditions. Only nursing homes that incurred in calendar year 1978 nursing hours in excess of 2.7 hours per day for skilled nursing care or 2.2 hours per day for intermediate care are eligible for reimbursement under (b). The state agency shall reimburse an eligible nursing home in one year for the costs of no more than ten percent more hours than the nursing home incurred for that level of nursing care during the previous calendar year, up to the maximum. Clause (b) expires upon promulgation of rules regarding maximum reimbursable nursing hours pursuant to section 3.*

All costs determined otherwise allowable shall be subject to these limitations.

Sec. 2. [EXPERIMENTAL PROJECT.] *Subdivision 1. The commissioner of health shall design and conduct a two year experimental project to identify and determine the feasibility of an alternative system of measuring the needs of residents in long-term care facilities for nursing care time and to determine the number of hours of nursing care for each level of care for which should be reimbursable under sections 256B.41 to 256B.51. The project shall be designed according to the concepts of the independent professional review and periodic medical review programs operated under Title XIX of the Social Security Act, 42 U.S.C. Sections 1396a et seq., and shall involve as participants those facilities certified as skilled nursing facilities or intermediate care facilities under that act. Long term care facilities eligible for certification as skilled nursing facilities or intermediate care facilities under the Social Security Act may be involved in the project at the discretion of the commissioner.*

Subd. 2. The commissioner of health shall seek the advice and assistance of the commissioner of public welfare in the design, conduct and evaluation of the project.

Subd. 3. The commissioner shall seek the voluntary cooperation of a representative number of long term care facilities in conducting the project. The commissioner shall enter into a contract with each facility selected to participate in the project. The contracts shall specify the duties and responsibilities of the contracting facilities. The commissioner may terminate upon seven days notice any contract with a facility which does not comply with the terms of the contract or is otherwise not cooperating with the conduct of the project. The rules of the departments of health and of public welfare relating respectively to minimum hours of nursing care time and maximum reimbursable hours of nursing care time shall not be applicable to any contracting facility during the period of the contract. During contract periods, and notwithstanding the provisions of Minnesota Statutes, Sections 15.0412 and 256B.47, minimum hours of nursing care time and maximum reimbursable hours of nursing care time shall be fixed according to the provisions of the project design and each contract.

Subd. 4. Not later than June 30, 1981, the commissioner shall furnish the governor and the legislature with a report on the project and the commissioner's recommendations regarding the advisability and manner of utilizing the results of the project.

Sec. 3. *Utilizing the results of the project conducted by the commissioner of health pursuant to section 2, the commissioner of public welfare shall establish in rule the maximum number of hours of nursing care reimbursable under sections 256B.41 to 256B.51 for each level of care no later than January 1, 1982.*

Sec. 4. \$..... is appropriated to the commissioner of public welfare from the general fund for the purposes of section 1 for the biennium ending June 30, 1981. \$200,000 is appropriated to the commissioner of health from the general fund for the purposes of section 2 for the biennium ending June 30, 1981.

Sec. 5. Sections 1 to 4 are effective the day following final enactment."

Further, amend the title as follows:

Line 3, delete "requiring"

Delete line 4 and insert "providing for an experimental project to determine an alternative system of measuring needs and reimbursement; appropriating money;"

Line 6, delete "; and by adding a subdivision"

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 313, A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.

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

The report was adopted.

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

H. F. No. 348, A bill for an act relating to health; establishing a council on physical fitness; prescribing its duties; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PUBLIC POLICY.] The legislature recognizes that physical inactivity associated with sedentary living is a

major health problem and has been shown to contribute to a wide range of serious medical problems including heart disease, obesity, backache, or chronic fatigue. The legislature also recognizes the relationship between a sound mind and a sound body and believes that vigorous physical activity builds character, develops citizenship, and contributes to physical well being and healthy productive living. Therefore, it is the purpose of this act to improve the quality of life in Minnesota by increasing the general level of physical fitness of the citizens of the state.

Sec. 2. [ADVISORY COUNCIL ON PHYSICAL FITNESS.]
Subdivision 1. [CREATION.] An advisory council is hereby created to study and promote the physical fitness of the citizens of Minnesota.

Subd. 2. [DUTIES.] The council shall:

(a) Promote the development of physical fitness with the assistance of local health and educational agencies, business, labor unions, health action and advocacy groups, religious, fraternal and social organizations, community based multiservice recreational agencies, and health maintenance organizations;

(b) Promote physical fitness research and collect and disseminate statistics on physical fitness achievements of residents of all ages;

(c) Sponsor physical fitness workshops, clinics, and conferences for physical educators, health professionals, recreation personnel, civic and business leaders, and others;

(d) Initiate public service advertising programs; and

(e) Generate income for its physical fitness programs and other functions from the private sector.

The council shall submit an annual report on January 15 to the governor and to the legislature describing its activities.

Subd. 3. [MEMBERSHIP.] The council shall consist of 15 members appointed by the governor. There shall be at least one member from each congressional district. They shall have backgrounds in a wide range of activities, including business management, labor, school administration, higher education, recreation and parks, communications and media, amateur and professional sports competition, public health, sports medicine, physical fitness, and nutrition. There shall be at least one member each from the house of representatives and the senate and at least one member shall be a local government official. The governor shall appoint one of his staff as a member to serve as a liaison with the council. Terms, compensation of members, their removal from office and the filling of vacancies shall be as provided in Minne-

sota Statutes, Section 15.059. Legislator members shall not receive the per diem pay authorized by Minnesota Statutes, Section 15.059.

Subd. 4. [OFFICE, MEETINGS, OFFICERS.] The advisory council shall maintain an office in the department of health. The full council shall meet six times per year and may hold other meetings when deemed necessary at the times and places it may designate. The council shall select a chairman, a vice chairman, and any other officers from its membership it may deem necessary to serve as an executive committee. The executive committee shall hold meetings at the times and places it may designate.

Subd. 5. [STAFF.] The council may employ the professional, clerical, and technical assistants it deems necessary in order to perform its duties.

Sec. 3. [FUNDS.] Subdivision 1. [ACCEPTANCE OF OFFERS.] When a person, corporation, the United States government, or other entity offers funds to the council by way of gift, grant, or loan for the purpose of assisting the council to carry out its powers and duties, the council may accept the offer by majority vote and upon acceptance, the chairman shall receive the funds subject to the terms of the offer. No money shall be accepted or received as a loan, nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 2. [FEDERAL GRANTS.] The council may contract with the department of health, education and welfare for the purpose of receiving federal grants under section 1707 of the Public Health Service Act, 42 U.S.C. 3000-5. If the council enters into a contract under this subdivision, it may plan and administer a program of grants-in-aid to support physical fitness projects, research projects and public information efforts to promote the development of physical fitness in accordance with the federal contract terms.

Subd. 3. [COMPLIANCE WITH CONDITIONS.] The council may establish a program to evaluate and improve the availability and quality of sports medicine and athletic trainer programs in this state if such a program is necessary in order to qualify for federal funds contracted for under subdivision 2.

Sec. 4. [APPROPRIATIONS.] There is appropriated from the general fund to the department of health the sum of \$ for the biennium ending June 30, 1981, for the purposes of this act.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective July 1, 1979."

Further, amend the title as follows:

Page 1, line 3, after "its" insert "powers and"

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

The report was adopted.

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

H. F. No. 386, A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.

Reported the same back with the following amendments:

Page 2, line 7, after "in" delete "*any other manner proper for a corporation*" and insert "*which the outcome of the action will have an effect upon the interest of any of its members*"

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

The report was adopted.

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

H. F. No. 489, A bill for an act relating to the Hennepin county park reserve district; regulating tax levies and bond issues for the purposes of the district; amending Laws 1967, Chapter 721, Section 2, as amended.

Reported the same back with the following amendments:

Page 1, line 20 after "thereof." strike "To provide"

Page 1, strike lines 21 and 22

Page 2, lines 1 to 29, strike old language and delete new language

Amend the title as follows:

Page 1, line 3 delete "and bond issues"

Page 1, line 4 delete "for the purposes of the district"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wigley from the Committee on Energy and Utilities to which was referred:

H. F. No. 496, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

Reported the same back with the following amendments:

Page 2, line 3, after "services." insert "It is not the purpose of sections 1 to 11 to authorize a municipal corporation to engage in the distribution of gas to the end users."

Page 4, line 8, after "taken" insert "; and provided further, that the concurrence of the city council or other elected body charged with the general management of a city shall be required, prior to the adoption by the city of any resolution approving an agency agreement or any amendment thereto"

Page 6, line 21, after the comma, insert "other than the municipal gas agency,"

Page 12, line 31, delete "may" and insert "shall"

Page 20, line 27, after "[CITY POWERS.]" insert a new subdivision:

"Subdivision 1. A city may by resolution of its governing body, elect to join a municipal gas agency, provided that it shall give written notice by mail to all its gas consumers twenty days prior to the meeting at which the resolution is to be considered, and one week's prior notice by publication in the official newspaper."

Renumber remaining subdivisions

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 508, A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income

from contribution rate; amending Minnesota Statutes 1978, Section 268.04, Subdivision 12.

Reported the same back with the following amendments:

Page 9, line 31, delete the new language, reinstate "(AN OFFICER)" and insert "*or shareholder*"

Page 12, line 13, after "officers" insert "*or shareholders*"

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 Labor-Management Relations to which was referred:

H. F. No. 567, A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 626A.02, Subdivision 2, is amended to read:

Subd. 2. [EXEMPTIONS.] (a) It shall not be unlawful under sections 626A.01 to 626A.23 for an operator of a switchboard, or an officer, employee, or agent of any communication common carrier, whose facilities are used in the transmission of a wire communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property or the carrier of such communication: provided, that said communication common carriers shall not utilize service observing or random monitoring except for mechanical or service quality control checks *and when utilized notice of such monitoring shall be published in each telephone directory.*

(b) It shall not be unlawful under sections 626A.01 to 626A.23 for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the commission in the enforcement of chapter 5 of title 47 of the United States Code to intercept a wire communication, or oral communication transmitted by radio, or to disclose or use the information thereby obtained.

(c) It shall not be unlawful under sections 626A.01 to 626A.-23 for a person acting under color of law to intercept a wire or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the constitution or laws of the United States or of any state or for the purpose of committing any other injurious act."

Amend the title as follows:

Page 1, line 3, delete "monotoring" and insert "monitoring"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 579, A bill for an act relating to Blue Earth County; authorizing the county to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.

Reported the same back with the following amendments:

Page 1, line 14 delete "*real or*"

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. 582, A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca County.

Reported the same back with the following amendments:

Page 1, line 12, delete "shall" and insert "may"

Page 1, line 18, after the period insert "The commissioner is not required to acquire the mineral interests in said lands."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 626, A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded, autistic and cerebral palsied minor dependents; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 18, delete "the"

Page 1, delete line 19

Page 1, line 20, delete "establish a program to" and insert "county boards or human services boards may, subject to rules promulgated by the commissioner of public welfare,"

Page 1, line 24, after "Subd. 2." insert "County boards may limit" and after "program" delete "shall be limited"

Page 2, line 7, delete "welfare"

Page 2, line 10, delete "welfare"

Page 2, line 13, after "by" insert "the county board or human services board subject to limitations prescribed in this section and rules promulgated by"

Page 2, line 15, delete "commissioner" and insert "board"

Page 2, line 23, delete "commissioner" and insert "board"

Page 2, line 30, delete "as"

Page 2, line 31, delete "grants under" and insert "to county boards for the purposes of"

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. 675, A bill for an act relating to the Memorial Hardwood Forest; directing the sale or exchange of certain tillable parcels; responsibility for roads; retention of easements; authorizing exemptions.

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

The report was adopted.

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

H. F. No. 707, A bill for an act relating to health; providing for special grants to provide a range of services designed to maintain physically impaired adults in their homes and communities; appropriating money; amending Minnesota Statutes 1978, Section 145.912, Subdivision 7; and Chapter 145, by adding a section.

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

The report was adopted.

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

H. F. No. 727, A bill for an act relating to courts; authorizing the Itasca County court district to elect an additional judge; amending Minnesota Statutes 1978, Section 487.01, Subdivision 5.

Reported the same back with the following amendments:

Page 3, after line 18, insert:

"Sec. 2. This act is effective 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.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 747, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1 and by adding a subdivision; 353.34, Subdivision 3; 353.35; 353.46, Subdivision 1; 353.656, Subdivision 2; 353.657, Subdivision 1; 353.71, Subdivision 5; repealing Minnesota Statutes 1978, Sections 353.272; 353.33, Subdivisions 4 and 6.

Reported the same back with the following amendments:

Page 2, line 13, after "employees" insert *"other than firefighters"*

Page 2, line 14, after "employees" insert *"other than firefighters"*

Page 3, line 11, after "no" insert *"person employed"*

Page 3, line 11, strike "public employees" and insert *"by a governmental subdivision"*

Page 4, after line 14, insert:

"(s) volunteer firefighters as defined in section 22 and firefighters who receive reimbursement for expenses incurred incidental to their performance of duties as firefighters or who receive compensation for services if the employing municipality does not annually stipulate in advance on a form prescribed by the executive director that the annual compensation from any hourly wage payments for service as a firefighter which will be payable during the year shall exceed \$3,000 and if the annual compensation from any hourly wage payments for service as a firefighter which is actually received during the year does not exceed \$3,000."

Page 5, line 13, delete *"not"*

Page 5, line 14, delete *"exceeding one year"* and after *"pay"* insert *"which does not exceed one year and"*

Page 7, after line 12, insert:

"Sec. 6. Minnesota Statutes 1978, Section 353.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; EMPLOYEES; BYLAWS.] The board shall elect a chairman and vice-chairman, and shall ap-

point an executive director and other employees and may adopt bylaws, and procure other services as it may reasonably deem necessary and fix their compensation subject to subdivision 2 hereof. (EXCEPT IN SUBDIVISION 3A, WHENEVER THE TERMS "SECRETARY", "SECRETARY OF THE BOARD" OR "SECRETARY OF THE BOARD OF TRUSTEES" APPEAR IN THIS CHAPTER THE REVISOR OF STATUTES IS HEREIN DIRECTED TO SUBSTITUTE THEREFOR, "EXECUTIVE DIRECTOR".) *The executive director shall be appointed by the board on the basis of fitness, experience in the retirement field and leadership ability. The executive director shall have had at least five years of experience on the administrative staff of a major retirement system.*

Page 11, line 10, delete "*contributions refunded*" and insert "*a refund otherwise authorized pursuant to section 353.34*"

Page 11, line 11, delete "*or any*" and insert "*and no purchase of prior service or*"

Page 11, line 11, delete "*to obtain additional credit*" and insert "*made in lieu of salary deductions otherwise authorized pursuant to sections 353.01, subdivision 16, 353.017, subdivision 4, or 353.36, subdivision 2*"

Page 11, line 11, after "*after*" insert "*the occurrence of the*"

Page 11, line 12, delete "*occurs*" and insert "*for which an application pursuant to this section is filed*"

Page 11, delete section 13

Page 12, delete section 16 and insert:

"Sec. 16. Minnesota Statutes 1978, Section 353.64, Subdivision 1, is amended to read:

353.64 [MEMBERSHIP; QUALIFICATIONS; POLICE OFFICER, FIRE FIGHTER.] Subdivision 1. Any person who prior to July 1, 1961, was a member of the police and fire fund, by virtue of being a police officer or fire fighter, shall as long as he remains in either position, be deemed to continue his membership in said fund. Any other employee serving on a full-time basis as a police officer or fire fighter on or after July 1, 1961, shall become a member of the public employees police and fire fund. Any employee serving on less than a full-time basis as a police officer (OR FIRE FIGHTER), as determined by the rules *which shall be* prescribed by the board of trustees *on or before January 1, 1980*, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing (SUCH) *the* person declaring that the position (SUCH)

which the person holds is (EITHER) that of a police officer (OR FIRE FIGHTER). Any employee serving on less than a full time basis as a firefighter other than a volunteer firefighter as defined in section 20, as determined by rules which shall be prescribed by the board of trustees on or before January 1, 1980, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing the person declaring that the position which the person holds is that of a fire fighter and that the position will be compensated at an hourly wage payment rate which will yield a salary on an annual basis in an amount in excess of \$3,000. Any police officer or fire fighter who by virtue of his employment is required to contribute to any other pension, relief, or retirement fund established for the benefit of officers (AND) or employees of a governmental subdivision other than a volunteer firefighters relief association to which sections 69.771 to 69.776 shall not be a member of this fund.

Sec. 17. Minnesota Statutes 1978, Section 353.65, Subdivision 2, is amended to read:

Subd. 2. The employee contribution shall be an amount equal to eight percent of the total salary of every member. This contribution shall be made by deduction from salary in the manner provided in subdivision 4. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the total salary received from all sources. *If the member is a firefighter employed on less than a full-time basis, the member's total salary shall not include any reimbursement payments for fire calls unless the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older as defined in section 177.24, subdivision 1."*

Page 13, delete section 18

Page 13, after line 28, insert:

"Sec. 20. [VOLUNTEER FIREFIGHTER; DEFINITION.] *A volunteer firefighter is any person who serves on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation without becoming eligible for substantial compensation for that service and who is actively engaged in the suppression of fire and the prevention of fire hazards. For purposes of this section, a firefighter shall be deemed to be eligible for substantial compensation for service on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation when the annual total compensation from any hourly*

wage payments for that service exceeds an amount equal to 20 percent of the annualized average weekly wage paid by employers as defined in Minnesota Statutes, Section 268.07, Subdivision 2 or the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older as defined in Minnesota Statutes, Section 177.24, Subdivision 1.

Sec. 21. [CORRECTION OF ERRONEOUS INTERPRETATION OF EXCLUSION OF CERTAIN EMPLOYEES IN CERTAIN FEDERAL PROGRAMS.] *The employment of a person as an enrollee under the federal comprehensive employment and training act in a subsidized on-the-job training, work experience or public service employment position shall not be deemed to be two employments for purposes of implementing the exclusion from retirement fund coverage provided for in Laws 1978, Chapter 720, even though the compensation for the person is paid in part from federal comprehensive employment and training act subsidy funds and is paid in part from local supplementary revenue sources other than funds provided under the federal comprehensive employment and training act, and any contrary prior administrative interpretation of the provisions of Laws 1978, Chapter 720 is deemed to be erroneous. This section shall be deemed to be remedial in nature and shall be effective retroactively to March 30, 1978. Any employee contributions and any employer and employer additional contributions taken from or on behalf of any person who would have been excluded from retirement fund coverage pursuant to Laws 1978, Chapter 720 except for the erroneous prior administrative interpretation shall be deemed to be erroneous deductions and shall be refunded as soon as practicable to the person and employing unit involved. The refund shall be accompanied by interest at the rate of five percent per annum compounded, payable from the date that the erroneous deduction was taken to the first day of the month in which the refund is processed.*

Sec. 22. [BENEFIT ADJUSTMENTS FOR CERTAIN OMITTED SURVIVOR BENEFIT RECIPIENTS.] *In addition to the benefit increase granted pursuant to Laws 1978, Chapter 665, Section 2, each public pension fund to which Minnesota Statutes, Section 356.41 shall pay an increase equal to four percent to eligible survivors who are recipients of automatic survivor annuities of retirees where the retiree began initial receipt of the retirement annuity prior to July 1, 1976 and who did not receive an increase from or an increase equal to the increase from the Minnesota adjustable fixed benefit fund paid or payable on January 1, 1978 and who did not receive an increase pursuant to Laws 1978, Chapter 665, Section 2. The increase shall be payable from the first day of the month next following the effective date of this section and shall include retroactive payments to July 1, 1978.*

Sec. 23. [REINSTATEMENT OF CERTAIN DISABILITY BENEFITS.] *A former member of the public employees retirement association who was a former employee of the Nopeming Sanatorium, who became eligible for total and permanent disability benefits on November 20, 1969, and whose total and permanent disability benefits were discontinued as of March 21, 1972 pursuant to Minnesota Statutes, Section 353.33, Subdivision 6, shall again be entitled to total and permanent disability benefits upon application therefor and compliance with Minnesota Statutes, Section 353.33, commencing upon the effective date of this act, notwithstanding the fact that more than three years have elapsed following termination of public service."*

Page 13, delete section 20

Page 13, line 31, delete "This act is" and insert "Sections 1, 6, 18, 19, 22, 23, 24 and 25 are effective the day following final enactment. The balance of this act shall be"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "2;" insert "353.03, Subdivision 3;"

Page 1, lines 8 and 9, delete "and by adding a subdivision"

Page 1, line 10, delete "353.46" and insert "353.64" and after the first semicolon insert "353.65, Subdivision 2;"

Page 1, line 11, delete "353.657, Subdivision 1;" and after "5" delete the semicolon and insert a period

Page 1, delete lines 12 and 13

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 772, A bill for an act relating to highways; allowing private landowners to install drainage tiles in highway right-of-way; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, after "*highway*" insert "*, provided that there will be no diversion of drainage waters away from the natural receiving drainageway immediately downstream from the highway*"

Page 2, line 6, delete "*No open trenching will be*"

Page 2, line 7, delete "*allowed.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 841, A bill for an act relating to courts; authorizing the judges of the courts within each judicial district to elect to reorganize to form one unified court.

Reported the same back with the following amendments:

Page 4, line 7, delete "110" and insert "102"

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

The report was adopted.

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

H. F. No. 844, A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for a penalty assessment on convicted persons; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [POLICY.] It is the policy of the state of Minnesota to provide programs, in addition to the Minnesota crime victims reparation act, for emergency and support services to the victims of crimes, including the victims of conduct by juveniles which would be criminal if committed by an adult; and to establish victim support funds and promote the delivery of emergency and support services by political subdivisions of the state.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 6, the following terms have the meanings given them.

Subd. 2. "Emergency and support services" mean those services provided to crime victims pursuant to Minnesota Statutes, Sections 241.51 to 241.66, victim-witness and restitution programs.

Subd. 3. "Commissioner" means the commissioner of corrections.

Sec. 3. [DUTIES OF THE COMMISSIONER.] Subdivision 1. The commissioner shall prescribe standards for the emergency and support services defined in this act and for the implementation of sections 3 and 4. The standards shall include the percentage of program funds which may be expended for administrative costs.

Subd. 2. The commissioner shall review emergency and support services programs proposed by counties and groups of counties, and shall certify those programs which meet the standards established in subdivision 1.

Subd. 3. The commissioner shall design and implement a uniform method of collecting and evaluating data on programs established pursuant to sections 1 to 6.

Subd. 4. The commissioner shall provide technical assistance to counties in the design and operation of emergency and support services programs.

Subd. 5. The commissioner shall appoint a project coordinator, who shall be in the unclassified service. The project coordinator shall assist the commissioner in performing the duties set forth in this section.

Subd. 6. The commissioner shall report biennially to the legislature on the programs established pursuant to sections 1 to 6.

Sec. 4. [COUNTY ESTABLISHMENT OF VICTIM SUPPORT FUND.] Subdivision 1. Any county or group of counties may establish a victim support fund with which to finance the emergency and support services in a manner consistent with the rules adopted pursuant to section 3. Counties may contract with nonprofit corporations for the conduct of any program or delivery of any services provided pursuant to sections 1 to 6. A county or a group of counties may not establish a victim support fund until the commissioner of corrections has certified that the proposed emergency and support services program meets the minimum standards pursuant to section 3, subdivision 2.

Subd. 2. Any county or group of counties participating in the community corrections subsidy act established by Minnesota Statutes, Chapter 401, which elects to provide the program and services authorized by subdivision 1 must include them in the comprehensive plan for the delivery and administration of correctional services prescribed in Minnesota Statutes, Chapter 401.

Sec. 5. [COURT DUTIES.] Upon a person being convicted of a crime in any county or group of counties in which a program to provide emergency and support services to the victims of crime has been certified by the commissioner and established by the county board, if the court finds that the defendant has the ability to pay, the court shall, in addition to any other penalty, order the defendant to pay a penalty assessment commensurate with the offense committed of at least \$10, but not to exceed \$100 for a misdemeanor, \$500 for a gross misdemeanor and \$1,000 for a felony. There shall be only one penalty assessment notwithstanding that the defendant is convicted under the same indictment or complaint of more than one count. The penalty assessment imposed pursuant to this section shall be paid into the victim support fund authorized by section 4.

Subd. 2. The sentencing court may, upon a showing of indigency or undue hardship upon the convicted person or his immediate family, authorize payment of the penalty assessment in installments. If the convicted person is sentenced and committed to imprisonment, the chief executive officer of the institution in which the person is confined may collect the assessment from any earnings the inmate shall accrue for work performed in the institution or while on conditional release therefrom under the provisions of Minnesota Statutes, Section 241.26 or 631.425, and forward same to the victim support fund of the county in which he was sentenced.

Sec. 6. There is appropriated from the general fund to the commissioner of corrections the sum of \$40,000 for the purpose of implementing this act."

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

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 852, A bill for an act relating to schools; requiring school boards to allow official representatives of military forces reasonable access to certain school facilities for recruitment presentations; amending Minnesota Statutes 1978, Section 123.36, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 17, delete "*enlistment in*" and insert "*entry into*"

Page 1, line 18, after the period insert "*The access required by this subdivision shall be equivalent to the access provided to other persons or groups which make pupils aware of post-secondary occupational or educational options.*"

Page 2, line 4, after "*facilities*" insert "*for the purpose of recruiting*"

Page 2, line 8, delete "*amount*" and insert "*use*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 872, A bill for an act relating to the state building code; restricting statewide application of certain provisions; requiring builders to construct homes in compliance with the building code; permitting the use of ungraded Minnesota lumber in certain jurisdictions; providing for courses on lumber grading; providing tuition reimbursement and per diem for building officials; providing for notations in deeds; appropriating money; amending Minnesota Statutes 1978, Sections 16.851; 16.861, Subdivisions 1 and 4, and by adding a subdivision; 16.866, Subdivision 1; 327A.01, Subdivision 2; 327A.02, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.

Reported the same back with the following amendments:

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1978, Section 16.84, Subdivision 3, is amended to read:

Subd. 3. "*Municipality*" means any city, county, (OR) town (MEETING THE REQUIREMENTS OF SECTION 368.01, SUBDIVISION 1), or the University of Minnesota *which, as of May 27, 1971, has a building code or which adopts a building code prior to June 1, 1977, or after the effective date of this act.*"

Renumber succeeding sections

Page 1, line 21, delete the new language

Page 1, lines 23 to 27, delete the new language

Page 2, lines 1 to 4, delete the new language and insert:

"Specifically, the code shall apply to any municipality which as of May 27, 1971, has a building code and shall further apply to any municipality which chooses to adopt a building code prior to June 1, 1977. The code shall also apply to all public buildings in the state. A city, county, town, or the University of Minnesota shall enforce the state building code with respect to construction of any public building within its jurisdiction. The state building code shall also apply to any building in the state which is not used or designed primarily as a one or two family dwelling. The state building inspector or other inspector certified by the state shall enforce the state building code with respect to construction of these buildings in areas where a county, city, or town has not adopted and is not enforcing the code."

Page 2, line 15, delete "A municipality" and insert "Any municipality which did not adopt the code prior to June 1, 1977, may adopt and enforce the state building code or any portion of it with respect to any construction within the municipality's jurisdiction. If a municipality adopted or enforced the state building code prior to June 1, 1977 or elects after the effective date of this act to adopt the code, it"

Page 3, line 22, after "where" insert "the code has been adopted but"

Page 3, line 28, after "municipality" insert ", or other unit of local government with respect to public buildings,"

Page 3, lines 31 and 33, strike "municipality" and insert "unit of local government"

Page 4, line 1, strike "municipality" and insert "unit"

Page 4, line 4, after "municipalities" insert ", or other units of local government with respect to public buildings,"

Page 4, line 8, after "municipality" insert "or other unit of local government"

Page 4, line 14, after "municipality" insert "or other unit of local government"

Page 4, after line 21, insert "In every municipality which adopts the state building code,"

Page 4, line 22, delete "every" and insert "the"

Page 5, lines 21 and 22, delete *"which has been charged with enforcing the state building code after July 1, 1977"*

Page 5, line 24, after *"single"* insert *"and double"*

Page 5, line 26, after *"jurisdiction"* delete *"if the lumber has been inspected by a"*

Page 5, delete line 27

Page 5, line 28, delete everything up to the period

Page 6, line 18, after *"municipalities"* insert *"enforcing the state building code"*

Page 7, after line 1, insert:

"Out of the total surcharge paid to the commissioner, that portion which results from the issuance of plumbing permits shall be allocated to the commissioner of health for administering the plumbing program pursuant to Minnesota Statutes, Section 16.86, Subdivision 5."

Page 7, line 3, after *"to"* insert *"those"* and after *"municipalities"* insert *"enforcing the state building code"*

Page 7, lines 14 and 28, after *"code"* insert *", where adopted"*

Page 8, line 3, delete section 8 and insert:

"Sec. 9. Nothing in sections 1 to 8 shall be construed to affect sections 471.465 to 471.469, regarding building requirements for handicapped persons. These sections and rules promulgated by the commissioner of administration regarding building requirements for handicapped persons shall continue to apply statewide, and shall be enforced by each city, county, or town meeting the requirements of section 368.01, subdivision 1, or the University of Minnesota. In any city, county, or town meeting the requirements of section 368.01, subdivision 1, or the University of Minnesota, which does not adopt the state building code, the commissioner of administration shall cause administration and enforcement of building requirements for the handicapped to be undertaken by the state building inspector or other inspector certified by the state. Immediately upon undertaking administration and enforcement the commissioner shall notify the affected unit of local government in writing and the unit may challenge the determination as a contested case before the commissioner pursuant to the administrative procedures act. The commissioner shall determine the appropriate fees to be charged for the administration and enforcement service rendered. Any cost to the state arising from the state administration and enforce-

ment of the laws regarding building requirements for the handicapped shall be borne by the subject unit of local government."

Page 8, line 13, after "*each*" and before "*a*" delete "*county*" and insert "*municipality adopting the state building code*" and delete "*\$20,000 per county or*"

Page 8, delete lines 14 to 17

Page 8, line 18, delete "*enforcing area to that of the county*" and insert "*\$30,000 to be used for adoption and enforcement of the building code*"

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "*compliance with the building code;*"

Page 1, line 9, delete "*providing for*"

Page 1, line 10, delete "*notations in deeds;*"

Page 1, line 11, after "*Sections*" insert "*16.84, Subdivision 3;*"

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

The report was adopted.

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

H. F. No. 882, A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.

Reported the same back with the following amendments:

Page 2, line 7, delete "*shall*" and insert "*may*"

Page 2, line 12 after "*interest*" insert "*not to exceed 6 percent per annum*"

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. 899, A bill for an act relating to natural resources; eliminating the requirement for a wild rice processor's license; amending Minnesota Statutes 1978, Section 98.46, Subdivision 18.

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

The report was adopted.

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

H. F. No. 941, A bill for an act relating to corrections; creating a code of corrections; reorganizing various laws relating to corrections, including laws relating to the commissioner, personnel, the ombudsman, compacts, acts, and agreements, institutions, industries, offenders, community-based services, and releases; providing penalties; amending Minnesota Statutes 1978, Sections 244.01, Subdivisions 1 and 2; 244.08; 609.165, Subdivision 1; Chapters 144, by adding a section; 244, by adding a section; and 631, by adding sections; repealing Minnesota Statutes 1978, Sections 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 325.45; 325.46; 325.47; 609.105, Subdivision 2; 609.12; 629.292; 629.294; and Chapters 241; 242; 243; and 401.

Reported the same back with the following amendments:

Page 13, line 2, delete "*or to the state sanatorium*"

Page 18, line 12, delete "*an x-ray examination*"

Page 18, line 13, delete "*of the lungs*" and insert "*a Mantoux test*"

Page 18, delete section 19

Page 80, line 24, delete "*engages in any conduct*"

Page 80, line 25, delete "*prohibited by law*"

Page 80, line 25, before "*may*" insert "*introduces or attempts to introduce contraband prohibited by section 56, or anything usable in making an escape, or assaults or attempts to assault an officer or employee of the institution*"

Page 81, delete lines 23 to 26

Renumber the sections and amend section references as may be required by this amendment

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 954, A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.

Reported the same back with the following amendments:

Page 1, strike line 11 and insert "*by resolution establish a date for an annual meeting at which it shall*"

Page 1, line 12, strike "in July each"

Page 1, line 13, strike "year meet and"

Page 1, line 20, strike "and regulations"

Page 1, line 21, after "and" insert "*the director*"

Page 2, line 1, strike "His" and insert "*The director's*"

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 970, A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of seasonal businesses; amending Minnesota Statutes 1978, Section 268.08, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 268.07, Subdivision 3, is amended to read:

Subd. 3. [WHEN WAGE CREDITS ARE NOT AVAILABLE.] (1) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in insured work as defined in section 268.04, subdivision 17, and earned remuneration for such service in an amount equal to not less than the minimum wage credits required to qualify for benefits.

(2) No employer who provided 90 percent or more of the wage credits in a claimant's base period shall be charged for benefits based upon earnings of such claimant during a subsequent base period unless he has employed such claimant in any part of such subsequent base period.

(3) *Wages paid by an employing unit may not be used for benefit purposes by any individual who individually or jointly with the individual's spouse, parent or minor child owns or controls directly or indirectly 25 percent or more interest in such employing unit or is in the employment of an employing unit in which the individual's spouse, parent or minor child owns or controls directly or indirectly 25 percent or more interest in such employing unit, except for an individual who is permanently separated from employment.*

Sec. 2. *This act is effective for new claims filed on and after July 1, 1979."*

Amend the title as follows:

Page 1, line 3, after "owners" insert "and relatives" and delete "seasonal" and insert "certain"

Page 1, line 5, delete "268.08, by adding a subdivision" and insert "268.07, Subdivision 3"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 971, A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.

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

The report was adopted.

Johnson C., from the Committee on Education to which was referred:

H. F. No. 993, A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.

Reported the same back with the following amendments:

Page 1, line 13, after "secondary" insert "or post-secondary"

Page 2, after line 5, insert:

"Sec. 2. This act shall be effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1008, A bill for an act relating to housing; creating a demonstration program in congregate housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.

Reported the same back with the following amendments:

Page 3, line 10, delete "\$3,000,000" and insert "_____"

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

The report was adopted.

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

H. F. No. 1011, A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.

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

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1023, A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

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

The report was adopted.

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

H. F. No. 1049, A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, after "degree" insert "*and has been adjudicated delinquent for an offense committed within the preceding 24 months, which offense would be a felony if committed by an adult*"

Page 2, line 5, after "degree," insert "*aggravated robbery,*"

Page 2, line 11, delete "*violation of*"

Page 2, delete all of lines 25 to 33 and insert:

"Subd. 3. Any person described in section 1 who is convicted as charged or of any lesser offense for which he would have been charged in the same court as adults similarly charged shall not thereafter be subject to the jurisdiction of the juvenile court. Any person described in section 1 who is acquitted or who is convicted of a lesser included offense which could not have been charged pursuant to section 1 in the same court as adults similarly charged, shall be subject to juvenile court jurisdiction for appropriate disposition on the record of the adult court acquittal or conviction and shall be subject to juvenile court jurisdiction for any subsequent unlawful conduct other than that described in section 1. Delinquent adjudications occurring prior to the effective date of this act shall be considered in determining the applicability of section 1 to

persons who commit offenses to which section 1 applies after the effective date of this act."

Page 3, delete all of line 1 and insert the following:

"Sec. 3. Except as provided in section 2, this act is effective May 1, 1980 and"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1063, A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth Transit Authority and permitting representation of the city of Superior, Wisconsin; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, Subdivision 3.

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1084, A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.

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

The report was adopted.

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

H. F. No. 1111, A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

Reported the same back with the following amendments:

Page 1, line 16, delete "\$157,600,000" and insert "\$155,000,-000"

Page 3, line 31, delete "\$146,600,000" and insert "\$144,000,-000"

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. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

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

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1169, A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

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

The report was adopted.

Biersdorf from the Committee on Commerce, Economic Development and Housing to which was referred:

H. F. No. 1216, A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1978, Section 340.62.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 340.62, is amended to read:

340.62 [CERTAIN LIQUOR REGISTERED.] No licensed manufacturer or wholesaler shall manufacture or import for sale within the state, any brand of intoxicating liquor *or nonintoxicating malt beverage* such as distilled spirits (AND), wine, beer *or malt beverage*, or any distilled or vinous liquor designated as a specialty, wherein such liquor is ready for sale for beverage purposes without further processing, unless the label of such brand has been *filed by the owner thereof or authorized agent* and registered with and approved by the commissioner. The commissioner shall hereinafter establish a register for such brand labels, which labels shall be acceptable under the following conditions:

(1) No brand of intoxicating liquor *or nonintoxicating malt beverage* as hereinbefore described shall be manufactured or imported for sale within the state after the passage of this act unless the brand label thereof has been (SUBMITTED TO) *registered by the owner thereof or authorized agent* and approved by the commissioner *and the importation thereof made with the consent of the brand owner or authorized agent*. The fee for such *filing and* registration shall be (\$10) \$15 for each brand label. *Nothing in this clause (1) shall be construed to repeal, limit or otherwise affect the provisions of section 340.114.*

((2) THE SAME REGISTRATION AND FEE SHALL BE REQUIRED FOR ANY BRAND OF LIQUOR AS HEREINBEFORE DESCRIBED WHICH HAS BEEN MANUFACTURED OR IMPORTED FOR SALE WITHIN THIS STATE AND IN WHICH THE BRAND LABEL FOR SUCH BRAND HAS BEEN FILED WITH THE COMMISSIONER AND WHEREIN THE SALE OF SUCH BRAND HAS BEEN DISCONTINUED WITHIN THE STATE BY THE MANUFACTURER OR WHOLESALER FOR A PERIOD OF TWO YEARS.)

((3) AFTER THE SALE OF ANY BRAND OF INTOXICATING LIQUOR AS HEREINBEFORE DESCRIBED HAS BEEN DISCONTINUED WITHIN THIS STATE FOR A PERIOD OF THREE YEARS BY THE MANUFACTURER OR WHOLESALER DISTRIBUTING IT, SAID BRAND AND ITS BRAND LABEL AND ANY AND ALL REGISTRATIONS THEREOF IN THIS STATE SHALL THEREAFTER BE CONCLUSIVELY PRESUMED TO HAVE BEEN ABANDONED BY SAID MANUFACTURER OR WHOLESALER.)

(2) All labels shall be registered for a two year period. The registration period shall begin on the first day of the month in which the application is approved by the commissioner. When a label approval expires, it may be re-registered for another two year period, by refiling, paying the fee and obtaining the approval of the commissioner. In order to implement the provisions of this act, all labels approved before July 1, 1978 shall expire June 30, 1980 and all labels approved between July 1, 1978 and June 30, 1979 shall expire June 30, 1981.

((4)) (3) The terms "brand" and "brand label," when used herein, shall each be construed to mean and include trademarks and designs used in connection therewith.

((5)) (4) All money received by the commissioner under the provisions of this section shall be paid to the state treasurer and such money shall be credited to the general fund.

Sec. 2. *This act is effective July 1, 1979.*"

Delete the title in its entirety and insert:

"A bill for an act relating to liquor and nonintoxicating malt beverage; registration of labels; amending Minnesota Statutes 1978, Section 340.62."

With the recommendation that when so amended the bill pass.

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 601, A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1394, 177, 313, 386, 489, 496, 508, 567, 579, 582, 747, 772, 852, 882, 941, 954, 970, 971, 993, 1011, 1023, 1049, 1063, 1126, 1169 and 1216 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 601 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Stadum and Nelsen, B., introduced:

H. F. No. 1410, A bill for an act relating to education; establishing a study commission on area vocational-technical institutes; appropriating money.

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

Anderson, I., introduced:

H. F. No. 1411, A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.

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

Pehler introduced:

H. F. No. 1412, A bill for an act relating to taxation; income; granting a tax credit to certain business firms who contribute to neighborhood organizations or who engage in activities to alleviate poverty in certain areas; prescribing certain duties and responsibilities of the department of revenue and department of economic security, office of economic opportunity.

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

Brinkman, Wenzel, Corbid, Ewald and Blatz introduced:

H. F. No. 1413, A bill for an act relating to commerce; providing for a rate of interest on business or agricultural loans; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.

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

Stoa introduced:

H. F. No. 1414, A bill for an act relating to political parties; changing the date for holding precinct caucuses; amending Minnesota Statutes 1978, Section 202A.14, Subdivision 1.

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

Olsen and Levi introduced:

H. F. No. 1415, A bill for an act relating to education; authorizing school districts to increase a certain levy; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2a.

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

Valento, Wynia, Levi and Waldorf introduced:

H. F. No. 1416, A bill for an act relating to Ramsey County; fixing the terms of county commissioners; amending Laws 1974, Chapter 435, Section 2.021, as amended.

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

Sherwood and Wenzel introduced:

H. F. No. 1417, A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

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

Stowell, Wieser, Mehrkens, Lehto and Kahn introduced:

H. F. No. 1418, A bill for an act relating to transportation; providing for a feasibility study and cost analysis of certain modifications of trunk highway marked No. 74 within White-water State Park; including within the study the feasibility and cost of relocating certain park facilities; appropriating money.

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

Wynia, Otis, Drew, Rothenberg and Kostohryz introduced:

H. F. No. 1419, A bill for an act relating to public meetings; requiring availability of certain materials; imposing a penalty; amending Minnesota Statutes 1978, Section 471.705.

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

Heap, Rothenberg and Elioff introduced:

H. F. No. 1420, A bill for an act relating to education; providing for an occupational information system, for an advisory task force on the system and for a report to the legislature; appropriating money.

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

Patton; Anderson, D.; Casserly; Munger and Searle introduced:

H. F. No. 1421, A bill for an act relating to outdoor recreation; authorizing the issuance of state bonds and appropriating the proceeds for the acquisition and betterment of state trails, forests, and fish and wildlife management, natural and scientific areas.

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

Eken and Anderson, G., introduced:

H. F. No. 1422, A bill for an act relating to agriculture; providing annual audits for promotional councils; amending Minnesota Statutes 1978, Section 17.58, by adding a subdivision.

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

Sieben, M.; Schreiber and Casserly introduced:

H. F. No. 1423, A bill for an act relating to metropolitan government; providing for reconciliation of various possible conflicts among plans or programs; amending Minnesota Statutes 1978, Section 473.175, Subdivision 1.

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

Sieben, M., introduced:

H. F. No. 1424, A bill for an act relating to the city of Cottage Grove; authorizing a housing finance program and providing for the issuance of bonds to finance the program for single family or multiple family housing, or both.

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

Johnson, C.; Eken; Johnson, D.; Schreiber and Anderson, G., introduced:

H. F. No. 1425, A bill for an act relating to workers' compensation; limiting the time for reopening claims; amending Minnesota Statutes 1978, Section 176.151.

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

Begich and Carlson, D., introduced:

H. F. No. 1426, A bill for an act relating to public safety; extending the time for fencing certain unused open pit mines; amending Minnesota Statutes 1978, Section 180.03, by adding a subdivision.

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

Brinkman; Patton; Nelsen, B.; Friedrich and Carlson, D., introduced:

H. F. No. 1427, A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.

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

Albrecht, Redalen, Haukoos, Friedrich and Jennings introduced:

H. F. No. 1428, A bill for an act relating to agriculture; providing an income tax exclusion for interest earned on certain family farm security loan transactions; amending Minnesota Statutes 1978, Sections 41.55; 290.01, Subdivision 20; and Chapter 41, by adding a section.

The bill was read for the first time and referred to the Committee on Agriculture. Anderson, I., objected to the reference and the bill was referred to the Committee on Rules and Legislative Administration.

Enebo, Clawson, Sviggum, Stoa and Aasness introduced:

H. F. No. 1429, A bill for an act relating to state government; modifying the duties of certain state officers and departments; eliminating certain conflicting or obsolete provisions superseded by other provisions of law; eliminating the agricultural slogan and printing requirements relating thereto; modifying the general services and computer services revolving funds and the motorpool revolving account; changing procedures for disposal of certain old buildings; changing certain definitions; establishing procedures for approval of certain revised planning costs; clarifying mailing requirements for certain vehicles; extending use of state employee commuter vans; incorporating provisions of certain reorganization orders; appropriating money; amending Minnesota Statutes 1978, Sections 4.31, Subdivision 1; 15.052, Subdivision 6; 16.02, Subdivisions 10, 14, 18, and by adding a subdivision; 16.05; 16.098, Subdivision 9; 16.24; 16.243; 16.28; 16.77; 16.80, Subdivision 1; 16.82, Subdivision 1; 16.822, Subdivisions 5 and 9; 16.826, by adding a subdivision; 16.866, Subdivision 1; 16A.126; 43.17, Subdivision 4a; 84.084; 144.08; 155.18, Subdivision 1; 161.06, Subdivision 1; 168.012, Subdivision 1; 176.541, Subdivision 6; 177.28, Subdivision 6; 181A.09, Subdivision 3; 190.095, Subdivision 2; 239.52; 260.311, Subdivision 4; 268.06, Subdivision 26; 268.12, Subdivision 5; 268.15, Subdivision 2; 282.38, Subdivision 1; 290.59; 296.01, by adding a subdivision; 296.04; 296.25, Subdivision 1; 296.27; 296.28; 298.22, Subdivision 1; 299C.08; 352.03, Subdivision 6; 352.04, Subdivision 5; 354.06, Subdivision 2a; 360.015, Subdivision 16; 362.125; 574.04; and Chapter 16A, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 1.39; 10.31; 10.38; 16.096; 16.51; 16.52; 16.53; 16.56; 93.45; 136.85; 155.18, Subdivision 2; 296.07; and 299A.01, Subdivision 5.

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

McDonald introduced:

H. F. No. 1430, A bill for an act relating to local government; providing that part of the town of Laketown is in the Lake Minnetonka conservation district for tax purposes.

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

Heinitz, Jude and Adams introduced:

H. F. No. 1431, A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.

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

Norman introduced:

H. F. No. 1432, A bill for an act relating to education; providing for technical assistance in basic skills instruction for certain teachers; appropriating money.

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

Anderson, D., introduced:

H. F. No. 1433, A bill for an act relating to the city of Benson; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical clinic purposes.

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

Valento, Reif, Fritz and Nelsen, B., introduced:

H. F. No. 1434, A bill for an act relating to workers' compensation; changing retraining benefits for certain employees; amending Minnesota Statutes 1978, Section 176.101, Subdivision 7.

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

Forsythe and Reif introduced:

H. F. No. 1435, A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

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

Esau introduced:

H. F. No. 1436, A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.

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

Dempsey introduced:

H. F. No. 1437, A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; amending Minnesota Statutes 1978, Chapter 645, by adding a section.

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

Dempsey, Rees, Piepho and Jennings introduced:

H. F. No. 1438, A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

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

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 Senate Files, herewith transmitted:

S. F. Nos. 361, 410 and 600.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 550, 607, 728 and 876.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 450 and 905.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 346, 363, 467 and 708.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 491, 660, 709 and 980.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 186, 712, 759, 866 and 926.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 361, A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing

ing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.

The bill was read for the first time.

Heinitz moved that S. F. No. 361 and H. F. No. 176, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 410, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

The bill was read for the first time.

Rothenberg moved that S. F. No. 410 and H. F. No. 616, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 600, A bill for an act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.

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

S. F. No. 550, A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; providing that a candidate's expenditure limit agreement is not binding unless agreements are signed by the candidate's opponents; amending Minnesota Statutes 1978, Sections 10A.25, Subdivision 2; and 10A.32, Subdivisions 3 and 3b.

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

S. F. No. 607, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

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

S. F. No. 728, A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; providing penalties.

The bill was read for the first time.

Pavlak moved that S. F. No. 728 and H. F. No. 691, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 876, A bill for an act relating to local government; permitting units in Fillmore County to spend money to assist blood collection.

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

S. F. No. 450, A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.

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

S. F. No. 905, A bill for an act relating to public lands; authorizing the transfer of titles to lands of the state and local units of government; specifying powers and duties of the land exchange board, the commissioner of natural resources, and local units of government in relation to title transfers.

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

S. F. No. 346, A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance; repealing Laws 1971, Chapter 330.

The bill was read for the first time.

Heinitz moved that S. F. No. 346 and H. F. No. 181, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 363, A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.

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

S. F. No. 467, A bill for an act relating to education; requiring the commissioner of education to sponsor and report on an annual meeting between the state board of education and certain school board members; amending Minnesota Statutes 1978, Chapter 121, by adding a section.

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

S. F. No. 708, A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 97.48, by adding a subdivision; and 98.46, Subdivision 3.

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

S. F. No. 491, A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.

The bill was read for the first time.

Reding moved that S. F. No. 491 and H. F. No. 496, now on the Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 660, A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7, and by adding a subdivision; 301.32; and 301.36.

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

S. F. No. 709, A bill for an act relating to game and fish; affording protection to the badger; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

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

S. F. No. 980, A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.

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

S. F. No. 186, A bill for an act relating to crimes; limiting a perpetrator's right to commercially exploit the crime; providing for the payment of crime victims; appropriating money; amending Minnesota Statutes 1978, Chapter 299B, by adding a section.

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

S. F. No. 712, A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922, Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.18, Subdivision 4.

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

S. F. No. 759, A bill for an act relating to Indian affairs; expanding the term of office for at large intertribal board members from two years to four years; providing for future at large elections; defining the term of office for at large members; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.

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

S. F. No. 866, A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge; amending Minnesota Statutes 1978, Section 357.18, Subdivision 1.

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

S. F. No. 926, A bill for an act relating to the city of Saint Paul; authorizing the port authority to make certain investments.

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

Speaker pro tem Heinitz was called to the chair.

CONSENT CALENDAR

H. F. No. 1065, A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board

of investment; amending Minnesota Statutes 1978, Sections 11.-117, Subdivisions 4 and 6; 11.118 and 11.145.

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:

Adams	Eken	Jude	Nelsen, M.	Sieben, H.
Ainley	Elioff	Kahn	Nelson	Sieben, M.
Albrecht	Ellingson	Kaley	Niehaus	Simoneau
Anderson, B.	Enebo	Kalis	Norman	Stadum
Anderson, D.	Erickson	Kelly	Novak	Stoa
Anderson, I.	Esau	Kempe	Nysether	Stowell
Anderson, R.	Evans	Knickerbocker	Olsen	Swanson
Battaglia	Ewald	Kostohryz	Onnen	Thiede
Begich	Faricy	Kroening	Osthoff	Tomlinson
Berglin	Fjoslien	Laidig	Otis	Valan
Berkelman	Forsythe	Lehto	Patton	Valento
Biersdorf	Friedrich	Levi	Pavlak	Vanasek
Blatz	Fritz	Long	Peher	Waldorf
Brinkman	Fudro	Ludeman	Peterson	Weaver
Byrne	Greenfield	Luknic	Piepho	Welch
Carlson, D.	Halberg	Mann	Pleasant	Welker
Carlson, L.	Haukoos	McCarron	Prahl	Wenzel
Casserly	Heap	McDonald	Redalen	Wieser
Clark	Heinitz	McEachern	Rees	Wigley
Clawson	Hoberg	Mehrkens	Reif	Wynia
Corbid	Hokanson	Metzen	Rice	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Searle
Dean	Jaros	Moe	Rothenberg	
Dempsey	Jennings	Munger	Sarna	
Den Ouden	Johnson, C.	Murphy	Schreiber	
Drew	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 322, A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.

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:

Adams	Anderson, D.	Begich	Blatz	Carlson, L.
Ainley	Anderson, I.	Berglin	Brinkman	Casserly
Albrecht	Anderson, R.	Berkelman	Byrne	Clark
Anderson, B.	Battaglia	Biersdorf	Carlson, D.	Clawson

Crandall	Haukoos	Long	Osthoff	Stadum
Dean	Heap	Ludeman	Otis	Stoa
Dempsey	Heinitz	Luknic	Patton	Stowell
Den Ouden	Hoberg	Mann	Pavlak	Swanson
Drew	Hokanson	McCarron	Pehler	Thiede
Eken	Jacobs	McDonald	Peterson	Tomlinson
Elioff	Jaros	McEachern	Piepho	Valan
Ellingson	Jennings	Mehrkens	Pleasant	Valento
Enebo	Johnson, C.	Metzen	Prahl	Vanasek
Erickson	Johnson, D.	Minne	Redalen	Waldorf
Esau	Jude	Moe	Rees	Weaver
Evans	Kahn	Munger	Reif	Welch
Ewald	Kaley	Murphy	Rice	Welker
Faricy	Kalis	Nelsen, B.	Rose	Wenzel
Fjoslien	Kelly	Nelsen, M.	Rothenberg	Wieser
Forsythe	Kempe	Nelson	Sarna	Wigley
Friedrich	Knickerbocker	Niehaus	Schreiber	Wynia
Fritz	Kroening	Norman	Sherwood	Zubay
Fudro	Laidig	Novak	Sieben, H.	Speaker Searle
Greenfield	Lehto	Olsen	Sieben, M.	
Halberg	Levi	Onnen	Simoneau	

The bill was passed and its title agreed to.

H. F. No. 318, A bill for an act relating to real estate; providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, Subdivision 2, and by adding subdivisions; 507.02; and 519.06.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Crandall	Heap	Long	Osthoff
Adams	Dean	Heinitz	Ludeman	Otis
Ainley	Dempsey	Hoberg	Luknic	Patton
Albrecht	Den Ouden	Hokanson	Mann	Pavlak
Anderson, B.	Drew	Jacobs	McCarron	Pehler
Anderson, D.	Eken	Jaros	McDonald	Peterson
Anderson, G.	Elioff	Jennings	McEachern	Piepho
Anderson, I.	Ellingson	Johnson, C.	Mehrkens	Pleasant
Anderson, R.	Enebo	Johnson, D.	Metzen	Prahl
Battaglia	Erickson	Jude	Minne	Redalen
Begich	Esau	Kahn	Moe	Rees
Berglin	Evans	Kaley	Munger	Reif
Berkelman	Ewald	Kalis	Murphy	Rice
Biersdorf	Faricy	Kelly	Nelsen, B.	Rose
Blatz	Fjoslien	Kempe	Nelsen, M.	Rothenberg
Brinkman	Forsythe	Knickerbocker	Nelson	Sarna
Byrne	Friedrich	Kostohryz	Niehaus	Schreiber
Carlson, D.	Fritz	Kroening	Norman	Sherwood
Carlson, L.	Fudro	Kvam	Novak	Sieben, H.
Clark	Greenfield	Laidig	Nysether	Sieben, M.
Clawson	Halberg	Lehto	Olsen	Simoneau
Corbid	Haukoos	Levi	Onnen	Stadum

Stoa	Tomlinson	Voss	Welker	Wynia
Stowell	Valan	Waldorf	Wenzel	Zubay
Swanson	Valento	Weaver	Wieser	Speaker Searle
Thiede	Vanasek	Welch	Wigley	

The bill was passed and its title agreed to.

H. F. No. 748, A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Murphy	Sarna
Adams	Eken	Jude	Nelsen, B.	Schreiber
Ainley	Elioff	Kahn	Nelsen, M.	Sherwood
Albrecht	Ellingson	Kaley	Nelson	Sieben, H.
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, D.	Erickson	Kelly	Norman	Simoneau
Anderson, G.	Esau	Kempe	Norton	Stadum
Anderson, I.	Evans	Knickerbocker	Novak	Stoa
Anderson, R.	Ewald	Kostohryz	Nysether	Stowell
Battaglia	Faricy	Kroening	Olsen	Swanson
Begich	Fjoslien	Kvam	Onnen	Thiede
Berglin	Forsythe	Laidig	Osthoff	Tomlinson
Berkelman	Friedrich	Lehto	Otis	Valan
Biersdorf	Fritz	Levi	Patton	Valento
Blatz	Fudro	Long	Pavlak	Vanasek
Brinkman	Greenfield	Ludeman	Pehler	Voss
Byrne	Halberg	Luknic	Peterson	Waldorf
Carlson, D.	Haukoos	Mann	Piepho	Weaver
Carlson, L.	Heap	McCarron	Pleasant	Welch
Clark	Heinitz	McDonald	Prahl	Welker
Clawson	Hoberg	McEachern	Redalen	Wenzel
Corbid	Hokanson	Mehrkins	Rees	Wieser
Crandall	Jacobs	Metzen	Reif	Wigley
Dean	Jaros	Minne	Rice	Wynia
Dempsey	Jennings	Moe	Rose	Zubay
Den Ouden	Johnson, C.	Munger	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 749, A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32,

Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Munger	Sarna
Adams	Drew	Johnson, D.	Murphy	Schreiber
Ainley	Eken	Jude	Nelsen, B.	Sherwood
Albrecht	Elioff	Kahn	Nelsen, M.	Sieben, H.
Anderson, B.	Ellingson	Kaley	Nelson	Sieben, M.
Anderson, D.	Enebo	Kalis	Niehaus	Simoneau
Anderson, G.	Erickson	Kelly	Norman	Stadum
Anderson, I.	Esau	Kempe	Norton	Stoa
Anderson, R.	Evans	Knickerbocker	Novak	Stowell
Battaglia	Ewald	Kostohryz	Nysether	Swanson
Begich	Faricy	Kroening	Olsen	Thiede
Berglin	Fjoslien	Kvam	Onnen	Tomlinson
Berkelman	Forsythe	Laidig	Otis	Valan
Biersdorf	Friedrich	Lehto	Patton	Valento
Blatz	Fritz	Levi	Pavlak	Vanasek
Brinkman	Fudro	Long	Pehler	Voss
Byrne	Greenfield	Ludeman	Peterson	Waldorf
Carlson, D.	Halberg	Luknic	Piepho	Weaver
Carlson, L.	Haukoos	Mann	Pleasant	Welch
Casserly	Heap	McCarron	Prahl	Welker
Clark	Heinitz	McDonald	Redalen	Wenzel
Clawson	Hoberg	McEachern	Rees	Wieser
Corbid	Hokanson	Mehrkens	Reif	Wigley
Crandall	Jacobs	Metzen	Rice	Wynia
Dean	Jaros	Minne	Rose	Zubay
Dempsey	Jennings	Moe	Rothenberg	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 914, A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pavlak	Voss
Biersdorf	Fritz	Long	Pehler	Waldorf
Blatz	Fudro	Ludeman	Peterson	Weaver
Brinkman	Greenfield	Luknic	Piepho	Welch
Byrne	Halberg	Mann	Pleasant	Welker
Carlson, D.	Haukoos	McCarron	Prahl	Wenzel
Carlson, L.	Heap	McDonald	Redalen	Wieser
Casserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrkins	Reif	Wynia
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1226, A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Fjoslien	Kahn	McEachern
Adams	Casserly	Forsythe	Kaley	Mehrkins
Ainley	Clark	Friedrich	Kalis	Metzen
Albrecht	Clawson	Fritz	Kelly	Minne
Anderson, B.	Crandall	Fudro	Kempe	Moe
Anderson, D.	Dean	Greenfield	Knickerbocker	Munger
Anderson, G.	Dempsey	Halberg	Kostohryz	Murphy
Anderson, I.	Den Ouden	Haukoos	Kroening	Nelsen, B.
Anderson, R.	Drew	Heap	Kvam	Nelsen, M.
Battaglia	Eken	Heinitz	Laidig	Nelson
Begich	Elioff	Hoberg	Lehto	Niehaus
Berglin	Ellingson	Hokanson	Levi	Norman
Berkelman	Enebo	Jacobs	Long	Norton
Biersdorf	Erickson	Jaros	Ludeman	Novak
Blatz	Esau	Jennings	Luknic	Nysether
Brinkman	Evans	Johnson, C.	Mann	Olsen
Byrne	Ewald	Johnson, D.	McCarron	Onnen
Carlson, D.	Faricy	Jude	McDonald	Osthoff

Otis	Redalen	Sherwood	Thiede	Welch
Patton	Rees	Sieben, H.	Tomlinson	Welker
Pavlak	Reif	Sieben, M.	Valan	Wenzel
Pehler	Rice	Simoneau	Valento	Wieser
Peterson	Rose	Stadum	Vanasek	Wigley
Piepho	Rothenberg	Stoa	Voss	Wynia
Pleasant	Sarna	Stowell	Waldorf	Zubay
Prahl	Schreiber	Swanson	Weaver	Speaker Searle

The bill was passed and its title agreed to.

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 353A.-21, Subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, M.
Adams	Eken	Kahn	Nelson	Simoneau
Ainley	Elioff	Kaley	Niehaus	Stadum
Albrecht	Ellingson	Kalis	Norman	Stoa
Anderson, B.	Enebo	Kelly	Norton	Stowell
Anderson, D.	Erickson	Kempe	Novak	Sviggum
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pavlak	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Pleasant	Welch
Byrne	Halberg	Mann	Prahl	Welker
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Rees	Wieser
Casserty	Heinitz	McEachern	Reif	Wigley
Clark	Hoberg	Mehrkens	Rice	Wynia
Clawson	Hokanson	Metzen	Rose	Zubay
Corbid	Jacobs	Minne	Rothenberg	Speaker Searle
Crandall	Jaros	Moe	Sarna	
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Sherwood	
Den Ouden	Johnson, D.	Nelsen, B.	Sieben, H.	

The bill was passed and its title agreed to.

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

H. F. No. 1235, A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Sherwood
Ainley	Elioff	Kahn	Nelson	Sieben, H.
Albrecht	Ellingson	Kaley	Niehaus	Sieben, M.
Anderson, B.	Enebo	Kalis	Norman	Simoneau
Anderson, D.	Erickson	Kelly	Norton	Stadum
Anderson, G.	Esau	Kempe	Novak	Stoa
Anderson, I.	Evans	Kostohryz	Nysether	Stowell
Anderson, R.	Ewald	Kroening	Olsen	Sviggum
Battaglia	Faricy	Kvam	Onnen	Swanson
Begich	Fjoslien	Laidig	Osthoff	Thiede
Berglin	Forsythe	Lehto	Otis	Tomlinson
Berkelman	Friedrich	Levi	Patton	Valan
Biersdorf	Fritz	Long	Pavlak	Valento
Blatz	Fudro	Ludeman	Pehler	Vanasek
Brinkman	Greenfield	Luknic	Peterson	Waldorf
Byrne	Halberg	Mann	Piepho	Weaver
Carlson, D.	Haukoos	McCarron	Pleasant	Welch
Casserly	Heap	McDonald	Prahl	Welker
Clark	Heinitz	McEachern	Redalen	Wenzel
Clawson	Hoberg	Mehrkens	Rees	Wieser
Corbid	Hokanson	Metzen	Reif	Wigley
Crandall	Jacobs	Minne	Rice	Wynia
Dean	Jaros	Moe	Rose	Zubay
Dempsey	Jennings	Munger	Rothenberg	Speaker Searle
Den Ouden	Johnson, C.	Murphy	Sarna	

The bill was passed and its title agreed to.

H. F. No. 1245, A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for other damages; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Blatz	Clawson	Eken
Adams	Anderson, R.	Brinkman	Corbid	Elioff
Ainley	Battaglia	Byrne	Crandall	Ellingson
Albrecht	Begich	Carlson, D.	Dean	Enebo
Anderson, B.	Berglin	Carlson, L.	Dempsey	Erickson
Anderson, D.	Berkelman	Casserly	Den Ouden	Esau
Anderson, G.	Biersdorf	Clark	Drew	Evans

Faricy	Kahn	Mehrkens	Pavlak	Stoa
Fjoslien	Kaley	Metzen	Pehler	Stowell
Forsythe	Kalis	Minne	Peterson	Sviggunn
Friedrich	Kelly	Moe	Piepho	Swanson
Fritz	Kempe	Munger	Pleasant	Thiede
Fudro	Knickerbocker	Murphy	Prahl	Tomlinson
Greenfield	Kostohryz	Nelsen, B.	Redalen	Valan
Halberg	Kroening	Nelsen, M.	Rees	Valento
Haukoos	Kvam	Nelson	Reif	Vanasek
Heap	Laidig	Niehaus	Rice	Waldorf
Heinitz	Lehto	Norman	Rose	Weaver
Hoberg	Levi	Norton	Rothenberg	Welch
Hokanson	Long	Novak	Sarna	Welker
Jacobs	Ludeman	Nysether	Schreiber	Wenzel
Jaros	Luknic	Olsen	Sherwood	Wieser
Jennings	Mann	Onnen	Sieben, H.	Wigley
Johnson, C.	McCarron	Osthoff	Sieben, M.	Wynia
Johnson, D.	McDonald	Otis	Simoneau	Zubay
Jude	McEachern	Patton	Stadum	Speaker Searle

The bill was passed and its title agreed to.

CALENDAR

Speaker Searle resumed the chair.

H. F. No. 455, A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; providing for the rights of certain parties in the case of certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, 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 90 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Heinitz	Ludeman	Onnen
Adams	Eken	Hoberg	Luknic	Patton
Ainley	Elioff	Hokanson	Mann	Pavlak
Albrecht	Erickson	Jacobs	McDonald	Peterson
Anderson, D.	Esau	Jennings	McEachern	Piepho
Anderson, G.	Evans	Johnson, C.	Mehrkens	Pleasant
Anderson, I.	Ewald	Johnson, D.	Metzen	Prahl
Anderson, R.	Fjoslien	Jude	Minne	Redalen
Battaglia	Forsythe	Kalis	Murphy	Rees
Begich	Friedrich	Kempe	Nelsen, B.	Reif
Biersdorf	Fritz	Knickerbocker	Nelsen, M.	Rose
Brinkman	Fudro	Kostohryz	Niehaus	Rothenberg
Carlson, D.	Halberg	Kroening	Norman	Sarna
Dempsey	Haukoos	Kvam	Nysether	Schreiber
Den Ouden	Heap	Levi	Olsen	Sherwood

Simoneau	Sviggum	Valento	Welker	Wigley
Stadium	Thiede	Waldorf	Wenzel	Zubay
Stowell	Valan	Weaver	Wieser	Speaker Searle

Those who voted in the negative were:

Anderson, B.	Corbid	Kaley	Norton	Swanson
Berglin	Crandall	Kelly	Novak	Tomlinson
Berkelman	Dean	Laidig	Osthoff	Vanasek
Blatz	Ellingson	Lehto	Otis	Welch
Byrne	Enebo	Long	Pehler	Wynia
Carlson, L.	Faricy	McCarron	Rice	
Casserly	Greenfield	Moe	Sieben, H.	
Clark	Jaros	Munger	Sieben, M.	
Clawson	Kahn	Nelson	Stoa	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Searle 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

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

H. F. Nos. 361, 183, 282, 815, 198, 519, 659, 711 and 294 which it recommended to pass.

S. F. Nos. 122, 52, 63 and 606 which it recommended to pass.

H. F. Nos. 592, 261, 944, 227, 317, 564 and 614 which it recommended progress.

S. F. No. 384 which it recommended progress.

H. F. No. 458 which it recommended progress until Thursday, April 26, 1979.

H. F. No. 222 which it recommended to pass with the following amendment offered by Jude:

Page 2, line 2, delete "*July 1*" and insert "*April 15*"

H. F. No. 260 which it recommended to pass with the following amendments:

Offered by Minne:

Page 13, line 8, delete the period and insert a semicolon

Page 13, after line 8, insert

“(1) The special needs of hospitals to convert excess hospital beds to long-term care or other alternate functions. If beds proposed to be converted exceed by up to ten percent the number of long-term care beds projected as needed in the applicable health systems plan, any projected operating expense savings from converting those beds shall be given greater weight in the decision-making process than the fact that projected need for those beds would be exceeded.”

Offered by Carlson, L.:

Page 18, after line 9, insert

“Sec. 12. [144.844] [HEALTH MAINTENANCE ORGANIZATION.] Sections 1 to 11 shall apply to health maintenance organizations to the extent that federal law or regulation requires the application of state certificate of need laws to health maintenance organizations.”

Renumber the following sections in sequence and correct all internal cross references as may be required by the amendment

H. F. No. 475 which it recommended to pass with the following amendment offered by Berkelman:

Page 2, line 7, delete “JCAH” and insert “*joint commission*”

Page 2, line 22, delete “JCAH” and insert “*joint commission*”

Page 3, line 6, delete “JCAH” and insert “*the joint commission*”

Page 3, line 15 delete “JCAH” and insert “*the joint commission*”

Page 3, line 25, delete “JCAH” and insert “*joint commission*”

Page 5, line 6, after “revocation” insert “, *suspension, or refusal to renew*”

Page 5, line 27, delete “JCAH” and insert “*the joint commission's*”

H. F. No. 644 which it recommended to pass with the following amendment offered by Kaley:

Page 6, after line 22, insert:

"Sec. 7. Minnesota Statutes 1978, Chapter 147, is amended by adding a section to read:

[147.024] [PROFESSIONAL ADVERTISING.] *Public advertising by physicians may be controlled by reasonable rules promulgated by the board.*"

Page 6, line 23, delete "7" and insert "8"

Amend the title as follows:

Page 1, after line 14, insert: "authorizing the board of medical examiners to promulgate rules governing advertising by physicians;"

Page 1, line 16, after "1978," insert "*Chapter 147, by adding a section;*"

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Sieben, H., moved that the name of Vanasek be added as an author on H. F. No. 1358. The motion prevailed.

Anderson, I., moved that the name of Ainley be added as an author on H. F. No. 1411. The motion prevailed.

Fudro moved that H. F. No. 1249 be recalled from the Committee on Transportation and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Stadum moved that the name of Haukoos be added as an author on H. F. No. 1410. The motion prevailed.

Stoa moved that the names of Dean, Hokanson, Kempe and Ainley be added as authors on H. F. No. 738. The motion prevailed.

Dean moved that H. F. No. 189 be returned to its author. The motion prevailed.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, April 19, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and Speaker pro tem Heinritz declared the House stands adjourned until 2:00 p.m., Thursday, April 19, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

