

## STATE OF MINNESOTA

## SEVENTY-FIRST SESSION - 1979

## FORTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 3, 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	Eken	Kahn	Nelson	Sherwood
Adams	EHoff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pavlak	Valento
Berkelman	Fritz	Long	Pehler	Vanasek
Biersdorf	Fudro	Ludeman	Peterson	Voss
Blatz	Greenfield	Luknic	Piepho	Waldorf
Brinkman	Halberg	Mann	Pleasant	Weaver
Byrne	Haukoos	McCarron	Prahl	Welch
Carlson, L.	Heap	McDonald	Redalen	Welker
Cassery	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	
Drew	Jude	Nelsen, M.	Searles	

A quorum was present.

Carlson, D., and Stadum were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek 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. 1563, 1325 and 724 and S. F. Nos. 830, 276, 432, 285, 478, 118, 484 and 1504 have been placed in the members' files.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

May 3, 1979

The Honorable Rod Searle  
Speaker of the House  
State of Minnesota

Dear Speaker Searle:

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

H. F. No. 116, relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization;

H. F. No. 299, relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense";

H. F. No. 1158, relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275;

H. F. No. 768, relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; revising antifreeze registration procedures; adopting certain federal food regulations;

H. F. No. 610, relating to marriage; setting out requirements and effect of antenuptial contracts;

H. F. No. 384, relating to game and fish; authorizing certain non-resident minors to be treated as Minnesota residents for the purpose of taking wild game.

Sincerely,

ALBERT H. QUIE  
Governor

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 1047, A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

Reported the same back with the following amendments:

Page 2, line 9, strike "such" and insert "*the*" and strike "as"

Page 2, line 14, strike "such" and "as"

Page 2, line 17, strike "such" and "as"

Page 7, line 22, delete "*Any such*" and insert "*The*"

Page 8, line 13, strike "such" and insert "*that*"

Page 8, line 15, strike "such" and insert "*the*"

Page 8, line 16, strike "such" and insert "*the*"

Page 8, line 18, strike "such" and after "while" insert "*they are*"

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

The report was adopted.

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

H. F. No. 1091, A bill for an act relating to natural resources; providing a public policy directed to preservation of these lands; establishing a temporary joint legislative committee on agricultural and forest land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.

Reported the same back with the following amendments:

Page 1, line 14, delete "and forest"

Page 1, line 15, delete "those purposes" and insert "that purpose"

Page 2, line 7, delete "or forestry"

Page 2, line 13, delete "and forest"

Page 2, line 19, delete "and forest"

Page 2, line 24, after "agriculture" insert ", environment and natural resources"

Page 2, line 31, after the period insert "The expenses of and per diem payments to committee members shall be paid by the committees from which they were chosen. Other expenses of the committee shall be evenly divided between the house of representatives and the senate and each house shall allocate its share equally among the participating committees."

Page 3, line 6, delete "and forest"

Page 3, line 14, delete "and forest"

Page 3, line 17, after "agricultural" delete "and"

Page 3, line 18, delete "forest"

Amend the title as follows:

Page 1, line 3, delete "these" and insert "agricultural"

Page 1, line 5, delete "and forest"

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. 1198, A bill for an act relating to wild animals; altering or eliminating certain provisions in regard to the taking, possessing, or transporting of game or fish; amending Minnesota Statutes 1978, Section 97.50, Subdivision 1; 98.45, Subdivision 1; 98.47, Subdivision 1; 100.27, Subdivision 4; 100.29, Subdivisions 7, 14, and 30; and 101.42, Subdivision 18, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 2, after "609.66" insert "*, subdivision 1, clauses (1), (2), and (7),*"

Page 3, delete line 33

Page 4, delete lines 1 to 33

Page 5, delete lines 1 and 2

Page 6, line 4, after "firearm" insert "*, except a handgun,*"

Page 6, line 6, delete "*, at any time,*"

Page 6, line 7, after "wolf" insert "*at any time*"

Page 6, after line 8, insert:

"Sec. 6. Minnesota Statutes 1978, Section 100.29, Subdivision 19, is amended to read:

Subd. 19. Any person may, and it shall be the duty of every conservation officer to, kill any dog pursuing or killing deer or moose, and no action for damages shall be maintained against the person for the killing. *The owner of any dog which is found pursuing or killing deer, moose, or domestic livestock shall be guilty of a petty misdemeanor.*"

Page 6, line 30, after "nets" insert "*which may be possessed between the hours of sunrise and sunset during the period of February 16 to April 30, inclusive,*"

Page 6, strike line 33 and insert "*April 30,*"

Page 7, line 1, after "inclusive" insert "*and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30*"

Page 7, line 2, after "*seines*" insert "*or traps*"

Page 7, line 3, delete "*in*" and insert "*for*"

Renumber the sections

Further, amend the title as follows:

Page 1, line 5, delete "Section" and insert "Sections"

Page 1, line 6, delete "98.47,"

Page 1, line 7, delete "Subdivision 1;"

Page 1, line 8, after "14," insert "19,"

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. 1243, A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an inter-agency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private nonprofit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; amending Minnesota Statutes 1978, Chapter 174, by adding sections; and Sections 174.23, by adding a subdivision; and 256B.04, Subdivision 12.

Reported the same back with the recommendation that 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. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [121.161] [CAREER INFORMATION SYSTEM.] Subdivision 1. [POLICY.] It is the policy of the state of Minnesota to assist its citizens through the provision of current, accurate and locally relevant occupational and career planning information, and to have a coordinated system for consumers to be known as the "Minnesota Career Information System."

Subd. 2. [AUTHORIZATION.] The commissioner of education shall establish and operate the career information system.

Subd. 3. [FUNCTIONS.] The career information system shall synthesize and provide accurate and timely occupational and educational information to students and employers throughout the state of Minnesota. Information in the Minnesota career information system shall be maintained by contributions of data from programs operated by other agencies and institutions and shall be reviewed at least annually.

Subd. 4. [ADVISORY TASK FORCE.] The commissioner shall establish an advisory task force of no more than 15 members to advise him in the execution of his duties under this section. The members of the task force shall represent both agencies and institutions producing and contributing occupational, career planning, education and training information and also agencies, representative institutions and individuals who would use the career information system. The terms, compensation and removal of members, and the expiration of the task force shall be as provided in Minnesota Statutes, Section 15.059, Subdivision 6.

Subd. 5. [EVALUATION.] In cooperation with the advisory task force, the commissioner shall report to the legislature in 1981 on the status of the occupational information system and shall make a recommendation regarding continuation of the system. Such report shall include assessments of alternative systems of delivery, the need for the frequency of updates of the data base, the effect of the services on users, and the comparability of the services with career counseling and advising.

Subd. 6. [ANNUAL REPORT.] The commissioner of education shall, in cooperation with the advisory task force, issue an annual report on or before July 31 each year describing the

operations of the career information system during the preceding fiscal year.

Sec. 2. [AUTHORITIES.] Subdivision 1. [SERVICES FOR FEES.] The Minnesota career information system is authorized to enter into written agreements with public school districts, junior colleges, community colleges, universities, state agencies, private schools and other public agencies or entities to provide services for a fee determined by the state board of education. The Minnesota career information system is authorized to provide services to other nonpublic agencies, institutions or entities and to collect fees therefor, provided, however, that the fees shall in no event be less than the cost of the services provided.

Subd. 2. [OTHER AUTHORITIES.] The Minnesota career information system may participate in joint projects with other state agencies and apply for federal grants and assistance available to state career information systems. Services now provided by the Minnesota occupational information system are assigned to the Minnesota career information system hereby established on or before September 30, 1979.

Sec. 3. [APPROPRIATION.] Subdivision 1. The sums set forth in this section are appropriated from the general fund to the department of education for the purpose of section 1 for the fiscal year ending June 30 in the designated year.

Subd. 2. For 1980 ..... \$150,000

Subd. 3. For 1981 ..... \$150,000

Subd. 4. Any funds appropriated for 1980 which are not expended or encumbered by June 30, 1980, shall not lapse but shall be available to the department of education for the purpose of section 1 for the second year of the biennium.

Subd. 5. The department of education is authorized up to five additional complement positions for the purposes of this act. Other statutes notwithstanding, current higher education coordinating board and Minnesota occupational information system unclassified staff positions and incumbents thereof are hereby transferred to corresponding positions created in the classified service by this section provided that the incumbents are qualified by procedures to be established in cooperation with the commissioner of personnel."

Delete the title in its entirety and insert:

"A bill for an act relating to education; providing for a career information system, for an advisory task force on the system and for a report to the legislature; appropriating money."



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. 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.

Reported the same back with the following amendments:

Page 1, line 12, delete "Benson-Swift County" and insert "Swift County-Benson"

Page 1, after line 19, insert:

"Sec. 2. Notwithstanding the limitation upon the net debt of a municipality contained in Minnesota Statutes, Section 475.53, Subdivision 1, or any other law to the contrary, the city of Howard Lake in Wright County, Minnesota, may issue and sell its \$260,000 general obligation bonds for the purpose of building a municipal library and community center, which amount and purpose was approved by the voters of the city at a special election held on March 6, 1979."

Page 1, line 20, delete "This act is effective when" and insert: "Section 1 of this act is effective upon"

Page 1, line 21, delete "approved by" and insert "approval of"

Page 1, after line 22 insert, "Section 2 of this act is effective upon approval of the city council of the city of Howard Lake and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the remaining sections

Further, amend the title:

Page 1, delete lines 2 to 5 and insert:

"relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center."

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. 1444, A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.

Reported the same back with the following amendments:

Page 1, after line 22, add a section as follows:

"Sec. 2. All actions and proceedings taken by the City of Heron Lake, in Jackson County, Minnesota, precedent to the issuance of general obligation bonds of the city in an amount not to exceed \$60,000, which bonds were authorized by the voters of the city at an election held on November 7, 1978 for the purpose of providing funds for the improvement of the Heron Lake Municipal Hospital, are legalized and validated, and the bonds when issued shall be valid and binding general obligations of the city, and shall not be included for the purpose of any computation of net debt of the city."

Page 2, line 1, before "This" insert "Section 1 of"

Page 2, after line 3 insert "Section 2 of this act is effective the day after final enactment."

Renumber the remaining section

Further amend the title:

Page 1, line 2, delete "city" and insert "cities" and before the semi-colon insert "and Heron Lake"

Page 1, line 5, before the period insert "; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt"

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. 1467, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement; amending Min-

nesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25 and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

Reported the same back with the following amendments:

Page 1, line 15, delete "AGREEMENT" and insert "AGREEMENTS"

Page 1, line 21, delete "wage" and insert "wages"

Page 9, line 11, after "labor" insert "service"

Page 14, line 3, delete "179.77" and insert "179.76"

Page 14, line 10, delete "179.77" and insert "179.76"

Page 17, line 23, after "to" insert "an"

Amend the title as follows:

Page 1, line 4, delete "a" and "agreement" and insert "agreements"

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:

S. F. No. 303, A bill for an act relating to littering; imposing civil liability on the owner of a vehicle from which certain articles and materials are thrown, deposited, or dumped; prescribing procedures, civil damages, and penalties; amending Minnesota Statutes 1978, Chapter 169, by adding a section.

Reported the same back with the following amendments:

Page 2, line 30, after "action" insert "and distributed as provided in Section 487.33"

Page 3, after line 14, insert:

"Sec. 2. This act is effective one day following enactment."

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:

S. F. No. 345, A bill for an act relating to Hennepin County; providing that law library fees be set by the library trustees; amending Laws 1933, Chapter 291, Section 4, as amended.

Reported the same back with the following amendments:

Page 2, after line 33, insert:

"Sec. 2. Laws 1967, Chapter 223, Section 1, is amended to read:

Section 1. [POLK COUNTY; LAW LIBRARY.] Notwithstanding any provisions to the contrary of Laws 1939, Chapter 325, or any act amendatory thereof, each of the law library fees prescribed in sections 4, 5, and 6 of Laws 1939, Chapter 325, for the acquisition and maintenance of a county law library established pursuant to said act shall be (\$2) \$5 rather than \$1 in Polk county, if and so long as a county law library established pursuant to said act is maintained in said county.

Sec. 3. *Section 2 of this act is effective upon approval by the board of county commissioners of Polk county and compliance with Minnesota Statutes, Section 645.021."*

Further, amend the title as follows:

Page 1, delete lines 2 to 5 and insert:

"relating to certain political subdivisions; regulating fees charged by law libraries; amending Laws 1933, Chapter 291, Section 4, as amended; and Laws 1967, Chapter 223, Section 1."

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:

S. F. No. 444, A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

Reported the same back with the following amendments:

Page 1, line 9, strike "Each"

Page 1, line 9, strike "viewer" and insert "viewers"

Page 1, line 10, strike "his" and insert "their"

Page 1, line 10, strike "him" and insert "them"

Page 1, line 11, after "\$15" insert "each"

Page 1, line 13, strike "such" and insert "the"

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:

S. F. No. 498, A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 24, delete "training" and insert "education"

Page 2, after line 28, add a section to read:

*"Sec. 2. Upon verified petition in the form required by Minnesota Statutes, Section 221.151 for sale or lease of a permit issued under the provisions of Minnesota Statutes, Sections 221.101 to 221.291 filed within 90 days following the effective date of this act, accompanied by the certificate of a duly licensed physician showing that the health of any permit holder substantially impairs the ability of the permit holder to continue to operate under the permit, and upon a finding by the public service commission after due notice and hearing that the approval of the sale or lease will not adversely affect the rights of users of the service, that the transferee is fit and able to conduct the operations authorized under said permit and that the vehicles the transferee proposes to use in conducting the operations meet the safety standards of the commission, the commission shall approve the sale or lease and make its order granting the transfer of the permit and all rights thereunder to the transferee notwithstanding any permit held by the transferee or other provision of Minnesota Statutes, Section 221.151 to the contrary."*

Renumber the remaining section accordingly

Further amend the title as follows:

Page 1, line 2, before the semicolon insert "and motor vehicle carriers"

Page 1, line 4, after the semicolon insert "authorizing temporary procedures for transfer of a motor vehicle carrier permit where the health of the transferor impairs his ability to operate under the permit;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 618, A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the authority of the state board to require that superintendents have teaching experience; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; reducing the membership of the board of teaching; requiring that the board of teaching adopt certain rules pursuant to Chapter 15; eliminating certain requirements for rulemaking; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.05, Subdivisions 1 and 2; 125.08; 125.182, Subdivision 2; 125.183, Subdivisions 1 and 3; 125.185, Subdivisions 4, 4a, 6 and 9; and 179.63, Subdivisions 13 and 14; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.

Reported the same back with the following amendments:

Page 2, line 3, delete "*The*"

Page 2, delete lines 4 and 5

Page 2, line 6, delete "*superintendents.*"

Page 4, line 7, delete "*reasonable*"

Page 4, delete line 8 to the period and insert "*licensure by the state board of education*"

Page 4, line 12, delete "*14*" and insert "*15*"

Page 5, line 3, strike "four" and insert "five"

Page 5, line 21, before the period insert "*provided these rules shall encourage teacher educators to obtain periodic classroom teaching experience*"

Page 7, line 8, strike "certificated" and insert "licensed"

Page 7, line 16, strike "certificated" and insert "licensed"

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, delete lines 14 to 18 and insert:

"Sec. 2. The city of South St. Paul may exercise the powers of a statutory city under Minnesota Statutes, Section 412.301.

Sec. 3. [EFFECTIVE DATE.] Subdivision 1. This act shall become effective as to the city of Saint Paul only after its approval by a majority of the governing body of the port authority of the city of Saint Paul and the governing body of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. This act is effective as to the city of South St. Paul only after its approval by a majority of the governing body of the city of South St. Paul and upon compliance with Minnesota Statutes, Section 645.021."

And further amend the title:

Page 1, delete lines 2 and 3 and insert "relating to certain political subdivisions; authorizing certain investments; providing a method of purchasing certain equipment."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 935, A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.

Reported the same back with the recommendation that 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:

S. F. No. 1002, A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 5, insert:

"Sec. 2. Laws 1973, Chapter 327, Section 5, is amended by adding a subdivision to read:

*Subd. 3a. The authority shall have first option to purchase any permanent residential housing, including condominiums, located within the Spirit Mountain Recreation Area constructed before January 1, 1979 when such property is offered for sale. If the permanent housing is purchased by a person other than the authority, the instrument of conveyance shall contain a covenant to the effect that the purchaser shall not in any material way alter the existing appearance of the real property without the consent of the authority."*

Renumber the remaining section.

Further, amend the title

Page 1, line 5, before the period insert ", and by adding a subdivision"

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:



S. F. No. 1392, A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.

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:

House Concurrent Resolution No. 6, A bill for an act requesting the state personnel department to study means to recognize and provide incentives for job-related professional, educational achievement of certified professional secretaries.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

#### RECESS

During the recess the House paid honor to Arv Johnson, radio broadcaster, who has announced his future retirement.

#### RECONVENED

The House reconvened and was called to order by the Speaker.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 1563, 1091, 1198, 1433 and 1444 were read for the second time.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 303, 345, 444, 498, 926, 935, 1002 and 1392 were read for the second time.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Osthoff, Den Ouden, Wenzel, Niehaus and Patton introduced:

H. F. No. 1568, A bill for an act relating to education; establishing a demonstration educational grant program; appropriating money.

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

Pavlak introduced:

H. F. No. 1569, A bill for an act relating to public safety; requiring that recurring costs of 911 systems in the metropolitan area be borne by the counties that operate the systems; amending Minnesota Statutes 1978, Section 403.11, Subdivision 4.

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

Jaros, Battaglia, Berkelman, Minne and Pavlak introduced:

H. F. No. 1570, A bill for an act relating to controlled substances; designating butyl nitrite as a legend drug to be sold only on prescription.

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

#### REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately preceding General Orders for Thursday, May 3, 1979:

H. F. Nos. 1097, 582, 1144, 1324, 8, 1206, 1392, 323, 874, 1309 and 1364.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 19, A house resolution relating to compensating members of the house and members-elect who attended freshman orientation.

Reported the same back with the following amendments:

Page 1, line 6, after "members" insert "-elect"

Page 1, line 7, delete "and members-elect"

Page 1, delete lines 10 and 11 to the period and insert "the amount of \$27.00 per day as per diem allowance"

Amend the title as follows:

Page 1, line 2, after "members" insert "-elect" and delete "and"

Page 1, line 3, delete "members-elect"

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

### HOUSE RESOLUTION NO. 19

A house resolution relating to compensating members-elect of the house who attended freshman orientation.

*Be it Resolved*, by the House of Representatives of the State of Minnesota, that those members-elect of the House of Representatives who attended the freshman orientation programs held in preparation for the 71st Legislature shall be reimbursed in the same manner and in the amount of \$27 per day as per diem allowance.

Knickerbocker moved that House Resolution No. 19 be now adopted.

The question was taken on the adoption of House Resolution No. 19 and the roll was called. There were 112 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ainley	Levi	Ludeman	Rees	Welker
Kelly				

The motion prevailed and House Resolution No. 19 was adopted.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 564, A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage assumptions; regulating private mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1518, A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1518, that the Speaker shall appoint

3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 members to a conference committee, and that the House requests that a conference committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 1526, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1978, Sections 120.81, Subdivision 2; and 124.572, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1526, that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administrative shall appoint 3 members to a conference committee, and that the House requests that a conference committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Adams moved that the House concur in the Senate amendments to H. F. No. 966 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 966, A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

Senate Concurrent Resolution No. 10, A senate concurrent resolution designating May 1st as Law Day.

PATRICK E. FLAHAVEN, Secretary of the Senate

The resolution was referred to the Committee on Rules and Legislative Administration.

Mr. Speaker:

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

S. F. No. 1003.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1504.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1003, A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.13, Subdivision 1; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.07, Subdivision 1; 206.185, Subdivision 1; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; and Chapters 200, 201, 205, and 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 201.231; 201.26; 201.33; 202A.21; 202A.22; 202A.23; 202A.24; 202A.25; 202A.26; 202A.27; 202A.28; 202A.29; 202A.30; 202A.31; 202A.32; 202A.41; 202A.42; 202A.51; 202A.52; 202A.53; 202A.54; 202A.61; 202A.62; 202A.63; 202A.64; 202A.65; 202A.66; 202A.67; 202A.68; 202A.69; 202A.70; 202A.71; 202A.721; and 210.22; and Chapters 203A, 204A, and 207.

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

S. F. No. 1504, A bill for an act relating to the organization and operation of state government; appropriating money for

maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.10, Subdivision 2; 139.17, Subdivision 2; and 139.18, Subdivision 1.

The bill was read for the first time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Norton and Dean moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1504 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Norton and Dean moved that the rules of the House be so far suspended that S. F. No. 1504 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1504 was read for the second time.

S. F. No. 1504 was reported to the House.

Norton and Dean moved to amend S. F. No. 1504 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [SEMI-STATE ACTIVITIES; APPROPRIATIONS.] The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1980", and "1981", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1980, or June 30, 1981, respectively.

#### SUMMARY BY FUND

	1980	1981	TOTAL
General .....	\$9,631,500	\$9,758,000	\$19,389,500
Tr. Hwy. ....	47,500	47,500	95,000
	\$9,679,000	\$9,805,500	\$19,484,500



APPROPRIATIONS  
Available for the Year  
Ending June 30,

	1980	1981
	\$	\$

## Sec. 2. GENERAL GOVERNMENT

Subdivision 1. Great Lakes Commission .....	34,500	36,000
---------------------------------------------	--------	--------

Subd. 2. Minnesota-Wisconsin boundary Area Commission .....	48,300	50,800
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The amount expended shall not exceed the amount provided for the commission by the state of Wisconsin.

Subd. 3. Uniform Laws Commission .	10,000	10,000
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Sec. 3. STATE HORTICULTURAL  
SOCIETY

For maintenance .....	54,500	54,500
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Sec. 4. EDUCATION, LIBRARIES,  
MUSEUMS AND RECREATION

Subdivision 1. Minnesota Historical Society .....	6,296,600	6,306,700
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The amounts that may be expended from this appropriation for each program are as follows:

(a) General Operations and Management .....	2,854,700	2,904,700
---------------------------------------------	-----------	-----------

This appropriation includes money for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society.

Any unencumbered balance remaining at the end of the first year shall be re-

	1980	1981
	\$	\$

turned to the state treasury and credited to the general fund.

(b) Historic Site Operations .....	3,194,400	3,200,800
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\$543,000 each year is for historic site grants to encourage local historic preservation projects. To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines.

(c) Sibley House Association .....	62,500	16,200
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This appropriation is available for maintenance of the Sibley House and related buildings on the Old Mendota state historic site owned by the Sibley House Association.

\$46,300 the first year is for purchase of security and smoke detection equipment, for grading to prevent further water damage, and for elm tree removal. Any unexpended balance remaining in the first year does not cancel but is available for the second year of the biennium. Any unexpended balance remaining after the purchase of the equipment, grading, and tree removal services shall be used for maintenance of the structures.

The historical society should seek an agreement with the Sibley House Association whereby the historical society will make payments to the Association for this purpose and will provide the Association with technical assistance in applying for federal grants.

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

(d) Government Learning Center ...	55,000	55,000
(e) Center for Minnesota Folklife ...	90,000	90,000

	1980	1981
	\$	\$
(f) Minnesota Humanities Commission .....	25,000	25,000
(g) Minnesota International Center ..	15,000	15,000

Any unexpended balance remaining in (b), (c), (d), (e), (f), or (g) the first year does not cancel but is available for the second year of the biennium.

Subd. 2. Minnesota Academy of Science .....	16,200	16,200
Subd. 3. Science Museum of Minnesota .....	150,000	150,000
Subd. 4. Board of the Arts .....	2,836,400	2,938,800

#### Approved State Complement — 11

The amounts that may be expended from this appropriation for each program are as follows:

(a) Administrative Services .....	319,500	319,500
(b) Subsidies and Grants .....	2,056,900	2,109,300

\$1,036,300 the first year and \$1,048,700 the second year is for general operating support grants to arts organizations of the state with consistent statewide or multi-regional impact.

State money granted to regional arts councils shall not be used for general administrative costs of the regional arts councils.

(c) Public Broadcasting Assistance ..	460,000	510,000
---------------------------------------	---------	---------

\$270,000 each year is for block grants for public television stations pursuant to Minnesota Statutes, Section 139.17, as amended.

\$90,000 each year is for matching grants for public television stations pursu-

	1980	1981
	\$	\$
ant to Minnesota Statutes, Section 139.17, as amended.		

\$100,000 the first year and \$150,000 the second year is for grants to public radio stations pursuant to section 15 of this act.

Any unencumbered balance remaining in (a), (b), or (c) the first year does not cancel but is available for the second year of the biennium.

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

## Sec. 5. SOCIAL SECURITY

Subdivision 1. Disabled American Veterans .....	10,000	10,000
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For salaries, supplies and expenses to be expended as provided by Laws 1941, Chapter 425.

### Subd. 2. Veterans of Foreign Wars

For carrying out the provisions of Laws 1945, Chapter 455 .....	25,000	25,000
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Sec. 6. MINNESOTA HUMANE SOCIETY .....	50,000	50,000
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No state money shall be expended for the care, feeding, housing, or disposal of animals.

Sec. 7. COUNTY ATTORNEYS COUNCIL .....	60,000	70,000
----------------------------------------	--------	--------

	1980	1981
\$		\$

Notwithstanding other provisions to the contrary, the county attorneys council is hereby authorized to charge fees for seminars, workshops and publications it conducts and produces. The proceeds of such fees are to be paid into the general fund.

Sec. 8. SOUTHERN MINNESOTA RIVERS BASIN BOARD .....	40,000	40,000
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Sec. 9. Minnesota Statutes 1978, Section 43.43, Subdivision 2, is amended to read:

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

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

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

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

(4) A judge of the supreme court or an officer or employee of such court; a judge of the district court, a judge of county court, a judge of county municipal court, a judge of probate court; a district administrator; and the employees of the offices of the district administrators of the fifth and eighth judicial districts (UNTIL JULY 1, 1979);

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

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

(7) A salaried employee of the Minnesota historical society or other semi-state agency that receives a direct appropriation of state money, whether the particular employee's salary is paid from state funds or otherwise, who is not a member of the governing board;

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

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

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

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

(12) A member of the state legislature.

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

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

Sec. 10. Minnesota Statutes 1978, Section 138.01, is amended by adding a subdivision to read:

*Subd. 5. The Minnesota historical society may use state money to buy fire, wind, hail, and vandalism insurance.*

Sec. 11. [138.91] [MINNESOTA HUMANITIES COMMISSION.] *Subdivision 1. From money appropriated to it for this purpose the Minnesota historical society shall make grants to the Minnesota humanities commission for its general operations and management. A grant shall not be made unless matched by an equal amount of federal money. At least 50 percent of the amount*

*appropriated shall be used for cooperation with and service for other groups, agencies, and institutions outside the seven-county metropolitan area for the support and dissemination of the humanities.*

*Subd. 2. The Minnesota humanities commission shall report to the legislature by September 1 of each year on the use of these grants. The report shall include an itemized account of the programs and projects supported and the source of money for each. The report shall show actual expenditures for the fiscal year ending the preceding June 30 and proposed expenditures for the fiscal year beginning the preceding July 1.*

Sec. 12. Minnesota Statutes 1978, Section 139.17, Subdivision 2, is amended to read:

Subd. 2. "Public station" means a licensee of the federal communications commission as a noncommercial educational television broadcast station within (OR WITHOUT THE STATE SERVING A SIGNIFICANT SEGMENT OF THE POPULATION OF) this state or a station outside the state which received funds under section 139.18 in 1976.

Sec. 13. Minnesota Statutes 1978, Section 139.18, Subdivision 1, is amended to read:

139.18 [GRANTS.] Subdivision 1. The board of the arts shall distribute the funds provided by sections 139.16 to 139.18. Twice annually the board of the arts shall make *block grants which shall be distributed in equal amounts* to public stations for (THE ACQUISITION AND PRODUCTION OF MATERIALS AND BROADCAST TRANSMISSION) *operational* costs. The board of the arts shall allocate funds appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives (AN EQUAL AMOUNT, EXCEPT THAT) a *block grant. In addition, the board of the arts shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state funds under this section for grants made in fiscal year 1979.* No station's matching grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year.

Sec. 14. Minnesota Statutes 1978, Section 139.18, Subdivision 2, is amended to read:

Subd. 2. In calculating the amount of contributions received by a public station pursuant to subdivision 1, there shall be excluded: contributions, whether monetary or in kind, from the corporation for public broadcasting; tax generated funds, including payments by public or private elementary and secondary

schools; that portion of any foundation or corporation donation in excess of (\$250) \$500 from any one contributor in a calendar year; contributions from any source if made for the purpose of capital expenditures; and contributions from all sources based outside the state.

Sec. 15. [139.19] [GENERAL NONCOMMERCIAL RADIO STATION GRANTS.] *Subdivision 1. [PURPOSE.] The purposes of this section are to facilitate the use of the noncommercial radio station as a community resource by providing financial assistance to noncommercial radio stations serving Minnesota citizens.*

*Subd. 2. [DEFINITIONS.] As used in this section, the terms defined in this subdivision have the meanings given them.*

(a) *"Corporation for Public Broadcasting" means the non-profit organization established pursuant to 47 U.S.C. 396.*

(b) *"Federal Communications Commission" means the federal agency established pursuant to 47 U.S.C. 151.*

(c) *"Noncommercial radio station" means a station holding a license or operating under program test authority from the Federal Communications Commission as a noncommercial educational radio station, licensed to a community within the state and serving a segment of the population of the state.*

(d) *"Operating income" may include:*

(1) *individual and other community contributions;*

(2) *all grants received from the Corporation for Public Broadcasting;*

(3) *grants received from foundations, corporations, or federal, state, or local agencies or other sources for the purpose of programming or general operating support;*

(4) *interest income;*

(5) *earned income;*

(6) *employee salaries paid through the federal Comprehensive Employment Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;*

(7) *employee salaries paid through supporting educational institutions, provided that only salary expended for employee*



duties directly relating to radio station operations shall be counted;

(8) direct operating costs provided by supporting educational institutions;

(9) no more than \$15,000 in volunteer time calculated at the federal minimum wage.

The following are specifically excluded in determining a station's operating income:

(1) dollar representations in in-kind assistance from any source except as stipulated in clauses (8) and (9) above;

(2) grants or contributions from any source for the purpose of purchasing capital improvements or equipment;

(3) noncommercial radio stations grants received in the previous fiscal year pursuant to this section.

Subd. 3. [STATION ELIGIBILITY.] To qualify for a grant under this section, a noncommercial radio station shall:

(a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;

(b) Have facilities adequate to provide local program production and origination;

(c) Employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(d) Maintain a minimum daily broadcasting schedule of (i) the maximum allowed by its Federal Communications Commission license or (ii) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;

(f) Have a daily broadcast schedule devoted primarily to programming which serves ascertained community needs of an educational, informational or cultural nature within its primary

signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in school or professional in-service audiences;

(g) Originate significant, locally produced programming designed to serve its community of license;

(h) Have a total annual operating income and budget of at least \$50,000;

(i) Have either a board of directors representing the community or a community advisory board which conducts advisory board meetings which are open to the public;

(j) Have a board of directors which: (i) holds that portion of any meeting relating to the management or operation of the radio station open to the public and (ii) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at such meeting, to register the person's name or to provide any other information;

(k) Have met the criteria in clauses (a) through (j) for six months before it is eligible for state assistance under this section.

The board of the arts shall accept the judgment of a Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required.

**Subd. 4. [APPLICATION.]** To be eligible for a grant under this section, a station shall submit an application to the board of the arts within the deadline prescribed by the board. It shall also submit, within the deadline prescribed by the board, its audited financial records for the fiscal year preceding the year for which the grant will be made.

**Subd. 5. [GRANTS.]** The board of the arts shall determine eligibility for grants and the allocation of grant funds on the basis of audited financial records for the applicant station's fiscal year preceding the year in which the grant is made, as well as on the basis of the other requirements set forth in this section. The board shall annually distribute grants to all stations which comply with the eligibility requirements and apply for a grant. The board of the arts may promulgate rules to implement this section. For this purpose the board of the arts may promulgate temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5. An applicant's share of the grant funds shall be based on:

(a) *The amount received in the preceding year by the station in private non-tax generated contributions from sources within the state. No contributions made for the purpose of capital expenditures shall be counted, and*

(b) *The dollar value in the preceding year of contributions of volunteer time to station operations, provided that the volunteer time was not used for the purpose of raising funds for the station. Volunteer time shall be valued at the federal minimum wage per hour. A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to this section.*

(c) *The board of the arts shall match every verified contribution dollar under clause (a) and volunteer time dollar, as calculated under clause (b), with two state dollars for all eligible applicants until the applicant station has received \$10,000 in grant funds under this section, and thereafter grant funds shall be distributed on a dollar for dollar basis until the total amount appropriated for that year has been distributed equally among all applicants. Provided that a station may receive state matching funds only until the station's total verified contribution and volunteer time has been matched or the amount of the grant received equals one-third of the station's total operating income for the previous fiscal year.*

*A station may use grant funds under this section for any radio station expenses.*

*Subd. 6. [AUDIT.] A station which receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation, management and an analysis of the station's use of the grant funds. A copy of the audit shall be filed with the board of the arts."*

Further amend by striking the title and inserting:

*"A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.17, Subdivision 2; and 139.18, Subdivisions 1 and 2."*

The motion prevailed and the amendment was adopted.

S. F. No. 1504, A bill for an act relating to the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2; 138.01, by adding a subdivision; 139.10, Subdivision 2; 139.17, Subdivision 2; and 139.18, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

## CONSENT CALENDAR

S. F. No. 478 was reported to the House.

Minne moved to amend S. F. No. 478, the unofficial engrossment, as follows:

Page 2, line 14, before the period, insert “; provided that the cartway shall not be vacated without following the vacation proceedings established under Minnesota Statutes, Section 164.07”

The motion prevailed and the amendment was adopted.

S. F. No. 478, A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

## CALENDAR

S. F. No. 807, A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 5 nays as follows:

## Those who voted in the affirmative were:

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

## Those who voted in the negative were:

Den Ouden	Erickson	Sherwood	Sviggun	Thiede
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The bill was passed and its title agreed to.

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, 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 132 yeas and 0 nays as follows:

## Those who voted in the affirmative were:

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

Minne	Olsen	Reding	Simoneau	Weaver
Moe	Onnen	Rees	Stoa	Welch
Munger	Osthoff	Reif	Stowell	Welker
Murphy	Otis	Rice	Sviggum	Wenzel
Nelsen, B.	Patton	Rose	Swanson	Wieser
Nelsen, M.	Pavlak	Rothenberg	Thiede	Wigley
Nelson	Pehler	Sarna	Tomlinson	Wynia
Niehaus	Peterson	Schreiber	Valan	Zubay
Norman	Piepho	Searles	Valento	Speaker Searle
Norton	Pleasant	Sherwood	Vanasek	
Novak	Prahl	Sieben, H.	Voss	
Nysether	Redalen	Sieben, M.	Waldorf	

The bill was passed and its title agreed to.

S. F. No. 484, A bill for an act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; amending Minnesota Statutes 1978, Chapter 204A, by adding a section; Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; and 205.14, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

## CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. Nos. 1037 and 990.

H. F. No. 1037, A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

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.	Searles
Albrecht	Ellingson	Kaley	Nelson	Sherwood
Anderson, B.	Enebo	Kalis	Niehaus	Sieben, H.
Anderson, D.	Erickson	Kelly	Norman	Sieben, M.
Anderson, G.	Esau	Kempe	Norton	Simoneau
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	Otis	Tomlinson
Berkelman	Friedrich	Lehto	Patton	Valan
Biersdorf	Fritz	Levi	Pavlak	Valento
Blatz	Fudro	Long	Pehler	Vanasek
Brinkman	Greenfield	Ludeman	Peterson	Voss
Byrne	Halberg	Luknic	Piepho	Waldorf
Carlson, L.	Haukoos	Mann	Pleasant	Weaver
Cassery	Heap	McCarron	Prahl	Welch
Clark	Heinitz	McDonald	Redalen	Welker
Clawson	Hoberg	McEachern	Reding	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.

Levi and Tomlinson were excused for the remainder of today's session. Luknic was excused from 3:30 p.m. to 4:00 p.m.

H. F. No. 990 was reported to the House.

Welker moved to amend H. F. No. 990 as follows:

Page 10, line 3, delete "*commercial and industrial*"

Page 10, line 4, delete "*establishments, and other energy consuming facilities*"



Page 10, delete lines 6 and 7

Reletter subclauses accordingly

A roll call was requested and properly seconded.

A division of the amendment was requested.

The first portion of the amendment reads as follows:

Page 10, line 3, delete "*commercial and industrial*"

Page 10, line 4, delete "*establishments, and other energy consuming facilities*"

The question was taken on the first portion of the Welker amendment and the roll was called. There were 31 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Jennings	Onnen	Weaver
Ainley	Drew	Kaley	Patton	Welker
Albrecht	Esau	Kempe	Piepho	Wieser
Anderson, R.	Fritz	Knickerbocker	Redalen	
Biersdorf	Halberg	Ludeman	Rose	
Brinkman	Heap	Niehaus	Rothenberg	
Dempsey	Hoberg	Nysether	Schreiber	

Those who voted in the negative were:

Adams	Ellingson	Kahn	Nelsen, M.	Sieben, M.
Anderson, B.	Enebo	Kalis	Nelson	Simoneau
Anderson, D.	Erickson	Kelly	Norman	Stoa
Anderson, G.	Evans	Kostohryz	Novak	Stowell
Anderson, I.	Ewald	Kroening	Osthoff	Sviggum
Battaglia	Faricy	Kvam	Otis	Swanson
Begich	Fjoslien	Laidig	Pavlak	Thiede
Berglin	Forsythe	Lehto	Pehler	Valan
Blatz	Friedrich	Long	Peterson	Valento
Byrne	Fudro	Mann	Pleasant	Vanasek
Carlson, L.	Greenfield	McCarron	Prahl	Waldorf
Casserly	Haukoos	McEachern	Reding	Welch
Clark	Heinitz	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wigley
Corbid	Jacobs	Minne	Rice	Wynia
Crandall	Jaros	Moe	Sarna	Zubay
Dean	Johnson, C.	Munger	Searles	Speaker Searle
Eken	Johnson, D.	Murphy	Sherwood	
Elioff	Jude	Nelsen, B.	Sieben, H.	

The motion did not prevail and the first portion of the amendment was not adopted.

The second portion of the amendment reads as follows:

Page 10, delete lines 6 and 7

Reletter subclauses accordingly

Searles moved to amend the second half of the Welker amendment to H. F. No. 990, as follows:

Do not delete lines 6 and 7

Line 7, after "*services*" insert "*related to energy emergency*"

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

The question recurred on the second portion of the Welker amendment and the roll was called. There were 49 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kempe	Patton	Stowell
Ainley	Erickson	Knickerbocker	Piepho	Sviggum
Albrecht	Esau	Ludeman	Prahl	Thiede
Anderson, R.	Evans	Luknic	Redalen	Valento
Biersdorf	Fritz	McDonald	Rees	Waldorf
Blatz	Haukoos	McEachern	Reif	Weaver
Brinkman	Heap	Minne	Rothenberg	Welker
Crandall	Hoberg	Niehaus	Schreiber	Wieser
Dempsey	Jennings	Nysether	Searles	Zubay
Den Ouden	Kaley	Onnen	Sherwood	

Those who voted in the negative were:

Adams	Dean	Johnson, D.	Murphy	Rice
Anderson, B.	Eken	Jude	Nelsen, B.	Rose
Anderson, D.	Elioff	Kahn	Nelsen, M.	Sarna
Anderson, G.	Ellingson	Kalis	Nelson	Sieben, H.
Anderson, I.	Enebo	Kelly	Norman	Sieben, M.
Battaglia	Ewald	Kostohryz	Norton	Simoneau
Begich	Faricy	Kroening	Novak	Stoa
Berglin	Fjoslien	Kvam	Olsen	Swanson
Berkelman	Forsythe	Laidig	Osthoff	Valan
Byrne	Fudro	Lehto	Otis	Vanasek
Carlson, L.	Greenfield	Long	Pavlak	Voss
Casserly	Heintz	Mann	Pehler	Welch
Clark	Jacobs	McCarron	Peterson	Wenzel
Clawson	Jaros	Mehrkins	Pleasant	Wigley
Corbid	Johnson, C.	Munger	Reding	

The motion did not prevail and the second portion of the amendment was not adopted.

Ludeman moved to amend H. F. No. 990, as follows:

Page 42, line 4, delete Section 6 of Article VII

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 44 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Knickerbocker	Piepho	Sviggunn
Ainley	Fritz	Ludeman	Redalen	Thiede
Albrecht	Halberg	McDonald	Reding	Valento
Anderson, G.	Haukoos	Mehrkens	Rees	Waldorf
Anderson, R.	Heap	Minne	Reif	Weaver
Biersdorf	Hoberg	Niehaus	Rose	Welker
Crandall	Jennings	Norman	Schreiber	Wieser
Dempsey	Kaley	Nysether	Searles	Zubay
Den Ouden	Kempe	Pavlak	Sherwood	

Those who voted in the negative were:

Adams	Eken	Jude	Munger	Rice
Anderson, B.	Elioff	Kahn	Murphy	Rothenberg
Anderson, D.	Ellingson	Kalis	Nelsen, B.	Sarna
Anderson, I.	Enebo	Kelly	Nelsen, M.	Sieben, H.
Battaglia	Erickson	Kostohryz	Nelson	Sieben, M.
Begich	Evans	Kroening	Norton	Simoneau
Berglin	Ewald	Kvam	Novak	Stoa
Berkelman	Faricy	Laidig	Olsen	Stowell
Blatz	Fjoslien	Lehto	Onnen	Swanson
Byrne	Fudro	Long	Osthoff	Valan
Carlson, L.	Greenfield	Luknic	Otis	Voss
Casserly	Hokanson	Mann	Patton	Welch
Clark	Jacobs	McCarron	Pehler	Wenzel
Clawson	Jaros	McEachern	Peterson	Wigley
Corbid	Johnson, C.	Metzen	Pleasant	Wynia
Dean	Johnson, D.	Moe	Prahl	Speaker Searle

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

Ludeman moved to amend H. F. No. 990, as follows:

Page 41, line 9, delete Section 2 of Article VII

Renumber remaining sections

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 48 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Aasness	Berkelman	Dempsey	Haukoos	Kempe
Ainley	Biersdorf	Den Ouden	Heap	Kroening
Albrecht	Brinkman	Eken	Heinitz	Ludeman
Anderson, B.	Byrne	Evans	Hoberg	Luknic
Anderson, G.	Corbid	Fritz	Jennings	McDonald
Anderson, R.	Crandall	Halberg	Kaley	Minne

Nelsen, B.	Patton	Rothenberg	Thiede	Welker
Niehaus	Pavlak	Searles	Valento	Wieser
Nysether	Piepho	Sherwood	Voss	
Onnen	Reding	Sviggun	Weaver	

Those who voted in the negative were:

Adams	Erickson	Kelly	Nelson	Sieben, M.
Anderson, D.	Esau	Knickerbocker	Norman	Stoa
Battaglia	Ewald	Kvam	Norton	Stowell
Begich	Faricy	Laidig	Novak	Swanson
Berglin	Fjoslien	Lehto	Osthoff	Valan
Blatz	Forsythe	Long	Otis	Vanasek
Carlson, L.	Fudro	Mann	Peterson	Waldorf
Casserly	Greenfield	McCarron	Prahl	Welch
Clark	Hokanson	McEachern	Redalen	Wenzel
Clawson	Jaros	Mehrkens	Rees	Wigley
Dean	Johnson, C.	Metzen	Reif	Wynia
Drew	Johnson, D.	Moe	Rice	
Elioff	Jude	Munger	Rose	
Ellingson	Kahn	Murphy	Sarna	
Enebo	Kalis	Nelsen, M.	Sieben, H.	

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

Minne and Reding moved to amend H. F. No. 990, as follows:

Page 41, line 23, delete Section 4 of Article VII

Renumber remaining sections

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 45 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Ainley	Den Ouden	Johnson, D.	Murphy	Sherwood
Albrecht	Drew	Jude	Niehaus	Sviggun
Anderson, G.	Elioff	Kalis	Nysether	Thiede
Anderson, R.	Esau	Kelly	Patton	Valento
Begich	Fjoslien	Kempe	Pavlak	Voss
Blatz	Haukoos	Ludeman	Piepho	Weaver
Brinkman	Heap	McDonald	Redalen	Welker
Crandall	Hoberg	McEachern	Reding	Wieser
Dempsey	Jennings	Minne	Searles	Zubay

Those who voted in the negative were:

Adams	Byrne	Ellingson	Hokanson	Lehto
Anderson, B.	Carlson, L.	Enebo	Jacobs	Long
Anderson, D.	Casserly	Ewald	Jaros	Luknic
Anderson, I.	Clark	Faricy	Johnson, C.	Mann
Battaglia	Clawson	Forsythe	Kahn	McCarron
Berglin	Corbid	Greenfield	Kroening	Mehrkens
Berkelman	Dean	Halberg	Kvam	Metzen
Biersdorf	Eken	Heinitz	Laidig	Moe

Munger	Onnen	Rees	Sieben, H.	Welch
Nelsen, M.	Osthoff	Reif	Sieben, M.	Wenzel
Nelson	Otis	Rice	Stoa	Wigley
Norman	Pehler	Rose	Stowell	Wynia
Norton	Peterson	Rothenberg	Swanson	Speaker Searle
Novak	Pleasant	Sarna	Valan	
Olsen	Prahl	Schreiber	Vanasek	

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

Wenzel moved to amend H. F. No. 990, as follows:

Page 34, line 20, after "agencies" insert "*or boards of county commissioners*"

The motion prevailed and the amendment was adopted.

Elioff moved to amend H. F. No. 990, as follows:

Page 41, line 25, after "agency" delete "\$50,000" and insert "\$100,000"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 11 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Anderson, D.	Elioff	Kelly	Minne	Reding
Battaglia	Greenfield	Long	Munger	Sarna
Begich				

Those who voted in the negative were:

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

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

H. F. No. 990, A bill for an act relating to energy; clarifying the procedures for declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; providing partial funding to school districts, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes; prescribing a penalty; authorizing a weatherization program for low-income persons; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision: 12.21, Subdivisions 1 and 3, and by adding a subdivision; 12.28; 12.32; 16.32, by adding a subdivision: 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 451.09; 462.357, Subdivisions 1 and 6; 462A.02, by adding a subdivision; and Chapter 116H, by adding a section; and Chapter 268, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.

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

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 11 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Ainley	Ludeman	Niehaus	Sviggum	Welker
Den Ouden	McDonald	Nysether	Thiede	Wieser
Kempe				

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

### SPECIAL ORDERS

H. F. No. 1097 was reported to the House.

Anderson, B., moved to amend H. F. No. 1097 as follows:

Page 2, line 6, after "alien" insert "unless he or she has submitted a written statement to the commissioner explaining the reasons for the absence and any other facts which support the continuation of the permanent resident alien status. Upon receipt of the statement, the commissioner shall have 30 days to notify the resident alien whether the facts support continuation of the permanent resident alien status. If the resident alien demonstrates his or her intention to re-establish Minnesota residency, the commissioner shall continue the permanent resident alien status"

Page 3, line 2, before "If" insert:

"Prior to any action taken pursuant to this subdivision, the commissioner shall hold a meeting in the county where the land is located to allow all parties the opportunity to exchange information relating to the proposed divestiture. The commissioner shall report his findings to the attorney general and all parties who participated in the meeting."

The motion prevailed and the amendment was adopted.

H. F. No. 1097, A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident

alien and loss of status; amending Minnesota Statutes 1978, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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.

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 101 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, G.	Battaglia	Berglin
Adams	Anderson, D.	Anderson, I.	Begich	Berkelman



Biersdorf	Fjoslien	Kroening	Olsen	Sieben, M.
Blatz	Forsythe	Kvam	Osthoff	Stoa
Brinkman	Fritz	Laidig	Otis	Stowell
Byrne	Fudro	Lehto	Patton	Sviggum
Carlson, L.	Greenfield	Long	Pavlak	Swanson
Clark	Halberg	Luknic	Pehler	Valan
Clawson	Heap	Mann	Peterson	Valento
Corbid	Heinitz	McCarron	Pleasant	Vanasek
Crandall	Hoberg	McDonald	Prahl	Voss
Dean	Hokanson	Mehrkins	Reding	Weaver
Dempsey	Jacobs	Metzen	Rees	Welch
Drew	Johnson, C.	Minne	Reif	Wenzel
Eken	Jude	Moe	Rice	Wigley
Elioff	Kahn	Munger	Rothenberg	Wynia
Ellingson	Kaley	Murphy	Sarna	Zubay
Enebo	Kalis	Nelson	Schreiber	
Evans	Kelly	Norman	Searles	
Ewald	Kempe	Norton	Sherwood	
Faricy	Knickerbocker	Novak	Sieben, H.	

Those who voted in the negative were:

Ainley	Erickson	Johnson, D.	Onnen	Welker
Albrecht	Friedrich	Ludeman	Piepho	Wieser
Anderson, R.	Haukoos	Niehaus	Redalen	Speaker Searle
Den Ouden	Jennings	Nysether	Thiede	

The bill was passed and its title agreed to.

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

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:

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

Sieben, H.	Swanson	Voss	Wenzel	Speaker Searle
Sieben, M.	Thiede	Waldorf	Wieser	
Stoa	Valan	Weaver	Wigley	
Stowell	Valento	Welch	Wynia	
Sviggun	Vanasek	Welker	Zubay	

The bill was passed and its title agreed to.

Nelsen, B., was excused for the remainder of today's session.

H. F. No. 1324, A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark	Kvam	Moe	Nelson	Rice
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The bill was passed and its title agreed to.

H. F. No. 8 was reported to the House.

Fjoslien moved that H. F. No. 8 be continued on Special Orders for one day. The motion prevailed.

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

### GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders until Monday, May 7, 1979.

### MOTIONS AND RESOLUTIONS

Kroening moved that the name of Norton be added as an author on H. F. No. 724. The motion prevailed.

House Concurrent Resolution No. 6 was reported to the House.

#### HOUSE CONCURRENT RESOLUTION NO. 6

A house concurrent resolution requesting the state personnel department to study means to recognize and provide incentives for job-related professional, educational achievement of certified professional secretaries.

*Whereas*, it is in the best interests of all public agencies to employ the best qualified and most efficient persons available for secretarial work; and

*Whereas*, both employees and employers benefit from secretaries' efforts to improve their knowledge and skills; and

*Whereas*, the Certified Professional Secretary rating requires a two-day examination in distinct areas of competence, including business, psychology, public policy, business law, financial analysis, accounting, business management, economics management, communications skills, shorthand, typing, office procedures and parliamentary procedure; and

*Whereas*, many colleges and universities award up to two years' credit to individuals who have achieved the Certified Professional Secretary rating and some states give professional recognition to employees who have been so certified; *now, therefore*,

*Be it resolved*, by the House of Representatives of the State of Minnesota, the Senate concurring, that the State Personnel Department is requested to study the feasibility of recognizing

continued exceptional performance and job-related educational achievements of secretaries.

*Be it further resolved*, that the department study the establishment of job specifications and testing procedures for new secretarial personnel with competence levels related to the CPS rating.

*Be it further resolved*, that the study include recommendations on the advisability of granting educational leave and reimbursement for job-related education and skills.

*Be it further resolved*, that a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Commissioner of Personnel.

Long moved that House Concurrent Resolution No. 6 be now adopted. The motion prevailed and House Concurrent Resolution No. 6 was adopted.

#### ANNOUNCEMENTS BY THE SPEAKER AND THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1518:

Forsythe, Wieser, Reif, McCarron, Rice and Corbid.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1526:

Erickson, Dean, Weaver, Sieben, M., Swanson and Metzen.

#### ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, May 7, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, May 7, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives